



## **Joint City/County Affordable Housing Advisory Committee**

August 23, 2021 - 10:00 a.m.  
Smith-Williams Service Center

### **MEETING AGENDA**

- 1. CALL TO ORDER**
  - 1.1. Establish Quorum
  - 1.2. Posting of Meeting Notice
- 2. PUBLIC COMMENT**
- 3. APPROVAL OF MINUTES**
  - 3.1. Summary of the May 24, 2021 Joint AHAC Meeting
- 4. PRESENTATIONS**

None
- 5. POLICY & DIRECTION**
  - 5.1. Inclusionary Housing Policy
- 6. ANNOUNCEMENTS**
  - 6.1. Next Joint AHAC Meeting on October 25, 2021
- 7. UNAGENDAED ITEMS**
- 8. ADJOURNMENT**

**Leon County & City of Tallahassee**  
**Affordable Housing Advisory Committee**  
**Joint Meeting**  
**May 24, 2021**  
**Meeting Minutes**

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**COUNTY MEMBERS PRESENT:**

Nick Maddox (County AHAC, Commissioner)  
Madelon J. Horwich (County AHAC, Resident of the Jurisdiction)  
Trina Rose Searcy (County AHAC, Chair)  
Marthea Pitts (County AHAC, Vice Chair)  
Lawrence Tobe (County AHAC, Resident of the Jurisdiction)  
Oral Payne (County AHAC, Engaged in Homebuilding)  
Deborah Lloyd (County AHAC, Not-for-Profit Provider of Affordable Housing)  
Ian Waldick (City/County AHAC, Planning Commission Member)

**CITY MEMBERS PRESENT:**

Bill Wilson (City AHAC, For-Profit or Not-for-Profit Provider of Affordable Housing)  
Christopher Daniels (City AHAC, Advocate for Low-Income Persons)  
Kayana Gaines (City AHAC, At-Large/Real Estate Professional)  
Jim McShane (City AHAC, Chair)  
Karlus Henry (City AHAC, Area of Labor within the Home Building Industry)  
Ian Waldick (City/County AHAC, Planning Commission Member)

**MEMBERS ABSENT:**

Herschel Holloway (County AHAC, Banking or Mortgage Industry) – Appeared by phone; Not part of quorum  
Mayor John Dailey (City AHAC, Locally Elected Official)  
Jovita Woodrich (City AHAC, Previous Resident of the Jurisdiction)  
Shawn Menchion (County AHAC, Advocate for Low-Income Persons)  
Adela Ghadimi (City AHAC, Representative of “Essential Services Personnel)  
Kyndra Light (City AHAC, Residential Home Building Industry) - Appeared by phone; Not part of quorum

**STAFF PRESENT:**

Shington Lamy, Director of LC Human Services & Community Partnerships  
Abena Ojetayo, Director of COT Housing and Community Resilience  
Courtney Thomas, Aide to Mayor Dailey  
Kristellys Estanga, Aide to City Commissioner Jack Porter  
Catherine Jones, Aide to County Commissioner Nick Maddox  
Amy Toman, Assistant City Attorney  
Matthew Wyman, LC Housing Services Manager  
Jean Amison, COT Housing Division Manager  
Geraldine Green, LC Housing Services Staff

Shawna Martin, LC Development Support & Environmental Services Staff  
Ryan Guffey, LC Development Support & Environmental Services Staff

## **1. Call to Order**

With a physical quorum present of the City's Affordable Housing Advisory Committee (City AHAC), as well as the County's Affordable Housing Advisory Committee (County AHAC), City AHAC Chair Jim McShane called the meeting to order at 10:00 a.m.

## **2. Public Comment**

There were no public comments

## **3. Approval of Minutes**

Mr. Jim McShane requested a motion from the floor for approval of the minutes.

*John Dailey moved and Ian Waldick seconded the approval of the minutes from the February 16, 2021 joint meeting. The motion passed unanimously.*

## **4. Presentations**

Brenda Williams with the Tallahassee Housing Authority provided the committee members an update on the Orange Avenue Apartments redevelopment project.

According to Ms. Williams, in 2019 Columbia Residential and Tallahassee Housing Authority submitted applications for 9 % Tax Credits and the State Apartment Incentive Loan program Magnolia Senior and Magnolia Family to Florida Housing Finance Corporation (FHFC) with support from both the Community Redevelopment Agency (CRA) and the City for a total of \$1,300,000 for the 130-unit Magnolia Family (Phase I) which was successfully funded. For the continued support of the overall redevelopment and the competitive applications for funding, the CRA and City approved a total of \$2,000,000 to be committed for the next FHFC application for Magnolia Family (Phase II). Columbia and THA will again be applying for the final development phase, Magnolia Senior (Phase III), in FHFC's 2021 cycle.

Ms. Williams stated that the THA has submitted its demolition and disposition application to HUD. Residents have been provided notice that relocation efforts have begun. Residents have 90 days to relocate. The construction of 130-unit Magnolia Family is anticipated to be complete April 2023 and construction completion of the 160-unit Magnolia Family is projected to be November 2023. Once all units are vacated, demolition is slated to occur between October and December 2021 with the first units from Phase 1 expected to be completed by December 2023.

### **5.1 Update on Affordable Housing Workgroup Recommendations**

Shington Lamy provided an overview of the Tallahassee Leon County Affordable Housing Workgroup as well as the status of each recommendation approved by the County and City Commissions in 2017. Of the 13 that were ratified, 11 have been completed or are currently in progress. The Committees discussed building design standards, and dedicated funding sources for affordable housing which concluded the update.

## **5.2 Inclusionary Housing Ordinance Performance and Enhancements**

Jean Amison made a presentation on the current status of inclusionary housing in Tallahassee and a comparison of the City's ordinance with other cities. The joint committee had a discussion of the various options related to inclusionary housing and concerns that needs to be addressed.

*Motion by Ian Waldick and seconded by Bill Wilson to ask the City Commission to consider adding rental units to the inclusionary housing ordinance. The motion was approved unanimously.*

*Ian Waldick moved, and Nick Maddox seconded a motion to have staff bring back the agenda item and minutes if available of the County discussion on inclusionary zoning to the next meeting of the County AHAC. The motion passed unanimously.*

## **6. Announcements**

Staff announced the next Joint AHAC Meeting on August 23, 2021.

## **7. Unagendaed Items**

Mayor Dailey provided the joint AHAC with an update on the City's activities related to affordable housing since the last joint AHAC meeting. These included some specific adjustments on three parcels to increase density for affordable housing, an amendment to the Tallahassee Land Development Code (TLDC) to allow Single-Room Occupancy (SRO) units in multi-family, and the conversion of the Winewood Office Center to over 400 units of workforce housing.

The Mayor also provided an update on the Frenchtown Quarters and Marketplace project that will soon begin development on Tennessee and Macomb in Frenchtown.

## **8. Adjournment**

The meeting was adjourned at 11:42.

# **Leon County Board of County Commissioners**

## **Notes for Agenda Item #12**

# Leon County Board of County Commissioners

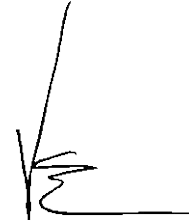
## Agenda Item #12

July 13, 2021

**To:** Honorable Chairman and Members of the Board

**From:** Vincent S. Long, County Administrator

**Title:** Inclusionary Housing Policy Overview



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<b>Review and Approval:</b>	Vincent S. Long, County Administrator
<b>Department/ Division Review:</b>	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Ben Pingree, Department of P.L.A.C.E. Cherie Bryant, Director, Planning Department Barry Wilcox, Director, DSEM Ryan Culpepper, Development Services Director
<b>Lead Staff/ Project Team:</b>	Shington Lamy, Director, Human Services and Community Partnerships Matthew Wyman, Housing Services Manager Artie White, Administrator of Comprehensive Planning

### **Statement of Issue:**

As requested by the Board at its April 13, 2021 regular meeting, this item provides an overview of inclusionary housing policies and provides the next steps in the development of inclusionary housing policy recommendations for future Board consideration.

### **Fiscal Impact:**

This item has no fiscal impact.

### **Staff Recommendation:**

Option #1: Accept the status report on Inclusionary Housing Policies.

## Report and Discussion

### **Background:**

As requested by the Board at its April 13, 2021 regular meeting, this item provides an overview of inclusionary housing policies and provides the next steps in the development of inclusionary housing policy recommendations for future Board consideration. As detailed in the analysis section, the agenda item provides a discussion on the purpose and types of inclusionary housing policies; a review of Florida Statutes rules governing inclusionary housing policies; presents the current local inclusionary housing policies adopted by the County and City of Tallahassee, respectively; describes the relationship between the Comprehensive Plan and inclusionary housing policies; and provides an update on the Leon County Affordable Housing Advisory Committee's (AHAC) approach to develop inclusionary housing policy recommendations which will be provided in agenda item to the Board at the December 2021 Commission meeting.

The review of inclusionary housing advances the following FY2017-FY2021 Strategic Initiative:

- *Complete a comprehensive review and revision to the Land Use Element of the Comprehensive Plan, including a review of inclusionary housing. (2016-25)*

This Strategic Initiative aligns with the Board's Quality of Life Strategic Priority:

- *(Q5) Support strong neighborhoods.*

Based on direction from the Board and City Commission, Planning Department staff began the process of updating the Land Use Element, with subsequent direction adding the Mobility Element to the process. This process began with broad community engagement, including discussions about the affordability of housing, transportation, and office/retail space. This outreach would have served as a precursor to staff completing additional analysis and developing recommendations for inclusionary housing consistent with the strategic initiative; however, several citizens requested that a consultant be brought on to complete data analyses and develop the Land Use and Mobility Elements.

