



**BOARD OF COUNTY COMMISSIONERS**

**DATE:** December 16, 2014

**AGENDA ITEM NO.** 18

**Consent Agenda** ☐

**Regular Agenda** ☒

**Public Hearing** ☐

**County Administrator's Signature:**

**Subject:**

Resolution approving the Affordable Housing Advisory Committee's Housing Incentives Review and Recommendations Report and authorize submittal to the Florida Housing Finance Corporation.

**Department:**

Human Services

**Staff Member Responsible:**

Cheryl C. Reed

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) ADOPT THE ATTACHED RESOLUTION APPROVING THE AFFORDABLE HOUSING ADVISORY COMMITTEE'S (COMMITTEE) HOUSING INCENTIVES REVIEW AND RECOMMENDATIONS REPORT AND AUTHORIZE SUBMITTAL TO THE FLORIDA HOUSING FINANCE CORPORATION.

**Summary Explanation/Background:**

During the current report period, the Committee reviewed and approved the 2012-2015 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan, reviewed and approved the 2011 Housing Incentives Review and Recommendations Report (Report), and reviewed and approved an Amendment to the 2006-2009 SHIP Local Housing Assistance Plan. On October 7, 2014, the Committee met to review and approve the 2014 Report. As required by Florida Statutes, the Report will be forwarded to the Florida Housing Finance Corporation.

The SHIP Program was created pursuant to the William E. Sadowski Affordable Housing Act of 1992 for the purpose of providing funds to local governments as an incentive for the creation of partnerships to produce and preserve affordable housing. During the 2007 Legislative session, House Bill 1375 was approved resulting in an amendment of section 420.9076, Florida Statute, requiring the County to re-establish the Committee.

On May 20, 2008, the Board adopted Resolution 08-75 establishing the Committee, also known as the Community Housing Work Group 2.0. The Committee was tasked with reviewing current affordable housing incentives and providing recommended changes to the incentives in the Report.

The Committee met October 2008 through October 2010 reviewing and discussing the eleven affordable housing incentives currently in Section 138-1346(b) of the Pinellas County Code of Ordinances. During the review process, the County began the process of reviewing the Land Development Code. The Committee postponed making recommended changes to the current incentives and instead agreed to revisit the Affordable Housing Incentives until review of that portion of the Code is reviewed, which is anticipated to be completed in 2015.

**Fiscal Impact/Cost/Revenue Summary:**

Pinellas County received \$2,241,376 in Fiscal Year 2015 SHIP funding and the amount is anticipated to increase as the State's real estate market continues to improve. In the past, annual allocations averaged approximately \$4,500,000. Submission of the Housing Incentives Review and Recommendations Report to the Florida Housing Finance Corporation is a requirement that ensures Pinellas County remains in compliance with the State's SHIP Program regulations and remains eligible to receive annual allocations over the next three fiscal years. Additionally, the SHIP funding is used as the required local match for the federal HOME funding provided by the U.S. Department of Housing and Urban Development.

**Exhibits/Attachments Attached:**

Resolution

Affordable Housing Advisory Committee's Housing Incentives Review and Recommendations Report

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE AFFORDABLE HOUSING ADVISORY COMMITTEE'S HOUSING INCENTIVES REVIEW AND RECOMMENDATIONS REPORT AND AUTHORIZING SUBMITTAL TO THE FLORIDA HOUSING FINANCE CORPORATION, AS REQUIRED BY SECTION 420.9076, FLORIDA STATUTES.

WHEREAS, the State Housing Initiatives Partnership (SHIP) Program was created pursuant to the William E. Sadowski Affordable Housing Act of 1992, as amended, and section 420.9072, Florida Statutes, for the purpose of providing funds to local governments as an incentive for the creation of partnerships to produce and preserve affordable housing; and

WHEREAS, pursuant to Pinellas County Ordinance 93-30, the Board of County Commissioners began implementing and continues to implement a Local Housing Assistance Program; and

Whereas, Section 138-1346 of the Pinellas County Code of Ordinances identifies eleven incentives that currently may be made available to encourage the provision of affordable housing; and

WHEREAS, pursuant to section 420.9076, Florida Statutes and the Florida Administrative Code, as amended in 2007, local governments were required to re-establish an Affordable Housing Advisory Committee tasked with reviewing current Affordable Housing Incentives and providing recommended changes to the incentives in the Affordable Housing Advisory Committee's Housing Incentives Review and Recommendations Report; and

WHEREAS, on May 20, 2008, the County adopted Resolution 08-75 establishing an Affordable Housing Advisory Committee and appointing eleven members to the Committee; and

