

**2015**

BCC Collier County

Affordable Housing Advisory  
Committee  
Community and Human Services  
Division

**[2015 INCENTIVE REVIEW AND  
RECOMMENDATION REPORT]**  
**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)**

**DECEMBER 8, 2015**

## 2015 Incentive Review and Recommendation Report

### Required to be Reviewed per FI Statute 420.9076(4) and Recommended for Adoption at 12/8/2015 BCC Meeting (without enhancements)

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#### Goal: Less Development Cost

<b>NEW (revisited) - Utilize Funding from the Affordable Housing Trust Fund (AHTF) to defray development costs for affordable workforce housing</b>	10
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\*=Some incentives are recommended for expansion. The expansion will be discussed at the workshop. At this meeting, only re-adopting what is currently in place.

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### Additional Items to be Considered at 2016 Proposed Workshop

#### *Options to Develop Steady Revenue Source(s) for Affordable Housing Trust Fund to be Considered at Workshop*

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<b>NEW - Fees paid “in lieu of” related to inclusionary zoning option</b>	10

# 2015 Incentive Review and Recommendation Report

Priority	Active	Incentive Description	Incentives and AHAC Review Comments	AHAC Recommendation
<b><u>Required to be Reviewed: Existing</u></b> <b>and Recommended for Adoption at 12/8/2015 BCC Meeting without enhancements</b>				
A	Y	<p><b>Expedited Permitting –</b> The processing of approvals of development orders or permits, as defined in Sec. 163.3164(7) and (8), F.S. for affordable housing projects is expedited to a greater degree than other projects (See Senate Bill 2011 – SB 176)</p>	<p>In accordance with F.S. 553.791(7)(9), no more than 30 business days after receipt of a permit application, the local building official shall issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections.</p> <p>In 2010, the Growth Management Department refined the building permit process and performance measures, developing an expedited review procedure for all building permits, not to exceed 5 business days for one and two family dwelling permits, or 15 business days for any commercial permit application. In 2012 the Board approved a staff augmentation contract with a private provider to assist building division staff during times of elevated permitting requests. As a result of this updated process and a staffing contract, all development projects are given priority and developers in the community are aware of the permit volume and review times through public meetings.</p> <p>The committee concluded that the current Expedited Permitting process is sufficient and is adequately expediting the review of development orders and permits for affordable housing projects.</p>	<p style="text-align: center;"><b><u>Maintain current incentive, plus NEW</u></b></p> <p>(1) Expand scope of program to include expedited review for multi-family, senior housing, and Medicaid assisted housing permits using state or federal funds receive the same 15 business day priority within the existing approved Growth Management Department procedures.</p>
A	Y	<p><b>Impact Fee Waivers or Modifications –</b> The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing</p>	<p>Individuals or organizations constructing new affordable housing units to benefit very low- and low-income persons and households are eligible for the deferral of impact fees per LDC Sec 74-401.</p> <p>Collier County Resolution No. 2008-97, provided Board of County Commissioner direction on restricting the use of the remaining funds for deferral of County Impact Fee for single family homeowners who occupied affordable housing units. The County had suspended the program for use with single family development. On June 23, 2015 the BCC accepted a recommendation to reinstate the impact fee deferral program for single family residences, so it is now available for single and multi family residences.</p>	<p style="text-align: center;"><b><u>Maintain Current Incentive plus NEW:</u></b></p> <p>(1) Explore options to establish a funding source. Such fund may be used for future deferred impact fees for owner occupied dwelling units.            (2) Extend future impact deferral to include Multi-family, senior housing, and Medicaid assisted housing.            (3) Explore options to be able to retain existing AH units to prevent a decrease of AH units over time by renewing or extending incentives, in exchange for the AH unit remain affordable under the requirements and obligations of AH agreements.            (4) Consider an impact fee reduction based on locality of activity centers; must be accompanied by determination of a funding source to cover the reduction            (5) Consider increasing the length of the deferral (currently 10 years) to maintain affordability of units for a longer period of time</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by LDC and ordinance changes.</i></p>

