

AGENDA

ESCAMBIA – PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)

August 3, 2021

REGULAR MEETING

Hagler Mason Conference Room, City Hall

222 W. Main Street, Pensacola, FL

9:00 – 10:00 a.m.

1. Call to Order and Welcome
2. Roll Call
3. Proof of Publication
4. Election of Chairperson
5. Election of Vice Chairperson
6. Overview of Sunshine Requirements – Escambia County Attorney's Office
7. County and City Affordable Housing Incentive Plan Report Overview
8. Public Comment
9. Announcement/Written Communication
10. Adjournment

Next Meeting: September 7, 2021

Open Government

Florida's Sunshine Law and Public Records Law

Sunshine Law

- Florida's Government in the Sunshine Law
- Provides citizens a right of access to governmental proceedings and documents created in regular business
- In absence of statutory exemption, it applies to:
 - Any interaction of two or more members of the same board to discuss some matter which will foreseeably come before the board for action

Scope of the Sunshine Law

- Board members may not engage in private discussions with each other about board business.
 - In-person or by phone
 - Emailing
 - Text messaging
 - Any other type of electronic communication
 - E.g., Facebook, blogs, etc.

Scope of the Sunshine Law

- Individual board members are not prohibited from discussing board business with staff or non-board member.
- BUT, these individuals may not be used as a liaison to communicate between board members.
- E.g., board member cannot ask staff to poll the other board members to determine their views on a board issue

Scope of the Sunshine Law

- Three basic requirements:
 - Meetings of public boards or commissions must be open to the public;
 - Reasonable notice of such meetings must be provided; and
 - Minutes of the meetings must be prepared and open to public inspection.

Scope of the Sunshine Law

- The Sunshine Law applies to advisory boards created pursuant to law or ordinance or otherwise established by public agencies or officials.

Scope of the Sunshine Law

- Staff meetings are not normally subject to the Sunshine Law.
- BUT, staff committees may be subject to Sunshine Law if they are part of the “decision-making process,” as opposed to traditional staff functions like factfinding or information gathering.
- Focus is on the nature of the act.
 - Staff committee making non-binding recommendations or assisting in evaluating proposals would be subject to Sunshine Law.
 - Staff committee merely relaying facts would not be subject to Sunshine Law.

Scope of the Sunshine Law

- Only the Legislature may create an exemption from the Sunshine Law.
- Exemptions are strictly construed.
 - Presumption in favor of open government.
- An exemption from a Public Records Law does not allow a board to close a meeting.
 - Instead, a specific exemption from the Sunshine Law is required.

Board Meetings

- Boards may adopt reasonable rules and policies to ensure orderly conduct of meetings.
- BUT, the Sunshine Law does not allow boards to ban nondisruptive videotaping, tape recording, or photography at public meetings.

Board Meetings

- Fla. Stat. § 286.0114 provides, subject to exceptions:
- Boards must allow an opportunity to public to be heard before the board takes official action on a proposition.
- Statute does not prohibit boards from “maintaining orderly conduct or proper decorum in a public meeting.”

Penalties

- Civil action
 - Noncriminal infraction punishable by fine up to \$500
- Criminal penalties
 - Knowing violation of Sunshine Law is second degree misdemeanor.
- Suspension or removal from office

Public Records Law

- Florida's Public Records Act, Chapter 119
- Provides a right of access to records of state and local governments, as well as private entities acting on their behalf.
- If material falls within the definition of “public record” it must be disclosed to the public, unless there is a statutory exemption.

“Public Records”

- All “documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics, or means of transmission”
 - Includes electronic communications like emails, text messages, etc.
- Made or received pursuant to law or ordinance or in connection with the transaction of official business
- By any agency [including a private entity acting “on behalf of” a public agency]
- Which are used to perpetuate, communicate, or formalize knowledge.

Providing Public Records

- Public records cannot be withheld at the request of the sender.
 - E.g., emails to agency
- A requestor is not required to show a “legitimate” or “noncommercial interest” as a condition of access.
- A request cannot be denied because it is “overbroad.”
- Unless authorized by another statute, an agency may not require that public records request be in writing or require requestor to identify himself or herself

Providing Public Records

- Public Records Act does not contain a specific time limit
 - E.g., 24 hours or 10 days
- Florida Supreme Court:
 - The only delay in producing records permitted under the statute is the reasonable time to allow the custodian to retrieve the record and redact those portions of the record the custodian asserts are exempt.

Fees

- Chapter 119 authorizes the custodian to charge a fee of up to 15 cents per one-sided copies. Double-sided is an additional 5 cents.
- For other copies, the charge is the actual cost of duplication of the record.
- Actual cost:
 - Cost of the material and supplies, not including labor or overhead cost

Fees

- In addition to duplication costs, an agency may impose a reasonable service charge for the actual cost of extensive labor and information technology required due to the large volume of the request.
- Greater than 15 minutes of staff time to complete
- Hourly wage and benefits of lowest paid employee with knowledge and expertise to fulfill the request

Retention

- All public records must be retained in accordance with retention schedules approved by the Department of State
- Even exempt or confidential records must be retained

Penalties for Noncompliance

- Criminal penalties
 - Willful and knowing violation is first degree misdemeanor
 - Third degree felony for violations pertaining to crime or accident victims
- Civil action
 - Noncriminal infraction punishable by up to \$500 fine
- Attorney's fees
 - Court shall award costs of enforcement [of Ch. 119], including attorney's fees

Questions

ESCAMBIA COUNTY COMPREHENSIVE PLAN

2030



2/2015

Chapter 9 Housing Element.

The purpose of the Housing Element is to provide guidance for the development of safe, sanitary, and affordable housing for all residents of Escambia County. In particular, the goals, objectives, and policies contained in this element are intended to identify and address current and future deficits in the provision of moderate, low, and very low income housing, group homes, foster care facilities, and housing for those with special needs. In addition, this element is intended to provide guidance to public and private sector housing providers, as well as to the residents of Escambia County, regarding the redevelopment of existing neighborhoods, removal of substandard housing, relocation assistance, and critical housing assistance programs.

GOAL HOU 1 PROVISION OF HOUSING

Escambia County will provide safe, sanitary, and affordable housing for the current and future residents of the County.

OBJ HOU 1.1 Housing Delivery Process

Provide guidance and direction to both the public and private sectors to assist in the provision of adequate housing that varies in type, density, size, tenure, ownership, cost, and location.

POLICIES

HOU 1.1.1 Residential Areas. The Escambia County FLUM and zoning maps will identify areas suitable for residential development and/or redevelopment.

HOU 1.1.2 Site Development Criteria. The LDC will include site development criteria for all housing types, including affordable and special needs housing.

HOU 1.1.3 Permitting Process. The LDC will include an efficient and reasonable permitting process for residential development. This process will include the use of checklists and referrals to appropriate regulatory agencies.

HOU 1.1.4 Adequate Infrastructure. To assure the sustainability of residential communities, Escambia County will require new residential development to locate where adequate infrastructure is available.

HOU 1.1.5 Mixed-use Development. Escambia County will encourage mixed-use development, which places housing within close proximity to non-residential opportunities, such as retail and employment centers.

HOU 1.1.6 Ownership Types. Escambia County will recognize the need to provide a mix of ownership types, including for-sale and rental units, to meet the diverse needs of County residents.

HOU 1.1.7 Housing Types. Escambia County's Future Land Use Element and LDC will provide for a mix of housing types, including, but not limited to, single-family residential, multi-family residential, mobile and manufactured homes, live-work units, accessory dwellings, and other residential types that vary in density, size, cost and location.