The Board and City Commission budgeted funds for a consultant and directed staff to release a Request for Proposals (RFP) to hire a consultant for the project. After developing and releasing the RFP, citizens requested that the Board and City Commission consider expanding the effort to include a rewrite of the entire Comprehensive Plan (i.e. all 11 Elements). The Board and City Commission directed staff to halt the RFP process and bring back information regarding the budget and scope for a rewrite of the entire Comprehensive Plan. To gain more information about the potential costs of rewriting the entire Comprehensive Plan, the Board subsequently gave direction to release a Request for Information (RFI) seeking more specific feedback on costs from the private sector to complete the Comprehensive Plan Update and related Land Development Code updates. Staff provided the requested information at a Joint County/City Workshop.

At a Joint County/City meeting, the Board and City Commission gave direction to move forward with developing and releasing an RFP for a consultant for the Land Use and Mobility Elements with the option for additional Comprehensive Plan Elements to be updated under the same contract with the selected consultant at the direction of the Board and City Commission. It is anticipated

that the RFP will be released in late summer or early fall with the approval of the selected consultant occurring late fall to early winter 2021. The consultant's work is anticipated to be completed in fall of 2023.

Concurrent to the Planning Department's Comprehensive Plan process, the Leon County AHAC began discussing inclusionary housing policies. As described later in the analysis, the AHAC is actively engaged in evaluating inclusionary housing policies and intends to make recommendations for future Board consideration. These recommendations would come as an agenda item at the Board's December 2021 meeting.

At the April 13 meeting, considering recent statutory changes, the Board requested this agenda item to receive an overview of inclusionary housing policies. Based on previous direction, the Board has only asked for recommendations regarding inclusionary housing policies. The Board has not made a policy determination if the County should modify its existing inclusionary housing policies or implement any new policies.

This item recommends that if the Board wishes to receive policy recommendations related to inclusionary housing then the AHAC should continue with its efforts and provide the information in an agenda item at the Board's December 2021 meeting. Subsequent to any policy action taken by the Board, the Planning Department would prepare any necessary amendments to the Comprehensive Plan and DSEM would develop updates to the Land Development Code. Both of these efforts can be accomplished utilizing staff resources.

### **Analysis:**

The analysis provides an overview on the purpose and types of inclusionary housing policy, including a discussion on the requirements authorized in Florida Statute. Following the overview are descriptions of the County and City current programs, a discussion on how these policies are considered in the comprehensive plan, and an update on the AHAC's efforts related to inclusionary housing.

### **Purpose and Types of Inclusionary Housing Policies**

The intent of an inclusionary housing policy is to increase production of affordable housing units within high market rate developments for low-to-moderate income households to encourage economic integration and access to high-quality amenities such as schools. Affordable housing is defined by the State of Florida and federal governments as housing cost that do not exceed 30% of a household's income.

As presented in the March 13, 2021 Board Workshop on Affordable Housing Initiatives the highest affordable housing needs in Leon County are more rental units for households with income levels 50% or less of the AMI. In Leon County, 50% of the area median income for a household of four is \$38,150. A recent Florida Housing Coalition study assessed that Leon County generally lacks smaller (1 to 2 bedroom) affordable units and affordable rental units for extremely low and low-income households. Although inclusionary housing policies primarily focus on integrating low-to-moderate income households into high market rate developments it does serve as a tool to



mandate or incentivize increased production in the stock of affordable housing. The County AHAC will review trends of new single-family and multi-family housing developments including sales and permit applications as it evaluates possible inclusionary housing policies recommendations for Board consideration in December.

Inclusionary housing policies can vary in each jurisdiction but generally require that a percentage of new housing units in high market rate developments be set aside at an affordable rate for low-to-moderate income households (earning between 30% and 100% of the area median income, based on household size). Based on the definition of affordable housing, the household should expend no more than \$1,910 a month on housing cost (i.e. rent/mortgage, utilities, property taxes, etc.).

Inclusionary housing policies can be classified as one of two types: mandatory or voluntary. As established in Section 125.01055, Florida Statutes, local governments may adopt mandatory inclusionary housing policies to require developers to provide a number or percentage of affordable housing units within a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building affordable housing units. Such financial contributions may be utilized to fund affordable housing programs such as down payment assistance. However, in 2019 the Florida Legislature amended the Statute to require local governments to provide incentives to “fully offset all costs” to a developer of its affordable housing contribution. Examples of incentives cited in Florida Statutes are density bonuses and fee waivers to fully compensate developers for all costs incurred due to the construction of affordable housing units

Voluntary inclusionary housing policies offer incentives such as density bonuses, fee waivers, and expediting permitting to encourage the development of affordable housing unit for low-to-moderate income households.

According to the Florida Housing Coalition (FHC), several local governments in Florida have implemented mandatory or voluntary inclusionary housing policies. Over the next several months, the County will work with FHC to complete a survey of Florida local governments inclusionary housing policies. The results of the survey will be provided to the AHAC to be used as part of their review of the County’s current inclusionary housing policy. The FHC did provide a few examples of existing mandatory programs administered by Palm Beach County and the City of Jupiter. These communities require developers of new homes and apartments to set aside a certain percentage of units based on the development size for low-to-moderate income households. The two local governments also allow developers to contribute into a housing fund in lieu of building affordable housing units. It is important to note that Palm Beach County and the City of Jupiter have some of the highest median home sale prices in the country with an average median price was \$450,000 (\$236,000 for condos and townhomes and \$845,677 for single family-detached). As required by State law, the mandatory policies include offsets in the form of density bonuses and fee waivers. Other local governments in Florida such as Brevard, Collier, Hillsborough, Pinellas, and Miami-Dade Counties have voluntary inclusionary housing policies that incentivize the developers to build affordable housing with density bonuses, fee waivers, and expedited permitting. According to the FHC, these counties have indicated moderate success in attracting developers to participate in their voluntary program that has led to development of affordable housing units in high-market residential developments.

### Current Local Inclusionary Housing Policy

Locally, both the County and City have inclusionary housing policies in place; however, the County's policy is voluntary while the City's policy is mandatory for developments of certain sizes. These policies are consistent with the Housing Element of the Comprehensive Element and are described in detail below.

#### *Leon County*

The County does not have a mandatory inclusionary housing policy. Instead, Policies 1.3.6: [HC] and 1.3.7: [HC] of the Housing Element of the Tallahassee-Leon County Comprehensive Plan (Comp Plan), which were adopted into the Comprehensive Plan in 1994 and updated in 2009, require the establishment of a voluntary program by which the provision of affordable units is incentivized (Attachment #1). The voluntary incentive program found in the County's Housing Element is implemented through Section 10-7.402 of the Leon County Land Development Code (LDC), which provides incentives for the provision of affordable housing (Attachment #2).

The current incentives allow for reduced thresholds for site plan review and permit cost savings if 50% of the residential units within a proposed development meet the criteria for affordable housing. The intent of these incentives is to save the developer time and money through a more streamlined review process. There are similar incentives for development within the Southern Strategy Area and Gum Road Target Area. The County currently does not provide other common voluntary inclusionary housing incentives, such as density bonuses and fee waivers.

To date, the current County voluntary incentive has not been utilized by developers. The lack of interest in the current incentives may be attributable to the relatively high ratio (50%) of affordable to market rate units needed to trigger the incentives. In addition, the current incentives may not be sufficient to encourage the construction of affordable units, e.g. the County does not impose impact fees or water/sewer connection charges, so a waiver or reduction of such fees is not an available option.

#### *City of Tallahassee*

In 2005, the City of Tallahassee (City) adopted a mandatory inclusionary housing ordinance (Attachment #3) as required by the Tallahassee-Leon County Comprehensive Plan. The Ordinance applies to developments in those portions of the City where income levels are above the area median income. Within those areas, all new developments with 50 or more units are required to set aside no less than 10% of the units for households earning 100% or below the area median income. The City prohibits payment in lieu of building affordable housing units. The City provides a variety of incentives to developers to offset costs as required by State law including, but not limited to, density bonuses, design flexibility for types of housing (single-family, duplex, townhouse, etc.), expedited permitting, and water/sewer tap fee waivers. The City's inclusionary housing requirement currently does not apply to multifamily housing developments (i.e. apartments). Since the City's establishment of the Ordinance, only the Canopy Planned Unit Development (PUD) located on Welaunee Boulevard has met the unit threshold. The Canopy PUD is expected to provide a total of 67 single-family inclusionary housing units once the project is fully complete.

*Relationship to the Comprehensive Plan and the Land Use Element Update*

As mentioned previously both the County and City inclusionary housing policies are consistent with the Tallahassee-Leon County Comprehensive Plan (Comprehensive Plan). The Comprehensive Plan addresses housing and the affordability of housing primarily in two Elements: The Land Use Element and the Housing Element.