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<b>Required to be Reviewed: Existing</b> and Recommended for Adoption at 12/8/2015 BCC Meeting without enhancements				
A	Y	<p><b>Density Flexibility –</b> The allowance of flexibility in densities for affordable housing</p>	<p>The developer may request increased density when including a affordable housing in the proposed development via the Affordable Housing Density Bonus Program, codified by Ordinance No. 04-41, as Land Development Code (LDC) 2.06.00 et seq, which density bonus can only be granted by the Commission and utilized by the Developer in accordance with the strict limitations and applicability of said provisions.</p> <p>The County currently has processes and procedures that allow for the Developers to have additional input and feedback for projects, early in the process, including a NIM meeting to allow for public contribution and involvement, to be able to address possible issues and/or concerns. This increases certainty of the outcome.</p>	<p style="text-align: center;"><b><u>Maintain current incentive plus NEW:</u></b></p> <p>(1) Find a way for this to be coupled with the density bands to incent more affordable housing in the density bands</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by LDC changes.</i></p>
A	Y	<p><b>Parking and Setbacks –</b> The reduction of parking and setback requirements for affordable housing</p>	<p>The county has several procedures in place whereby developers may request reduction of parking and setback requirements for all uses, including affordable housing.</p> <p>In the case of redevelopment projects, deviations are allowed when applied through the site development plan (SDP) review. For projects that use a rezone process such as a Planned Unit Development (PUD), deviations are allowed as part of that process. In addition, there are special deviations allowed within the Immokalee Urban area that both reduce parking and setbacks, many of which are administrative.</p> <p>Besides the deviation process, certain variances allowed. Staff has the ability to apply administrative variances to certain thresholds and above staff thresholds the standard variance process is available.</p> <p>The County currently has an interim deviation available for Immokalee.</p>	<p style="text-align: center;"><b><u>Maintain current incentive</u></b></p>
A	Y	<p><b>Flexible Lot Configurations –</b> The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing</p>	<p>Zero lot configuration allowed as use in PUD's and as Conditional Use elsewhere per 4.02.04 of the LDC under cluster housing.</p>	<p style="text-align: center;"><b><u>Maintain current incentive</u></b></p>

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<b>Required to be Reviewed: Existing</b> and Recommended for Adoption at 12/8/2015 BCC Meeting without enhancements			
A	Y	<p><b>Street Requirements</b> – The modification of street requirements for affordable housing</p>	<p>Street requirements for affordable housing are considered as deviations in the PUD approval process and variances in the conventional zoning process, on a case by case basis.</p> <p>Cross-section widths can be modified by the County Engineer administratively per 6.06.01.N of the LDC.</p> <p style="text-align: right;"><b><u>Maintain current incentive</u></b></p>
A	Y	<p><b>Oversight (Ongoing)</b> – 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>	<p>An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption is in place. Collier County requires all items which have the potential to increase the cost of housing to be prepared and presented to the Collier County Board of County Commissioners with the amount of the increase or decrease mentioned in the executive summary under fiscal impact. The County regularly utilizes the existing entities and processes undertaken by the AHAC, the Planning Commission, the Development Services Advisory Committee to review and examine impacts to the cost of housing.</p> <p>(1) On a case by case basis add a Fiscal Impact to Affordable Housing section to specifically discuss impact of cost on affordable housing</p> <p style="text-align: right;"><b><u>Maintain current incentive, plus NEW</u></b></p>
A	Y	<p><b>Land Bank Inventory</b> – The preparation of a printed inventory of locally owned public lands suitable for affordable housing</p>	<p>Florida Statute 125.379, Disposition of County property for affordable housing, requires the preparation of a printed inventory of locally owned public lands suitable for affordable housing. Collier County has completed this process and maintains a list of locally owned properties.</p> <p>Resolution 2007-172 and Resolution 2010 -123 directs the use of surplus land and directs those funds derived from the sale of such property be placed in the Affordable Housing Trust Fund.</p> <p style="text-align: right;"><b><u>Maintain current incentive plus NEW:</u></b></p> <p>(1) Broadening this to other public entities such as the school system, the City of Naples and the City of Marco Island (2) Utilize the funds in the affordable housing trust fund to consider purchase land suitable for affordable housing.</p> <p><i>Implementation requires: Confirmation of other jurisdictions to participate, revision of Resolution to revise uses of funds in the Affordable Housing Trust Fund</i></p>
A	Y	<p><b>Proximity</b> – The support of development near transportation hubs and major employment centers and mixed-use developments (activity centers and density bands)</p>	<p>The County currently addresses this incentive through additional density offered in designated density bands and activity centers. It is noted that while this exists, the development community has not advantaged this for affordable housing.</p> <p style="text-align: right;"><b><u>Maintain current incentive plus NEW:</u></b></p> <p>(1) Recommend further incentives to develop AH units in specific locations throughout the County that are located within Activity Centers and Density Bands. (mention of less impact to infrastructure, transportation...) (2) Possibly layer more incentives into these areas (3) Bolster the AHDB program in these areas (4) Consider these incentives for those up to 120% AMI with greater incentive levels for lower than 80% AMI (5) Review compatibility of design to provide further assurances to the Development Community</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by LDC changes.</i></p>

