

# **PALM BEACH COUNTY**

## **State Housing Initiatives Partnership (S.H.I.P.) Program**

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### **LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**Fiscal Years  
2019/2020, 2020/2021, 2021/2022**



**Department of Housing and Economic Development  
100 Australian Avenue  
West Palm Beach, FL 33406**

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Amendment #1 April 24, 2020/ Approved by FHFC April 24, 2020  
Amendment #2 September 16, 2020 /Approved by FHFC September 17, 2020  
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**I. Program Details:**

**A. LG(s)**

Palm Beach County	
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	N/A

**B. Purpose of the program:**

- To meet the housing needs of the very low, low and moderate-income households;
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing

**C. Fiscal years covered by the Plan:** 2019-2020, 2020-2021, 2021-2022

**D. Governance:** The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

**E. Local Housing Partnership:** The SHIP Program encourages building active partnerships between government, lenders, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

**F. Leveraging:** The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

**G. Public Input:** Public input was solicited through face-to-face meetings with housing providers, social service providers, local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

**H. Advertising and Outreach:** SHIP funding availability shall be advertised in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

**I. Waiting List/Priorities:** A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their

status. Applicants will be maintained in an order that is consistent with the time applications were submitted as well as any established funding priorities as described in this plan.

The following priorities for funding (very low income, special needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

Once there is a list of eligible applicants, they will be ranked giving first priority to households qualifying as Veterans (i.e active, non-active or surviving spouses of military personnel), Special Needs as defined in 420.0004 (13) and elderly These applicants will further be ranked with priority given to very-low, then low, then moderate income groups.

- J. **Discrimination:** In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or familial status in the award application process for eligible housing.
- K. **Support Services and Counseling:** Support services are available from various sources. Available support services may include, but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Foreclosure Counseling and Transportation.
- L. **Purchase Price Limits:** The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

- M. **Income Limits, Rent Limits and Affordability:** The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at [www.floridahousing.org](http://www.floridahousing.org).

*"Affordable" means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.*

- N. **Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description

that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

- O. **Monitoring and First Right of Refusal:** In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.
- P. **Administrative Budget:** A line-item budget is attached as Exhibit A. Palm Beach County will utilize the money deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

***Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:*** “A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

***Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:*** “The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.” The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

- Q. **Program Administration:** Administration of the local housing assistance plan will be wholly performed by:

Entity	Duties	Admin. Fee Percentage
Local Government: <b>Palm Beach County</b>	Administering programs	10%
Third Party Entity/Sub-recipient	N/A	N/A

- R. **First-time Homebuyer Definition:** For any strategies designed for first time homebuyers, the following definition will apply: *An individual who has no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse.*

*An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*

- S. **Project Delivery Costs:** In addition to the administrative costs above, the County will charge no more than 5% of the maximum award for project delivery costs to include but are not limited to, Architectural, engineering, inspections, work write-ups, specifications, contractor procurement, payments and oversight, relocation costs, costs to process services provided by non-housing staff. The cost will be provided as a grant, noted below, not to exceed the strategies' maximum award amounts, and shall not be included in the lien and/or deed against property:

- Up to \$7,000 for Replacement Housing Program
- Up to \$5,000 for Purchase Assistance, First Mortgage Loan Program, Owner Occupied Housing Rehabilitation and Single Family New Construction
- Up to \$3,500 for Developer Rental Assistance
- Up to \$2,500 for Emergency Repairs and Disaster Mitigation
- Up to \$1,000 for Foreclosure Prevention

- T. **Essential Service Personnel Definition (ESP):** **ESP includes** teachers and educators, other school district, community college and university employees, police and fire personnel, health care personnel, active military, county employees and skilled building trades personnel.
- U. **Describe efforts to incorporate Green Building and Energy Saving products and processes:** The County will, when economically feasible, employ the following Green Building requirements on rehabilitation and emergency repairs:

1. Low or No-VOC paint for all interior walls (Low- VOC means 50 grams per liter or less for flat paint; 150 grams per liter or less for non- flat paint);
2. Low flow water fixtures in bathroom – Water sense labeled products or the following specifications:
  - a) Toilets 1.6 gallons
  - b) Faucets 1.5 gallons
  - c) Showerheads 2.2 gallons/minutes or less;
3. Energy Star qualified refrigerator;
4. Energy star qualified dishwasher, if provided;
5. Energy Star qualified washing machine; if provided in units;
6. Energy star qualified exhaust fans in all bathrooms; and
7. Air conditioning: Minimum SEER of 14. Packaged units are allowed in studios and one bedroom units with a minimum of 11.7EER.

These requirements may be adjusted for rental development if the requirements of other construction funding sources require a more prescriptive list.

- V. **Describe efforts to meet the 20% Special Needs set-aside:** The 20% special needs set-aside will be accomplished by giving priority in all strategies. The county opens their application portal for

special needs households first, prior to other interested parties. Additionally, the county has established, for both rental and homeownership Request for Proposals (RFP), priority ranking, and awards extra points for projects that units are designated for individuals with special needs

- W. **Describe efforts to reduce homelessness:** Palm Beach County is a direct entitlement community for HUD's Emergency Solutions Grant (ESG) Program and Community Development Block Grant (CDBG) Program, which provides funding to the Homeless Resource Center. Additionally, homelessness prevention is addressed through SHIP strategies, and services collaborated with the Department of Community Services and other organizations focused on homelessness.