OBJ HOU 1.2 Affordable Housing

Assure the provision of safe, sanitary and affordable housing for moderate, low, and very low income residents.

POLICIES

HOU 1.2.1 Definition. Escambia County will define affordable housing as housing with costs, including monthly rents or mortgage payments, taxes, insurance, and utilities, not exceeding 30 percent of the amount that represents the percentage of the median adjusted gross annual income for the households in Florida Statutes as amended.

HOU 1.2.2 Location. Escambia County will allow the location of affordable housing in any residential FLUM category provided that the housing is compatible with all applicable rules and regulations of the LDC.

HOU 1.2.3 Development Types. Escambia County will promote affordable housing opportunities by allowing cluster developments, zero-lot line developments, planned unit developments, and other types of housing layouts that may reduce the cost of individual dwelling units.

HOU 1.2.4 Mobile or Manufactured Home Location. Escambia County will encourage the use of modular homes, mobile, and/or manufactured as a type of housing as defined by Florida Statutes within the appropriate zoning and FLU categories.

OBJ HOU 1.3 Special Needs Housing

Ensure adequate housing opportunities are available in residential areas or areas of residential character to accommodate citizens with special needs.

POLICIES

HOU 1.3.1 Location Criteria. The LDC will include criteria guiding the location of housing for group homes, foster care facilities, and households with special needs.

HOU 1.3.2 Compatible Zoning. Escambia County will allow foster care facilities and group homes, housing six or fewer residents, in any residential zoning category. Group homes, housing seven or more residents, may be located in any medium density, high density or mixed-use category.

HOU 1.3.3 Senior Needs. Escambia County will encourage the development of accessible and affordable senior housing within close proximity to support services and public infrastructure.

OBJ HOU 1.4 Existing Neighborhoods and Redevelopment

Protect the character of existing residential neighborhoods, provide opportunities for redevelopment, and infill development and reduce the number of substandard housing units through the continued implementation of structural and aesthetic improvement programs such as but not limited to: preservation and infill, regulation enforcement, construction inspection, improvement aid, unsafe building abatement, substandard home removal, infrastructure improvement, and rental units and housing stock conservation/rehabilitation.

OBJ HOU 1.5 Relocation Assistance

Provide housing assistance, including relocation housing for persons displaced by public programs, projects or housing rehabilitation.

POLICIES

HOU 1.5.1 Grants. Escambia County will pursue grants to provide for relocating moderate, low, and very low income persons displaced during the housing rehabilitation process.

HOU 1.5.2 County Policy. Escambia County will utilize its "Relocation Policy" that was developed in compliance with Public Law 93-383 (The Housing and Community Development Act of 1974) and adopted by the BCC on November 28, 1988, including any revisions thereto.

OBJ HOU 1.6 Housing Programs

Continue implementation of critical housing programs. Implementation will include, but not be limited to, County/Private partnerships, County/City partnerships, private non-profit, and technical assistance providers.

POLICIES

HOU 1.6.1 Program Information. Escambia County will continue its housing outreach program to assure dissemination of housing information.

HOU 1.6.2 Non-discrimination. Escambia County will enforce its nondiscrimination policies and provisions so as to ensure access to housing opportunities by all segments of the County's population.

HOU 1.6.3 Low-Interest Mortgage Loans. Escambia County will cooperate with appropriate local, state and federal agencies to facilitate bond-backed low-interest mortgage loans for homes purchase by qualified individuals or families.

HOU 1.6.4 Housing Finance Authority. Escambia County will participate with the Escambia County Housing Finance Authority (HFA) in the issuance of bonds to provide low interest mortgage loans for home purchases by qualified families.

HOU 1.6.5 Neighborhood Enterprise Foundation Reports. Escambia County will receive, review, and respond to the annual reports produced by the Neighborhood Enterprise Foundation, Inc. (NEFI) or other designated authority as such reports relate to this comprehensive plan and/or the provision of safe, sanitary, and affordable housing for all citizens of Escambia County.

HOU 1.6.6 State and Federal Assistance. Escambia County will participate in affordable housing programs as made available by the state, federal, or other appropriate agencies.

HOU 1.6.7 Neighborhood Enterprise Foundation. Escambia County will provide assistance, through NEFI, to provide affordable homeownership opportunities for moderate, low, and very low income homebuyers.

HOU 1.6.8 SHIP Fund Initiatives. Escambia County will use State Housing Initiatives Partnership (SHIP) Program funds to expand and/or enhance ongoing activities designed to develop new affordable housing initiatives conforming to the statutory requirements of Florida Statutes.

OBJ HOU 1.7 Data and Monitoring

Escambia County will continually monitor the success of its housing objectives and policies.

POLICIES

HOU 1.7.1 Housing Inventory. Escambia County will collect housing inventory data as required by state, federal, or other appropriate agencies.

HOU 1.7.2 Special Needs Housing. Escambia County will update inventories of providers of special needs housing (group and foster homes, facilities for the homeless, etc.) on an annual basis, including quantity and location.

HOU 1.7.3 Annual Housing Review. Escambia County will examine its housing needs and implementation activities annually so as to maintain up-to- date information on the housing delivery process program and the success of prior activities.

OBJ HOU 1.8 Energy Efficient Housing.

Escambia County will encourage energy efficiency in the design and construction of new residential housing.

POLICIES

HOU 1.8.1 Energy Efficient Incentive Programs. The County, will develop an incentive program to encourage residential construction that meets the energy efficiency criteria as governed by the Florida Building Code. The incentive program may include educational materials, expedited permitting, and/or public recognition.

HOU 1.8.2 No Prohibition for Energy Conservation. The County will not prohibit the use of energy-efficient or alternative-energy practices for residences, such as photovoltaic panels, passive solar orientation of buildings, or strategic placement of landscaping materials to reduce energy consumption.

The Florida Senate

2020 Florida Statutes

<u>Title XXX</u> SOCIAL WELFARE	<u>Chapter 420</u> HOUSING <u>Entire Chapter</u>	SECTION 9076 Adoption of affordable housing incentive strategies; committees.
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420.9076 Adoption of affordable housing incentive strategies; committees.—

(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program, including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. 420.9071(16).

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee. The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below:

(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.

(3) All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible municipality.

(4) Annually, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit an annual report to the local governing body and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which includes recommendations on the implementation of affordable housing incentives in the following areas:

- (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.

The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform an initial review but may elect to not perform the annual review.

(5) The approval by the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and place of the public hearing of the advisory committee to adopt its evaluation and final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the evaluation and local housing incentives strategies recommendations to be considered by the advisory committee. The notice must state the public place where a copy of the evaluation and tentative advisory committee recommendations can be obtained by interested persons. The final report, evaluation, and recommendations shall be submitted to the corporation.

(6) Within 90 days after the date of receipt of the evaluation and local housing incentive strategies recommendations from the advisory committee, the governing body of the appointing local government shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at a minimum, the local housing incentive strategies required under s. 420.9071(16). The local government must consider the strategies specified in paragraphs (4)(a)-(k) as recommended by the advisory committee.

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(a) If the corporation fails to receive timely the approved amended local housing assistance plan to incorporate local housing incentive strategies, a notice of termination of its share of the local housing distribution shall be sent by certified mail by the corporation to the affected county or eligible municipality. The notice of termination must specify a date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or the eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal

agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after issuance of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9073.

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. 420.9072.

(8) The advisory committee may perform other duties at the request of the local government, including:

(a) The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.

(b) The creation of best practices for the development of affordable housing in the community.

(9) The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee.