***Land Use Element:*** The Land Use Element is primarily focused on the use of land (residential development, commercial development, institutional uses, etc.). Goals, Objectives, and Policies in the Land Use Element address where different uses are allowed, the compatibility of uses, and the density and intensity of development. The affordability of housing is addressed indirectly through location (the proximity of residential uses to jobs and services) and density (which impacts the supply of housing in relation to the demand).

***Housing Element:*** The Housing Element is primarily focused on programs and activities of local government with regards to specific housing needs. The Housing Element addresses affordable housing, student housing, energy efficiency of new housing construction, etc. Goals, Objectives, and Policies related to inclusionary housing are addressed in the Housing Element.

Previously, the Board and City Commission directed staff to develop and release an RFP to hire a consultant to update the Land Use and Mobility Elements of the Comprehensive Plan. As part of the Land Use Element Update, the selected consultant would conduct data and analyses related to housing, projected population growth, and population demographics. These analyses could include information such as the need to diversify the housing stock, identification of vacant land available for developing housing, and housing needs based on projected population statistics. Given the ongoing work of both the County and City AHACs, there is not the need for a consultant to develop additional recommendations related to inclusionary housing.

Affordable Housing Advisory Committee

Section 420.9076, Florida Statutes, requires each jurisdiction in the State that receives funding through the State Housing Initiatives Partnership (SHIP) to appoint an Affordable Housing Advisory Committee (AHAC) to review ordinances, policies and procedures, land development regulations, and the adopted comprehensive plan to identify barriers that impact affordable housing efforts. Both the County and City each receive dedicated SHIP funding and have their own respective AHAC. The AHAC membership is comprised of at least eight (8) but not more than eleven (11) members, including an elected official of the governing body that receives SHIP funds. The County's AHAC is comprised of 11 members.

The AHAC is currently reviewing the County's inclusionary housing policy for potential enhancements as part of its annual report of recommendations to the Board which will be submitted in December 2021 as required by the Florida Housing Finance Corporation which administers the SHIP Program. As part of its July 7, 2021 meeting, the AHAC will review the County's current voluntary inclusionary housing policy. This effort will include a review of other voluntary programs adopted by other local governments in Florida. The AHAC can assess reasons the current policy has not been utilized and provide recommendations on modifications to the current

voluntary program. These recommendations may address the current 50% threshold for eligibility and may consider recommending updates to the current policy to provide additional incentives, such as density bonuses and fee waivers.

The AHAC will also review mandatory inclusionary housing policies adopted by other local governments around the State and the implications of the 2019 legislative action that requires local governments to “provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee.” The AHAC may make recommendations for a mandatory inclusionary housing policy as long as such a policy complies with the requirements of Florida Statutes. Leon County Housing Services, Planning, and DSEM will provide data and analysis to the AHAC to conduct their review and develop recommendations.

Additionally, the AHAC will hold a joint meeting with the City AHAC in August 2021 to discuss potential recommendations to consider coordinating the County and City’s inclusionary housing policies as well as encourage greater participation from the development community. The joint County-City AHAC meeting will include the County and City’s respective Housing Services Divisions, DSEM, Planning Department, and City Growth Management. The Tallahassee Builders Association has also been invited to attend and participate in this joint County-City AHAC meeting.

Inclusionary housing policy recommendations from the County AHAC will be presented as an agenda item at the Board’s December 2021 meeting, concurrent with the submission of the AHAC’s annual report. In addition to the inclusionary housing policy, the AHAC will provide recommendations on the County’s Housing Programs such as down payment assistance and home rehabilitation. As directed by the Board on May 11, 2021, a joint workshop on affordable housing with the City is being scheduled for early 2022. The joint workshop is expected to include the recommendations of the County AHAC as well as the City AHAC which will address the inclusionary housing policies of the respective jurisdictions. The specific date for the joint workshop will be brought to the Board in the fall as part of its consideration of the 2022 Board meeting schedule. Any recommendations approved by the Board that require updates to the Comprehensive Plan or Land Development Code would then be developed by staff; it is not anticipated that the consultant would be needed for this effort.

### Conclusion

The intent of an inclusionary housing policy is to increase production of affordable housing units within market rate development for low-to-moderate income households. Inclusionary housing policies can be classified as one of two types: mandatory or voluntary. Mandatory policies require a certain amount of affordable housing units within a market rate development or contribution to a housing fund or other alternatives in lieu of building the affordable housing units. In 2019, the Florida Legislature amended Statues to require local governments to “provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee, such as density bonuses and fee waivers.” Voluntary inclusionary housing polices offer incentives such as density bonuses, fee waivers, and expediting permitting to encourage the development of affordable housing unit for low-to-moderate income households.

The Board's current direction is for staff to develop recommendations regarding inclusionary housing policies. The Board has not taken a policy position regarding any changes to the County's existing voluntary inclusionary housing policy. If the Board wishes to continue in evaluating inclusionary housing policy recommendations, then over the next several months the County AHAC is prepared to: review the County's current voluntary inclusionary housing policy; review inclusionary housing policies of other local governments around the State; engage with the local development community and evaluate the implications of the 2019 legislative action. The AHAC's inclusionary housing policy recommendations would then be provided as an agenda item at the Board's December 2021 meeting. Subsequent to any Board direction, the Planning Department would prepare any necessary comprehensive plan updates and DSEM would develop any updates to the land development code.

**Options:**

1. Accept the status report on Inclusionary Housing Policies.
2. Do not accept the status report on Inclusionary Housing Policies.
3. Board direction.

**Recommendation:**

Option #1

**Attachments:**

1. County Housing Element of the Tallahassee-Leon County Comprehensive Plan
2. Section 10-7.402 of the Leon County Land Development Code
3. City of Tallahassee Inclusionary Housing Ordinance

(LEON COUNTY)

## HOUSING ELEMENT GOALS, OBJECTIVES AND POLICIES

### **Goal 1: [HC]** (REV. EFF. 4/10/09)

Implement, contingent on the availability of funds, an affordable home ownership housing program for very low, low, and moderate income persons and families and for the development of mixed income housing in distressed low income neighborhoods/ communities to facilitate economic growth and revitalization in those neighborhoods and communities.

#### **ADMINISTRATION**

### **Objective 1.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

Contingent on the availability of outside funding, facilitate the delivery of 30 rehabilitation and 15 home ownership opportunities for very low and low and moderate income citizens annually through the use of County and community resources.

### **Policy 1.1.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09; REV. EFF. 8/9/12)

The Housing Services Division staff shall develop and present to the Housing Finance Authority and the Board for adoption an annual affordable housing program plan which integrates housing with neighborhood, economic, and social factors. The plan will evaluate the preceding year's progress and establish annual housing unit delivery objectives. The Planning Department shall provide data relating to the supply, demand, and need for affordable housing to be used in developing the plan.

### **Policy 1.1.2: [HC]** (EFF. 7/1/94)

With the advice and consent of the Board, the County Administrator shall draft, implement, and update on an annual basis operational policies and procedures to ensure that the affordable housing program is being managed as efficiently as possible. These policies and procedures will concern, by way of example, relocation activities, eligibility criteria for the County's housing program, the allowable unit costs for rehabilitation projects, and the number and amount of Board supported down payment recipients.

### **Policy 1.1.3: [HC]** (EFF. 7/1/94)

The Board adopted on November 27, 1990 a Fair Housing Ordinance that satisfies the requirements of s. 760.20, F. S., and a housing relocation policy that complies with and will be used solely in conjunction with the requirements of the Community Development Small Cities Block Grant Program. The fair housing plan contains policies to prohibit discrimination in housing on the basis of race, color, ancestry, national origin, religion, sex, familial status, marital status, handicap, or age. The relocation policy provides for benefit payments, assistance in finding temporary housing, a grievance procedure, eligibility requirements, and replacement housing.

### **Policy 1.1.4: [HC]** (EFF. 7/1/94)

The Leon County Housing Finance Authority shall ensure that the housing plans and programs of the County are coordinated with the efforts of the City, non-profit groups, and the private sector

by having County plans reviewed by affected parties, and by holding workshops to obtain citizen input.

**Policy 1.1.5: [HC]** (EFF. 7/1/94)

The Board and the Planning Department shall seek the advice of the Leon County Housing Finance Authority for input on the County's affordable housing program.

**Policy 1.1.6: [HC]** (EFF. 7/1/94)

Due to the extensive numbers of substandard mobile and site built owner-occupied housing units in the County, the Board will place a high priority on the rehabilitation or replacement of owner-occupied housing. The Board will support alternative home ownership programs.

**Policy 1.1.7: [HC]** (EFF. 4/10/09)

The Division of Housing Services, unless otherwise noted, shall be the primary department coordinating and implementing the Leon County's affordable housing services, policies and programs.

**AFFORDABLE HOUSING**  
**Objective 1.2: [HC]**

(EFF. 7/1/94)

The County shall provide monetary incentives, such as a down payment assistance program and regulatory incentives, such as streamlined processing, to encourage the private sector to develop cost saving and innovative techniques for affordable housing initiatives.

**Policy 1.2.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

As is provided for in Objective 1.1 and Objective 1.7, the County shall implement a down payment and closing cost assistance program to annually enable 15 very low, low and moderate income residents to become homeowners. For qualified individuals who are unable to save the requisite amounts for down payment and closing costs, the County will draft policies to meet these needs. Maximum loan amounts shall be established by County policy. The cost of this program is to be locally funded up to \$15,000 maximum. Additionally, the County shall work with the existing programs that provide education and savings opportunities for very low, low, and moderate income residents to assist them in qualifying for the purchase of affordable housing.