WHEREAS, the Affordable Housing Advisory Committee met from October 2008 through October 2010 reviewing the current Affordable Housing Incentives; and

WHEREAS, the County began the process of updating the Land Development Code and the Affordable Housing Advisory Committee has postponed issuing any recommendations on the current Affordable Housing Incentives until review of that portion of the Code begins; and

WHEREAS, the Committee met On October 7, 2014, and reviewed and approved the 2014 Affordable Housing Advisory Committee Housing Incentives Review and Recommendation Report.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Pinellas County, Florida, in its regular session duly assembled the 16<sup>th</sup> day of December, 2014, does hereby approve the Affordable Housing Advisory Committee's Housing Incentives Review and Recommendations Report and authorizes submittal to the Florida Housing Finance Corporation.

Commissioner \_\_\_\_\_ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call, the vote was:

Ayes:

Nays:

Absent and Not Voting:

APPROVED  
BY THE BOARD  
OF DIRECTORS  
MICHELLE WALLACE  
SECRETARY

**Pinellas County  
Affordable Housing Advisory Committee  
Housing Incentives Review and Recommendations Report  
December 2014**

## PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS

Janet C. Long - Commissioner, District 1  
Pat Gerard - Commissioner, District 2  
Charlie Justice - Commissioner, District 3  
Dave Eggers - Commissioner, District 4  
Karen Williams Seel, Chair - Commissioner, District 5  
John Morroni, Vice-Chair - Commissioner, District 6  
Kenneth T. Welch - Commissioner, District 7

## AFFORDABLE HOUSING ADVISORY COMMITTEE

Rodney S. Fischer - Homebuilding Industry  
Norris Counts - Banking Industry  
Tasker A. Beal - Low-Income Advocate  
Vacant - For Profit Housing Provider  
Robyn Fiel - Real Estate Professional  
Joseph Heidenreich Jr. - Homebuilding Labor  
Barbara Green - Nonprofit Housing Provider  
Mike Crawford - Local Planning Agency  
Robert Ironsmith - Resident of Jurisdiction  
Jerry Custin - Employer Representation  
Marshall Ogletree - Essential Services Personnel

## PINELLAS COUNTY STAFF SUPPORT

Cheryl C. Reed, Division Director, Community Revitalization Division  
Brook Gajan, Grant Compliance Specialist II, Community Revitalization Division

**Pinellas County Affordable Housing Advisory Committee  
Community Housing Work Group 2.0**

**I. INTRODUCTION**

In July 1992, Florida Legislatures passed the William E. Sadowski Affordable Housing Act, later incorporated into Chapter 420 of the Florida Statutes. The legislation, known as the Sadowski Act, created a dedicated source of revenue for housing from a portion of documentary stamp taxes on real estate transactions. This new revenue source provided funds to local governments as an incentive for the creation of partnerships to produce and preserve affordable housing for very-low, low- and moderate-income households.

During the 2007 Legislative session, House Bill 1375 (HB1375) was approved resulting in an amendment of Florida Statute (F.S.) 420.9076, requiring the County to re-establish the Affordable Housing Advisory Committee by June 30, 2008, in order to receive State Housing Initiatives Partnership (SHIP) funding. The Legislation also required an increase in membership to include eleven members. Additionally, HB1375 mandated that the committee include members from specific sectors of the community. Specifically, committee members must consist of:

- One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- One citizen who is actively engaged as a for-profit provider of affordable housing.
- One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- One citizen who actively serves on the local planning agency pursuant to s. 163.3174.
- One citizen who resides within the jurisdiction of the local governing body making the appointments.
- One citizen who represents employers within the jurisdiction.
- One citizen who represents essential services personnel, as defined in the local housing assistance plan.

The Affordable Housing Advisory Committee is charged with reviewing the established affordable housing incentive strategy recommendations (local housing assistance plan) and evaluating policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan and recommending specific actions to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. Such recommendations may include modification or repeal of existing policies and procedures, creation of exceptions applicable to affordable housing or adoption of new policies, procedures, regulations, ordinances, or plan provisions, including the amendment of the local comprehensive plan.

At a minimum, each advisory committee shall submit a report to the local governing body that includes recommendations on, and biennially evaluates the implementation of, affordable housing incentives in the following areas:

- 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.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- The allowance of flexibility in densities increased density levels for affordable housing.
- The reservation of infrastructure capacity for housing for very-low-income persons and low-income persons.
- The allowance of affordable accessory residential units in residential zoning districts.
- The reduction of parking and setback requirements for affordable housing.
- The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- The modification of street requirements for affordable housing.
- 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.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- 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.

