



## COMPRHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 18-B

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DEO TRANSMITTAL, JANUARY 31, 2018

### I. General Data

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**Project Name:** Housing Element Update  
**Element:** Housing Element  
**Project Manager:** Michael Howe, Senior Planner  
**Staff Recommendation:** Staff recommends *approval* based on the findings and conclusions presented in this report.

### II. Item Summary

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**Summary:** The intent of the proposed amendments is to update the Housing Element of the Comprehensive Plan including policies and data and to revise when appropriate any reference of Department of Economic Sustainability (DES) to Housing and Economic Sustainability (HES).

**Assessment:** These amendments requested by the Department of Housing and Economic Sustainability (HES) and are in keeping with the regular maintenance of the Comprehensive Plan. The proposed amendment updates data where available, and updates references to reflect existing, ongoing programs previously established by the Board and/or State or Federal agencies, and eliminates references to outdated programs.

### III. Hearing History

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**Local Planning Agency: *Approval***, motion by Michael Peragine, seconded by Angella Vann passed in an 11-0 vote at the December 8, 2017 public hearing. There was minimal Board discussion and no members of the public spoke.

**Board of County Commissioners Transmittal Public Hearing: *Approval***, motion by Commissioner Berger, seconded by Commissioner Burdick passed in a 7-0 vote at the January 31, 2018 public hearing. There was minimal Board discussion and no members of the public spoke.

**State Review Agencies:**

**Board of County Commissioners Adoption Public Hearing:**

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## **IV. Intent**

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The intent of the proposed amendments is to update the Housing Element of the Comprehensive Plan including policies and data and to revise when appropriate any reference of Department of Economic Sustainability (DES) to Housing and Economic Sustainability (HES).

These amendments requested by the Department of Housing and Economic Sustainability (HES) and are in keeping with the regular maintenance of the Comprehensive Plan. The proposed amendment updates data, where available, and updates references to reflect existing, ongoing programs previously established by the Board and/or State or Federal agencies, and eliminates references to outdated programs.

## **V. Background**

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This Element update is requested by the Department of Housing and Economic Sustainability due to the following: Board of County Commissioners (BCC) adoption of two housing program plans (the PBC Consolidated Plan for Fiscal Years 2015-2020 (R-2015-0949) adopted on July 21, 2015; the PBC Local Housing Assistance Plan (R-2016-0535) adopted April 19, 2016) and, a County agency name change from Department of Economic Sustainability (DES) to Department of Housing and Economic Sustainability (HES).

As a result some of the data, program references, and agency names contained in the HE are now outdated. The proposed amendments revise the element by updating outdated information and updating program references and agency names used in the plan.

## **VI. Data and Analysis**

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### **A. Proposed Text Amendment**

The specific proposed revisions are detailed in Exhibit 1; which will become the exhibit of the adopted ordinance. The deleted text is ~~struck-out~~ and the new text underlined.

### **B. Background Information and Supporting Data**

The principles, guidelines, standards, and strategies of the housing element must be based on the data and analysis of housing needs. Due to the nature of affordable housing service delivery, much of the planning and coordination is done through documents required as part of State and federal funding programs. As a result, the Housing Element does not utilize separate data and analyses, and establish separate targets and approaches, but appropriately utilizes the housing needs targets identified in other planning efforts to ensure a coordinated approach.

Currently, the short term (5 year) housing needs identified in the Housing Element reflect data and information for the period 2010-2015, from the Palm Beach County Consolidated Plan, October 2010 – September 2015, prepared by the Department of Economic Sustainability (DES). As a result the data and analysis for the current timeframe are significantly out of date.

The best available data for the current short-term period (2015-2020) are found in two documents, 1) the Five-Year Consolidated Plan (2015-2020) for Palm Beach County. The Five-Year Consolidated Plan is prepared by the renamed Department of Housing and Economic Sustainability (HES). The preparation of a Five-Year Consolidated Plan is a requirement for each local government that receives federal entitlement funding from the US Department of Housing and Urban Development (HUD). The most recent Consolidated Plan (2015-2020) was approved by the Board of County Commissioners in 2015.

The second document is the PBC Local Housing Assistance Plan (LHAP) submitted to the Florida Housing Finance Corporation is a requirement for each local government that receives an annual funding allocation from the State Housing Initiatives Partnership (SHIP) Program. The LHAP establishes the strategies for utilizing the SHIP funds for a three-year period. The most recent LHAP was approved by the BCC in 2016.

The Consolidated Plan and the LHAP utilized data from the Shimberg Center for Housing Studies (University of Florida) and the *Ten Year Plan to End Homelessness in Palm Beach County (2008)* to identify needs for both the homeless and non-homeless special needs populations. The Consolidated Plan addresses both the unincorporated County and the 29 municipalities who possess inter-local agreements with the County for affordable housing and community development purposes.

The target numbers for Palm Beach County identified in the Consolidated Plan and LHAP takes into consideration the anticipated housing funding available to the County for the 5 year period. The proposed staff-initiated text revisions will update the housing need and target numbers in the Housing Element (HE) to reflect the Consolidated Plan (2015-2020) and LHAP, and be consistent with the current goals of the County's housing programs to meet the need of very low, low and moderate income households, the homeless and non-homeless special needs populations.

In general, the Shimberg Center data indicates that in 2015 approximately 104,245 renter and owner households within the County with very low and low incomes (0-80% of Area Median Income (AMI) and were experienced a housing cost burden (exceeding 30%) or a severe housing cost burden (exceeding 50% of their household income). This amounts to 78% of very low and low income owners and 89% of very low and low income renters in 2015. Additional Shimberg Center data projects a countywide increase from 2015 through 2025 of 14,278 severely cost burdened households including 8,288 owners and 5,990 renters.