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<b>Required to be Reviewed: Not In Use</b>			
<u>Not Recommended for Adoption at 12/8/2015 BCC Meeting</u>			
N	<p><b>Reservation of Infrastructure</b> – The reservation of infrastructure capacity for housing for very-low income persons, low income persons, and moderate income persons</p>	<p>Not a current incentive.</p>	<p><b><u>Do not adopt. See Additional Items for a Potential Expansion.</u></b></p>
N	<p><b>Accessory Dwelling Units-</b> The allowance of affordable residential units in residential zoning districts</p>	<p>Not a current incentive.</p> <p>The use of these units, sometimes referred to as mother-in-law suites, already exists in the code under the term “guest cottage”.</p> <p>Deterrents include: Increases full time dwelling units not included in density calculations (potentially doubles density in neighborhoods), adds additional impacts on infrastructure not previously allocated for this additional density, rental units are regulated and thus would increase regulatory costs to monitor, regulatory fees associated with dwelling units have not been collected (i.e.: impact fees).</p> <p>The committee views this as having a low impact in return for the effort to allow these additional dwelling units that have not been planned for in the greater community planning efforts that support our current community.</p>	<p><b><u>Maintain current guest house code, only</u></b></p>

## 2015 Incentive Review and Recommendation Report

### Additional Items to be Considered at 2016 Proposed Workshop

#### Goal: More Units and Preserve Units

N	<b>NEW – Additional Incentives for Elderly Housing Units</b>	The committee discussed several possible options for new incentives in this arena.	<p style="text-align: center;"><b>NEW</b></p> <p>(1) Any developer targeting 55 and over, gets additional density for affordable units or possibly reduced or deferred impact fees</p> <p>(2) At senior living facilities, any request for additional beds above the base .45 FAR would require a certain percentage of affordable beds</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by GMP and LDC changes.</i></p>
N	<b>NEW – Require a certain level of affordable housing in all new developments that previously would have been covered under Development of Regional Impact (DRI) regulations</b>	<p>The committee discussed the Rural Lands West development currently underway as an example of a large volume of housing stock being developed with no current plans for affordable housing.</p> <p>With the changes to the DRI (Developments of Regional Impact) regulations at the state level, some large projects will not have to address the housing issues previously required by state DRI review. The committee discussed the need to assure that affordable housing is a required component of all large projects.</p>	<p style="text-align: center;"><b>NEW</b></p> <p>(1) The committee recommends further study and analysis</p> <p><i>Implementation Requires: Further study and analysis to develop methods and options, followed by creation of an implementation plan.</i></p>
N	<b>NEW: Preservation of Existing Affordable Housing</b> – The establishment of efforts to preserve or elongate timeframes for units designated as affordable in order to reduce the need for additional units to come on-line	<p>Most owned units designated as affordable have up to a 15 year affordability period. This is recommended to be maintained.</p> <p>This could take on the form of extending the term of affordability for future rental units beyond the typical 15 years to a 30 year term.</p> <p>This could also take on the form of funds or programs to rehabilitate or otherwise develop affordable housing already in the housing stock.</p>	<p style="text-align: center;"><b>NEW</b></p> <p>(1) Extend the period of affordability to 30 years for all new affordable rental</p> <p>(2) Extend the term of impact fee deferrals beyond the 10 years if the unit remains affordable, and pay the impact fee from the affordable housing trust fund</p> <p>(3) Direct funds from the AHTF to pay for rehabilitation of existing affordable housing stock</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by GMP and LDC changes.</i></p>
N	<b>NEW – Sustain levels of affordable housing in existing CRA's</b>	The committee discussed the potential to partner with the CRA's on redevelopment in order to avoid displacement of affordable housing.	<p style="text-align: center;"><b>NEW</b></p> <p>(1) Find ways to partner with the CRA's to incentivize more affordable workforce housing in the CRA's</p> <p>(2) Consider leveraging of future TIF funds with other available funding sources such as grants or the affordable housing trust fund</p> <p><i>Implementation Requires: Further study and analysis to develop methods and options, followed by creation of an implementation plan.</i></p>