## Section II. LHAP Strategies:

A. Purchase Assistance	Code 1/2
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- a. **Summary:** Funding will be available for SHIP and HOME Match for income eligible first-time homebuyers for purchase assistance with or without rehabilitation or new construction. SHIP funds will be awarded to assist with gap financing, lot acquisition; down payment; rehabilitation of the unit to be purchased; and closing costs
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$105,000
- e. **Terms:**
  - 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded Mortgage Promissory Note and Declaration of Restrictions.
  - 2. **Interest Rate:** 0%
  - 3. **Years in loan term:** 30 years
  - 4. **Forgiveness:** The loan will be forgiven at the end of term.
  - 5. **Repayment:** None required as long as loan is in good standing.
  - 6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the original loan amount will be due and payable.

In the event of death of the qualifying homeowner(s) during the loan term the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justifying pursuing a recapture.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first-served basis with priorities established in paragraph I of the Program Details Section I. of this plan.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- Applicant must first secure a first mortgage approved by a lender.
- If the Property is determined to have Chinese drywall, the property is ineligible for purchase assistance.
- If the initial property inspection indicates evidence of toxic black mold, the applicant will be required to obtain a mold specific inspection.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County.
- Applicant may not currently own or have liquid assets exceeding \$200,000, and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence).

<b>B. First Mortgage Loan Assistance Program</b>	Code 1/2
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- a. **Summary:** Funding will provide first mortgage loan assistance to income eligible households. Maximum loan amounts are based upon established affordability guidelines and creditworthiness, based upon established underwriting guidelines.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$382,194
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a fixed rate loan secured by a recorded Mortgage Promissory Note and Declaration of Restrictions.

2. **Interest Rate:** Based on the average 30 year fixed loan rate published monthly by Freddie Mac.
3. **Years in loan term:** 30 years
4. **Forgiveness:** Loan will be satisfied at the end of the term
5. **Repayment:** The loan will be amortized with monthly principal and interest payments.
6. **Default:** The loan will be determined to be in default if any of the following occurs: sale, transfer or conveyance of property; foreclosure loss of homestead exemption status; or failure to occupy the home as a primary residence. If any of these occur the original loan amount will be due and payable.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as its primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first-served basis with priorities established in paragraph I of the Program Details Section I. of this plan

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- FICO Credit Score: Middle FICO score must be at least 630, if less than three scores the lowest score must be 630, if not lower than 630, the borrower is deemed ineligible
- If the property is determined to have Chinese drywall, the property is ineligible for purchase assistance.
- If the homebuyer and/or county's inspection indicates evidence of toxic black mold, the homebuyer will be required to obtain a mold inspection.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County.
- Applicant may not currently own or have assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence).

<b>C. Owner Occupied Housing Rehabilitation</b>	Code 3,8
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- a. **Summary:** Funding will assist income- eligible owner- occupied applicants (structure of one to two dwelling units) with:

- **Rehabilitation**: Assist with substantial rehabilitation to correct code violations or items that will become a code violation, hurricane hardening (impact windows, doors, etc.), eliminate housing conditions, which threaten the life, health or safety of occupants, connect residents to public utilities, and adapt residences to meet accessibility.
  - **Utility Connection**: Funding will assist with:
    - Sewer and water connection system fees required by local water utilities; and
    - Costs to install service lines from the meter to the primary residence.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low, moderate
- d. **Maximum Award:**

Rehabilitation Maximum Award	Utility Connection Maximum Award
\$105,000	\$21,000

Eligible household(s) will not be provided more funding than needed to bring the home up to current code and to make the home habitable.

e. **Terms**

1. **Repayment loan/deferred loan/grant:** Funding will be awarded as a deferred loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.

2. **Interest Rate:** 0%

3. **Years in loan term:**

Strategy	Lien
Housing Rehabilitation	15 years
Utility Connection	5 years

4. **Forgiveness:** The loan will be forgiven at the end of the term.

5. **Repayment:** None required as long as loan is in good standing.

6. **Default:** The loan will be in default or in violation of the deed restriction if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its rights of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first-served basis with priorities established in paragraph I of the Program Details Section I. of this plan.

g. **Sponsor Selection Criteria and Duties: N/A**

h. **Additional Information:**

- Applicants cannot receive assistance for both rehabilitation and utility connection; however, utility connection can be included as part of the rehabilitation assistance.
- If the property is determined to have Chinese drywall, the property is ineligible for rehabilitation.
- If the property indicates evidence of toxic black mold, the applicant will be required to obtain a mold inspection.
- Rehabilitation /Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the department.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- Mortgage payments, taxes and homeowners insurance must be current/paid up to date. In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.
- Units with adjoining roofs will require all owners to be income certified in order to receive assistance. If the non-applicant is not willing to participate in the program, then the applicant may only receive assistance to rehabilitate/repair the interior and non-adjoining exterior of the unit.
- Applicants are ineligible to receive assistance if there is currently a Palm Beach County Rehabilitation/Repair Mortgage lien on the property.
- If code violation liens exist, participation in the program will be determined on a case-by-case basis as determined by the county inspector.
- Assessed value of the property may not exceed the current established maximum sales price.