### **C. Consistency with the Comprehensive Plan**

This proposed amendment will further several provisions in the Housing Element (HE) of the Comprehensive Plan, including the items listed below. Unrelated language is omitted for brevity.

#### **1. HE, OBJECTIVE 1.1 Provision of Affordable Housing**

The County through the Department of Economic Sustainability, shall provide ongoing implementation and monitoring of programs, and shall pursue and secure additional funding sources. ... These efforts shall be directed toward meeting the need projected by the Palm Beach County Five-Year Consolidated Plan, October 2010-September 2015 (July 2010) for the period of 2010-2015, with special attention to the needs of very low, and low income households in addition to special needs populations, including rural and farmworker households.

2. **Policy 1.1-g:** The Department of Economic Sustainability and the Commission on Affordable Housing shall provide the ongoing monitoring and tracking of affordable housing units being funded and built through both County and private sector efforts, and the evaluation of progress being made in meeting the current and projected affordable housing need, including rural and farmworker households.
3. **Policy 1.1-k:** The County shall increase its effectiveness addressing Housing needs by:
  1. designating the Planning, Zoning and Building Department as the lead department for all data efforts for the Housing Element;
  2. coordinating housing policy objectives with all County agencies, such as the Department of Planning, Zoning and Building; the Department of Economic Sustainability, the Commission on Affordable Housing; and the Housing Finance Agency, and designate the Department of Economic Sustainability as the lead agency for coordinating all housing efforts.

*...omitted for brevity*

4. **Policy 1.2-g:** The Department of Economic Sustainability shall continue to pursue federal and state funding, including CDBG funds, for the rehabilitation or demolition of substandard housing. Allocation of funds from the Housing Trust Fund should also be provided.

**Staff Analysis:** The proposed amendment revises the Housing Element to incorporate the best available data found in several housing planning documents, 1) the Five-Year Consolidated Plan (2015-2020) for Palm Beach County adopted in 2015, and the PBC Local Housing Assistance Plan (LHAP) adopted in 2016.

This amendment will revise, update and support the above referenced provisions and others in the Housing Element of the Comprehensive Plan. These revisions will further the intent of this objective and policies, which support ongoing monitoring, evaluation, and coordination of affordable and workforce housing efforts, toward the goal of meeting community housing needs. The updates will also facilitate the pursuit of federal and state funding, consistent with the cited policies.

#### **D. ULDC Implications**

This proposed amendment will not result in subsequent changes to the Unified Land Development Code.

## VII. Public and Municipal Review

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- A. Intergovernmental Plan Amendment Review Committee (IPARC):** Notification was sent to the County's Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments, on November 29, 2017. At the time of the printing of this report, no calls or written requests for information or objections to the amendment have been received.
- B. Informational Meeting:** The Planning Division hosted a meeting with area residents and interested parties to relay information regarding the amendment and development approval process on November 28, 2017. No members of the public attended.

## VIII. Assessment and Conclusions

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As demonstrated in this report, the proposed amendment is in keeping with the regular maintenance of the Comprehensive Plan, reflecting more current, best available housing data, and reflecting housing programs as currently established in other housing planning documents. The proposed amendment updates references to reflect existing, ongoing programs previously established by the Board and/or State or Federal agencies.

Staff recommends **approval** of this amendment.

### Attachments

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Exhibit 1 – Proposed revisions in ~~strike-out~~ and underline format

E-1

## Exhibit 1

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### A. Future Land Use Element, Clint Moore CLF

**REVISIONS:** To revise and update the Housing Element. The revisions are shown below with the added text underlined and the delete text ~~struck out~~. The entire element is provided for reference.

## HOUSING ELEMENT

### I. INTRODUCTION

#### A. Purpose

The purpose of the Housing Element is to: 1) identify existing and projected deficits in the supply of housing to meet the needs of the County's population, particularly the very low and low income families; 2) analyze housing trends and the causes, scope and nature of any housing problems, 3) develop appropriate plans, programs and policies to bring about the accomplishment of the necessary housing, whether through private-sector efforts, non-profit, public/private partnerships or the public sector, and 4) to guide and coordinate all housing activities to eliminate duplications and increase efficiency of the housing delivery system.

The Housing Element of the Comprehensive Plan has several other characteristics that distinguish it from other Plan elements. First, housing is primarily provided by the private sector, and market demand largely dictates the type and location of housing projects. The County's development regulations (e.g., Zoning and Building Codes) only guide the private sector in the development and construction of housing. Second, because housing is an essential human need, the public sector has the responsibility to ensure adequate, safe housing, especially for low, and very low income families, elderly and other disadvantaged groups. Third, the primary criterion for those seeking housing is not local jurisdiction except for those families who can afford to choose a specific location. Factors determining housing selection include personal choice, financial limitation, value, safety and rent.

Much of the planning and coordination of affordable housing services delivery is done through other documents, required as part of State and federal funding programs. As a result the Housing Element does not establish separate targets and approaches, but primarily utilizes the housing needs targets and reflects the strategies identified in the Five-Year Consolidated Plan and supports its efforts to meet the need of very low, low and moderate income households, the homeless and non-homeless special needs populations.

~~The affordable housing targets through 2015 identified within this Element are based on the Five-Year Consolidated Plan.~~ Every five years Palm Beach County is required to submit a Five-Year Consolidated Plan to the US Department of Housing and Urban Development which describes how the County will pursue the overall goals of the community planning and development programs, as well as housing programs. The Consolidated Plan addresses both the unincorporated County and the jurisdiction of the ~~30~~ 29 municipalities who possess inter-local agreements with the County for affordable housing and community development purposes. The Palm Beach County Five-Year Consolidated Plan, October 20105–September 201520 (July 20105) identifies affordable housing issues and ~~the priority targets of the~~ certain housing program's financial expected resources and goals ~~reasonably expected to be available~~ for the period of 20105-201520. In addition, the Consolidated Plan also includes data ~~for~~ on substandard

housing, special needs populations, and homeless populations, and those at risk of homelessness.