(10) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in s. 420.531(2). If the locally elected official or a locally elected designee fails to attend three consecutive regional workshops, the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

History.—s. 32, ch. 92-317; s. 15, ch. 93-181; s. 38, ch. 97-167; s. 24, ch. 2006-69; s. 19, ch. 2007-198; s. 117, ch. 2008-4; s. 30, ch. 2009-96; s. 16, ch. 2011-15; s. 67, ch. 2011-139; s. 11, ch. 2016-210; s. 19, ch. 2020-27.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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INTRODUCTION TO INCENTIVE STRATEGIES



Comprehensive Plan

- The **SHIP** Program “is for the purpose of meeting the housing needs of the very low, low and moderate income households, to expand production of and preserve affordable housing, **to further the housing element of the local government comprehensive plan** specific to affordable housing.”



Housing Element of Comp Plan

- The Housing Element requirements of the 1985 Growth Management Act include that every local government have adequate sites for affordable housing and provide housing for all of its current and future anticipated populations, including special needs populations. See Chapter 163.3177 (6) (f), Florida Statutes.



Housing Element of Comp Plan

- The Housing Element requirements do not intend for local governments to build affordable housing.
- But local governments are expected to *facilitate* affordable housing development by the private sector.
- To that end, local governments may provide local government contribution to developers seeking state and federal funds, waive or pay impact fees when possible, expedite all permitting for affordable housing, and adopt regulatory incentives such as inclusionary zoning and linkage fee ordinances.



Topics for Discussion: Items A - K

“Each advisory committee shall submit a report to the local governing body that includes recommendations on... affordable housing incentives in the following areas:”



420.9076(4) F.S. Adoption of Affordable Housing Incentive Strategies

- (a) 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.
- (b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for 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) The allowance of affordable accessory residential units in residential zoning districts.
- (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.



Two Mandatory Incentive Strategies

- Expedited Permitting
- Ongoing Review of policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- Documented on SHIP Annual Report



(a) Mandatory Expedited Permitting

- “The processing of expedited permits or development orders to a greater degree than other projects for affordable housing.”
- Purpose: **Time is Money!**



What Qualifies for Expedited Attention?

- Define: What is an affordable housing project?
- What process initiates expedited permitting?
- Color Cover Sheet approach



Many TYPES of Expedited Review

- Variances, re-zoning, waivers, request for re-platting, review of the builder's plans.
- Various departments must be aware of the requirement.
- Timing of public hearings may be unavoidable
 - Staff should propose an efficient permitting strategy that results in the least delay.



Florida Examples: Expedited Permitting

Pasco County

- Affordable single and multi-family development permit application packets are placed within a yellow band to indicate need for expediting review/approval through the process.
- Staff within the Growth Management Division shepherds application through each level of review.

Sarasota County

- SHIP office provides developer with "Priority Processing Notification form"



(i) Mandatory Ongoing Review

- "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."
- Purpose: Requiring government to consider/perhaps weigh or balance the government action's impact on the ability of the private sector to develop affordable housing. (Akin to an economic impact statement).



(b) Impact Fee Modifications

- “The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.”
- Impact Fees: typically used for roads and transportation, parks and recreation, emergency medical services, fire safety, water and sewer connections and schools.



Impact Fee Options

- Fee Deferment
- Fee Waiver
 - When impact fees have been pledged as repayment source for local bonds, they cannot be waived.
 - Future bond issues may have built in waiver for certain circumstances, such as affordable housing.
- Fee Modification: base on square foot rather than unit. Unit fee is regressive because greater impact on smaller/more affordable unit.
- Alternative sources of payment for impact fees



(c) Density Flexibility

- “The allowance of flexibility in densities for affordable housing.”
- Increased density offers an economic incentive.
 - Selling/renting a larger number of units offsets the lower sales price/rent level charge for each affordable unit.
 - Typically, only an affordable housing developer will voluntarily produce AH in exchange for density bonus.



Key Considerations about Density

- Consider the length of time that units must maintain affordability.
- Density Unit Options: provided on or off site, transferred, or built as accessory dwellings.
- Bonuses work best in housing markets where developers cannot get as much land as they need.
- May be more applicable to multi-family rental, rather than to single family subdivisions.



Mandatory Density

- **Usually associated with Inclusionary Housing**
- Inclusionary Housing
 - Provide affordable units in conjunction with the development of market rate units, increasing production in specific geographic areas that might otherwise not include affordable housing.



Inclusionary Housing in U.S.

- Several hundred inclusionary housing ordinances. Most are in California and the Northeast- NY, NJ, MA, Vermont
- Over 80,000 Californians live in the mixed-income neighborhoods.
- Several lawsuits have claimed I.H. to be 'unconstitutional takings', but none have been successful
- Builders Association sued over Tallahassee IH Ordinance and lost.



Inclusionary Zoning

Example: City of Jupiter

- [http://www.flhousingconference.org/wp-content/uploads/2014/09/Maier-AND-Thoburn-FHC-015 Annual Conference Presentation.pdf](http://www.flhousingconference.org/wp-content/uploads/2014/09/Maier-AND-Thoburn-FHC-015%20Annual%20Conference%20Presentation.pdf)



(d) Reservation of Infrastructure

- “The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.”
- Some parts of Florida do not have enough water, sewer capacity, or transportation concurrency for all potential development.
 - A developer may build a house and yet be unable to get water and sewer hook ups.



(e) Accessory Dwelling Units

- “The allowance of affordable accessory residential units in residential zoning districts.”
- ADU = a residential unit that is secondary to the primary residence of the homeowner.
 - Can be an apartment within the primary residence OR an attached or freestanding home on the same lot as the primary residence.
 - Typically an infill unit built where there is existing infrastructure
- ADUs create affordable housing in TWO ways



TIMELINE and RESPONSIBILITIES

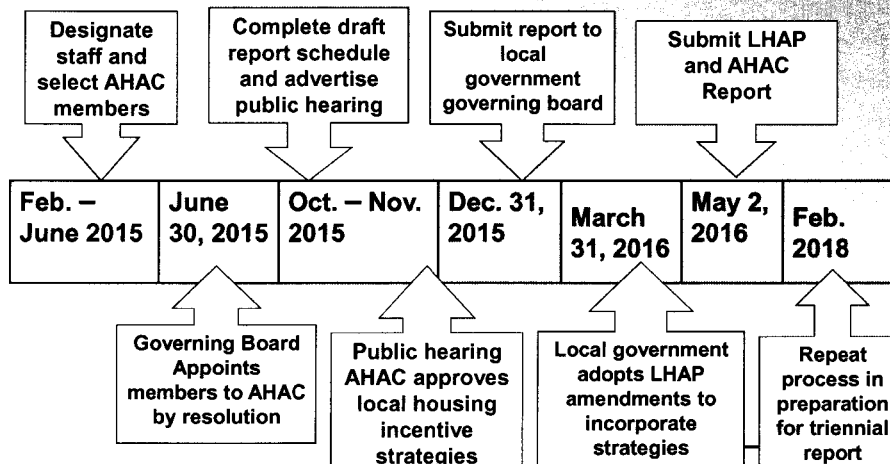


AHAC To Do

- Assemble 11 specific types of members
- Consider affordable housing incentives in 11 areas outlined in FL Statutes
- Present report to City/County Commission
- HANDOUT contains Statute/Rule reference, LHAP due dates and AHAC Timeline



AHAC Report Time Line



Dates in black are recommended timeline to meet deadlines

Dates in red are statute or rule deadlines.

POLL

What is the status of your AHAC Report?