**Policy 1.2.2: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

For developments incorporating construction or rehabilitation of affordable housing, the Leon County Growth and Environmental Management Department will provide a streamlined permitting process. The County's streamlined permitting procedure will provide in part for: a mandatory maximum review time for projects by type (e.g., 120 days for average and small sized projects; 180 days for large projects) for the processing of all rezoning, site plan, PUD, or subdivision reviews; in conjunction with the City and County GIS, the creation of a computerized wide-area and local-area network which will facilitate the delivery of development services on a one-stop basis and reduce application and permitting processing time. The streamlined permitting process for affordable housing and a process for the review of local ordinances and regulations for their impact on affordable housing shall be developed by the Housing Advisory

Committee and adopted by the County as provided under the SHIP Program.

**Policy 1.2.3: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

To further the purposes of affordable housing, the County will continue to survey all publicly owned land to determine what parcels are not needed for public purposes. After these parcels are evaluated for environmental and other constraints, the County will donate or sell appropriate parcels to non-profit providers of affordable housing and encourage other public agencies to donate or sell properties for the same purpose.

**Policy 1.2.4: [HC]** (EFF. 7/1/94; REV. EFF. 8/9/12)

Contingent on the availability of funding, the County shall enter into public/private partnerships to encourage the private sector to provide reduced cost home repair and improvement loans and first mortgage home financing pursuant to the provisions of the Community Reinvestment Act. In order to make the program feasible, the County will investigate the establishment of a loan guarantee fund, establish a timeline, and annually review implementation of public-private funding partnerships for very low, low and moderate-income homeowner repair and improvements loans and first-time home buyer home purchase loans in order to reduce the risks to the private sector of providing home improvement and home purchase loans to very low, low, and moderate income owners.

**Policy 1.2.5: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The mixed use land development categories shall allow affordable housing in certain commercial areas where appropriate to the

plan of development consistent with environmental constraints. The land development regulations shall include provisions to implement this policy.

**Policy 1.2.6: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The Leon County Growth and Environmental Management Department will undertake a study to determine how its concurrency requirements may be modified to provide incentives for the inclusion of affordable housing in residential development plans. This study shall be submitted to Leon County Board of County Commissioners for consideration by December 31, 2009.

**Policy 1.2.7: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The Leon County Housing Services Division will work with major employers to incorporate employee home ownership assistance programs as part of employee retention programs. Program components can include, if employers agree, mortgage guarantees and forgivable down payment loans.

**FUNDING PROGRAMS**

**Objective 1.3: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

Since the County's affordable housing program is predicated on obtaining non-property tax funding, the Leon County Housing Finance Authority shall annually develop a financial plan for the rehabilitation of 30 units and the subsidy of down payment costs for 15 low income units which emphasizes, first, private sector funding; second, financial institution funding; third, state and federal housing funds, and fourth, grants. The annual financial plan will include funding proposals from the private sector, funding of program components from local financial institutions,



state and federal housing programs and a listing of grants to be applied for. To implement the financial plan, the Affordable Housing Services staff will prepare a grant application schedule showing grants to be applied for and their respective deadlines and will work with the private sector in the preparation of annual funding proposals.

**Policy 1.3.1: [HC]** (EFF. 7/1/94; REV. EFF. 8/9/12)

The Leon County Housing Finance Authority (Subsection (c) of Section 2-134 of Division 3 of Article VI of Chapter 2 of the Code of Laws of Leon County, Florida) shall designate a date-certain for determining the feasibility of the issuance of revenue bonds for the provision of affordable housing units.

**Policy 1.3.2: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

Given the County's eligibility for and the reasonable likelihood of receiving funds, the Affordable Housing Services staff shall investigate and prepare annual applications for housing funds from state and federal programs and private sources.

**Policy 1.3.3: [HC]** (EFF. 7/1/94)

Given the County's eligibility for and the reasonable likelihood of receiving funds, the Affordable Housing Coordinator shall make applications annually for or facilitate, through an education program, low income resident use of federal affordable housing programs such as the Farmer's Home Administration programs in Home Ownership Loans, Home Improvement Loans and Repair Loans and Grants, Community Facility Loans, Congregate Housing and Group Homes, and Water and Wastewater Disposal Loans and Grants.

**Policy 1.3.4: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The Affordable Housing Services staff shall develop, in conjunction with local financial institutions, private market affordable housing financial programs for very low, low and moderate income persons such as low interest loans and reduced down payments.

**Policy 1.3.5: [HC]** (EFF. 7/1/94)

The Board shall apply for a housing grant under the Small Cities Block Grant in each fiscal year in which the County is eligible to apply for the purposes of increasing the quality of affordable ownership housing.

**Voluntary Inclusionary Housing**

**Policy 1.3.6: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

To facilitate the provision of homeownership opportunities for low and moderate income households within future development; to encourage the even distribution of these opportunities throughout the community; and to prevent negative impacts associated with geographic over concentration of low-income households, the County shall provide incentives for the voluntary provision of residential units affordable to very low, low and moderate income households within new development or at nearby off-site locations.

The minimum percentage of affordable units required to be built by the developer within a new development necessary to qualify for incentives shall be established by the ordinance and shall be consistent with the following: the most recent housing, economic and demographic information available from the United States Department of Housing and Urban Development, the United

States Bureau of the Census, or the best available data, as determined by Leon County.

**Policy 1.3.7: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

By 2009, the County shall adopt an ordinance providing developer incentives for the provision of low and moderate income homeownership opportunities within new developments or at nearby off-site locations. Priority shall be given to developments locating within the Southern Strategy area, especially developments locating in areas where urban infrastructure currently exists with adequate capacity to support new development. This ordinance shall specify all applicable implementation details, including, but not limited to: available developer incentives; criteria for granting incentives; eligible household recipient qualifications and applicable restrictions; exemptions as may be applicable; and periodic review and monitoring of the implementation of Policies 1.4.6 and 1.4.7.

**Policy 1.3.8: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

All Planned Developments and Developments of Regional Impact (DRIs) shall be required to address the provision of affordable housing. The Land Development Regulations (LDRs) shall provide criteria and procedures to implement this policy. Development of Regional Impact shall address its impact on affordable housing consistent with Rule 9J-2, FAC, and other local, state, regional requirements as applicable.

**REHABILITATION PROGRAM**

**Objective 1.4: [HC]** (EFF. 7/1/94)

The County shall conserve and rehabilitate housing whenever economically feasible.

**Policy 1.4.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

Contingent on the availability of federal, state, or private funds made available to local government for the purposes of carrying out an affordable very low, low and moderate income home rehabilitation loan and grant program, the County shall target the rehabilitation of 30 low or very low income owner-occupied dwelling units per annum.

**Policy 1.4.2: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The County shall support the conservation, protection, and rehabilitation of affordable housing by programming housing rehabilitation and infrastructure improvements in areas where there is a concentration of substandard housing and where infrastructure improvements are needed. By December 2009, the County shall identify and adopt target areas for the implementation of this program. The availability of funding shall dictate the annual work program for these target areas.

**Policy 1.4.3: [HC]** (EFF. 4/10/09)

In order to counteract the decline of sound neighborhoods and the further decline of adopted target areas where there are concentrations of deteriorated housing, the County shall, in the preparation of its annual capital budget, give high priority to roadways and other capital improvements located in affected

neighborhoods and/or target area. Given grant or private funding sources, dilapidated units will be replaced and residents relocated pursuant to the provisions of the County's relocation policy.

**Policy 1.4.4: [HC]** (EFF. 4/10/09)

The first priority for the expenditure of unrestricted County housing funding shall be housing rehabilitation and preference shall be given to housing rehabilitation within the target areas adopted pursuant to Policy 1.4.3[HC] and the Southern Strategy Area.

**INSPECTIONS PROGRAM**

**Objective 1.5: [HC]** (EFF. 7/1/94)

Building inspectors shall survey, on a request basis, owner-occupied and rental housing which may be substandard by virtue of having major deterioration or of being in a dilapidated condition.

**Policy 1.5.1: [HC]** (EFF. 7/1/94)

Building inspectors shall maintain a log of all alleged building code violations requests and file an annual report with the Housing Finance Authority and the Board which includes information on the number of requests, the results of each inspection, and the resolution of each complaint. The County's Housing Code shall be used to inspect units.

**REGULATORY PROGRAM**

**Objective 1.6: [HC]** (EFF. 7/1/94)

The Board shall implement land development regulations and development policies which shall ensure the appropriate supply of affordable, group, foster, and special need housing by decreasing the regulatory costs and by facilitating the location of different types of housing throughout the County that is consistent with the availability of community services and employment centers.

**Policy 1.6.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The location of mobile homes, mobile home parks, group homes, foster care, and other special need housing facilities shall be allowed in urban areas of the county which will facilitate their location near employment centers, transportation, and community services. The land development regulations shall include principles to guide the location of such uses.

**NEW HOUSING DEVELOPMENT INCENTIVE PROGRAM**

**Objective 1.7: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

Contingent on the availability of non-property tax funding, the Board shall facilitate the provision of 15 home ownership opportunities per annum for very low, low and moderate income persons.