Every three years, Palm Beach County is required to submit a Local Housing Assistance Plan (LHAP) to the Florid Housing Finance Corporation as a condition of receiving an annual funding allocation from the State Housing Initiatives Partnership (SHIP) Program. The LHAP establishes the program strategies through which the County will use SHIP funding to serve local housing needs during the three-year period for households with incomes up to 140% of Area median Income.

The affordable housing needs through the 2020 planning period, as well as data pertaining to rural and farmworker housing and substandard housing, are based on data provided by the Shimberg Center for Housing Studies (University of Florida).

Terms used in the Housing Element are defined in the definitions section of the Introduction and Administration Element of the Comprehensive Plan.

## **B. Assessment and Conclusions**

### **Housing Affordability**

Housing is typically considered to be affordable if monthly rents including utilities, or monthly mortgage payments including property taxes, insurance and utilities ("gross housing costs"), do not exceed thirty ~~(30%)~~ percent (30%) of the median adjusted gross annual income for very low, low and moderate income households. Households are considered "cost-burdened" when a household's gross housing cost exceeds thirty percent (30%) of gross household income, resulting in less available income for other necessities such as food, clothing, and transportation. Severe cost burden is the situation wherein a household's gross housing cost exceeds fifty percent (50%) of gross household income. In accordance with typical lending standards, debt-to-income ratios such as front end and back end ratios are also considered when determining affordability. Typical front end ratios allow up to 35% of household income to be committed for mortgage and related expenses, and typical back end ratios allow up to 42% of household income to be committed to the mortgage and all other credit related debt.

The focus of County efforts is on affordable housing options for households in the very low to low income range (0-80% of Area Median Income (AMI)), and on moderate and middle income range workforce housing, which the County's program defines as households from 60% up to 140% of AMI.

### **Housing Needs for Very Low and Low Income Households**

Based on ~~2012~~ data provided by the Shimberg Center for Housing Studies (University of Florida), approximately ~~73,389~~ 104,245 ~~unincorporated~~ renter and owner households with very low (0-50% of AMI) and low incomes (50%-80% of AMI) countywide were cost-burdened or severely cost burdened in 2010~~5~~. Further, Data from the Schimberg Center indicate that projects a countywide increase from 2010~~5~~ through 2020~~5~~ of 14,278 severely cost burdened households, including 8,288 owners and 5,990 renters. ~~nearly 30% of the households within the unincorporated County with very low and low incomes will experience a housing cost burden exceeding 30%, or a severe housing cost burden exceeding 50% of their household income. For the period from 2015-2020, this represents an additional 4,706 households located in the unincorporated area that will experience a housing cost burden or a severe housing cost burden.~~

## Workforce Housing Needs

Data provided by the Shimberg Center offer an assessment of housing cost burden estimates for Workforce Housing households with low (60%-80% of AMI), moderate (80%-120% of AMI) and middle incomes (120%-140% of AMI) located in the unincorporated portion of Palm Beach County in 2010, 2015 and 2020.

The 2010 analysis identified that 38,894 households in the unincorporated area experience a housing cost burden of exceeding 30%, or a severe housing cost burden exceeding 50% of their household income. For the period from 2010-2020, the Shimberg Center data identified that an additional 3,897 households located in the unincorporated area will experience a housing cost burden or a severe housing cost burden. From 2010 through 2020 nearly 16% of the households (42,563) within the unincorporated County with low, moderate and middle incomes (60%-140% of AMI) will experience a housing cost burden of exceeding 30%, or a severe housing cost burden exceeding 50% of their household income.

## Housing Needs for Special Needs Populations

Special needs populations can include the homeless, the elderly or frail elderly, the physically disabled, persons with mental illness, persons with developmental disabilities, alcohol or other drug addiction, persons with HIV/AIDS and their families, abused/neglected children, victims of domestic violence, veterans, youth aging out of foster care, and ex-offenders. ~~Special needs populations also include rural and farm workers.~~ The Community Services Department is the County's lead entity regarding special needs issues and assistance.

~~The Five Year Consolidated Plan estimated:~~

- ~~• an unmet shelter need of 1,606 beds for the homeless population.~~
- ~~• an unmet need of 21,928 households for non-homeless special needs population.~~

The County's 2017 Point in Time Count indicated 1,607 persons were homeless on the day of the county, of which 780 of those individuals were sheltered and 827 unsheltered.

~~The Shimberg Center in 2010 estimated:~~

- ~~• a need for 2,810 multi-family units to serve farmworker housing needs countywide.~~

The Shimberg Center estimates that as of 2015 countywide there are 31,866 cost burdened households with a disabled member and income less than 50% AMI.

## Need Resulting from Overcrowded and Substandard Units

In addition to addressing the identified demand, efforts are also directed toward maintaining existing housing units through policies to eliminate substandard housing and provide for relocation. ~~Using data from the 2008 American Community Survey, the Five Year Consolidated Plan estimated:~~

- ~~• 19,880 overcrowded housing units in the PBC CDBG Jurisdiction area (unincorporated area and 30 municipalities), and~~
- ~~• 18,320 units lack heating or complete plumbing or kitchen.~~

~~For the unincorporated County, t~~The Shimberg Center's 20125 estimates indicated that countywide:

- ~~• 5,482~~ 15,344 (2.49%) of the units have more than one person per room (an indication of overcrowding)-
- ~~• 5,987~~ 10,108 (2.61.9%) of the occupied units in the unincorporated area use no home heating fuel source and

- 994 8,576 (0.4 1.3%) of the units lack complete kitchen facilities.
- 5,335 (0.8%) of the units lack complete plumbing facilities

### Addressing Housing Needs

The Five-Year Consolidated Plan is considered the best available data source to determine the housing needs and targets for Palm Beach County when considering the housing funding that is reasonably expected to be available to the County for the FY ~~2010-11~~ 2015-2016 through ~~2014-15~~ 2019-2020 time period. The Plan addresses households that will experience cost burden issues in its jurisdiction, both in the unincorporated County and within the ~~30~~ 29 municipalities who possess inter-local agreements with the County for affordable housing and community development purposes.