## 2015 Incentive Review and Recommendation Report

### Additional Items to be Considered at 2016 Proposed Workshop

#### Goal: More Units and Preserve Units

N	<b>NEW - Sustain levels of mobile home housing</b>	The committee also discussed the issue of mobile homes in our community as a viable source of affordable housing, and the need for a method to allow replacement units and other upgrades under the current code. It is the committees understanding that the Growth Management Department is currently pursuing such alternatives.	<b><u>NEW</u></b>  (1) Support existing work to find ways to support redevelopment and/or replacement of sub-standard mobile home housing in the community; specifically to establish a set of standards to enhance or support mobile home preservation.
N	<b>NEW – Transfer Development Rights (TDR) for affordable workforce housing</b>	The committee discussed the option to provide for enhanced Transfer Development Rights when affordable housing in general or specifically for the elderly is to be constructed. One option may be to allow for additional units for the same price, if the additional units are affordable.	<b><u>NEW</u></b>  (1) The committee recommends the County pursue further study to develop a rationally supported basis for enhanced TDR's for the purpose of affordable workforce housing. Specifically a tiered scale is recommended similar to that in the affordable housing density bonus program.  <i>Implementation Requires: Further study and analysis to develop firm parameters, followed by implementation.</i>
N	<b>NEW – Assist all essential services personnel by reducing non-housing costs</b>	The committee discussed that those employed as essential services personnel in the community are the target market for the affordable workforce housing. Many employers currently provide some form of subsidy such as supplying affordable housing, subsidizing day care, paying a portion of transportation costs.	<b><u>NEW</u></b>  (1) During the approval process for new construction where essential services personnel will be employed, require a form of subsidy from the employer.  <i>Implementation Requires: Further study and analysis to develop firm parameters, followed by approval.</i>
N	<b>NEW - Reservation of Infrastructure</b> – The reservation of infrastructure capacity for housing for very-low income persons, low income persons, and moderate income persons; utilize TCMA/TCEA mitigation opportunities to further AH objectives	The committee identified an opportunity to link affordable housing to transportation concurrency exception and management areas (TCMA and TCEA). For example, if there is a failed road system based on the concurrency review, the applicant/developer may mitigate such failure by taking action that positively impacts the cost of affordable housing or defrays others costs incurred. Such options may include an employer providing bus passes to employees, for example.	<b><u>NEW</u></b>  (1) As such developments come through the process, seek mitigation strategies that further the objectives of providing housing that is affordable to the residents of the County.  <i>Implementation requires: Staff and planning commission working with applicants to identify valuable and palatable options to present to the Board.</i>

# 2015 Incentive Review and Recommendation Report

## Additional Items to be Considered at 2016 Proposed Workshop

### Goal: More Units and Preserve Units

N	<p><b>NEW – Inclusionary Zoning</b> – require a certain percentage of affordable workforce housing with all new residential developments, with mitigation options</p>	<p>The committee and the community are split on this option. Most would only consider this if there were also an “in lieu of” option such as a payment to the affordable housing trust fund, or an option to build units in another location. Others felt this was the only way to ensure affordable workforce units are built.</p> <p>After further discussion, the committee recommends this option be further studied for its’ financial and economic impact to determine real benefit. It is recognized that there is only a small percentage of land still available for building in the County, and there is concern over inappropriate concentration as an outcome.</p> <p>The committee discussed the option to add an additional requirement to require inclusionary zoning in density bands and activity centers.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) Prior to making a determination, study the economic impact of placement or mitigation of affordable units to determine whether benefits are substantial enough to warrant implementation and administration.</p> <p>(2) Consider this for encouragement of GAP housing (80-150% AMI)</p> <p><i>If considered, Implementation Requires: Further study and analysis to develop economic impact as well as firm parameters, possibly followed by GMP and LDC changes.</i></p>
N	<p><b>NEW – Micro Housing –</b> Create local development codes to suit small single family units</p>	<p>The committee sees the appeal of this option, though it raises significant concerns in terms of impact to the infrastructure of the community. Significant research and work would be required to assess all changes in current codes, fees, etc. even to assess feasibility.</p> <p>This type of housing could suit young professionals, seasonal workers, and possibly young couples with no children.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) Study full impact and effects of allowing for smaller units, including but not limited to LDC and GMP impacts, impact fee impacts, and future land use element impacts.</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by GMP and LDC changes.</i></p>
<b><u>Goal: Less Development Cost</u></b>			
Y	<p><b>NEW (revisited) - Utilize Funding from the Affordable Housing Trust Fund (AHTF) to defray development costs for affordable workforce housing</b></p>	<p>Per Resolution 2007-203, the County does have an affordable housing trust fund (AHTF) that could be modified to recognize various revenue streams. The Resolution provides for uses of the funds for Down Payment assistance, Impact Fee Relief, Land Acquisition, Construction Loans, Community Land Trust, Homebuyer Education and Counseling, Disaster Recovery and Mitigation, and administration.</p> <p>The committee views the funds available in the AHTF as a key ongoing element to sustain and further develop affordable workforce units in the County.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) Once funding sources are determined, bring forth a revised resolution that specifies funding sources and uses of the funds for BCC approval and implementation.</p>