## **II. REVIEW OF AFFORDABLE HOUSING INCENTIVES**

The Pinellas County Affordable Housing Advisory Committee, known as the Community Housing Work Group 2.0, was established by Resolution 08-75 of the Board of County Commissioners on May 20, 2008. On March 12, 2012, by Resolution 12-17, the Board of County Commissioners appointed two new members to fill vacant positions and reappointed the remaining Community Housing Work Group 2.0 members.

At their October 8, 2014 public hearing, the Work Group reviewed the *Affordable Housing Advisory Committee Housing Incentives Review and Recommendations Report* and authorized submittal of the Report to the Florida Housing Finance Corporation. Since the last committee report, the Community Housing Work Group reviewed and approved the 2012-2015 Pinellas County Local Housing Assistance Plan. Additionally, the Work Group reviewed and approved an amendment to the 2006-2009 Pinellas County Local Housing Assistance Plan.

During the initial review of the Affordable Housing Incentives, the Committee learned that Pinellas County hired a consultant to review the County's Land Development Code. The Committee agreed to revisit the Affordable Housing Incentives, once the Land Development Code review process has been completed. Updates to the Land Development Code have been delayed; however, the County work group updating the Code is back on track systematically



reviewing and updating various sections of the Code. In addition to the updates of the existing Code, the County will be recommending the creation of a redevelopment section to the Code. It is anticipated that review and updates of the Code will be completed in mid-2015 and the updated Code will go back before the Local Planning Agency. At that time, the Work Group will re-evaluate the Affordable Housing Incentives based on any Land Development Code changes.

### **III. INCENTIVE RECOMMENDATIONS**

Continue implementation of existing affordable housing incentives in accordance with Section 138-1436, Pinellas County Code of Ordinances.

### **IV. BOARD OF COUNTY COMMISSIONERS ACTIONS**

*The Affordable Housing Advisory Committee's Affordable Housing Incentive Recommendation Report* was submitted to the Pinellas County Board of County Commissioners for approval at a public hearing on December 16, 2014. The Board approved the 2014 Affordable Housing Incentive Recommendation Report and authorized submittal to the State of Florida.

### **V. PUBLIC MEETING**

This Report was formally reviewed and approved by the Affordable Housing Advisory Committee in a public meeting at the October 8, 2014 meeting. The meeting was advertised in the Tampa Bay Times and the meeting notice also appeared on the County's website and County calendar.

A public meeting on the Affordable Housing Advisory Committee, Community Housing Work Group 2.0, *Affordable Housing Incentive Recommendation Report* was held in the Board Assembly Room on the fifth floor of the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida on December 16, 2014 at 6:00 p.m. The public hearing notice was published in the Tampa Bay Times and the notice also appeared on the County's website. A copy of the notice is attached. The meeting notice appeared on the County's website and County calendar.

### **VI. UPCOMING ACTIONS**

In early 2015, the Work Group will meet to review and discuss submittal of the County's 2015-2018 Local Housing Assistance Plan to the State Florida Housing Finance Corporation.

Additionally, in mid-2015, after updates to the Land Development Code have been completed, the Work Group will review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan and recommend specific actions to encourage or facilitate affordable housing. Such recommendations may

include modification or repeal of existing policies and procedures, creation of exceptions applicable to affordable housing or adoption of new policies, procedures, regulations, ordinances, or plan provisions, including the amendment of the local comprehensive plan.

## **VII. ATTACHMENTS**

Pinellas County AHAC Adopting Resolution 08-75  
Pinellas County AHAC Adopting Resolution 12-17

RESOLUTION NO. 08-75

RESOLUTION ESTABLISHING AN AFFORDABLE HOUSING  
ADVISORY COMMITTEE IN KEEPING WITH REQUIREMENTS  
OF §420.9076, FLORIDA STATUTES, AS REQUIRED BY THE  
STATE HOUSING INITIATIVES PARTNERSHIP ACT.

WHEREAS, the State Housing Initiatives Partnership (SHIP) Program was created pursuant to the William E. Sadowski Affordable Housing Act and §420.9072, Florida Statutes, for the purpose of providing funds to local governments as an incentive for the creation of partnerships to produce and preserve affordable housing; and

WHEREAS, pursuant to §420.9072, Florida Statutes and the Florida Administrative Code, local governments are required to establish a committee that consists of eleven (11) members; and

WHEREAS, the committee must be representative of the membership requirements as established in §420.9076(2), Florida Statutes; and

WHEREAS, the committee shall approve the affordable housing incentive strategy recommendations (local housing assistance plan) and evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board as established in §420.9076, Florida Statutes.

