

Steering Committee – May 12, 2021

Presentation by Michael Howe

Power Point Transcription

Speaker: Michael Howe, PBC:

Topic: Description and Explanation of the County's Inclusionary Zoning Program. (see attached PowerPoint)

Workforce Housing Program (WHP)

- A mandatory obligation for any development in unincorporated PBC with 10+ units
- A voluntary density bonus is provided in exchange for additional workforce housing.
- Developer has two options: A limited incentive option that minimizes the workforce obligation or a full incentive option which maximizes density
- Disposition of the workforce units can be either on-site or off-site by the developer. The exchange program includes an in lieu fee that can be paid. Market rate units could be purchased and then land can be donated
- The restriction for the for sale workforce units is 15 years recurring. (If the unit is sold within first 15 years, another new 15-year obligation would begin. Rental projects require a 30-year affordability obligation.)
- Pricing for households with 60-140% AMI (\$79,100 in 2020)
- WHP program is within unincorporated PBC, not within municipalities
- Limited incentive option that minimizes the workforce obligation provides a maximum 50% density bonus
- Workforce housing required could be 2.5% - 8%, depending on whether they utilize a density bonus
- When using the limited incentive, workforce categories are the low (60-80%AMI) and moderate (>80-100%AMI)
- Full incentive option maximizes in density up to 100% density bonus
- Limited expedited review is available
- Additional flexibility with the planned development regulations
 - Workforce requirement is 5%-23% of the development, depending on density bonus
 - Price categories are all four of our price categories for rental projects. (The Low, Moderate 1, Moderate 2 and Middle is rental only. If a for sale project was coming through using full incentive, the workforce obligation would be in the lower three categories.)
 - Density bonus determination: a streamlined process if using the limited incentive up to the 50% bonus, allowing developer to go right into the zoning site plan approval process. (A more enhanced review if doing above 50%)
 - Point system used to assess the workforce housing approach (Ex: is developer providing the units on-site; are they apartments or townhomes or single family). More points given for a single family home on site.
 - Compatibility review to assess the site is usually done during the site planning process
 - County Commission enhanced review is required before approval is necessary when going above the 50%.
(This is a workforce program requirement.)
- Program incentives
 - Optional Density Bonus (Full or limited incentive)
 - Expedited permitting in Platting Design Review/Permits
 - Additional flexibility
 - Flexibility regulations (can have different setbacks when providing an incentive bonus. There is some flexibility with required setbacks, up to 10%.

- Open space reduction
- Internal incompatibility buffers can be eliminated if necessary
- Civic tracks will not be used by the any county agencies
- Relocation of units to civic tracks
- TPS mitigation (up to 30% above LOS “D”) is in the code.
- Disposition Options
 - Can build on site
 - Can build offsite: either Same Builder or Exchange Program
 - Purchase Market Rate Unit
 - Donate Land or pay the in-lieu fee
 - \$120,000 for single family units
 - \$100,000 for townhomes
 - \$75,000 for multifamily units
- Workforce Housing Exchange program
 - Added to code in 2019 as an alternative option by Industry
 - Can be built off site with an exchange builder.
 - Certain conditions have to be met and an exchange fee paid (exchange builder needs to have control of the site, or at least an option to purchase the site plan.)
 - Need to be in a review process or already have their development approved. (If located within a municipality, they need to have contacted that municipality and that the municipality knows they are going to be receiving workforce units from a county project.)
 - Exchange fee is 80% of the in lieu fee paid to the exchange builder
 - Surety required that is equal to the exchange fee
 - Market rate developer, is single family units and the builder is providing rental units, it is a 1.5 unit multiplier.
(If developer has a 10-unit obligation in SF units, the exchange builder will have a 15-unit obligation in apartments.)
 - The multifamily or market rate developer is decoupled from the exchange project. (Once the exchange builder has met all of the conditions and received the exchange fee and the surety has been posted, the market rate developer is no longer responsible for those workforce units.)
 - The exchange builder has 36 months to build the workforce units. (Can request up to three more months for project completion.)
 - If there is no action happening by the exchange builder, then the county would collect the guarantee.
- Affordable housing program
 - Voluntary program established in 2009.
 - Available to projects of 10+ units in the unincorporated urban/suburban tier
 - Affordability period is 15 years, recurring for sale and 30 years for rentals
 - Income categories targeting $\leq 60\%$ of AMI
 - At least 65% of the units or households that have come less than 60% of AMI
 - No more than 20% for the households with incomes below 30% of AMI.
 - If there are other pricing and target requirements based on programmatic funding, whether it is a state or federal type of fund being utilized, we would accept that obligation that goes along with the funding
 - Density bonuses are similar to to the workforce housing and get up to 30% density bonus for some of our lower densities, which is like LR1, LR2 and LR3. Can get 100% density bonus in the higher densities.
 - Additional incentives: Expedited permitting and flexible PDRs.
 - All affordable housing program units need to be provided on site so there is no in lieu or release of that obligation

- Two approved AHP developments, both with the Community Land Trust of Palm Beach County
 - 52 total units approved
 - All units provided at 120% or below of AMI

Questions can be addressed to Michael at mhowe@pbcgov.org