<b>D. Emergency Repairs</b>	<b>Code: 6</b>
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- a. **Summary:** Funding will provide financial assistance to income eligible owner occupied residences to address emergency conditions such as roofing, electrical, plumbing, hurricane hardening (impact windows, doors, etc.) or structural repairs.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$52,500
- e. **Terms:**
  1. **Repayment loan/deferred loan/grant:** Funding will be awarded as a deferred loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions
  2. **Interest Rate:** 0%
  3. **Years in loan term:** 15 years
  4. **Forgiveness:** The loan will be forgiven at the end of the term.
  5. **Repayment:** None required as long as loan is in good standing.
  6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence

In the event of death of the qualifying homeowner during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the county may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible person. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justifying pursuing a recapture.

- f. **Recipient Selection Criteria:**  
Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I. of this plan.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- If the Property is deemed to have Chinese drywall, the property is ineligible for emergency repairs.
- If the property indicates evidence of toxic black mold, the applicant will be required to obtain a mold inspection.
- If code violation liens exist based on county inspection, participation in the program will be determined on a case-by-case basis.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the department.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- Mortgage payments, taxes and homeowners insurance must be current/paid up to date. In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.
- Units with adjoining roofs will require all owners to be income certified in order to receive assistance. If the non-applicant is not willing to participate in the program, then the applicant may only receive assistance to repair the interior and non-adjoining exterior of the unit.
- Assessed value of the property may not exceed the current established maximum sales price.
- Applicants may receive assistance through the owner occupied housing rehabilitation program; however, the amount of funds expended for "emergency repairs" will be deducted from the program's maximum award amount.

E. Replacement Housing	Code 4
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a. **Summary:** Funding will provide financing to homeowners residing in dilapidated structures which are beyond rehabilitation (over 50% of assessed value).

Eligible uses of funding include, but are not limited to:

- Demolition of the existing property
- Construction cost of a replacement home on the same lot (or) purchase of an existing home

b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022

c. **Income Categories to be served:** Very low, low and moderate

d. **Maximum award:** \$382,194

- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred loan and/or a payable low interest loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions. The repayable low interest loan amount will be determined on a case-by-case basis that is affordable to the respective homeowner.
  2. **Interest Rate:** 0% for deferred loan/ 4% for payable low interest loan
  3. **Years in loan term:** 30 years
  4. **Forgiveness:** The loan(s) will be satisfied at the end of the term
  5. **Repayment:** None required as long as loan is in good standing.
  6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; failure to maintain homeowner's insurance; failure to occupy the home as primary residence.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

- f. **Recipient Selection Criteria:**  
 Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I. of this plan.
- g. **Sponsor/Sub-recipient Selection Criteria:** N/A
- h. **Additional Information:**
  - The size of the replacement home, utilizing similarities to current residence, will be determined by staff.
  - Mortgage payments, taxes and homeowners insurance must be current/paid up to date. In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.

<b>F. Disaster Assistance</b>	Code 5, 16
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- a. **Summary:** Funding will be awarded to income eligible applicants in need of home repairs directly caused by a disaster that is declared by Executive Order of the United States President or the Governor of the State of Florida. Assistance will be prioritized as follows:
1. Immediate threats to health and life safety in cases where the home is still habitable.

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2. Repairs necessary to correct code violations.
  3. Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable.
  4. Payment of insurance deductibles for rehabilitation of homes covered under homeowner insurance and homeowner association policies.
  5. Security deposits and rental assistance for displaced recipients
  6. Retrofitting residences with mitigation features (installation of roofing straps, shutters, storm doors, hurricane impact windows and garage doors) that help prevent future storm damage.
  7. Rent and utility payments for households affected by a disaster
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** Home Repair Assistance: \$67,500. Rent and Utility Payment Assistance: \$10,000
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Home Repair Assistance: Funds will be awarded as a deferred payment loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions. Rent and Utility Payment Assistance: Grant.
  2. **Interest Rate:** Home Repair Assistance: 0%. Rent and Utility Payment Assistance: Grant.
  3. **Years in loan term:** Home Repair Assistance: 15 years. Rent and Utility Payment Assistance: N/A.
  4. **Forgiveness:** Home Repair Assistance: The loan will be forgiven at the end of term. Rent and Utility Payment Assistance: N/A
  5. **Repayment:** Home Repair Assistance: None required as long as loan is in good standing. Rent and Utility Payment Assistance: N/A
  6. **Default:** Home Repair Assistance: The loan will be in default if any of the following occurs: sale, transfer, or conveyance of the property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

Rent and Utility Payment Assistance: N/A

f. **Recipient Selection Criteria:**

Home Repair Assistance:

- Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I of this plan.
- Applicants must file for and use proceeds from insurance and/or FEMA as first option.