The Department of Housing and Economic Sustainability (HES) administers the Five Year Consolidated Plan and the federal funds covered thereunder, including the Community Planning and Development funds for Palm Beach County. DES administers federal funds provided to the County under the formula based Community Development Block Grant (CDBG), and the Home Investment Partnership (HOME), Programs. Over the past several years, DES has also administered federal funds made available under the Disaster Recovery Act, and provided through the Florida Department of Economic Opportunity (formally Department of Community Affairs) as well as federal funds provided to the county under the Housing and Economic Recovery Act (HERA) the Neighborhood Stabilization Program 1 (NSP1), the American Recovery and Reinvestment Act of 2009 (ARRA), and the Neighborhood Stabilization Programs 2 (NSP2). These various programs are reflected within the Five-Year Consolidated Plan's estimates of available funding and the subsequent target numbers housing goals for the period from 20105-201520. Additionally, HES administers the County's Local Housing Assistance Plan which establishes housing strategies and funding allocations for the State Housing Initiatives partnership (SHIP) program.

The County's Planning, Zoning, and Building Department (PZB) administers the Affordable Housing Program (AHP) ~~will assisting~~ primarily in serving some of these cost burdened very low and low income (60% of AMI and below) households. With the AHP, builders of residential developments receive certain development incentives in order to provide the housing units attainable to qualified income eligible households for at least 15 years (for-sale) and 30 years (rental).

In addition, Palm Beach County through ~~the~~ PZB's Workforce Housing Program (WHP) assists in serving some of the households that will experience cost burden issues. The WHP is designed to serve low and moderate income households (60-120% of AMI) and also middle income (120-140% of AMI) by requiring a component of housing units in new development in certain unincorporated areas of the county be provided for these income groups at rents and sale prices that are to remain affordable for periods of at least 15 years (for-sale) and 30 years (rental).

In September 2008, the Board of County Commissioners adopted the Ten Year Plan to End Homelessness in Palm Beach County. The Plan outlines a strategy to design, fund and develop permanent housing solutions for the County's homeless population. The objective of the Ten Year Plan to End Homelessness in Palm Beach County is to create a local homeless response system that will completely eliminate homelessness in ten years. A key step toward that objective was the 2012 opening of the County's first Homeless Resource Center, located in the City of West Palm Beach, which is designed to provide initial services and short-term housing to homeless persons residing in the County.

~~As outlined in the 5-Year Consolidated Plan, t~~There are dozens of various agencies and facilities serving special needs populations in Palm Beach County. Some of the providers deal only with a single, discrete population; others may serve multiple populations. Some of the agencies only address only housing and shelter needs, while others may provide a range of services, including advocacy, case management, and direct services.

Geographic dispersal must also be addressed in order to avoid the concentration of affordable housing in specific areas of the County, and at the same time consideration must also be given to the availability of public services and employment opportunities when locating affordable housing.

## II. GOAL, OBJECTIVES AND POLICIES

It is the **GOAL** of Palm Beach County to facilitate the provision of an adequate supply of safe, sanitary and affordable housing to meet the needs of the County's residents, with special attention to the needs of very low, and low income households in addition to special needs populations.

### OBJECTIVE 1.1 Provision of Affordable Housing

The County through the Department of Housing and Economic Sustainability, shall provide ongoing implementation and monitoring of programs, and shall pursue and secure additional funding sources. The Commission on Affordable Housing shall have responsibilities as defined in the Palm Beach County Affordable Housing Ordinance (Palm Beach County Code, Section 12-242 – Section 14-248), ~~primary responsibility for evaluating programs, recommending policies and continuing to administer and maintain the Affordable Housing Trust Fund. These efforts shall be directed toward meeting the need projected by the Palm Beach County Five-Year Consolidated Plan, October 2010-September 2015 (July 2010) for the period of 2010-2015, with special attention to the needs of very low, and low income households in addition to special needs populations, including rural and farmworker households.~~

**Policy 1.1-a:** For the period ~~through 2015-2020~~, Palm Beach County shall utilize the strategies identified in the Five-Year Consolidated Plan for Palm Beach County in it's efforts to meet the need of very low and low income households. ~~The Palm Beach County Five-Year Consolidated Plan, October 2010-September 2015, projects the following need for the 2010-2015 time period: 2,329 rental households total, an average of 466 rental households annually, and 7,927 ownership households total, an average of 1,585 ownership households annually, with special attention to special needs populations, including rural and farmworker households.~~

**Policy 1.1-b:** The Commission on Affordable Housing shall have responsibility for reviewing progress and making recommendations on affordable housing policies in the County through an annual report and special reports ~~as needed on:~~ in accordance with the Palm Beach County Affordable Housing Ordinance (Palm Beach County Code, Section 12-242 – Section 14-248).