WHEREAS, the appointment of the eleven persons herein will conform to the subsequent amendment of Pinellas County Ordinance 93-30 that will reflect a statutory change to Florida Statute §420.9076(2), governing the number of required Committee members.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby appoints the following eleven persons to serve on the Pinellas Community Housing Workgroup.

The following members shall have a seat on the committee while simultaneously serving as active members of the Housing Finance Authority of Pinellas County:

HOMEBUILDING INDUSTRY

Rodney Fischer

Pinellas County Construction Licensing Board

BANKING INDUSTRY

Norris Counts

Retired Executive Vice President, Signature Bank

LOW-INCOME ADVOCATE

Tasker A. Beal

Representative for the Greater Ridgcrest Area

FOR PROFIT HOUSING PROVIDER

Jim Sebesta

Jim Sebesta Consulting, LLC

REAL ESTATE PROFESSIONAL

June Cullen

Brookfield Real Estate

The following members shall serve on the Committee for a three year term beginning May 22, 2008:

HOMEBUILDING LABOR

Joseph Heidenreich Jr.

Neighborhood Homes of West Florida, Inc.

NONPROFIT HOUSING PROVIDER

Barbara Green

Homeless Emergency Project, Inc.

LOCAL PLANNING AGENCY

David Healey

Pinellas Planning Council

RESIDENT OF THE JURISDICTION

Robert Ironsmith

Citizen

EMPLOYER REPRESENTATION

Jerry Custin

Upper Tampa Bay Regional Chamber of Commerce

ESSENTIAL SERVICES PERSONNEL

Jade Moore

Pinellas County Teachers Association

NOW, THEREFORE, BE IT FURTHER RESOLVED that all members shall serve as committee members during which time, pursuant to §420.9076, Florida Statutes, the advisory committee shall triennially recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of property to appreciate in value.

Commissioner Harris offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Duncan, and upon roll call, the vote was:

Ayes: Stewart, Harris, Seel, Latvala, Morroni, Welch and Duncan.

Nays: None.

Absent and Not Voting: None.

I, KENNETH P. BURKE, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 23rd day of May, A.D. 2008.

KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio  
Clerk of the Board of County Commissioners,  
Pinellas County, Florida.

*[Signature]*  
Deputy Clerk

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By M. Zan  
Attorney

RESOLUTION NO. 12-17

RESOLUTION ESTABLISHING AN AFFORDABLE HOUSING  
ADVISORY COMMITTEE IN KEEPING WITH REQUIREMENTS  
OF §420.9076, FLORIDA STATUTES, AS REQUIRED BY THE  
STATE HOUSING INITIATIVES PARTNERSHIP ACT.

WHEREAS, the State Housing Initiatives Partnership (SHIP) Program was created pursuant to the William E. Sadowski Affordable Housing Act and §420.9072, Florida Statutes, for the purpose of providing funds to local governments as an incentive for the creation of partnerships to produce and preserve affordable housing; and

WHEREAS, pursuant to §420.9072, Florida Statutes and the Florida Administrative Code, local governments are required to establish a committee that consists of eleven (11) members; and

WHEREAS, the committee must be representative of the membership requirements as established in §420.9076(2), Florida Statutes; and

WHEREAS, the committee shall approve the affordable housing incentive strategy recommendations (local housing assistance plan) and evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board as established in §420.9076, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby reappoints the following members to continue to serve on the Pinellas Community Housing Work Group for an additional three year term beginning March 12, 2012.

HOMEBUILDING LABOR

Joseph Heidenreich Jr.

Neighborhood Homes of West Florida, Inc.

NONPROFIT HOUSING PROVIDER

Barbara Green

Homeless Emergency Project, Inc.

RESIDENT OF THE JURISDICTION

Robert Ironsmith

Citizen

EMPLOYER REPRESENTATION

Jerry Custin

Upper Tampa Bay Regional Chamber of Commerce

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of County Commissioners hereby appoints the following representatives to serve on the Pinellas Community Housing Work Group for a three year term beginning March 12, 2012; fulfilling vacant positions associated with Local Planning Agencies and Essential Services Personnel.

LOCAL PLANNING AGENCY

Mike Crawford

Pinellas Planning Council

ESSENTIAL SERVICES PERSONNEL

Marshall Ogletree

Pinellas County Teachers Association

NOW, THEREFORE, BE IT FURTHER RESOLVED that all members shall serve as committee members during which time, pursuant to §420.9076, Florida Statutes, the advisory committee shall triennially recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of property to appreciate in value.

Commissioner Latvala offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Seel, and upon roll call, the vote was:

Ayes: 6

Nays: 0

Absent and Not Voting: **Chairman John Morroni**

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY  
By [Signature]  
[Signature]