

AFFORDABLE HOUSING INCENTIVES

offered through the

PINELLAS COUNTY LAND DEVELOPMENT CODE



**Pinellas County Community Development
600 Cleveland Street, Suite 800
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Affordable Housing Incentives offered through the Pinellas County Land Development Code

Purpose and Intent

Section 138-1346 of the Pinellas County Land Development Code describes the procedure for certification of Affordable Housing Developments ("AHD"), specifies incentives available to developers of AHD's, and provides for a review process for approval of these incentives. Affordable Housing Development is defined as owner-occupied housing development in which at least 20 % of the units are affordable to households at or below 80% of Area Median Income ("AMI") or rental housing development in which 20% of the units are affordable to households at or below 60% of AMI. Income limits are updated periodically and are available from the Community Development Department upon request.

Incentives to Encourage Provision of Affordable Housing

The incentives listed below are made available by the Board of County Commissioners in order to encourage development of affordable housing in unincorporated Pinellas County. These incentives are fully described in the Appendix to this document and in the Pinellas County Land Development Code.

- Expedited Permit Processing
- Impact and Review Fee Relief
- Reduced Parking Requirements
- Housing in Commercial Zones
- Donation of Publicly Owned Land
- Identifying Qualified Renters or Buyers
- Density Bonuses
- Accessory Structures
- Reduced Setbacks
- Street Design Modifications
- Zero Lot Lines

The Community Development Department administers the AHD certification process, provides relief of impact and review fees, and enforces mechanisms to ensure affordability of assisted units and compliance with applicable regulations. The Development Review Services Department processes all requests for modification of development standards.

Owner-Occupied Housing

Builders and developers of affordable homes for sale to income-eligible households may seek expedited permit processing; relief from County impact, connection, and review fees; and modification of development standards. Impact and connection fee relief is provided only for the number of units that serve eligible residents and may be limited to 20% of the total units in a development. The price of the home may be restricted by the source of funds used to pay the fees or by local policy. Maximum house prices are determined annually and are available from the Community Development Department. To be eligible for fee relief, the builder or developer must be certified as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement. Fee relief for owner-occupied housing is available only to the extent that budgeted funds remain available at the time of certification. Impact and connection fee relief is also available to an owner or builder building a single stand-alone affordable unit.

Rental Housing Development

Developers building affordable units for rent to income-eligible households may seek expedited permit processing; relief from County impact, connection, and review fees; and other incentives provided through modification of development standards. Applicants for fee relief must sign a Land Use Restriction Agreement pledging to rent to eligible households at affordable rents for the period required by the funding source or by local policy. To be eligible for fee relief, the developer must

apply for certification as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement. Impact and connection fee relief is provided only for the number of units that will serve eligible households and is limited to 20% of the total units. Rental housing fee relief is available only to the extent that budgeted funds remain available at the time of certification.

Within a rental community, affordable units may not be substantively different from market rate units in size, amenities, or condition. Affordable rents are determined annually and are available from the Community Development Department. Owners may adjust rental rates as maximum rents change and must give residents at least 30 days written notice before increases are implemented. Residents whose incomes increase above program limits are not required to move. However, the next available unit must be rented to an eligible household.

Administrative Procedures

Builders and developers may submit applications for AHD certification to the Community Development Department at any time. If certified as an AHD, the developer is issued a voucher specifying the amount of impact and connection fee relief, if any, for which the project is eligible and the time limit on the use of the voucher. The voucher also serves as documentation of AHD certification and is submitted with permit and review applications. The applicant will immediately be entitled to permit and review fee waivers and expedited permit processing.

If a certified AHD is seeking modification of development standards, the developer must provide a concept plan and an explanation of why the requested modifications are needed. The developer also submits plans and specifications where appropriate. The Development Review Administrator serves as an ombudsman to shepherd the AHD through the review

and permitting process and is responsible for coordinating all County review comments, questions, and responses. This ombudsman will provide the developer with a single point of contact for all questions concerning the review process.