## 2015 Incentive Review and Recommendation Report

### **Options to Develop Steady Revenue Source(s) for Affordable Housing Trust Fund to be Considered at 2016 Proposed Workshop**

N	<p><b>NEW: Impact Fees for AH</b> – Designate a specific impact fee for use towards affordable housing initiatives for residential and commercial development, intended to be in an amount similar to a jail or library impact fee</p>	<p>The committee considered the topic of an Impact Fee for the express purpose of funding affordable housing in Collier County. The committee, after receiving public input, considers this a viable option to address the on-going issue of meeting affordable workforce housing needs in our community.</p> <p>The overall goal is to establish a reliable, locally managed, funding source for use to incent or develop affordable workforce housing. The concept is to spread out the economic impact for affordable housing such that everyone pays a small amount rather than some [developers] paying larger amounts that may result if other incentives or programs were implemented.</p> <p>One appeal of this approach is that the local government maintains control over spending plans and therefore can be responsive to the current market and other economic conditions. Impact fee revenue would be placed in the affordable housing trust fund and disbursed according to a BCC approved plan of action.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) The committee recommends the County pursue the requisite study to develop a rationally supported impact fee for the purpose of affordable workforce housing. It is recognized this may be a lengthy process, but if adopted could provide a long term and flexible solution to the County</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by adoption of the new impact fee.</i></p>
N	<p><b>NEW – Dedicate funding annually to the Affordable Housing Trust Fund</b>, or generate by other means</p>	<p>Not a current incentive, though via Resolution 2007-203, the County does have an affordable housing trust fund (AHTF).</p> <p>The essence of this concept is to develop funding streams for a dedicated fund with a local plan to fund affordable workforce housing in some manner. Mitigation buyouts of other required incentives is one optional revenue stream; general funding is one, impact fees dedicated to affordable housing is another, increase or additional tourist tax is a consideration; others can be developed. The local government would establish rules and regulations as to how the funding may be collected and allocation. Some of the advantages are that this becomes all local decision making and therefore can be market and economic flexible.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) The committee, after receiving public input, recommends pursuit of this option. The public reaction to date was very strong in favor of this option.</p> <p><i>Implementation Requires: Further study and analysis to develop methods and options, followed by creation of an implementation plan.</i></p>
N	<p><b>NEW: Linkage Fees</b> – Fees paid by new commercial businesses based on their specific need for generation of new affordable housing</p>	<p>As the County continues its efforts to recruit new businesses, it could consider a linkage fee whereby an assessment for each business would be made based on the number of affordable units their workforce would need.</p> <p>This has the effect of employers having a part in the solution set.</p>	<p style="text-align: center;"><b><u>NEW</u></b></p> <p>(1) Consider development of an affordable housing linkage fee.</p> <p><i>Implementation Requires: Further study and analysis to develop firm parameters, followed by adoption of the new impact fee.</i></p>

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### **Options to Develop Steady Revenue Source(s) for Affordable Housing Trust Fund to be Considered at 2016 Proposed Workshop**

N	<b>NEW – Target County grant funds toward the development or preservation of affordable housing as a high priority</b>	The committee recognizes the County receives and distributes between \$2M and \$3M annually in entitlement funding. The CHS staff is presently beginning the planning process to develop a five year plan for allocation priorities.	<b><u>NEW</u></b>  (1) The committee recommends that affordable housing be identified as a high priority in the plan, as long as the planning process supports this. (2) Consider specifying a percentage of grant funds to be allocated for affordable workforce housing  <i>Implementation Requires: Input to the planning process showing the needs in the community, and eventual BCC approval of the plan and priorities in May or June 2016.</i>
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<b><u>Not considered viable in, or applicable to our community at this time</u></b>		
N	<b>NEW – Discounted AH GAP Impact Fees and a GAP Housing Trust Fund</b>	<p>Not a current incentive.</p> <p>The committee considered the topic of a Discounted Affordable Housing (GAP) Impact Fees and a GAP Housing Fund for the purpose of assuring additional Gap affordable housing is constructed in Collier County. The essence of this concept is to tax higher end real estate transactions, only, and use that revenue to backfill the required impact fees; thereby reducing the impact fee and increasing the profit to the Gap housing developer.</p>
		<p style="text-align: center;"><b><u>Do not activate an incentive</u></b></p> <p>The committee, after receiving public input, does not recommend this incentive option. The public reaction to date is a lack of interest or uncertainty about the potential for this option.</p>