Rent and Utility Payment Assistance:

Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I of this plan.

g. **Sponsor Selection Criteria:** Home Repair Assistance: N/A

Rent and Utility Payment Assistance: N/A

h. **Additional Information:**

Home Repair Assistance:

- Funds for disaster mitigation will only be allocated from unencumbered funds, program income or additional funds awarded through Florida Housing Finance Corporation for the disaster.
- Applicants must provide proof of current homeowners insurance. In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.
- Assessed value of the property may not exceed the current established maximum sales price.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the department

Rent and Utility Payment Assistance: N/A

G. Foreclosure Prevention	Code 7
a. <b>Summary:</b> Funding will be provided to assist with delinquent mortgage payments (PITI), up to three (3) months additional payments, property taxes, and homeowners insurance. Additionally, funding may assist with late fees, attorney's fees, homeowners' association payments, special assessments, other foreclosure associated costs, and mortgage delinquency and default resolution counseling.	
b. <b>Fiscal Years Covered:</b> 2019-2020, 2020-2021 and 2021-2022	
c. <b>Income Categories to be served:</b> Very low, low and moderate	
d. <b>Maximum award:</b> \$21,000	

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded mortgage and note
2. **Interest Rate:** 0%
3. **Years in loan term:** 5 years
4. **Forgiveness:** The loan amount will be forgiven at the end of the term.
5. **Repayment:** None required as long as loan is in good standing.
6. **Default:** The loan will be in default if any of the following occurs: sale, transfer or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due payable.

If the home foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

f. **Recipient Selection Criteria:**

In addition to being selected on a first –qualified, first-served basis, applicants must:

1. Provide proof of the arrearage in the form of notification from the first mortgage lender of applicant's delinquency and/or intent to foreclose.
2. Provide evidence of a hardship that caused the arrearage (considerable loss of income/employment, death of a household member, divorce, unexpected medical expenses, or unanticipated home repairs or costs associated with increases escrows).
3. Complete counseling from a HUD approved agency or NeighborWorks approved agency trained in foreclosure counseling.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- Participants can only receive assistance once during the term of the lien.
- Assessed value of the property may not exceed the current established maximum sales price.

**H. Rental Housing Assistance**

Code 23, 13

- a. **Summary:** Funding will be provided to individuals or families that are in need of assistance with obtaining a lease agreement on a rental unit and qualify under 420.9072(7)(b). This may include first and last month rent, rental security deposits, utility deposits and connection fees. Funds may be awarded to homeless very low income households for: (1) first and last month's rent, security and utility deposit assistance; and (2) rent subsidies paying the monthly rent for up to 12 months. To be eligible for rent subsidies, the household receiving assistance must include at least one adult who is a person with special needs as defined in S. 420.0004 or homeless as defined in S. 420.621. This strategy will also provide eviction prevention assistance not to exceed 6 months in the form of a rent and utility payments.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$ 10,000
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a grant
  2. **Interest Rate:** N/A
  3. **Years in loan term:** N/A
  4. **Forgiveness:** N/A
  5. **Repayment:** N/A
  6. **Default:** N/A
- f. **Recipient Selection Criteria:** Recipients will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I of this plan.
- g. **Sponsor Selection Criteria:** Funding may be awarded through the non-profit organizations with documented housing delivery experience. Successful non-profits will be selected according to the following criteria:
  - Organization's past experience with direct assistance
  - Outreach capability to targeted client groups and ability to serve County residents.
  - Proof of ability to income certify applicants utilizing State SHIP standards.
- h. **Additional Information:**
  - The Lease Agreement must be at least twelve (12) months

- a. **Summary:** Funding will provide assistance to not-for-profit and for-profit housing developers to acquire, construct and/or rehabilitate affordable rental units. Additionally, this strategy will provide developers applying for Low Income Housing Tax Credits, State Apartment Incentive Loan (SAIL), State HOME Investment Partnerships Program or other multi-family funding, with a local government contribution or other leverage/match financing for affordable rental projects.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very Low, Low and moderate
- d. **Maximum Award:**

Units Size	Maximum Award Per Unit
One (1) – Two (2) Bedrooms	\$70,000
Three (3) or More Bedrooms	\$80,000

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded for permanent financing in the form of a repayable loan secured by a Mortgage, Promissory Note and Declaration of Restrictions.
2. **Interest rate:** Rate will be determined through the request for proposal (RFP) process, and will not exceed 2%.
3. **Years in loan term:** Minimum of 15 years and will not exceed a term equal to a primary lender be less than the term of a senior lender.
4. **Forgiveness:** No forgiveness on the loan
5. **Repayment:** Yes, based on the terms listed in the Promissory Note and Agreement. Repayment is required. Dependent on project debt service capacity, repayments on loans will structure as either:
  - Straight-line amortization of principal and interest
  - Interest only with balloon of principal at maturity
6. **Default:** For all awards, a default will be determined as if the requirements as listed in the Promissory Note, Mortgage and Agreement are not met, which would include: sale, transfer, foreclosure or conveyance of property; conversion to an unapproved use; failure to maintain standards for compliance as required by any of the funding sources. If any of these occur, the outstanding loan amount will be due and payable.