- ~~1. an evaluation, reassessment and setting, of targets and yearly affordable housing priorities as they have been established in all County housing programs, including the federal subsidy programs, based on progress and revised estimates of projected demand;~~
- ~~2. a proposal for adjustment to a particular program, if necessary, based on the program's evaluation;~~

- ~~3. recommendations on the utilization of economic solutions to address a portion of the affordable housing concerns;~~
- ~~4. a progress report on responsibilities of the Commission of Affordable Housing established under the State Housing Initiative Partnership Program, the Robert Pinchuck Memorial Affordable Housing Trust Fund, and other responsibilities pursuant to the Affordable Housing Ordinance; and~~
- ~~5. recommendations on any affordable housing related issues.~~

~~The Commission on Affordable Housing Department of Housing and Economic Sustainability shall continue to evaluate the County's progress in encouraging affordable housing for very low, low and moderate income persons. For this purpose, the Commission on Affordable Housing shall monitor and track the number and location of all affordable units being funded and built through all the County's housing programs. The Commission shall consider and make recommendations on mandatory programs if the Commission concludes such programs will increase the availability of very low and low income housing.~~

**Policy 1.1-c:** ~~The Commission on Affordable Housing Department of Housing and Economic Sustainability shall continue to provide for the administration of local activities related to the State Housing Initiative Partnership (SHIP) program, and the Robert Pinchuck Memorial Affordable Housing Trust Fund (the "Affordable Housing Trust Fund").~~

**Policy 1.1-d:** The Department of Housing and Economic Sustainability shall continue to provide for the administration of formula grants for the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program and its related programs, and the Neighborhood Stabilization Programs (NSP1 and NSP2). The Community Services Department shall provide administration of the Emergency Solutions Grant Program (ESGP).

**Policy 1.1-e:** ~~The Department of Housing and Economic Sustainability, the Commission on Affordable Housing, private not-for-profit and for-profit agencies when warranted,~~ shall pursue additional funding and utilize all available federal state and local programs and resources to meet the housing needs of very low, and low, and moderate income households, including rural and farmworker households.

**Policy 1.1-f:** The County shall continue to expand the housing stock through the utilization of the Affordable Housing Trust Fund and other efforts to identify and secure additional funding sources; including:

~~The Affordable Housing Trust Fund will continue to provide funding to programs as approved by the Board of County Commissioners and pursuant to the Local Housing Assistance Plan and F.S. 420.975. subordinate below-market interest rate financing and/or grants for land acquisition, construction and other related costs for the development of affordable housing units countywide. The Fund will continue to assist not-for-profit facilitators with pre-development expenses associated with very low and low income housing development. Some disbursements from the Housing Trust Fund will be grants, but the majority of funds should be revolving loans, with borrowers paying back into the trust; thereby ensuring a permanent source of financing. The County shall require that interest and loan principal repayments from Housing Trust Fund grants and loans be returned to the Housing Trust Fund.~~

~~The Housing Trust Fund, through the continuation of the Hardship Fee Program, and the Rental Impact Fee Assistance/Competitive Program, shall allow for the payment of Impact Fees for newly constructed housing units for very low and low income families. The Housing Trust Fund shall make payments directly to the appropriate Impact Fee Trust Funds when financing such Impact Fee payments.~~

**Policy 1.1-g:** ~~The Department of Housing and Economic Sustainability and the Commission on Affordable Housing in coordination with the Planning, Zoning, and Building Department shall provide the ongoing monitoring and tracking of affordable housing units being funded and built through both County and private sector efforts County programs, and the evaluation of progress being made in meeting the current and projected affordable housing need, including rural and farmworker households.~~

**Policy 1.1-h:** The County shall continue the review and streamlining as needed, of those ordinances, codes and regulations related to the permitting process, in order to continue the reduction of excessive requirements and amend or add other provisions that increase private sector participation in adding to the supply of affordable housing. The County shall ~~consider its existing Affordable Housing Action Plan and~~ designate the Planning, Zoning, and Building Department of Sustainable Development as the lead agency, with assistance from ~~Planning, Zoning and Building, the Commission on Affordable Housing, the Department of Housing and Economic Sustainability,~~ Engineering and other appropriate Departments.

**Policy 1.1-i:** The County shall inventory all surplus County-owned land and foreclosed properties that could be used to promote affordable housing provision and production. The Property and Real Estate Management Division shall coordinate identification of such lands with municipalities, the Palm Beach County School Board, the South Florida Water Management District and other public land owners in Palm Beach County, to produce a list of viable sites for affordable housing developments and special needs housing, including rural and farmworker households. ~~The Commission on Affordable Housing County's Property and Real Estate Management Division, in coordination with the Department of Housing and Economic Sustainability, shall be responsible for the review of the inventory, and as part of their annual report the Commission will provide a list of viable sites, and make these lands available for affordable housing development and special needs housing, using a competitive Request for Proposal process. The County shall may also provide direct land grants to private not-for-profit agencies and may. The County shall make land available for exchange with developers and property owners, securing land for public purposes while offering exchange sites for affordable housing.~~

**Policy 1.1-j:** Planning, Zoning and Building shall establish a Task Force to establish principals and criteria to guide the location and development of single room occupancy units, including accessory apartments, as alternatives for affordable housing in the unincorporated County.

**Policy 1.1-k:** The County shall increase its effectiveness addressing Housing needs by:

3. designating the Planning, Zoning and Building Department as the lead department for all data efforts for the Housing Element;
4. coordinating housing policy objectives with all County agencies, such as the Department of Planning, Zoning and Building; the Department of Housing and Economic Sustainability, ~~the Commission on Affordable Housing;~~ and the Housing Finance Agency Authority, and other public and private entities, designate the

~~Department of Economic Sustainability as the lead agency for coordinating all housing efforts.~~

5. The County shall also assist and encourage public/private partnerships with private community-based non-profit agencies and other private sector agencies that further County housing policy objectives, in order to improve cooperation among participants involved in housing production and to enhance the feasibility of producing and delivering affordable housing. ~~The County could assist such agencies by paying administrative costs, by entering into joint ventures on land acquisition and by providing infrastructure.~~

**Policy 1.1-l:** The Department of Housing and Economic Sustainability with the assistance of the Commission on Affordable Housing shall continue to coordinate with the municipalities in the provision of affordable housing within their city limits, to assist the County with the provision of affordable housing. Among the strategies to be explored are:

1. Tax abatements;
2. Provision of infrastructure for affordable projects by practices such as tax increment financing;
3. Conveyance of public property;
4. Payment into the County's Affordable Housing Trust Fund; and
5. Incentives and interlocal agreements with municipalities that will assist the County with the provision of affordable housing affordable housing units within the Revitalization and Redevelopment Overlay and CDBG Target Areas.