- Our AHAC Report & LHAP are not due in 2015 & 2016
- AHAC committee and report not initiated
- AHAC members assembled
- Some AHAC meetings completed
- Report complete or to be voted on within a month



AHAC has public meetings, plus a public hearing to vote on report

- Approval of recommendations by affirmative vote of a majority of the members at a public hearing.
- Notice of public hearing time, date, and location must be published in a newspaper of general paid circulation
- Notice must contain a summary of the recommendations and state where a copy may be obtained



Possible AHAC Outcomes

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



Guidance on remaining Incentive Strategies outlined in SHIP Statute



(f) Parking and Setbacks

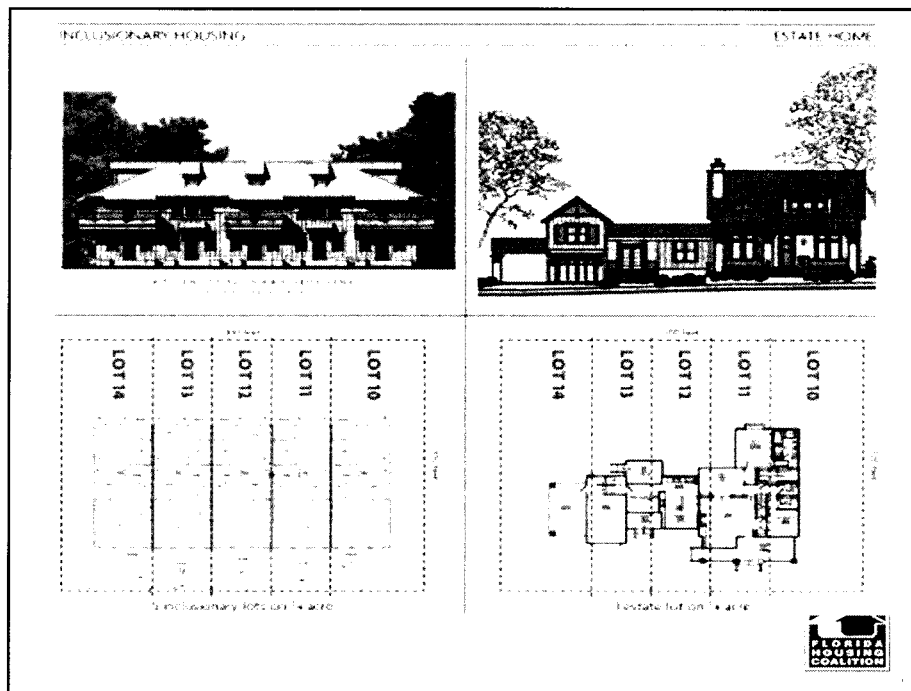
- “The reduction of parking and setback requirements for affordable housing.”
- Some housing may benefit from a reduction in the required number of parking spaces required by the land use code.
 - EXAMPLE: housing for elderly residents or people with disabilities
- Regular zoning often comes with standard street requirements



(g) Flexible Lot Configurations

- “The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.”
- Zero-lot-line = two neighboring houses back to back, with a common wall between
- 15 ft side set-back requirements common,
 - Allow smaller setbacks to offer more freedom arranging home on lot.





(h) Street Requirements

- “The modification of street requirements for affordable housing”
- Example: *An allowance for parking on only one side of the street.*
 - Reduces the required width for the road, reduces paved area and accompanying drainage/water retention
 - This design allows for parking on the street instead of garage/carport
 - This approach may require a public hearing. Allow administrative approval of flexible options
 - Typically not helpful – you don’t want to create substandard subdivisions.



(i) Mandatory Ongoing Review

Previously discussed



(j) Land Bank Inventory

- “The preparation of a printed inventory of locally owned public lands suitable for affordable housing.”
- Purpose: Reducing or eliminating the cost of land decreases the cost of developing affordable housing.
- Statutory Requirement since July 2007: Create a Surplus Land Inventory for affordable housing



Surplus Land

- Florida State Statutes 125.379 & 166.041 passed in 2007, commonly known as the surplus lands bill
- These statutes mandated that by July 2007, and every 3 years thereafter, each county and municipality shall prepare an inventory list of real property within its jurisdiction to which the county or municipality holds fee simple title that is appropriate for use as affordable housing.



Ongoing Land Bank Activities

First: Identify properties appropriate for affordable housing.

Second: Make properties suitable:

- Credit/title issues.
- Environmental conditions
- Available infrastructure /Access by public roads
- Zoning and Land use classifications
- Proximity to transportation, services, employment centers

Third: Disposition of properties for affordable housing.



LAND DONATION: Section 420.615, FL Statutes

- A local government may provide “density bonus incentives” to any landowner who voluntarily donates land to the local government for affordable housing.
 - The land must be subject to deed restrictions.
 - The additional units built do not have to be affordable.



(k) Proximity

- “The support of development near transportation hubs and major employment centers and mixed-use developments.”
- Purpose: Properly locating affordable housing makes these units all the more affordable by decreasing gas/transportation costs.
- Related to Density Bonus and Inclusionary Zoning



**ESCAMBIA COUNTY
AFFORDABLE HOUSING INCENTIVE PLAN REVIEW
BY
ESCAMBIA/PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE**

1. BACKGROUND

The Sadowski Affordable Housing Act as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act. In August, the Escambia County Board of County Commissioners, jointly with the City of Pensacola, adopted by Resolution No. 2018-88 the members to serve on the Escambia-Pensacola Affordable Housing Advisory Committee (AHAC). The Escambia-Pensacola AHAC reviewed the implementation of the Affordable Housing Incentive Plan and provided these recommended changes for the Board of County Commissioner's consideration and adoption.

2. PURPOSE

The purpose of the Incentive Plan is to set out the deliberations and recommendations for monetary and non-monetary incentives targeting regulatory reform with respect to affordable housing including the evaluation of the established policies, procedures, ordinances, land development regulations and the comprehensive plan. All recommendations should encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The Plan encompasses the specific recommendations of the AHAC all of which were voted upon and approved at a Public Hearing on March 12, 2018. This Plan details existing County housing related policies/procedures to be undertaken by the County in support of affordable housing.

3. AFFORDABLE HOUSING INCENTIVES

INCENTIVE A: 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.

Discussion: Escambia County is continually reassessing the permitting function to improve permit processing efficiency and reduce the time required for issuing residential permits. This process incorporates specific actions that will enhance expedited processing for documented affordable housing developments/projects within the County. The Development Services and Building Services Departments will take actions necessary to expedite and/or avoid delay of affordable housing developments which incorporate financing via Federal, State or designated local affordable housing programs or initiatives. Such developments will be given review priority in accordance with provisions of the Housing Element of the Escambia County Comprehensive Plan.

The current permitting review process for single family homes or duplexes in

established/platted, properly zoned subdivisions shall be generally retained as this process provides a permit turnaround time of less than 4 days. Affordable housing permit applications will be given priority in the event the permit approval time should reach a level in excess of 7 days in the future.

Recommendation: The turnaround time for building permits for single family or small scale developments are currently acceptable. The committee suggests that the County insert information on the Building Permit application noting if the project is being developed with affordable housing funding (HOME, CDBG, SHIP, etc) in order to better track the processing of developments associated with these programs.

INCENTIVE B: THE MODIFICATION OF IMPACT FEE REQUIREMENTS, INCLUDING REDUCTION OF WAIVER OF FEES AND ALTERNATIVE METHODS OF FEE PAYMENT FOR AFFORDABLE HOUSING.