- f. **Tenant Selection Criteria:** Management of the development will select potential renters for the SHIP assisted units on a first qualified, first served basis. All applicants for residence in a SHIP assisted unit must meet income qualifications of the program as determined and reported by the developers' management company.
- g. **Sponsor Selection Criteria and Duties:** The County will advertise the availability of funds. Sponsors of affordable rental development will typically be selected through a request for proposal (RFP). The RFP will require proof of developer experience in providing affordable rental housing, proof of financial capacity, evidence of site control, proof of ability to proceed once all funding is closed, and a housing unit design plan meets with the county's design standards.

The county reserves the right to select developments that meet the above requirements, on a non-competitive basis.

All funding awards will be subject to closing on other development funding sources.

h. **Additional Information:**

- Other state, federal, private and local funds are required as SHIP funds will be used as gap financing
- Developers will be required to meet compliance reporting requirements on the development necessary to meet the statutory requirements for monitoring of SHIP rental units.
- Assisted development must commit to rent stipulations as established by Florida Housing Finance Corporation for the term of the mortgage and all other stipulations of the loan agreement. Assisted development must commit to rent stipulations of the loan agreement. The housing must remain affordable, and all SHIP assisted units must be occupied by income eligible persons during affordability period.

<b>J. Single Family New Construction</b>	Code 10
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- a. **Summary:** Funding will be awarded to contractors, Non-profits and For-profit housing developers to construct affordable single family units for eligible homebuyers. Funds can be used for site acquisition, soft costs, site development, infrastructure improvements, demolition, construction and other eligible construction related costs.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$105,000
- e. **Terms:**
  1. **Repayment loan/deferred loan/grant:**  
Developers- Funds will be awarded as a construction loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.

Homebuyers- Funds will be awarded as a deferred payment loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.

2. **Interest Rate:** 0% for Developers and Homebuyers
3. **Years in loan term:** Two (2) years for Developers and 30 years for Homebuyer
4. **Forgiveness:** N/A. Homebuyers – the deferred loan will be forgiven at the end of term.
5. **Repayment:** The County will require the developer to execute a restrictive covenant with a mortgage and promissory note. Upon sale of the housing unit, the subsidy will be transferred to the homebuyer. The homebuyer is not required to make repayment as long as the deferred loan is in good standing.
6. **Default:** The loan will be in default if the developer does not successfully acquire and construct affordable housing and sell to an eligible homebuyer within the contractual timeframe. The County will recapture the subsidy or property if the housing has not been completed within two years of the date of the recorded Mortgage Agreement.

The loan of the homebuyer will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the original loan amount will be due and payable.

In the event of death of the qualifying homeowner(s) during the loan term the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justifying pursuing a recapture.

- f. **Recipient Selection Criteria:** Homebuyers must be income eligible and will be ranked for assistance based on a first-qualified, first- served basis with the priorities established in paragraph I of the Program details in Section of this plan.
- g. **Sponsor Selection Criteria and Duties:** Developers will apply to the County through a competitive or non-competitive solicitation process or be selected by the Board of County Commissioners. Proof of experience in constructing affordable housing, financial capacity to carry out the project, and provide a housing unit design plan that meets the County's design standards

The County reserves the right to select developments that meet all of the above requirements and:

1. Are in areas of immediate need due to lack of available affordable units.

**h. Additional Information:**

- The County can act as developer on County owned properties, in which the selected contractors will be required to adhere to terms of this strategy. As such, there will not be predevelopment and/or construction loan agreement.
- If the property to be developed is encumbered by an existing mortgage, the County may choose not to fund the project.
- Developers will be required to meet the SHIP program compliance reporting requirements.

**III. LHAP Incentive Strategies**

**A. Name of the Incentive Strategy: EXPEDITED PERMITTING**

To ensure the review of affordable housing projects is expedited to a greater degree than other projects, Palm Beach County has instituted a “Pre-Application Review Process”, in which Workforce and Affordable Housing Developers are encouraged to participate. The pre-application review process will occur prior to the submittal of a Zoning or Building permit application, for purposes of establishing a density bonus determination. The pre-application shall be established by the Planning Director, and made available to the public and be subject to Sufficiency Review. The Planning Director shall provide a written density determination letter within ten days of determining the pre-application is sufficient. The determination shall be based on the sector analysis, size, location and development characteristics of the project with consideration given towards affordability, accessibility, proximity to mass transit or employment centers, compatibility, quality of design, pedestrian and vehicular circulation, open space, and resource protection. The Planning Director shall prepare a report for the applicant, Development Review Officer (DRO) Committee, Zoning Commission (ZC), or Board of County Commissioners (BCC), whichever is appropriate, making a determination of compliance with this chapter, consistent with the Plan and recommend approval, approval with conditions, or denial of the request.

Also, Palm Beach County updated its Unified Land Development Code (ULDC) (*located in Article 5, CHAPTER G, Section 1*) ordinance (#2006-055) in 2006. The ULDC allows for the following processes with regards to expedited review for a proposed Affordable Housing Development:

**a. Design Review**

Review of multifamily or townhouse structures by the Building Division and Fire Rescue shall be allowed concurrent with final DRO review, prior to permit application.

**b. Platting**

- 1) If only a boundary plat is required for an existing single lot, building permits may be issued after submittal of the final plat for recordation.
- 2) If a subdivision plat is required, permits will be concurrently reviewed, but only issued at recording of the plat.
- 3) Pursuant to Article 3.E.1.G.1.a, Permits, Building permits may be issued for sales offices, sales models, gatehouses, entry features, and utilities may be issued prior to the recording of a final plat.