The feasibility of these strategies shall be evaluated and recommendations will be made to the Commission on Affordable Housing by the Department of Economic Sustainability in coordination with the Commission on Affordable Housing.

**Policy 1.1-m:** The Department of Housing and Economic Sustainability with the assistance of Planning, Zoning and Building shall provide for the coordination, outreach and information dissemination of all aspects of the housing delivery system including availability and location of affordable housing assisted with Federal, State, or County funds.

**Policy 1.1-n:** The County Commission on Affordable Housing, with the assistance of the ~~Department of Economic Sustainability and Planning, Zoning and Building~~, shall provide education-awareness programs, so that the public can gain a better understanding of the need for affordable housing. These programs should also address residents' aversion to the proximity of affordable housing and the general negative public perception regarding affordable housing.

**Policy 1.1-o:** The County shall preserve affordability of affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:

1. The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.
2. The Affordable Housing Program will target households at or below 60% of area median income.

The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

**Policy 1.1-p:** Planning, Zoning and Building shall continue to ensure the Unified Land Development Code contains minimum standards and specifications for the construction of manufactured structures, mobile homes or buildings in residential zoning districts, and include supporting infrastructure and public facilities. To ensure the availability of adequate sites manufactured structures or buildings shall be permitted in all residential zoning districts, subject to the limitations set forth in the Future Land Use Element, and further restricted by the Palm Beach County Unified Land Development Code.

**Policy 1.1-q:** Planning, Zoning and Building, and the Engineering Department shall provide for the continuation of the Traffic Performance Standards Methodology for affordable housing pursuant to the Transportation Element.

**Policy 1.1-r:** Planning, Zoning and Building shall encourage through the development review process, affordable and public housing developments to include day care and adult care facilities, and basic accommodations for the provision of job training, empowerment training and entrepreneurial training programs.

**Policy 1.1-s:** The County shall develop a program to address the housing needs of the elderly and other special needs groups with very low, low, and moderate incomes.

**Policy 1.1-t:** *Deleted in Amendment Round 03-1.*

~~**Policy 1.1-u:** The Commission on Affordable Housing and Economic Sustainability Department shall provide assistance, including financial and/or technical assistance, to home buyers within the Revitalization and Redevelopment Overlay and CDBG Target Areas to purchase adjacent or attached housing units to a maximum of 4 units with the provision that one unit be occupied by the purchaser, and the additional units be rented to very low and/or low income households.~~

~~**Policy 1.1-v:** The Commission on Affordable Housing and Economic Sustainability Department shall direct at least 25 % of applicable housing program funds and community development program funds to areas within the Revitalization and Redevelopment Overlay and CDBG Target Areas.~~

**Policy 1.1-w:** The County shall identify sites (County owned properties) that are adequate suitable for the Workforce Housing and/or Affordable Housing Programs.

## **OBJECTIVE 1.2      Substandard Housing**

The County shall provide for the elimination of substandard housing through code enforcement and shall establish principles to guide housing conservation, rehabilitation and demolition.

**Policy 1.2-a:** The County shall provide for increased code enforcement activities and designate the Code Enforcement Division responsible for the following:

1. Provide annual inspections of the housing stock in the County's most blighted unincorporated neighborhoods where code violations are most prevalent; and
2. Provide for continued special concentrated code enforcement activities such as "target area programs" and the utilization of the "Community Support Team", where warranted.

~~**Policy 1.2-b:** The Department of Economic Sustainability with the assistance of the Code Enforcement Division and the Commission on Affordable Housing shall maintain an ongoing record of the number and the location of substandard housing units being rehabilitated and brought to standards. An annual report shall be prepared which summarizes these activities, assesses whether existing substandard housing conditions are being reduced and revisits and reassesses the setting of biannual goals/targets for reducing existing substandard housing units.~~

**Policy 1.2-c:** The County shall provide for the input and assistance of private, not-for-profit community-based organizations and other private interests to coordinate activities designed to eliminate or rehabilitate substandard housing stock, and shall encourage public/private partnerships to accomplish this objective. The County shall target these activities within its most blighted districts. ~~The Commission on Affordable Housing and the Department of Housing and Economic Sustainability shall participate in these activities to ensure adequate completion of this task.~~

**Policy 1.2-d:** The County shall continue to permit mixed-use and other innovative reuses, including single room occupancies (SRO's) of the existing housing stock that result in the removal of substandard housing units.

**Policy 1.2-e:** The County shall facilitate quality affordable housing, through stabilization of neighborhoods and identification and improvement of existing housing and neighborhoods, including those of historical significance, through rehabilitation and adaptive reuse strategies, in order to increase affordable housing stock.

**Policy 1.2-f:** Planning, Zoning and Building, shall continue to locate, identify and evaluate additional historically significant housing properties associated with the archeological, architectural, historical, engineering and cultural development of the unincorporated portion of Palm Beach County through the update of its historic sites survey, and list the sites in the Florida Master Site File (FMSF).

**Policy 1.2-g:** The Department of Housing and Economic Sustainability shall continue to pursue federal and state funding, including CDBG funds, for the rehabilitation or demolition of substandard housing. Allocation of funds from the Affordable Housing Trust Fund should also be provided.