Discussion: The County does not have impact fee requirements. Emerald Coast Utilities Authority (ECUA), the primary local water and sewer provider in the urban area of the County, does assess impact fees. The County has worked with ECUA regarding waivers and allowances for lower income residents or with affordable housing developments and will continue to do so.

Recommendation: The incentive is being implemented in accordance with the plan and no changes are recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE C: THE ALLOWANCE OF FLEXIBILITY IN DENSITY LEVELS FOR AFFORDABLE HOUSING.

Discussion: The existing land use regulations provide alternatives for increased density levels for residential developments. The County Land Development Code clearly provides options for increased density levels in appropriate residential zone designations specifically for the purpose of increasing housing affordability generally through the use of a Planned Unit Development (PUD), which is accomplished with coordinated predevelopment review meetings with the developer.

Recommendation: The incentive is being implemented in accordance with the plan and no changes are recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE D: THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR VERY-LOW-INCOME PERSONS, LOW-INCOME PERSONS AND MODERATE-INCOME PERSONS.

Discussion: Infrastructure Capacity is not an issue for development of affordable housing within the larger urban area of the county as water, sewer, electricity, and roadways are more than adequate for concurrency. Additionally, all areas within the County Community redevelopment areas are exempt from traffic concurrency. These areas are often the focus of housing redevelopment.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE E: THE ALLOWANCE FOR AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS

Discussion: Accessory dwellings are allowed by County Codes and are used frequently in both jurisdictions.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE F: THE REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion: Currently, the County may grant a reduction in the parking requirements through its PUD process. Affordable housing is typically given consideration (along with site design and features) when reviewing PUDs for approval. The PUD process has been used often for residential developments with affordable set-asides and/or mixed income/mixed use developments.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE G: THE ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS

Discussion: The County land development code provides for the use of zero-lot-line configurations in development of residential housing.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE H: THE MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING

Discussion: The County provides allowances for modification of street, curb and gutter, and sidewalk requirements within residential developments through its PUD process.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE 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.

Discussion: The review process is in place in both jurisdictions. Review information and comments are provided by affordable housing or development staff for consideration by policy makers.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE J: THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING DEVELOPMENT.

Discussion: The County has a listing of locally owned properties for sale or donation, many of which have been historically offered to private or nonprofit housing developers for construction of permanent affordable housing.

Recommendation: The committee recommends that the County's inventory list be reviewed for suitability for affordable housing development with an updated list to be provided to the County Commissioners. The committee recommends that the list be reviewed semi annually.

INCENTIVE K: THE SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE DEVELOPMENTS.

Discussion: Development regulations of both jurisdictions strongly support and encourage the location of affordable housing, including a priority for mixed use/mixed income, housing near transit stops/interchanges, and employment/educational centers (urban areas).

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

4. ADDITIONAL RECOMMENDATIONS:

No additional Recommendations were made by the Committee.

**CITY OF PENSACOLA
AFFORDABLE HOUSING INCENTIVE PLAN REVIEW
BY
ESCAMBIA/PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE**

1. BACKGROUND

The Sadowski Affordable Housing Act as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act. Pensacola City Council, jointly with Escambia County Board of County Commissioners, appointed the members to serve on the Escambia-Pensacola Affordable Housing Advisory Committee (AHAC). The Escambia-Pensacola AHAC reviewed the implementation of the Affordable Housing Incentive Plan and determined the incentives are being implemented in accordance with the plan. A summary of the strategies and the implementation status is presented in Attachment 1.

2. PURPOSE

The purpose of the Incentive Plan is to set out the deliberations and recommendations for monetary and non-monetary incentives targeting regulatory reform with respect to affordable housing including the evaluation of the established policies, procedures, ordinances, land development regulations, and the comprehensive plan. All recommendations should encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The Plan encompasses the specific recommendations of the AHAC all of which were voted upon and approved at a Public Hearing on March 12, 2019. This Plan details existing City housing related policies/procedures to be undertaken by the City in support of affordable housing.

3. AFFORDABLE HOUSING INCENTIVES

INCENTIVE A: 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.

Discussion:

The City's permitting system is centralized which provides an excellent expedited "one stop" process. Typically permits for single family residential dwellings are processed within one to three business days. The City building permit application provides an applicant the opportunity to note if the project is being supported with affordable housing funding (CDBG, SHIP, or OTHER).

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE B: THE MODIFICATION OF IMPACT FEE REQUIREMENTS, INCLUDING REDUCTION OR WAIVER OF FEES AND ALTERNATIVE METHODS OF FEE PAYMENT FOR AFFORDABLE HOUSING.

Discussion:

The City does not have impact-fee requirements. To support the creation and preserve sustainable affordable housing, the Comprehensive Plan supports offering incentives for infill development, one of which is the liens waiver policy for affordable housing.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE C: THE ALLOWANCE OF FLEXIBILITY IN DENSITIES FOR AFFORDABLE HOUSING.

Discussion:

The City of Pensacola Comprehensive Plan and Land Development Code allow flexibility in development density for residential developments. This is generally coordinated through predevelopment review meetings with developers' through the Special Planned Development (SPD) process.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE D: THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR VERY-LOW INCOME PERSONS, LOW-INCOME PERSONS, AND MODERATE-INCOME PERSONS.

Discussion:

Infrastructure capacity is not an issue for development of affordable housing within the urban area of the City as water, sewer, electricity, and roadways are more than adequate for concurrency. Additionally, all areas within the City's Community Redevelopment Areas are exempt from traffic concurrency.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE E: THE ALLOWANCE OF AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS.

Discussion:

Accessory dwellings are allowed in the City of Pensacola Comprehensive Plan and Land Development Code.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE F: THE REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion:

The City may grant a reduction in the parking requirement through its SPD process.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE G: THE ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS FOR AFFORDABLE HOUSING.

Discussion:

The City Land Development Code provides for the use of zero-lot-line configurations in development of residential housing.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE H: THE MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion:

The SPD process provides a means for a developer to present modifications for street design. Pensacola City Council adopted Resolution No. 29-12 in support of the complete street design concept.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE 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.

Discussion:

The review process is in place within in the City. Review information and comments are provided by planning staff with input, as needed, by housing and community development staff for consideration by the policy makers.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE J: THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING DEVELOPMENT.

Discussion:

The City maintains a printed inventory of City owned real property appropriate for development as affordable housing. An updated list of City owned properties was presented to the AHAC on August 9, 2016.

In January 2017, City Council established the Housing Initiatives Fund which was established to receive specified funds to support existing and future adopted City of Pensacola Housing Division programs. The fund is supported from the proceeds of the sale of city owned properties. Currently, the funds are being used to support a homebuyer incentive program.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

INCENTIVE K: THE SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE DEVELOPMENTS.

Discussion:

Development regulations support and encourage the location of affordable housing, including a priority for mixed use/mixed income, housing near transit stops/interchanges and employment/educational centers.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on a triannual basis.

4. ADDITIONAL RECOMMENDATIONS

No additional incentives were recommended by the Committee.