**Policy 1.7.1: [HC]** (EFF. 7/1/94; REV. EFF. 4/10/09)

The Board shall identify and adopt specific initiatives and incentives to encourage and facilitate the development of affordable housing, as required under the SHIP Program. The

incentives provided shall be reviewed periodically to ensure their effectiveness.

**Policy 1.7.2: [HC]** (EFF. 4/10/09)

Staff shall research the need for housing for the elderly within Leon County. Based on the findings of the study, the County shall consider the adoption of specific incentives for the production of affordable housing for seniors.

**NEIGHBORHOOD VIABILITY PROGRAM**

**Objective 1.8: [HC]** (EFF. 4/18/02; RENUMBERED 1/7/09)

Foster and maintain the viability of residential areas and neighborhoods and the integrity of the housing stock located within them. Neighborhoods in the community shall be safe, attractive, and desirable places in which people choose to live.

**Policy 1.8.1: [HC]** (EFF. 4/18/02; REV. EFF. 4/10/09)

Leon County shall continue to sustain a level of code enforcement within neighborhoods sufficient to maintain and/or improve the housing stock at an acceptable code level and to protect the health, safety, and welfare of the neighborhood and its residents.

**Policy 1.8.2: [HC]** (EFF. 4/18/02; REV. EFF. 4/10/09)

The Department of Housing Services will provide technical assistance to neighborhood associations and other non-profit groups to foster neighborhood improvement, innovative housing solutions, and preservation and restoration of historic housing.

**Policy 1.8.3: [HC]** (EFF. 4/18/02)

City and County governments will consider incentives to individuals and businesses to encourage them to reside and locate, and to promote business and homeownership within the Southern Strategy Area and Central Core. These incentives may include obligations on the part of such individuals and businesses to participate in the betterment of the targeted area through commitment of resources, assets, or other contributions. Special consideration shall be given to provide incentives to attract law enforcement personnel to reside with the targeted Central Core and Southern Strategy Area neighborhoods.

**Policy 1.8.4: [HC]** (EFF. 4/10/09)

The development of affordable housing shall be encouraged in the unincorporated section of the Southern Strategy Area. The County shall prioritize or set-aside a portion of existing incentives for developments locating in the Southern Strategy Area and are providing an integrate community with a mixture of housing types, prices, and lot sizes. As provided for in Policy 1.3.7, Leon County shall develop and adopt incentives for affordable housing development with specific priority and/or set-aside for quality housing development in the Southern Strategy Area that include affordable/workforce housing.

## Sec. 10-7.402. - Development review and approval system.

The development review and approval system shall consist of the following elements:

- (1) *Permitted use verification process.* A permitted use verification certificate (PUV) shall be used to determine eligibility for either subdivision of property, development of land, or change in use, based upon applicable land development regulations and site-specific conditions. A residential compliance certificate (RCC) shall be used to determine eligibility for small residential uses or structures. The fee for a RCC may be applied to fees for a subsequent project status determination application (PSD) or an administrative streamlined approval process (ASAP) application associated with the proposed residential development tendered within one year of the issuance of the RCC. PUVs and RCCs shall not be construed to be development order approvals.
- (2) *Project status determination.* For any development proposal not required to comply with the provisions of article VII, an application shall be subject to project status determination (PSD) review from the development support and environmental management department during the review of a building permit. This PSD will indicate on what basis the proposed development is exempted from either the procedural or substantive provisions of this article and shall verify compliance with any applicable previously approved development order and land development code, as may be applicable.
- (3) *Pre-submittal conference (optional for Type A, B, and C; required for Type D).* The pre-submittal conference is intended to set forth the specific application requirements once a development review track is identified.
- (4) *Development review types.* There are four different review types of development review, Type A, B, C, and D review. The applicable level of review for proposed subdivision or site and development plan application depends upon the type and intensity of development, the extent of environmental constraint, and zoning district in which the development site is located. Table 10-7.1, below, specifies the applicable review level for development qualifying for administrative streamlined application process, and Type A through Type C site and development plan review applications. Table 10-7.1 specifies the review level by zoning district, for residential, nonresidential, and institutional land uses. Type D site and development plan review is required for any new planned unit development concept plan application. Type C applications consist of any application where the scale of development proposed exceeds the upper limit of the thresholds listed in the table for Type B site and development plan review, but not required to undergo Type D review.

The thresholds set out in Table 10-7.1 may be modified as follows:

- a. *Incentive for mixed use development.* The review threshold for any Type A—Type C site and development plan application proposing a mixture of residential and office or retail/service commercial use shall be equivalent to 100 percent of the residential unit threshold plus 100 percent of the office or retail/service commercial use; however, the thresholds for Type A and Type B site and development plan applications proposing a mixture of residential and office or retail/service commercial use may be increased to 125 percent of the residential unit threshold plus 125 percent of the office or retail/service use, so long as the following criteria are met:
  1. The application must include a minimum of four residential dwelling units per gross acre of site area; and
  2. The application must include a minimum of 10,000 gross square feet of non-residential use.
- b. *Incentive for quality design; non-residential use.* The review threshold for any Type A—Type C site and development plan application proposing any non-residential or institutional use, and proposing the following design elements may be increased by the corresponding percentage:
  1. Threshold increased by ten percent, for a building footprint of no greater than 50,000 square feet of enclosed floor area;
  2. By 15 percent, for utilization of a planted "green roof" over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 60 percent;
  3. By 15 percent, for developments with access to an arterial road and having  $\geq 100,000$  gross square feet of office or commercial retail floor area (also referred to as equivalent to 100 percent commercial base standard) and  $\geq 100$  dwelling units (equivalent to 100 percent of the residential base standard) or, any combination of these uses wherein the square footage of office or commercial floor space exceeds 20,000 and the number of residential units exceeds 25 and the cumulative total of the base standards exceeds 200 percent;
  4. By 15 percent, for developments having  $\geq 100,000$  of office or commercial retail gross square footage floor area that provide a transit stop consisting of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;
  5. By 25 percent, for developments locating no less than 90 percent of provided parking spaces behind the front building facade line;
  6. By ten percent, for structures having ground floor window glazing along building frontages adjacent to streets or publicly-accessible parking areas  $\geq 20$  percent of facade area on the ground floor principal frontage and  $\geq 15$  percent of the area of each other applicable ground floor facade;
  7. By 15 percent, for developments where the number of spaces provided  $\leq 80$  percent of the standard number of parking spaces set out in schedule 6-2; and,
  8. By 15 percent, for developments having a density of connectivity of  $\geq 0.4$  per acre.
- c. *Incentive quality design; residential use.* The review threshold for any Type A—Type C site and development plan application proposing residential use site and proposing the following design elements may be increased by the corresponding percentage:
  1. Threshold increased by ten percent, for utilization of a planted green roof over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 80 percent;
  2. By ten percent, for developments with access to an arterial road having  $\geq 200$  dwelling units that provide a transit stop of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;
  3. By 15 percent, for having  $\geq 0.25$  accessory dwelling unit for every residential dwelling unit;
  4. By 15 percent, for having  $\geq 50$  percent of all principal dwelling units served by side- or rear-loaded garages;
  5. By 15 percent, for developments having a density of connectivity of  $\geq 0.4$  per acre;
  6. By 15 percent, for developments having an index of interconnectivity of  $\leq 0.5$ .
- d. *Incentive for development in the Southern Strategy Area.* The review threshold for any Type A, B or C site and development plan proposed within the Southern Strategy Area, as identified in the Comprehensive Plan, shall be increased 25 percent.
- e. *Incentive for development in the Gum Road Target Planning Area.* The review threshold for any Type A, B or C site and development plan proposed within the Gum Road Target Planning Area, as adopted by the Board of County Commissioners, shall be increased 25 percent.
- f. *Incentive for providing access to multiple businesses within a safe and convenient pedestrian pathway through facade design.* The threshold is increased by 25 percent, when all proposed non-residential building facades are less than 100 feet in length; and each facade abutting a street frontage, public open space, parking area, or pedestrian corridor, has no less than 40 percent surface area coverage by windows, display areas, or doorways, or, in those instances where the facade exceeds 100 feet in length, the following criteria are met:
  1. Structure with a single facade longer than 100 feet shall be divided into individual tenant spaces and shall not be used solely by a single business. Individual tenant spaces shall have no more than 60 feet of horizontal frontage along that facade. Tenant spaces shall be separated by vertical elements on the facade at intervals no

greater than 60 feet, coinciding with the dimensions of tenant spaces. Vertical elements shall include columns, posts, or pilasters; reveals, recesses and other shadow-casting devices; variations in material, texture or color; recessed entrances; or other methods of architectural articulation.