### **OBJECTIVE 1.3 Relocation Housing**

The County shall provide for relocation housing and minimize the displacement of very low and low-income households.

**Policy 1.3-a:** The County, within its Community Development Block Grant (CDBG) areas, and to the extent required by regulations of the funding sources being utilized (CDBG and/or HOME), ~~shall provide a replacement unit for every dilapidated dwelling unit~~

~~that is demolished by the County, and shall assist in the relocation of displaced persons as funds are available. The County shall pursue all available sources of funding to assist in the relocation of those persons of very low and low income.~~

**Policy 1.3-b:** The County shall require that developers, following development approval, facilitate the relocation of very low and low income families displaced by a proposed project, through, at a minimum, the provision of information on available, affordable units in the area, to the displaced very low and low income households and service agencies.

#### **OBJECTIVE 1.4 Provision of Special Needs Housing**

The County shall provide for the creation and preservation of housing and programs to adequately address the needs of all households with “special needs” ~~populations, including rural and farmworker populations, including the homeless, the elderly or frail elderly, the physically disabled, persons with mental illness, alcohol or drug addiction, persons with HIV/AIDS and their families, abused/neglected children, victims of domestic violence, veterans, youth aging out of foster care, and ex-offenders, and including rural and farmworker populations.~~ The County and shall ensure the provision of foster care, group homes and other special needs facilities in a range of land use categories. The efforts indicated in the following policies shall be directed toward the meeting the needs identified by the Palm Beach County Five-Year Consolidated Plan, 2010~~5-~~2015~~20~~, the “Ten Year Plan to End Homelessness in Palm Beach County,” and the farmworker housing deficit needs identified by the Shimberg Center ~~for Housing Studies~~ in Policy 1.4-a.

**Policy 1.4-a:** Palm Beach County shall utilize the strategies identified below in its efforts to meet the need for special needs housing. ~~The County’s “Five-Year Consolidated Plan 2010-2015 estimates an unmet shelter need of 1,606 beds for homeless families and children, and a priority unmet need of 21,928 non-homeless special needs households. The Shimberg Center for Housing Studies (University of Florida) estimates a need for 2,810 multi-family units to serve farmworker housing needs. a total of 31,866 cost-burdened households countywide which have a disabled member and income less than 50% AMI, including 16,232 owners and 15,564 renters. The Shimberg Center also estimates a need for 165 multi-family units countywide to meet farmworker housing needs.~~

1. The Department of Housing and Economic Sustainability ~~and with recommendations from the Commission on Affordable Housing~~ shall continue to help address the county’s special needs housing deficiencies by establishing policies and procedures that will provide continued financial assistance to proposed eligible housing projects that will produce affordable rental and homeownership opportunities for households with special needs. ~~which will preserve affordable housing for the: disabled; elderly; farmworker; lower income; and single-parent headed households.~~ Special Needs housing and services shall remain ~~of the highest~~ a priority in the Department of Housing and Economic Sustainability’s Five Year Consolidated Plan. Also, the ~~Commission on Affordable Housing~~ Department of Housing and Economic Sustainability shall market its available housing assistance programs in order to facilitate participation by ~~include housing opportunities for all eligible special needs individuals and households.~~
2. The Department of Housing and Economic Sustainability and the Community Services Department shall provide technical and financial assistance to providers of special needs housing and services. ~~not-for-profit housing agencies and service provision agencies that provide services and/or housing to special needs households.~~ Local funding sources shall continue to include the Community

Development Block Grant (CDBG) program, the Home Investment Partnership Program, the Emergency Solutions Grant Program (ESGP), and the State Housing Initiative Partnership (SHIP) program, and the ~~Robert E. Pinchuck Memorial Affordable Housing Trust Fund~~. The above mentioned county agencies shall also continue to directly apply for state and federal special needs housing funds when warranted. ~~These programs shall provide assistance to individuals and/or households including the: disabled; elderly; homeless; and farmworkers.~~

3. The Department of Housing and Economic Sustainability and the Community Services Department shall provide coordination and outreach with agencies involved in the development of housing for all special needs populations, including rural and farmworker populations.
4. The Community Services Department shall continue to serve as the County's lead agency for implementation of the Ten Year Plan to End Homelessness in Palm Beach County adopted by the Board of County Commissioners in September 2008.

**Policy 1.4-b:** The County, through the Building Division and the Department of Housing and Economic Sustainability, where applicable, shall provide for the compliance of housing projects, including special needs housing projects, with the Americans with Disabilities Act (ADA).

**Policy 1.4-c:** The County shall provide for foster care, group homes and other special needs facilities to be permitted in residential neighborhoods. Farmworker housing is currently permitted in the Agriculture Reserve (AGR), Agriculture Production (AP) and Special Agriculture (SA) land use categories.

**Policy 1.4-d:** The location of special needs and farmworker housing shall be guided by the following principals and criteria. Special needs housing shall be located in proximity to the appropriate support infrastructure, services and facilities including Palm Tran and existing transportation disadvantaged programs. Special needs housing shall be permitted in all appropriate residential, commercial and institutional land use categories, through the use of group homes, Congregate Living Facilities (CLF's), accessory apartments and rental housing associated with places of worship. Farmworker housing shall be located in proximity to areas of agriculture employment and shall require a minimum of twenty-five (25) acres. ~~The Department of Economic Sustainability, with the assistance of the~~ Planning, Zoning, and Building Department and the Community Services Department, shall be responsible for establishing any additional principles and criteria as may be necessary.

**Policy 1.4-e:** The Department of Housing and Economic Sustainability, in coordination with the Planning, Zoning, and Building Department ~~and the Commission on Affordable Housing~~ shall to the extent feasible provide the ongoing tracking of the number of units being funded and built through both County and private sector efforts, and the evaluation of progress being made in meeting the ~~current and projected~~ housing needs of special needs populations.