This expedited permitting incentive has been in operation since November 2006. More recently, the County began providing expedited processing of building permits for residential construction funded through Department of Housing and Economic Development programs. These efforts typically reduce approval time by approximately 50%.

The County is currently developing a policy and procedure memorandum that will enhance the process for expedited development review and permitting of affordable and workforce housing. This enhanced process will include the designation of a staff liaison who will help guide the development applications through the various approval processes with County agencies.

**B. Name of the Incentive Strategy: ONGOING REVIEW OF POLICIES AND PROCESS IMPACTING HOUSING COST**

Comprehensive Plan Housing Element Policy 1.1-h calls for the County to review and streamline existing ordinances, codes, and regulations related to the permitting process in order to reduce excessive requirements that increase the cost of housing, and to add other provisions that increase private sector production of affordable housing. The Planning, Zoning, and Building Department (PZB) is designated to lead these efforts, with assistance from the Department of Housing and Economic Development (DHED) and other departments. When considering changes to the Comprehensive Plan or Unified Land Development Code (ULDC) that might increase the cost of housing, PZB regularly solicits review and comment from the DHED. Further, Countywide PPM CW-O-057 requires that an economic impact analysis be prepared for proposed County ordinances that may have an economic impact on commerce, employment, or incomes.

Furthermore, the State requires that all proposed changes to the Unified Land Development Code, Comprehensive Plan, Zoning Code, and Zoning Map are reviewed and approved through a public hearing process. In Palm Beach County, the bodies that perform the review and approval functions are the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC). The ULDC provides that the composition of the LDRAB include seats specifically for a residential builder (Gold Coast Builder's Association), an architect (American Institute of Architects), and a realtor (Broward, Palm Beaches and St. Lucie Realtors) in addition to other professions. These experts provide input and insight to staff on how proposed changes may impact the cost of housing, and help inform BCC decision making.

**C. Name of the Incentive Strategy: INVENTORY OF COUNTY OWNED LANDS SUITABLE FOR AFFORDABLE HOUSING**

The Palm Beach County Comprehensive Plan Housing Element, Policy 1.1-i, requires an inventory of all surplus County owned land and foreclosed properties that may be suitable for affordable housing. Surplus properties are those which are vacant but are not (i) currently utilized or (ii) held for some future use. The County's Property and Real Estate Management Division (PREM) is responsible for identification of such properties. DHED is responsible for review of the inventory in order to advise on suitability of properties for affordable housing purposes. PREM will make available through its website a list of potentially surplus properties which will be periodically updated. The list will include all potentially surplus properties, and make no determination or recommendation as to developability or availability of any property as the County reserves the right to revise the list at its discretion. Countywide Policy and

Procedure Memorandum *CW-L-023 Requirements for the Acquisition, Disposition, Lease, and Exchange of Real Property* establishes procedural requirements for disposition of County-owned real estate, including donation to not-for-profit entities. Recipients for disposition of County owned property must be selected through a competitive process, except for not-for-profit recipients whom may be selected on a non-competitive basis, however, all dispositions must be approved by the Board of County Commissioners. PREM will post on its website information on the process for disposition of surplus properties.

- D. **Name of the Incentive Strategy: IMPACT FEE AFFORDABLE HOUSING ASSISTANCE PROGRAM**  
The Impact Fee Affordable Housing Assistance Program (IFAHAP) was developed to implement direction by the Palm Beach County Board of County Commissioners (BCC) to secure a funding source for the creation of affordable housing. In November 2009, the BCC authorized utilization of impact fee investment earnings on roads, parks, and public buildings to support affordable housing within Palm Beach County (R2009-2013). Under IFAHAP, the BCC designates during each budget development process 50% of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances, but not to exceed a total of \$3 million annually. Once the Office of Financial Management and Budget establishes the amount of funding available for the IFAHAP, Department of Housing and Economic Development staff advertises a Notice of Funding Availability (NOFA) that offers the funds on a first-come, first-serve basis. The funds are provided in the form of credits to offset impact fees due on new housing development serving up to 140% AMI households. Approved projects must apply for a building permit within two (2) years of approval and be completed within four (4) years. Funds not contracted/awarded to a project within two (2) years and not spent within four (4) years will revert back to the original impact fee type and zone for use on County capital improvement projects.

Additionally, the County allows for the payment of impact fees with development financing provided through the SHIP and HOME programs. The facilitate residential development in the western rural area of the county, no County impact fees are collected in the Glades Region.

The County currently offers on the zoning Division website a free and publically accessible tool for the comprehensive estimation of fees associated with a development application through the ePZB system.

- E. **Name of the Incentive Strategy: FLEXIBLE DENSITIES FOR AFFORDABLE HOUSING**  
The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide similar opportunities to developers to increase density from 30 up to 100 percent in accordance with the ULDC Article 5.G.1.H.1. (WHP, adopted 2006) and Article 5.G.2.E.1. (AHP, adopted 2010). The County's Transfer of Development Rights Program (TDR) allows a property owner to achieve a density bonus by purchasing the increase in density in new residential developments within the Urban/Suburban Tier in unincorporated Palm Beach County.

