

# **ESCAMBIA-PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE**

## **DISCUSSION NOTES**

**August 17, 2022**

The Escambia-Pensacola Affordable Housing Advisory Committee (AHAC) held a special called meeting in the Hagler-Mason Conference Room, 2<sup>nd</sup> Floor of Pensacola City Hall, 222 West Main Street, Pensacola, Florida on August 17, 2022 at 9:00 AM.

*Committee members present:* Ed Brown, Laura Gilmore, Brenton Goodman, Deborah Mays, and Paul Ritz

*Committee members absent:* Pensacola City Council President Ann Hill, Maya Moss, Patricia Mackovic, Escambia County Commissioner Lumon May, and Crystal Scott

*Staff members present:* Timothy Evans, Escambia County Neighborhood Enterprise Division (NED); Garrett Griffin, NED Division Manager; Clara Long, Director of Escambia County Neighborhood and Human Services; Marcie Whitaker, Director of City of Pensacola Housing Department, Tracy Pickens, City of Pensacola Housing Department

### **Call to Order, Welcome, and Roll Call**

In the absence of chairwoman Crystal Scott, vice-chair Paul Ritz called the meeting to order at 9:15 am. He asked for those present at the meeting table to introduce themselves, after which he acknowledged that there not sufficient attendance to established a quorum. Mr. Ritz stated that the meeting would proceed, as the special meeting was set to hear from the County's Development Services Department, and the Department Director, Mr. Horace Jones, was present. However, Mr. Ritz cautioned members not to discuss issues in such a way that might run afoul of the Sunshine Law. Questions were fine, but further discussion between members was not encouraged.

Since the meeting was lacking a quorum Mr. Ritz skipped those agenda items which generally were addressed with a vote (absences, publication, and approval of the previous meeting's minutes).

### **New Business**

Mr. Ritz introduced the speaker, Mr. Horace Jones, Director of Escambia County Development Services Department. Mr. Jones began by introducing himself and described the areas of responsibility his department holds within County government. His department oversees the Land Development Code and ensures compliance with the County Comprehensive Plan, both of which involve planning and zoning issues at play in development of housing. Mr. Jones stated that the purpose of the department is to provide approved guidelines for development, as well as providing a process by which projects and/or developments might adjust or modify current guidelines. He referenced that the County's Land Development Code underwent a significant overhaul in 2017 to create this standard framework, doing away with the piecemeal codes in force at the time.

An initial question for Mr. Jones regarded the availability of building residential units in areas of the County not zoned residential. He responded that as long as there was a buildable lot of record, any area can have at least one residential unit. When asked about rezoning for residential use, or to increase density he responded that such activity was governed by both State law as well as local County Code.

He said that the rezoning process is not difficult but must be followed in specific detail. He spoke about the process as a ‘quasi-judicial’ process. The importance of this distinction is that if there are challenges to the outcomes of the process, the issues are settled in court as opposed to being settled legislatively, by majority vote of the governing body (BoCC).

Another question was asked regarding any known ordinance which would place limits on the occupancy of a housing unit. He stated that such an issue might be established in the building code but is not an issue of zoning. This was followed by a question asking to compare the rezoning process to the process of seeking a site-specific variance to existing codes. He said that requests for variance to code/zoning go before the local Board of Adjustments, which is composed of citizens supported by County staff. Mr. Ritz added that from his experience with the City’s zoning board, requests for a variance have to meet a very specific set of criteria to be allowed. Because of this, sometimes seeking rezoning is easier and preferable to seeking a variance.

There was a question raised as to whether the County codes allowed for the development of ‘tiny homes’. Mr. Jones responded that the State of Florida’s building code states that there is a minimum of 400 square feet required to have a permitted residential structure.

The next question was regarding the permitting for affordable housing development, and whether there was a priority within the permitting process, moving affordable development ahead of commercial or for-profit builders. Mr. Jones responded that the permitting office regularly dealt with a number of permit applications from affordable builders (Habitat), and as long as all required information was submitted with the application the permits were regularly issued within one to three days. Since there was no backlog in permit approvals, there is no established priority for affordable development.

Mr. Jones was then asked about his department’s role in the issue of surplus property, and such real property being made available to affordable builders. He said that the role his particular department played primarily revolved around determining whether any proposed future use of a parcel declared as surplus aligned with the land’s zoning. He stated that the process for declaring property as surplus was not centered in his department, but every department of the County administration was involved to some degree. He further stated that from his years of experience, seeking to fine tune any process to make it function more optimally is a normal activity. He stated that sometimes focusing on speeding up a process is not best, sometimes a focus on accuracy is preferable.

The final specific question for Mr. Jones was whether there might be an approach to make the Land Development Code for the County more incentivizing for the development of affordable housing. Mr. Jones stated that the code is very liberal in most areas – density, usage, etc. – and that from his experience development is driven by the market. Currently all indications are that local builders are incentivized to make money. He further stated that it is a big hurdle to edit the Land Development Code, and there will always be options for variance and process for adjustments for other usages. He spoke to the issue of NIMBYism (Not In My Back Yard), and how public pressure has the strength to put limits on some development. He concluded his comments by stating that the current County Land Development Code is open and transparent and the ability for developers (affordable or market) to find flexibility within the code exists now. Developers just need to follow the established process.

Mr. Ritz thanked Mr. Jones for his time and contribution to the Committee's understanding of the process of development within Escambia County.

**Public Comment**

As the hour was exhausted, Mr. Ritz asked if there was anyone present from the public wishing to make a comment for the record. There was no response.

**Announcements/written communications**

The next regularly scheduled meeting of the AHAC will be September 06, 2022 at 9:00 am in the Hagler Mason Conference Room of Pensacola City Hall.

**Adjournment:**

There being no further business or discussion, the meeting adjourned at 10:05 am.

Submitted by Timothy Evans