2. Every individual business establishment located along the facade of greater than 100 feet shall have its own public entrance located on the facade or on a diagonal at each building corner having two street frontages, with one of them being the facade.
  3. The facade shall have windows, display areas or doorways spanning no less than 75 percent of the length of the facade and covering no less than 40 percent of the surface area of the facade. No blank walls shall face street frontages, public open spaces or pedestrian corridors along any building side.
  4. The area directly adjacent to the facade length shall include a pedestrian walkway of at least eight feet in width.
  5. The applicant may utilize alternative design approaches to qualify for this incentive by demonstrating to the County Administrator or designee that the alternative fulfills the design objective of providing access to multiple businesses within a safe and convenient pedestrian pathway.
- g. *Incentive for conservation subdivisions.* The review threshold for any Type A, B or C site and development plan proposed within the Lake Talquin Recreation Urban Fringe or Urban Fringe zoning district, accomplished as a conservation subdivision, shall be increased 50 percent.
- h. ***Incentive for affordable housing.* The review threshold for any Type A, B or C affordable housing site and development plan proposed shall be increased by 50 percent. For the purposes of this subsection, affordable housing site and development plan demonstrating affordable housing for 50 percent or more of the proposed dwelling units.**
- i. *More rigorous review to protect environmental features.* Any application otherwise qualifying for administrative streamlined application process or Type A site and development plan review per this section, and proposing development on a site inside the urban services area with 75 percent or more site coverage by conservation or preservation areas as defined by the Comprehensive Plan or outside of the urban services area with 40 percent or more coverage by conservation or preservation areas, shall require review as Type B site and development plan application. Sites of three acres or larger wherein all buildings, attendant parking facilities, streets, and access facilities will be located outside of conservation and preservation areas shall be exempt from this requirement.
- j. *Combination of threshold modifications.* A combination of threshold modifications (a)—(e) may be cumulatively applied to Type A—Type C site and development plan applications, as applicable.
- k. *Limitation on degree of site and development plan review level reduction.* The incentives provided above may be used to reduce what would otherwise be a Type C site and development plan application to a Type B or Type A site and development plan application, to reduce what would otherwise be a Type B site and development plan application to a Type A site and development plan application, and a Type A site and development plan application to an administrative streamlined application. Modifications (a)—(f) shall not be applicable to any Type D application, including those establishing a planned unit development concept plan.

Table 10-7.1

Review Level	Zoning District→  Type of use↓	R, UF, LTR/UF	RC, WC	RP, RA, OS	LP	R-1, R-2, R-3, R-4, R-5	MH	BOR, OR-1, OR-2, C-1, BC-1, BC-2, BCS	MCR, MCN, LPN	NBO	I, M-1	OR-3, CM, MF 1, C-2, CP, IC, UP-1, UP-2, OA-1, PD, PU
Administrative Streamlined	Residential	≤ 2 dwellings or lots for dwellings		≤ 2 dwellings or lots for dwellings		≤ 2 dwellings or lots for dwellings		≤ 2 dwellings or lots for dwellings			≤ N/A	≤ 2 dwc for dwc
	Non-residential	See Note**		N/A	See Note**; Only for lawfully established existing uses	N/A	See Note**	See Note**	See Note**	See Note**	≤ 9,999 gross building, square feet	Se
	Institutional	See Note**		See Note**		See Note**		See Note**		See Note**		Se
Type A	Residential	≤ 3—10 dwellings, if platting is required		3—14 dwellings		≤ 24 dwellings	Addition of ≤ 99 dwellings to an existing MH Park	≤ 34 dwellings		≤ 24 dwellings	N/A	≤ 299 dwellin

## TALLAHASSEE, FLORIDA – LAND DEVELOPMENT CODE

### CHAPTER 9 SUBDIVISIONS AND SITE PLANS

#### ARTICLE VI. - INCLUSIONARY HOUSING

##### Sec. 9-240. - Purpose and intent.

The regulations and requirements of this article are intended to:

- (a) Promote the health, safety and general welfare of the citizens of the city through the implementation of the goals, objectives and policies of the Tallahassee-Leon County Comprehensive Plan Housing Element;
- (b) Increase affordable home ownership opportunities within the city,
- (c) Stimulate the private sector production of housing available to families within the range of 70 percent to 100 percent of the area median income, or lower;
- (d) Facilitate and encourage development that includes a range of housing opportunities through a variety of residential types, forms of ownership, and home sales prices; and
- (e) Encourage the even and widespread distribution of affordable housing opportunities throughout all portions of the community, including within new developments in fastest growing areas of the community.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-07AA, § 2, 8-20-2008)

##### Sec. 9-241. - Definitions.

In addition to the definitions and rules of construction in section 1-2 of this Code, the following words, terms and phrases, when used in this section, shall have the meanings ascribed to them as set forth below, except where the context clearly indicates a different meaning:

*Area median income (AMI)* means the median family income for the Tallahassee Metropolitan Statistical Area, as published by the US Bureau of the Census and the US Department of Housing and Urban Development, unless otherwise specified.

*Average sales price (ASP)* means the price at which all inclusionary housing units in a single development must average. The current ASP is \$159,379.00. The ASP shall be reviewed annually by the city commission, and reset if necessary.

*Eligible households* shall be defined as those households composed of residents of the city earning 70 percent—100 percent of Tallahassee Metropolitan Statistical Area (TMSA), adjusted for size, based upon the most recently published Census or HUD data. In addition, eligible households shall include the following:

- (1) Households earning less than 70 percent of the area median family income but able to secure a first institutional mortgage wherein the lender is satisfied that the household can afford principal and interest mortgage payments in excess of 27 percent of its income, shall be deemed eligible households for purposes of owner-occupied housing provided pursuant to requirements of this article;
- (2) Households earning less than 70 percent of the area median family income but willing to pay rent in excess of 30 percent of its income, shall be deemed eligible households for purposes of rental housing provided pursuant to requirements set out in this article; and

- (3) Households earning less than 70 percent of the area median income when available housing units considered affordable to that income group by first institutional mortgage lenders are available through a development.

*Fee in-lieu* means the fee paid by the developer/owner of any primary development as an alternative to providing required inclusionary housing for sale within the primary development.

*Inclusionary unit* means a newly constructed dwelling unit offered to an eligible household at or below the maximum purchase price (MPP) such that the average sales price of all the required inclusionary units within the development are at or below the average sales price (ASP) established by this article.

*Market-rate unit* means a dwelling unit in a residential development that is not an inclusionary unit.

*Maximum affordable rent* means the maximum monthly rent that may be charged for an inclusionary rental unit provided in lieu of owner-occupied inclusionary housing provided within the primary development.

*Maximum purchase price (MPP)* means the highest price allowed for the purchase of an inclusionary housing unit as established in the city's local housing assistance plan adopted by the city commission.

*Metropolitan Statistical Area (MSA)* means a geographic entity defined by the federal office of management and budget for use by federal statistical agencies, based on the concept of a core area of a city with 50,000 or more inhabitants, or the presence of an urbanized area, as defined by the office of management and budget, and a total population of at least 100,000, plus adjacent communities having a high degree of economic and social integration with that core. The Tallahassee MSA (TMSA) consists of the city, Leon County, Gadsden County, Jefferson County, and Wakulla County, Florida, and all inclusive local governments.

*Off-site unit* means an inclusionary unit that will be built at a different location than the primary development.

*On-site unit* means an inclusionary unit that will be built as part of the primary development.

*Primary development* means a subdivision or site plan including 50 or more housing units intended for sale and owner-occupancy, required to provide inclusionary housing within its physical confines or to provide those in-lieu comparables as authorized by this section.

*Selected census tracts* means those census tracts where the median family income is greater than the countywide median, based upon the most recently published Census or HUD data.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-07AA, § 3, 8-20-2008)

Sec. 9-242. - Applicability.

- (a) The requirements of this section shall apply to new development within the urban services area, located within selected census tracts as defined herein, zoning districts that implement the planned development future land use category, and developments of regional impact (DRIs) with 50 or more residential dwelling units intended for owner occupancy. Developments subject to the requirements of this section providing no less than ten percent and as much as 100 percent of the total number of residential dwelling units in the primary development as inclusionary housing units shall be eligible for development incentives as provided in accordance with section 9-246.
- (b) Sales price methodology. Any inclusionary housing development project shall meet the following requirements:
  - (1) All housing units produced to satisfy the requirements of this article shall be sold for no more than the maximum purchase price established by this article, as it may be amended from time to time; and



- (2) The average sales price of all units produced to satisfy the requirements of this article shall not exceed the average sales price established by this article, as it may be amended from time to time.
- (c) City commission review of average sales price (ASP). The city commission review of the ASP shall consider analysis of housing economic information, including supply-side factors, demand-side factors, and financing factors, not limited to the following: consideration of ASP computed through the formula used to set the initial ASP; Florida Housing Authority (FHA) single-family home mortgage limits; consumer price index (CPI), area median income, prevailing mortgage rates, Florida Housing Finance Corporation (FHFC) first-time home buyers bond limit, construction materials costs and other information as may be deemed relevant. The formula used to set the initial ASP shall consider published HUD income limits and the current interest rate based on the average interest rate of the most recent six months (30-year, fixed-, non-jumbo rate) as published by the Federal Housing Finance Board. The city commission through the passing of a resolution can amend the ASP.
- (d) Developments not subject to subsection (a), and located within selected census tracts that provide no less than ten percent and as much as 100 percent of the total number of residential dwelling units in the primary development as inclusionary housing units shall be eligible for those development incentives as provided in accordance with section 9-246.
- (e) For the purposes of this section, two or more developments shall be aggregated and considered as one development, if they are no more than one-quarter-mile apart and any two of the following criteria are met:
  - (1) There is a common interest in two or more developments;
  - (2) The developments will undergo improvements within the same five-year period;
  - (3) A master plan exists, submitted to a governmental body, addressing all developments;
  - (4) All developments share some infrastructure or amenities; or
  - (5) A common advertising scheme addresses all development.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-07AA, § 4, 8-20-2008)

Sec. 9-243. - Vested rights.