Attachment 1

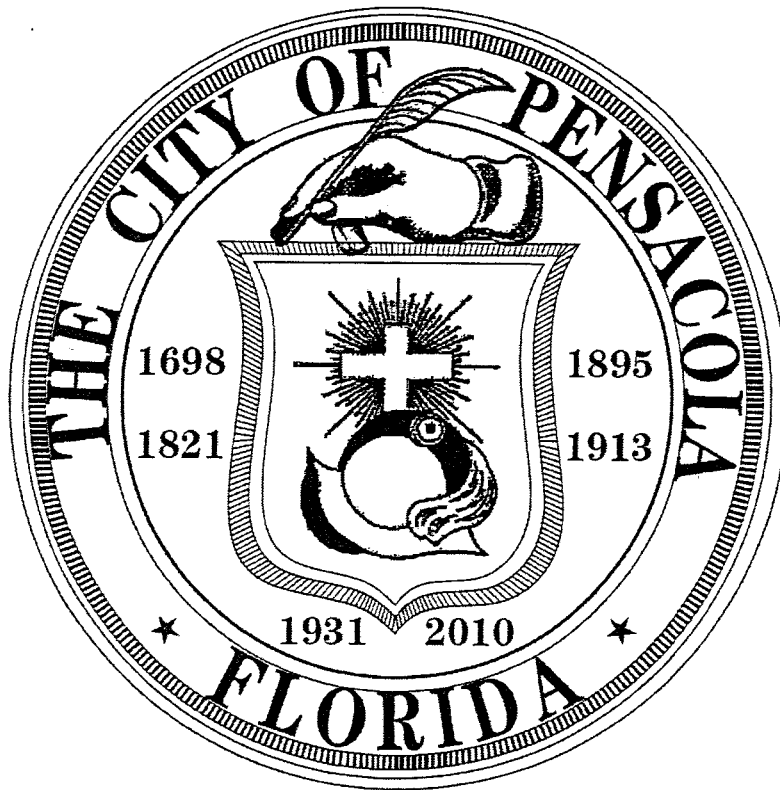
	Strategy Implementation Status	Comments
(a) The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.	Adopted: 7/21/11 Ordinance: 10-11 City of Pensacola Comprehensive Plan Housing Element H-3.3.4, Timely review of development and permit applications	The City's permitting system is centralized which provides an excellent expedited "one stop" process. Typically permits for single family residential dwellings are processed within one to three business days. The City building permit application provides an applicant the opportunity to note if the project is being supported with affordable housing funding (CDBG, SHIP, or OTHER).
(b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.	Adopted: 7/21/11 Ordinance: 10-11 City of Pensacola Comprehensive Plan Housing Element H-2.5.4, Lien Waiver Policy City Council adopted: 1/10/11 Lien Release Policy for Affordable Housing Infill Projects	The City does not have impact-fee requirements. To support the creation and preserve sustainable affordable housing, the Comprehensive Plan supports offering incentives for infill development, one of which is the liens waiver policy for affordable housing.
(c) The allowance of flexibility in densities for affordable housing.	Adopted: 7/21/11 Ordinance: 10-11 City of Pensacola Comprehensive Plan Future Land Use Section FLU-1.8.3 Density Bonus Adopted: 9/9/10 City of Pensacola Land Development Code Section 12-2-77, Special Planned Development Adopted: 5/9/13 City of Pensacola Land Development Code Section 12-2-80, Density Bonus	The City of Pensacola Comprehensive Plan and Land Development Code allow flexibility in development density for residential developments. This is generally coordinated through pre-development review meetings with developers through the special planned development process.
(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.	Adopted: 7/21/11 Ordinance: 10-11 City of Pensacola Comprehensive Plan Housing Element H-3.3.3, Exemption from concurrency for certain affordable workforce housing.	Infrastructure capacity is not an issue for development of affordable housing within the urban area of the City as water, sewer, electricity, and roadways are more than adequate for concurrency. All areas within the City's Community Redevelopment Areas are exempt from traffic concurrency.
(e) The allowance of affordable accessory residential units in residential zoning districts.	Ordinance: 10-11 Adopted: 7/21/2011 City of Pensacola Comprehensive Plan Housing Element H-3.1.3, Permit and encourage accessory dwelling units in appropriate residential zoning districts.	Accessory residential dwelling units are allowed in the City of Pensacola Comprehensive Plan and Land Development Code.

	<p>Adopted: 9/13/07 City of Pensacola Land Development Code Section 12-2-52, Accessory residential dwellings</p>	
(f) The reduction of parking and setback requirements for affordable housing.	<p>Ordinance: 10-11 Adopted 7/21/2011 City of Pensacola Comprehensive Plan Housing Element H-5.2.4, Reduced parking requirements</p> <p>Adopted: 9/9/10 City of Pensacola Land Development Code Section 12-2-77, Special Planned Development</p>	The City of Pensacola may grant a reduction in parking through the special planned development process.
(g) The allowance of flexible lot configurations, including zero-lot-line configurations, for affordable housing	<p>Ordinance: 10-11 City of Pensacola Comprehensive Plan Future Land Use FLU-1.8.2, Allow effective land development opportunities allowing for innovative solutions in the Land Development Code</p> <p>Adopted: 9/9/10 City of Pensacola Land Development Code Section 12-2-77, Special Planned Development</p>	The City Land Development Code provides for the use of zero-lot-line configurations in development of residential housing.
(h) The modification of street requirements for affordable housing.	<p>Ordinance: 10-11 Adopted: 7/21/11 City of Pensacola Comprehensive Plan Transportation Element Sections T-1.4.5, T-3.1.2, T-3.2.7, and T-3.2.8, Right sizing, complete streets, and special planned development process</p> <p>Resolution No. 29-12 Complete Street Design Concept</p>	<p>The special planned development process provides a means for a developer to present modifications for street design.</p> <p>Pensacola City Council adopted Resolution 29-12 in support of the complete street design concept.</p>
(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.	<p>Affordable Housing Impact Review Policy Adopted: 9/22/94</p>	The review process is in place. Review comments and information are provided by planning staff with input, as needed, by local housing and community development staff for consideration by policy makers.
(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.	<p>City Council Adopted List: 7/08 City Owned Property Presentation: 8/9/2016</p>	<p>An updated list of City owned properties was presented to the AHAC on August 9, 2016.</p> <p>In January 2017, City Council established the Housing Initiatives Fund which was established to receive specified funds to support existing and future adopted City of Pensacola Housing Division programs. The fund is supported from</p>

		the proceeds of the sale of city-owned properties. Currently, the funds are being used to support a homebuyer incentive program.
(k) The support of development near transportation hubs and major employment centers and mixed-use developments.	<p>Ordinance: 10-11 Adopted: 7/21/11 City of Pensacola Comprehensive Plan Housing Element Sections H-3.1.4 and H-5.1.1, Support mixed income and mixed use development H-5.1.4 Supports development near transit and access to employment centers.</p> <p>City of Pensacola Comprehensive Plan Transportation Element Section T-2.1.5, Access to transit</p>	Development regulations support and encourage the location of affordable housing, including a priority for mixed use/mixed income, housing near transit stops/interchanges, employment/education centers.

City of Pensacola

**COMPREHENSIVE PLAN
VOLUME I
Goals, Objectives, and Policies**



**Pensacola, Florida
Community Development Department**

2019

CITY OF PENSACOLA COMPREHENSIVE PLAN

VOLUME I GOALS, OBJECTIVES, AND POLICIES

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CHAPTER 3

HOUSING

GOAL H-1: An adequate supply of quality housing available to meet the needs of Pensacola households, now and in the future, in all neighborhoods.

Objective H-1.1: Monitor and evaluate the housing market within the City to assess how well supply addresses present and expected future needs in the planning period.

Policy H-1.1.1: Review population trends and new construction figures to identify future housing needs of City residents.

Policy H-1.1.2: Conduct periodic surveys to identify substandard housing structures.

Policy H-1.1.3: Coordinate with public agencies and the private sector to ensure that a sufficient quantity of dwelling units exists to meet the housing needs of the existing and anticipated population in the City, including households with special needs.

Objective H-1.2: Encourage the creation and conservation of a wide variety of housing development and redevelopment types throughout the City.