**Policy 1.4-f:** ~~The County shall help develop and manage housing programs for migrant farmworkers, through organizations including but not limited to the United States Department of Agriculture Rural Housing Service, United States Department of Agriculture~~

~~Rural Development, Palm Beach County Public Housing Authority, Centro Campesino, Neighbors Organized for Adequate Housing (NOAH), and the agri-businesses.~~

**Policy 1.4-g:** The County shall participate with non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and non-housing support services such as information services, technical assistance and financial assistance for farmworkers and their families.

**Policy 1.4-h:** The County shall coordinate with, and use the resources of the State of Florida, United States Department of Agriculture Rural Development, and the Department of Housing and Urban Development to administer programs to improve housing opportunities for farmworkers.

**Policy 1.4-i:** The County shall continue to provide information and referral services to migrant workers for legal assistance to obtain adequate housing.

~~**Policy 1.4-j:** The County, through the Commission on Affordable Housing, shall give priority and establish special criteria for farmworker housing.~~

## **OBJECTIVE 1.5 Concentrations of Affordable Housing**

The County shall make adequate provisions to enable the public, private and not-for-profit sectors to provide affordable housing, and shall support the distribution of housing for very low, low, moderate and middle income households, to avoid undue concentrations of very low and low income housing throughout the County through the Workforce Housing Program and the Affordable Housing Program.

**Policy 1.5-a:** The County shall provide for a sufficient amount of land for residential use to meet future housing needs, including very low, low, and moderate income, and to accommodate the projected population. The Planning Division shall be responsible for analysis and recommendations to the BCC for this task.

**Policy 1.5-b:** *Deleted in Amendment Round 04-1.*

**Policy 1.5-c:** *Deleted in Amendment Round 04-1.*

~~**Policy 1.5-d:** The Commission on Affordable Housing, Department of Economic Sustainability, and Planning Division shall pursue changes to Federal and State affordable housing funding program regulations which may presently require a proposed housing development to be 100% affordable in order to be eligible for receipt of the program funds.~~

~~**Policy 1.5-e:** The County may Department of Economic Sustainability with the assistance of the Commission on Affordable Housing shall provide incentives to increase the presence of moderate, or higher income households within areas of high concentrations of affordable housing. These incentives may include subsidy programs to reduce the purchase cost of units, and/or regulatory relief to facilitate the rehabilitation of housing units.~~

**Policy 1.5-f:** The Planning, Zoning and Building Department shall revise the Unified Land Development Code (ULDC) to eliminate processing fees for residential Zoning petitions, which are for the purpose of providing affordable housing units in areas of low concentrations of very low, and low income households.

**Policy 1.5-g:** The County's mandatory Workforce Housing Program requires new residential developments to provide a percentage of housing units for households with incomes from 60% to 140% of area median income as a means to meet affordable housing needs and to disperse that needed housing in the unincorporated County.

For land use LR1, the PUD density does not apply. The Agricultural Reserve Tier is exempt from this program.

The Workforce Housing development evaluation shall address specific criteria, including but not limited to:

1. Eligible developments must have a minimum number of 10 permitted units;
2. Workforce units can be both rental units and for sale units;
3. Workforce units built on site will be designed to be compatible with the overall development;
4. Workforce units built on-site can be clustered or integrated within the development;
5. Rental unit and resale unit affordability controls shall be guaranteed for a period to be set forth in the Unified Land Development Code (ULDC);
6. Workforce units may be allowed based on location, and land use compatibility, in any of the following land use categories: Commercial (mixed use); Industrial (mixed use); Economic Development Center; Institutional and Public Facilities, Traditional Town Development (TTD); and Multiple Land Use (MLU).

Incentives shall include:

1. For LR-1, LR-2, and LR-3, a density bonus of up to 30%.
2. Traffic performance standards mitigation,
3. An expedited permit, zoning, and land use site plan approval process including engineering plating procedures.
4. A method to effectively offset impact fees and other development fees for the Workforce units only may be included.

Density Bonus Greater than 30%

For land uses MR-5, HR-8, HR-12, and HR-18 a density bonus greater than 30%, up to 100%, shall be permitted when all program criteria are met and the increased density creates no compatibility issues with adjacent properties.

When a density bonus of greater than 30% is sought, the Workforce Housing development evaluation shall address the specific criteria (#1 - 6.) listed above and in addition the following criteria:

1. Eligible developments must be located inside the Urban/Suburban Tier;
2. Developments are required to be located near mass transportation and/or employment centers in order to receive a 100% density increase;
3. Existing very-low and low income concentrations in order to discourage undue concentrations; and
4. Review of County Housing Study Sector.

The specific program criteria including developer incentives will be set forth within the Unified Land Development Code (ULDC).

**Policy 1.5-h:** The Planning Division shall prepare an annual report that describes all Workforce Housing Program and the Affordable Housing Program activities during the previous year. The annual report shall be provided to the Board of County Commissioners.

**Policy 1.5-i:** The County shall establish a Affordable Housing Program to allow new residential developments within the Urban/Suburban Tier only, the opportunity to provide housing units for households with incomes at 60% of area median income and below, as a means to meet affordable housing needs and to disperse that needed housing in unincorporated Palm Beach County. Incentives shall be offered that will generally mirror the benefits of the Workforce Housing program criteria. Density bonus units will be allowed only when consistent with Housing Element Objective 1.5 to discourage the undue concentration of very low and low income housing in the County.

Consideration will be given to specific proposals that target households with incomes that crossover both the Workforce Housing and the Affordable Housing Programs. The Agricultural Reserve Tier is exempt from this Program.