Those provisions set out in this article requiring of new development the provision of inclusionary housing units or in-lieu comparables shall not apply to the development of any property authorized by and consistent with any of the following development orders approved or prior to the effective date of the inclusionary housing ordinance or in application prior to the effective date of the inclusionary housing ordinance and subsequently approved without major modification during the application period: preliminary plat approval; site plan approval; PUD concept plan approval; development agreement, approved pursuant to Chapter 163, Florida Statutes; or, DRI development order approval. In those instances where the property owner of a vested property applies for a new development order, that if approved, would constitute a major modification of the previous development order, that property may lose its vested status as it relates to the provisions of this article. Any modification to a previously approved development order resulting in the addition of 50 or more dwelling units than previously allowed in the development order approved prior to April 13, 2005 (the adoption date of this ordinance), that were not previously mitigated, shall be subject to the provisions of this article for the increased number of residential dwelling units. Determination as to whether a change to the development order would constitute a major modification shall be made by the director of the growth management department or his/her designee, based upon applicable criteria in this code and Chapter 163, Florida Statutes, as may be applicable. Any property owner may instead request that the city commission make this determination or may appeal staff's determination to the city commission for reconsideration. In rendering its determination as to vested rights status, the city commission shall consider staff's recommendation and whether the affected property already complies with this article; has been "built out" in terms of residential development capacity; or, substantially complies with this article. If the city commission determines that

the property substantially complies with this article, it shall also specify those inclusionary housing requirements that thereafter apply to its further development, if any.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 09-O-31AA, § 14, 10-29-2009)

Sec. 9-244. - Exemptions.

The following shall be exempt from the requirements of this article:

- (a) Multifamily and multi-unit residential units constructed for rental purposes shall not be subject to requirements to provide inclusionary housing; however, multifamily and multi-unit residential units constructed for rental purposes may be provided to satisfy certain requirements for inclusionary housing, as provided herein; condominium residential units intended for owner-occupancy are not exempt and shall be subject to these regulations;
- (b) Nursing homes, residential care facilities, assisted care living facilities, and retirement homes;
- (c) Dormitories and group quarters, as defined by the US Census;
- (d) Manufactured homes shall not be subject to requirements to provide inclusionary housing and may not be provided to satisfy any requirements set forth herein.
- (e) All developments within the Southern Strategy Area, as established in the Tallahassee-Leon County Comprehensive Plan, except for those included within planned development zoning district, or developments of regional impact (DRIs); and
- (f) All developments within areas designated lake protection on the future land use map.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-07AA, § 5, 8-20-2008)

Sec. 9-245. - Requirements for inclusionary housing.

The following requirements shall apply:

- (a) *Number of inclusionary units required.* Subdivisions and site plans including 50 or more dwelling units shall provide a minimum of ten percent of the units at prices no greater than the maximum purchase price and with purchase prices averaging not greater than the average sales price. For purposes of this section accessory apartment units shall not be construed as a dwelling or residential unit, either for purposes of determining the number of inclusionary units required or the number of inclusionary units provided.
- (b) *Calculation of required number of units.* The following standards shall be utilized in the calculation of number of inclusionary units required to be provided:
  - (1) *Density bonus units:* For purposes of calculating the number of inclusionary units required by this section, any additional units provided through use of the density bonus incentives of this article will not be counted in determining the required number of inclusionary units.
  - (2) *Fractional unit requirements:* In determining the number of whole inclusionary units required, any fractional requirement shall be rounded up to the nearest whole number.
- (c) *Location of inclusionary units.* Required inclusionary housing units shall be provided within the primary development, at an alternative location within the same census tract or, in a contiguous selected census tract, so long as the off-site location is within the urban service area; the option of providing inclusionary housing at an off-site location shall not be available for developments within planned development zoning districts, nor within DRIs. For projects within applicable census tracts in the MMTD, inclusionary units shall be dispersed throughout the development, with no more than two contiguous parcels designated for inclusionary units.

- (d) *Waiver of inclusionary housing requirements.* The city commission may grant waivers of requirements for inclusionary housing if the commission finds the following:
- (1) The application of the requirement would produce a result inconsistent with the goals and objectives of the Tallahassee-Leon County Comprehensive Plan pertaining to the development of the community; or,
  - (2) If the primary development is part of a larger development, that development furthers the intent of this section through means other than strict compliance with the regulations set out in this section.
- (e) *Developer financial responsibility.* At the time of the approval of any site plan or preliminary plat for any primary development required to provide on-site or off-site, owner-occupied or rental, inclusionary housing units, or buildable lots, as authorized by this section, the applicant shall post a bond or submit a letter of credit or other acceptable instrument equivalent to the fee in-lieu of providing the required inclusionary housing. The city shall retain the bond money in escrow in an interest-bearing account for a period of no less than three years, or other time period agreed upon by the applicant and the city, or until the city has documented that the required inclusionary housing or in-lieu comparables have been provided. Upon documentation that the inclusionary housing requirement has been met in part or in full, the city shall remit that portion of the bond money and interest proportionally equivalent to portion of the inclusionary housing requirement satisfied to the applicant or their assigns. If, after a period of three years, or other time period agreed upon by the applicant and the city, the applicant has not demonstrated compliance with the requirement, the bond shall be forfeited and the bond money and interest shall be transferred to the inclusionary housing trust fund, and may thereafter be utilized for purposes of providing inclusionary housing. In those instances where the applicant has agreed in advance to pay a fee in-lieu of all or a portion of the required inclusionary housing, no bond shall be required to be posted for that amount of the requirement to be satisfied through payment of the fee in-lieu. This provision shall not be available for developments within planned development zoning districts, nor within DRIs.
- (f) *Fee in-lieu of providing inclusionary units.* As an alternative to providing inclusionary housing units, the owner/developer may pay a fee in-lieu to the city. The fee rate shall be as follows:
- (1) For those developments where the average sales price of all housing units is greater than 100 percent of the average sales price (ASP) but less than 110 percent of ASP: \$10,000.00 per required inclusionary unit not constructed;
  - (2) For those developments where the average sales price of all housing units is greater than 110 percent of ASP and less than or equal to 175 percent of ASP: \$15,000.00 per required inclusionary unit not constructed;
  - (3) For those developments where the average sales price of all housing units is greater than 175 percent of ASP and less than or equal to 225 percent of ASP: \$20,000.00 per required inclusionary unit not constructed; and
  - (4) For those developments where the average sales price of all housing units is greater than 225 percent of ASP: \$25,000.00 per required inclusionary unit not constructed.

This provision shall not be available for developments within planned development zoning districts, nor within DRIs.

- (g) *Multifamily rental housing in-lieu of providing inclusionary units.* As an alternative to providing inclusionary owner-occupancy housing units, the owner/developer may provide 1½ multifamily rental units per each owner-occupancy unit not otherwise provided. Rental units provided in lieu of owner-occupancy units shall be provided on-site within the primary development, at an alternative location within the same census tract or, in an adjacent selected census tract, so long as the off-site location is within the urban service area. Rents charged for these rental units shall not exceed the current US HUD's High HOME rent limit by bedroom size in the Tallahassee Metropolitan Statistical Area (TMSA). The option of providing off-site multifamily

rental housing in-lieu of providing inclusionary units shall not be available for developments within planned development zoning districts, nor within DRIs.

- (h) *Residential lots in-lieu of providing inclusionary units.* As an alternative to providing inclusionary owner-occupancy housing units, the owner/developer may provide to the city or its designated agent, one residential lot per each owner-occupancy unit not otherwise provided. Lots so provided shall be located on-site within the primary development and each lot shall have sufficient area devoid of environmental constraint to allow construction of a residential unit thereupon. The city or its designated agency shall assume responsibility for the development of all lots so provided with inclusionary units.
- (i) *Establishment of the required number of inclusionary units at time of plan approval.* The number and location of inclusionary units required in conjunction with a particular primary development will be determined at the time of preliminary plat or site plan approval. Any of the following changes in the location of any on-site inclusionary housing unit after preliminary plat or site plan approval shall constitute a major modification to the original development order and shall be reviewed accordingly:
  - (1) Relocation contiguous to vacant property outside the primary development;
  - (2) Relocation contiguous to property outside the primary development developed with less intensive residential use; or
  - (3) Relocation contiguous to property inside the primary development, developed with less intensive residential use and not previously intended as the location of inclusionary housing.

Determination as to whether the contiguous property is considered less intensive residential use shall be made by the land use administrator.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-07AA, § 6, 8-20-2008; Ord. No. 13-O-03, § 8, 8-28-2013)

#### Sec. 9-246. - Incentives for provision of inclusionary housing.

The following incentives shall be available to developments constructing the required number of inclusionary housing units within the primary development:

- (a) *Additional development density.* Any development providing inclusionary housing pursuant to this section shall be entitled to a 25 percent increase in allowable density above that otherwise established by the zoning district in which the development is located. The density bonus provided herein shall only be effectuated consistent with policy 2.1.14 of the Land Use Element of the Tallahassee-Leon County Comprehensive Plan. To qualify for this bonus, the applicant must include a narrative in the development application describing how the design and orientation of the development seeking the density bonus is compatible with the surrounding land use character, particularly with any low density residential neighborhoods. This narrative shall address building size and massing, site layout and design, architectural characteristics, and landscaping, as well as any other aspects of development that the applicant deems appropriate.
- (b) *Design flexibility.* The developer of inclusionary housing developments shall be eligible to obtain greater flexibility in development design through application of the following:
  - (1) *Choice of housing type.* Inclusionary housing units required by this section as well as any provided through density bonus incentive may be provided as single-family, duplex, townhouse units, or cluster development within the RP-1, RP-2, and RP-MH zoning districts, and as single-family, duplex, triplex, or townhouse units or as units intended for owner occupancy in a condominium, or multifamily residential structure, in other zoning districts provided that the height, setbacks, massing and exterior appearance of the

inclusionary units are consistent with other residential units within the development in which they are located. Within the applicable census tracts in the MMTD, creative housing types (e.g., the multi-family "Big House" design) should be used to increase affordability, effectively provide multiple housing types, and maintain compatibility in scale and mass with other housing types.