Policy H-1.2.1: Continue to provide incentives for the development of new dwelling units in situations where housing needs are not being adequately met by the private sector with special emphasis on the elderly, handicapped, very low to moderate income and workforce households. These incentives could include density bonuses, donation of City-owned property, payment of utility connections and impact fees, assistance with obtaining financing from local lending institutions, and expedited permitting.

Policy H-1.2.2 Encourage the efficient use of existing housing by promoting rehabilitation and adaptive re-use of non-residential buildings.

Policy H-1.2.3: Encourage the efficient use of infrastructure by focusing well-designed new and redeveloped housing on vacant, infill or underdeveloped land.

GOAL H-2: Sufficient quality affordable housing to support the needs of present and future residents.

Objective H-2.1: Identify very low, low, moderate income and workforce housing needs and provide safe, decent and sanitary housing for existing and future residents at a

sufficient volume and variety and at an affordable price range as defined in Chapter 420, Florida Statutes.

Policy H-2.1.1: Conduct a periodic housing needs assessment plan to determine actual housing needs for very low, low, moderate income and workforce households.

Policy H-2.1.2: Continue to provide information about and pursue state and federal sources of funding designated for very low, low, and moderate income housing.

Policy H-2.1.3: Continue to work to improve the conditions of the housing stock by applying for and utilizing funds available through federal and State grants and programs.

Policy H-2.1.4: Continue to distribute applicable Federal and State funds for housing assistance throughout the City to provide for a wide variety of neighborhood settings and housing choices for very low, low and moderate income families while avoiding undue concentration in any given neighborhood.

Policy H-2.1.5: Research the possibility of obtaining dwelling units through donation, tax deed, purchase or other relevant means of acquisition for the purpose of making them available to low and moderate income families

Objective H-2.2: Continue to participate in the Community Development Block Grant Program to rehabilitate substandard owner-occupied housing units within the City in order to maintain existing residential neighborhoods.

Policy H-2.2.1: Continue to designate areas with high incidences of substandard dwelling units and low overall incomes as identified by census tract and other identified areas for timely and efficient rehabilitation activity and program implementation.

Policy H-2.2.2: Continue to provide temporary housing to households having their homes rehabilitated under the CDBG single-family owner-occupied housing rehabilitation program.

Objective H-2.3: Coordinate with other housing providers to foster efficient collaboration and provision of affordable housing.

Policy H-2.3.1: Continue to strive for a high level of intragovernmental and intergovernmental coordination between the City of Pensacola, Escambia County, and other public and private housing providers for all housing assistance efforts for very low, low and moderate income families.

Policy H-2.3.2: Coordinate with the major housing agencies in the area in developing, promoting, and maintaining housing counseling and training services to aid low and moderate income families in finding and maintaining housing compatible with their needs and income capabilities.

Policy H-2.3.3: Continue to implement regulations that are compatible with region-wide regulations for the allocation of very low, low and moderate income housing as stated in the Northwest Strategic Regional Plan Policy, and coordinate with Escambia County to provide for consistency in housing policies, regulations, and incentives.

Policy H-2.3.4: Continue to support the efforts of the Area Housing Commission by having City Council representation on their commission, and assisting in their efforts to locate and develop sites and housing programs for very low, low, and moderate income families.

Objective H-2.4: Encourage and facilitate the creation of quality affordable housing throughout the City.

Policy H-2.4.1: Continue to coordinate, support, and encourage attempts of private enterprises, non-profit groups, and civic organizations to build attractive, quality new dwelling units for households across the full spectrum of income ranges and for those with special needs.

Policy H-2.4.2: Encourage new housing units available to low and moderate income persons by lowering the cost of developing such units through incentive programs to the developers and applying for and utilizing available and eligible federal and state housing programs designed to assist low and moderate income families.

Policy H-2.4.3: Continue to initiate new, and support existing, public or public/private partnership for the provision of new rental units and new owner-occupied housing units for very low, low and moderate income households.

Objective H-2.5: Develop innovative programs and policies to create and preserve sustainable affordable housing.

Policy H-2.5.1: Continue to establish partnerships with local lending agencies that will explore, develop and promote creative ways of financing owner occupied housing for low and moderate income families, the improvement of substandard units and the development of standard ones. All agencies involved in the provision of affordable housing within the City are invited to participate in this "partnership."

Policy H-2.5.2: Encourage the replacement of obsolete public housing units with a quality mixture of for-sale and mixed-income rental properties with supportive services on site.

Policy H-2.5.3: Encourage affordable housing through the exploration of innovative design and regulations in the Land Development Code.

Policy H-2.5.4: Continue to offer incentive for infill housing development through its liens waiver policy for affordable housing.

Policy H-2.5.5: Present a periodic progress report in creating and preserving sustainable affordable housing to the Planning Board of the City of Pensacola and the Mayor.

GOAL H-3: A range of housing options to support the spectrum of a diverse and vibrant population.

Objective H-3.1: Encourage a variety of quality housing types to meet the needs, financial abilities and preferences of present and future Pensacola residents.

Policy H-3.1.1: Encourage the provision of quality affordable housing in areas where it is determined that the demand for housing affordable to low, moderate and workforce families has not been addressed by the local market.

Policy H-3.1.2: Continue to provide for different intensities of attractive single family development to reflect differences in the existing and desired character of single family areas across the City.

Policy H-3.1.3: Continue to permit and encourage accessory dwelling units in appropriate residential zoning districts, subject to regulations designed to limit impacts and protect neighborhood character, in order to create attractive and affordable rental opportunities and provide greater flexibility for homeowners.

Policy H-3.1.4: Support mixed-income housing developments including quality, affordable, rental or for-purchase workforce housing, especially along transit lines in the inner city and urban core.

Policy H-3.1.5: Encourage mixed-income rental housing that allows both market-rate and subsidized units of equal quality and aesthetic appeal in the same development.

Policy H-3.1.6: Continue to allow residentially designed manufactured home units on individual lots in the R-1A, R-2A, R-NC, C-1, C-2, and C-3 zoning districts and as a conditional use in the R-1AA zoning district. Residentially designed manufactured home units shall be permitted in approved mobile home parks existing as of May 1, 1991, and in approved manufactured home parks. Standard design manufactured home units shall be permitted in approved mobile home parks existing as of May 1, 1991, and in approved manufactured home parks.

Policy H-3.1.7: Continue to identify opportunities and encourage redevelopment and attractive infill development that maintains the single-family character of an area, but allows for a greater range of residential housing types, i.e. garage apartments, cottages, tandem houses.

Policy H-3.1.8: Explore the creation of an independent not-for-profit entity to perform land trust and land banking activities to preserve and promote a range of housing options.

Objective H-3.2: Promote a range of housing options to support the population throughout all life stages and capabilities.

Policy H-3.2.1: Improve the balance in the City's population by attracting a proportionate share of the region's families with children through appropriate housing options in order to encourage stabilized neighborhoods and a vital public school system.

Policy H-3.2.2: Facilitate people who are aging to remain in their own neighborhoods and homes as their needs change by supporting shared housing, accessory dwelling units, adult foster homes, and other assisted residential living arrangements.

Policy H-3.2.3: Encourage the development of housing accessible to people with physical limitations and the adaptation of existing homes to improve accessibility for people of all ages and capabilities.

Policy H-3.2.4: Support and technical assistance shall be given through intergovernmental coordination to handicapped service organizations within the City to help provide them with the infrastructure and public facilities necessary to support and encourage independent living for clients of their programs.

Policy H-3.2.5: Continue to include measures in the Land Development Code that assure that group homes and foster care facilities can be developed in residential zones in proximity to convenient support services in accordance with federal, state and local regulations.