Projects requesting a density bonus greater than 30 percent are required to conduct a sector analysis as described in Article 5.G.1.H of the ULDC. [Ord. 2006-055]

- WHP projects, including relocated WHP units, shall be equitably distributed so that there is no undue concentration of very low and low-income households.
- Table 5.G.1.H, WHP Density Bonus Guide indicates the maximum density bonus permitted and the concentration of very low and low-income housing within a sector will be one factor taken into consideration when determining the maximum density bonus permitted.

Table 5.G.1.H - WHP Density Bonus Guide

% of Very Low & Low Income Households in Sector	> 50%	40-50%	20-40%	0-20%
Maximum Density Bonus (1)	up to 40%	up to 60%	up to 80%	up to 100%
[Ord. 2009-01] [Ord. 2010-005]				
Notes:				
1. The Planning Director may recommend a density bonus in excess of the Maximum Density Bonus where the project serves to mitigate existing very low and low-income concentrations by including a mix of higher income market rate units or Medium 1, Medium 2 and Middle Income WHP units. [Ord. 2006-055]				

- Other factors to be considered include:
  - the location of the proposed development and its relationship to the study area;
  - the housing type(s) proposed;
  - if the development site is located within:
    - 1/4 radius of a public park (neighborhood or regional park, not a golf course); civic uses (schools/libraries); a mass transit facility/route; child care facilities; medical facilities; a super market; a community commercial facility; employment opportunities; and
    - 1/2 mile radius of social services; a regional commercial facility; an industrial facility; additional civic uses and employment opportunities.
- Prior to submittal of a WHP pre-application, the applicant shall meet with the Planning Director or designee to establish the sector within which the distribution analysis shall be conducted.
- The boundaries of the sector shall be approved by the Planning Director or designee.
- The maximum density bonus permitted or a bonus in excess of the maximum shall be recommended by the Planning Director or designee. [Ord. 2010-005]

Additionally, County staff is currently researching the concept of establishing a new process or program to allow proposed developments to draft their own custom PDRs for residential developments as done with other Counties in Florida. Zoning Division is exploring establishing a pilot program for Workforce and Affordable housing, with the opportunity to extend other types of residential developments in the future.

**F. Name of the Incentive Strategy: RESERVATION OF INFRASTRUCTURE CAPACITY FOR AFFORDABLE AND WORKFORCE HOUSING**

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide identical "traffic performance standards mitigation" opportunities to developers in accordance with the Unified Land Development Code (ULDC) Article 5.G.1. B.2.f.1. (WHP) and Article 5.G.2.D.2. (AHP). This allows developments with WHP/AHP units to exceed Level of Service D by 30%, increasing the available concurrency for traffic and reserving that traffic for those WHP/AHP developments that need it. Level of Service (LOS) is a measure of the operation of a roadway based upon traffic volumes in relation to road capacity. LOS is represented by the letters A through F with A representing the condition with the least driver delay and F representing conditions with the most driver delay. In general, LOS D describes high-density areas where speed and freedom to maneuver in the roadway is stable but severely restricted.

Traffic Performance Standards (TPS) mitigation for WHP provides for the following:

- WHP Special Methodologies
  - TPS mitigation shall be permitted for WHP projects in accordance with County Comprehensive Plan Transportation Element Policy 1.2-d (4). [Ord. 2006-055] [Ord. 2011-016]
- WHP Traffic Concurrency Hall Pass
  - TPS mitigation shall also include the option of applying for a WHP Traffic Concurrency Hall Pass separate from a development order application. The WHP Traffic Concurrency Hall Pass serves as a provisional traffic concurrency approval for a period of not more than 90 days, during which it must be merged into an application submitted for a Concurrency Reservation approval. The WHP Traffic Concurrency Hall Pass is described further in Art. 2.F. [Ord. 2006-055]

The County's Comprehensive Plan Transportation Element Policy 1.2-d acknowledges that under certain limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities be available concurrent with the impacts of such development. The policy further acknowledges that under certain circumstances, lower level of service standards for specific roadway segments and intersections are appropriate. As a result, the Comprehensive Plan Transportation Element Policy provides for lower transportation facilities level of service standard for certain purposes on roadway segments and intersections as described in Policy 1.2-d.4:

- For the public purpose of allowing developments that include Workforce and Affordable Housing units (as defined in Housing Element Policies 1.5-g and 1.5-i) to be constructed, the level of service standard permitted for all housing units beyond the standard density (as defined in Future Land Use Element Table III.C.1) on affected segments and intersections shall be up to 30% above the LOS D volume on those segments and intersections.

**G. Name of the Incentive Strategy: ALLOWANCE OF AFFORDABLE ACCESSORY RESIDENTIAL UNITS**  
Definitions and supplementary standards for specific uses, such as Accessory Dwellings, are included in the County's Unified Land Development Code (ULDC).