Certain modifications of development standards are awarded through administrative action. Other modifications require action of the Board of Adjustment. Development Review Services prepares all recommendations to the Board of Adjustment. Modifications are recommended for approval based on local housing needs and compatibility with the surrounding neighborhood. Staff and the Boards reserve the right to review architectural designs and specifications and, where appropriate, make recommendations that would enhance the development and the neighborhood. If the request for modifications is approved, the developer will be issued a variance or special exception. The developer shall insure that all housing is constructed and operated in accordance with the plans reviewed and approved by the County.

Impact and connection fees are prepaid by the developer and reimbursed once the Community Development Department receives documentation of compliance with the applicable criteria. Funds for fee relief are limited and available on a first-come, first-serve basis

Summary

The intent of Section 138-1346 of the Pinellas County Land Development Code is to provide private sector builders and developers with regulatory and financial incentives to produce affordable housing in Pinellas County. This section is intended to be a tool to both spur construction and to engage the creativity of our development community. It is our goal that all your interactions with Pinellas County government be simple and straightforward. We need your feedback on how we're

doing and where you see opportunities for improvement. Your comments and suggestions are always welcomed.

For further information, contact Bruce Bussey in the Pinellas County Community Development Department at (727) 464-8257, bbussey@co.pinellas.fl.us.

Appendix

Pinellas County Land Development Code Section 138-1346 Affordable Housing

The following is excerpted directly from Section 138-1346 of the Pinellas County Land Development Code.

(a) Purpose and Intent. The purpose and intent of this section is to provide a permitting procedure for the construction of affordable housing in keeping with the affordable housing incentive plan (Resolution 94-60) adopted by the board of county commissioners pursuant to the state housing initiatives partnership (SHIP) program pursuant to F.S. § 420.9072. This section will describe procedures and criteria for the certification of affordable housing developments (AHD's), describe the package of incentives which may be made available to developers of AHD's and provide a review process for the approval of AHD's. This section may also provide reference to other county ordinances and regulations effecting the development of AHD's.

(b) Incentives. The following incentives may be made available to encourage the provision of affordable housing:

(1) *Expedited permit processing.* The county administrator shall provide a review process that gives AHD's priority in the permit review process. A two-week turnaround time shall be the desired goal for the processing of a site plan for such development. To assist in achieving this goal a pre-application meeting will be required between the applicant and county site plan review staff. The development review administrator will serve as an ombudsman to assist the applicant in achieving an expeditious review.

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

(3) A density bonus of up to 50 percent above the normal density permitted by this chapter may be provided as a special exception pursuant to article II division 7 of this chapter. Such bonus shall be subject to compatibility with the surrounding natural and physical environment, site constraints, concurrency management requirements and shall be in keeping with the purpose and intent of this chapter.

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

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

(6) Zero lot line configuration will be permitted in all single-family residential districts as follows:

- a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is the normal requirement of the district in which the AHD is located. All other requirements must be met including article 4 division 11 of this chapter shall be applicable.
 - b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.
- (7) *Street design.* Modifications in street layout and design may be permitted subject to site constraints, type and intensity of development, and compatibility with surrounding development. The county public works director or his designee may recommend such modifications as deemed appropriate to achieve the intent of this section. However, such recommendation will be in keeping with standard, safe engineering practice and construction standards generally shall not be modified.
- (8) *Donation of publicly owned land.* County ordinance 88-47 currently permits donations of escheated property to nonprofit organizations. Using state or federal housing funds, the county may also make deferred payment or low- interest loans to both nonprofits and for-profits for the purchase of property when the use meets the requirements of the funding source.
- (9) *Guest cottages.* Will be permitted in all areas permitting single-family homes subject to size limits, design

guidelines, parking and that the primary unit be owner-occupied (see section 138-1).

- (10) *Identifying qualified buyers or renters.* Existing sources will be identified and made available to AHD's to provide assistance in locating a qualified pool of homebuyers and renters for the affordable units. The department of community development will make this information available.
- (11) *Affordable housing development.* Up to ten units per acre shall be permitted in commercial zoning districts provided all development standards of the zoning district are adhered to. Where residential development is provided as upper floors above commercial uses, the allowable floor area permitted for the commercial use shall not be reduced.