Objective H-3.3: Recognize the importance of housing to economic development efforts, and encourage the provision of a wide variety of housing types that support the retention, expansion and creation of desirable employment opportunities and a competitive workforce.

Policy H-3.3.1: Support housing development by considering the cumulative impact of City regulations on the protection and improvement of existing housing and on the ability of housing developers to provide quality under-represented housing types that are affordable to and appeal to the full spectrum of the workforce.

Policy H-3.3.2: City ordinances, codes, land development regulations and the permitting process shall be reviewed from time to time and amended, where necessary, for the purpose of eliminating excessive requirements in order to increase private sector participation in meeting housing needs.

Policy H-3.3.3: Allow an exemption from concurrency, pursuant to F.S. 163.3180, for certain affordable workforce housing units developed consistent with s.380.0651(3).

Policy H-3.3.4: Continue to provide expeditious and timely review of development and permit applications.

Policy H-3.3.5: Continue to promote a variety of housing development that will support and increase a diverse residential population.

Objective H-3.4: Promote context-appropriate residential redevelopment in the downtown, urban core and inner-city areas.

Policy H-3.4.1: Promote and encourage the use of higher density within the downtown and inner city to creating sufficient mass to establish cohesive residential neighborhoods.

Policy H-3.4.2: Support downtown mixed-use development consistent with the Goals of the Comprehensive Plan's Land Use Element and CRA Downtown Master Plan strategies.

Policy H-3.4.3: Encourage utilization of vacant upper floors in the downtown business district for residential development for loft and non-suburban style apartments.

Policy H-3.4.4: Encourage production of high quality multi-family rental and for-sale units such as apartments, condominiums or co-ops and single family attached units such as townhouses and rowhouses in the downtown area at rents and prices affordable to the majority of younger professionals, empty nesters and urban families with above moderate, but below upper level incomes through development incentives.

Policy H-3.4.5: Physically revitalize and modernize inner-city neighborhoods by providing appropriate incentives for mixed-income home ownership opportunities combined with multi-family rental units and retail space that reflect traditional neighborhood design.

GOAL H-4: Vibrant, stable neighborhoods that represent the unique diversity of Pensacola's past, present, and future.

Objective H-4.1: Maintain the stability of existing neighborhoods while expanding opportunities for housing choices.

Policy H-4.1.1: Encourage conservation, where appropriate, of the existing supply of standard housing by continued code enforcement and demolition of deteriorated structures which are beyond repair.

Policy H-4.1.2: Continue to encourage private investment in the conservation of residential structures within the City limits.

Policy H-4.1.3: Continue to encourage revitalization of neighborhoods not designated as a formal "historic district" and provide adequate control over the new development and redevelopment by establishing development guidelines that will maintain the aesthetic quality of the area. These guidelines will be included in a Land Development Code amendment.

Objective H-4.2: Increase opportunities for new housing development while balancing the equally important objective of ensuring that new development is compatible with neighborhood character.

Policy H-4.2.1: In order to maintain a consistent and appealing character in residential areas, seek to ensure through development standards that new and converted structures are aesthetically compatible with existing development and reflective of the character of that development in terms of scale, open space, setbacks, siting and unit orientation.

Policy H-4.2.2: Promote denser, but still human-scaled neighborhoods by permitting multifamily building types with height limits and development standards that promote a strong relationship between individual dwellings and the ground level.

Objective H-4.3: Preserve and enhance the unique identities and character of housing in traditional or older neighborhoods.

Policy H-4.3.1: Encourage the rehabilitation and maintenance of existing sound housing to conserve physical assets that contribute to a neighborhood's desired character.

Policy H-4.3.2: Encourage housing design that supports the conservation, enhancement and continued vitality of areas of the City with special scenic, historic, architectural or cultural value.

Policy H-4.3.3: In addition to exploring the development of "special district" ordinances, the City shall continue to provide ordinances to preserve neighborhood character and viable housing stock with the support of public agencies and neighborhood-based organizations.

Objective H-4.4: Redevelopment of the housing stock in distressed and deteriorated neighborhoods.

Policy H-4.4.1: Maintain housing quality by encouraging the revitalization of housing stock to meet minimum building construction standards.

Policy H-4.4.2: Promote housing opportunities that build a sense of community and neighborhood pride through quality design and aesthetic appeal.

Policy H-4.4.3: Continue to enhance the quality of the design of new infill residential development.

Objective H-4.5: Quality schools that support vibrant, attractive neighborhoods.

Policy H-4.5.1: Recognize the interconnected importance of quality neighborhood school retention with community economic development, neighborhood stability, diversity and sustainability efforts.

Policy H-4.5.1: In partnership with other agencies, encourage the maintenance and improvement of urban schools to preserve and enhance neighborhood quality and vitality.

Policy H-4.5.2: Support the viability of urban schools by encouraging residents and families to locate or remain in underutilized urban school districts.

Policy H-4.5.3: Utilize, where appropriate, homeownership and rehabilitation incentives to attract families to underutilized school districts, including incentives to the private sector to maintain a housing production capacity sufficient to meet the needs of workforce families.

GOAL H-5: Sustainable, environmentally-friendly neighborhoods that enhance the City's livability.

Objective H-5.1: Encourage the greatest concentration of housing in areas with convenient access to transit, a mix of activities, a range of residential services and amenities and opportunities to live within walking distance of employment.

Policy H-5.1.1: Encourage “walkable,” mixed-use, mixed-income communities that offer a variety of services, multiple housing options and diverse residents to create a stimulating urban lifestyle.

Policy H-5.1.2: Encourage economic development, retail opportunities and incentives for the downtown CRA and inner-city redevelopment districts to support a vibrant urban living experience.

Policy H-5.1.3: Continue to support low-impact home-based businesses and “cottage industries” in mixed-use districts and residential areas while ensuring that those proposed for residential areas do not negatively impact residential neighborhoods.

Policy H-5.1.4: Promote a residential development pattern with increased availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities.

Objective H-5.2: Ensure that new residential development is consistent with the environmental capacity of the site and the character of the surrounding area.

Policy H-5.2.1: Continue to utilize flexible development options, including cluster development, to preserve the environmental integrity and viability of the site and surrounding area.

Policy H-5.2.2: Foster flexibility in the division of land and the siting of dwellings and other improvements to reduce the development's impact on environmentally sensitive areas and resources.

Policy H-5.2.3: Continue to provide supporting infrastructure improvements and maintenance of leisure services facilities, such as parks and open space, available to existing neighborhoods and new housing developments.

Policy H-5.2.4: Continue to offer reduced parking requirements for housing where impacts on surrounding neighborhoods are minimal as identified in the land development code.

Policy H-5.2.5: Minimize the exposure of housing to excessive off-site environmental impacts including pollution, noise, vibration and odors associated with industrial or commercial uses through landscaping and streetscape screenings.

Objective H-5.3: Energy-efficient homes that minimize their impact on the environment while energy decreasing costs to residents.

Policy H-5.3.1: Consider, where appropriate, revisions to the land development code that will support the development of energy efficient infill housing.

Policy H-5.3.2: Encourage the use of eco-friendly, "green," sustainable building standards in residential projects.

Policy H-5.3.3: Encourage the use of the most feasible, safe and energy-efficient systems and methods for constructing rental and home ownership housing to increase its useful life.

Policy H-5.3.4: For qualifying households and homes, the City shall utilize existing weatherization programs and encourage the use of energy efficiency programs available through local agencies like Gulf Power and Energy Services of Pensacola.