According to Article 4.B.1.A.1. (adopted 2005) of the ULDC:

- An accessory dwelling unit is located on the same lot as a principal single-family dwelling. An accessory dwelling is a complete, independent living facility equipped with a kitchen and provisions for sanitation and sleeping.
  - Number of Units
    - A maximum of one accessory dwelling may be permitted as an accessory use to a principal single-family dwelling unit which is owner occupied. The accessory dwelling may be attached to the principal dwelling or freestanding.
  - Maximum Floor Area
    - On less than one acre: 800 square feet.
    - On one acre or more: 1000 square feet.
    - The floor area calculation shall include only the living area of the accessory dwelling under a solid roof. [Ord. 2005-041]
  - Additional Floor Area
    - Floor area under a solid roof that is utilized as a porch, patio, porte cohere, carport, or garage shall not exceed 500 square feet.
  - Maximum Number of Bedrooms/Baths
    - One bedroom and one bathroom.
  - Compatibility
    - The accessory dwelling shall be architecturally compatible in character and materials with the principal dwelling.
  - Property Development Regulations (PDRs)
    - The accessory dwelling shall comply with the PDRs applicable to the principal dwelling.
  - No Separate Ownership
    - The accessory dwelling shall remain accessory to and under the same ownership as the principal dwelling and shall not be subdivided or sold as a condominium.
  - Kitchen Removal
    - An agreement to remove all kitchen equipment shall be executed for the dwelling unit prior to the issuance of a Building Permit. The agreement shall require the kitchen to be removed if the principal dwelling is no longer owner occupied.
  - No Separate Electrical Service
    - Both the principal single-family dwelling and the accessory dwelling shall be connected to the same meter. Separate electric service shall be prohibited. [Ord. 2005-041]

The Planning, Zoning, and Building Department is currently developing a ULDC Amendment proposal that includes use of ADUs and associated requirements for the upcoming amendment round. The process will involve a review of existing requirements, and may identify changes that will facilitate development of accessory dwelling units.

**H. Name of the Incentive Strategy: REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING**

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide identical "setback reduction" opportunities to developers in accordance with the Unified Land Development Code (ULDC) Article 5.G.1.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP).

Flexible regulations are described in Article 5.G.2.D.4 of the ULDC and are applicable to:

- Projects with Future Land Use (FLU) designations of:
  - Medium Residential, 5 units per acre (MR-5)
  - High Residential, 8 units per acre (HR-8)
  - High Residential, 12 units per acre (HR-12)
  - High Residential, 18 units per acre (HR-18)
- Projects approved as a Planned Development District (PDD)
- Projects approved as a Traditional Development District (TDD)

Projects with these designations may deviate from the residential requirements of Table 3.D.1.A, Property Development Regulations, or Table 3.D.2.B, Zero Lot Line Property Development Regulations, as follows:

- Single Family Dwelling units may be permitted up to a maximum ten percent deviation for the following Property Development Regulations:
  - lot size;
  - width and frontage;
  - building coverage; and
  - side and rear setbacks.
- Single Family Dwelling units limited to one floor with no loft or other similar feature, may be permitted up to a maximum 20 percent deviation for the following Property Development Regulations:
  - building coverage; and
  - front and side street setbacks.
  - Zero Lot Line lots may be permitted up to a maximum lot width reduction of five feet, and ten percent deviation from the minimum lot size, building coverage, and front setback for units with front loading garages.

**I. Name of the Incentive Strategy: ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS FOR AFFORDABLE HOUSING**

The County's Comprehensive Plan Concentrations of Affordable Housing Policy 1.5 enables the public, private, and not-for-profit sectors to:

- provide affordable housing
- support the distribution of housing for very low, low, moderate and middle income households
- use the Workforce Housing Program (WHP) and the Affordable Housing Program (AHP) to avoid undue concentrations of very low and low income housing through the County

The Unified Land Development Code (ULDC) allows for "Density Bonus Development Options" for both WHP and AHP developments. The ULDC Article 5.G.1.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP) provide for flexible lot configurations, including zero-lot-line configurations.

**J. Name of the Incentive Strategy: SUPPORT FOR AFFORDABLE HOUSING IN TRANSPORTATION ORIENTED DEVELOPMENT**

When determining the WHP/AHP density bonus, proximity of the site to mass transit and employment opportunities are considered, thereby providing an incentive for affordable development in closer proximity to the same. Most transit services suitable for TODs and related development opportunities are located in municipal areas, and are not subject to County property development regulations. However, for the unincorporated County, Comprehensive Plan Policy 4.4.9-a requires that not less than 20% of the total residential units of a TOD shall be designated for workforce housing or affordable housing through the associated programs.

The County has identified priority redevelopment areas along segments of Military Trail and Congress Avenue within the Urban Redevelopment Area. Within these areas, the County has designated transect-based land use designations and zoning districts, which place an emphasis on regulating building form and placement in relation to the public realm. These forms support redevelopment that can capitalize on existing bus service on these corridors and provide for development at higher densities than traditional future land use and zoning designation. Additionally, County staff is involved with ongoing transit studies, along with municipal representatives and partner agencies. During January 2021, the County hosted a Mobility Planning Summit that addressed various issues around transportation and land development. The Summit spurned plans for a forthcoming Board of County Commissioners mobility workshop that will provide a venue for a discussion to include residential development at transportation hubs.