- (2) *Alleviation of setback and lot size requirements internal to the development.* Housing units (inclusionary and "non-inclusionary") shall not be subject to yard setback requirements, except for yards adjacent to boundary of the primary development and other property. Housing units (inclusionary and "non-inclusionary") shall not be subject to minimum lot size requirements, except where lots are located adjacent to property outside of the primary development.
  - (3) *Alleviation of buffering and screening requirements internal to the development.* Inclusionary housing units shall not be subject to requirements for the provision of buffering and screening for purpose of mitigating incompatibility within the primary development. Where adjacent to property outside of the primary development, inclusionary housing units shall be subject to those buffering and screening requirements as set out in this Code as may be applicable.
  - (4) *Consideration of reduced parking in the MMTD.* The city encourages reduced parking proposals by the applicant and recommends a minimum of a ten percent reduction for developments ten units and over, for inclusionary housing units, for projects located within the applicable census tracts in the MMTD within one-fourth mile of transit routes. In assessing proposed parking reductions, as an incentive, additional allowances may be considered by the city for site and design (i.e., building placement, setbacks, and facades) during the site plan review process.
- (c) *Expedited review.* The developer of an inclusionary housing development shall be eligible for expedited development review. The developer shall inform the growth management department at the pre-application stage that the development will include inclusionary housing; thereafter, the growth management department shall expedite the review of the application to the fullest extent permitted by law and shall notify other reviewing departments/agencies that the application is required to receive expedited review. Expedited applications are to be reviewed prior to other applications filed on the same date or in the same application period, except for other applications including inclusionary housing or affordable housing, pursuant to Chapter 420.9076, Florida Statutes. Any development order application not directly pertaining to or required for the development of inclusionary housing units shall not be entitled to expedited review.

The director of the growth management department shall serve as the city's liaison to expedite the review and approval process. This provision shall apply to site and development plan applications, subdivision applications, environmental permits, as well to individual building permits for individual inclusionary units.

- (d) *Deviations to development standards for primary developments incorporating inclusionary housing.* The developer of inclusionary housing seeking deviation(s) to development standards not addressed in subsection (2) above, shall submit a request for the deviation(s), along with the development application, to the entity with authority to approve the development application. There shall be no fee charged to the developer of inclusionary housing for requested deviations in conjunction with the development of the inclusionary housing. Deviations requested pursuant to this section shall not be required to comply with requirements of section 9-233 of this chapter for the granting of a deviation. Instead, requests for deviation under this section shall be subject to demonstrate compliance with the following criteria:
- (1) The request for deviation shall specify the standard(s) to be deviated, the extent of deviation, and where the deviation will apply (requests for deviations to setbacks should be expressed in terms of linear feet and, requests for deviations to lot sizes should be expressed in square footage; requests may provided on a graphic plan);

- (2) The deviation shall not result in an increase in gross residential density for the development in excess of the density bonus provided by this section;
- (3) The deviation shall not result in conditions detrimental to the public's health, safety, or welfare; and,
- (4) The granting of this deviation shall be consistent with the intent and purpose of this section and the Tallahassee-Leon County Comprehensive Plan.

Upon a finding in the affirmative, the entity with authority to approve the application shall grant the requested deviation(s).

- (e) *Transportation concurrency exemption.* Within any and all developments wherein inclusionary units are provided under this article, any inclusionary units provided, less than or equal to the requirement for inclusionary units, as well as any provided electively through density bonus, shall be exempt from transportation concurrency requirements.
- (f) *Additional incentives.* A developer of inclusionary housing may request additional incentives. The city commission may grant such additional incentives through approval of a development agreement pursuant to Section 163.3220, Florida Statutes ("163 Development Agreement") or planned unit development concept plan, so long as the commission finds the following:
  - (1) The application of the incentive would not produce a result inconsistent with the goals and objectives of the Tallahassee-Leon County Comprehensive Plan; and,
  - (2) The provision of the incentive furthers the intent of this section.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 13-O-03, § 9, 8-28-2013)

Sec. 9-247. - Compliance procedures.

- (a) *General.* Approval of an inclusionary housing plan and implementation of an approved inclusionary housing agreement is a requirement of any site plan and preliminary plat subject to the requirements of the inclusionary housing section. An inclusionary housing plan is not required where the requirements are satisfied by provision of residential lots or payment of a fee in-lieu of provision of inclusionary units. The inclusionary housing plan must include:
  - (1) A site plan that includes the location of the inclusionary units (or lots or areas set aside for inclusionary units), setbacks and lot sizes for inclusionary housing units and other proposed development;
  - (2) The structure type of inclusionary units (may be a range of types) to be provided;
  - (3) The proposed tenure (owner-occupancy or rental) of inclusionary units to be provided;
  - (4) The structure size (may be a size range) of the inclusionary units to be provided;
  - (5) The mechanisms that will be used to assure that the units remain affordable, per city commission policy, such as resale and rental restrictions, and rights of first refusal and other documents;
  - (6) For inclusionary units to be provided off-site: the location (including parcel identification number(s)), structure type of inclusionary units and, proposed tenure; and,
  - (7) Any other information as may be necessary to demonstrate that the development complies with the provisions of this section.
- (b) *Pertinent information to be recorded.* The method of compliance with this section, including, as applicable, the number and location of inclusionary housing units, shall be established within the final development order and incorporated through appropriate annotation on the approved site plan or preliminary plat and in an inclusionary housing letter of agreement, signed by all parties, and recorded by the county clerk of courts. Where inclusionary requirements are satisfied through the

provision of units off-site, the development orders for the primary and off-site development may be issued concurrently or sequentially; however, the site plans or preliminary plats for both developments shall reflect the method the compliance and shall as well be incorporated through appropriate annotation in an inclusionary housing letter of agreement, signed by all parties, and recorded by the county clerk of courts.

(Ord. No. 04-O-90AA, § 4, 4-13-2005)

Sec. 9-248. - Appeals of subdivision and development orders for developments with on-site inclusionary housing.

- (a) *Appeals.* Appeal of a decision by the city commission to approve, approve with conditions, or deny a subdivision final plat, or any other development order authorizing the development of inclusionary housing shall be considered by the circuit court. A party with standing shall have the right to seek review in circuit court by petition for writ of certiorari within 30 days from final action on any application.
- (b) *Attorney's fees and related costs.*
  - (1) In any civil litigation resulting from the city's approval of inclusionary housing as part of a development order, the prevailing party may receive his or her reasonable attorney's fees and costs from the nonprevailing party. For the purposes of this section, civil litigation shall include administrative proceedings before the Tallahassee-Leon County Planning Commission, the division of administrative hearings, county circuit court, and any appellate proceedings before the first district court of appeal and state supreme court.
  - (2) The attorney for the prevailing party shall submit a sworn affidavit of his or her time spent on the case and his or her costs incurred in the civil litigation for all the motions and hearings, including appeals, to the circuit court having jurisdiction or the administrative law judge who presided over the civil litigation.
  - (3) The circuit court having jurisdiction or administrative law judge may award the prevailing party the sum of reasonable costs incurred in the action plus a reasonable legal fee for the hours actually spent on the case as sworn to in an affidavit.
  - (4) Any award of attorney's fees or costs, to the extent allowed by law, shall become a part of the judgment or final order and subject to execution as the law allows.

(Ord. No. 04-O-90AA, § 4, 4-13-2005)

Sec. 9-249. - Monitoring and sunset review.

The inclusionary housing implementation provisions in this Code shall be monitored to ensure effective and equitable application. The city manager will present status report to the city commission on the implementation of this article every two years or as needed.

(Ord. No. 04-O-90AA, § 4, 4-13-2005; Ord. No. 07-O-48, § 1, 9-26-2007; Ord. No. 07-O-07AA, § 7, 8-20-2008)

Sec. 9-250. - Administration.

The housing provisions of this section shall be administered jointly by the department of neighborhood and community services and the growth management department, or their successors in interest, in consultation with the Tallahassee-Leon County Planning Department. These departments

shall be authorized to provide interpretations regarding the implementation and administration of this section.

(Ord. No. 04-O-90AA, § 4, 4-13-2005)





## Large Residential Development Activity

Since 2015, there have been six residential developments each with more than 50 single family units in unincorporated Leon County all of which have been completed or are under construction inside the Urban Services Area (USA). As shown in Table 1, over 750 units, including 288 multi-family units, have been or will be constructed as part of these developments.

Table 1: 50+ Unit Developments in Unincorporated Leon County Since 2015

<b>Development Name</b>	<b># of Units</b>	<b>Annexed into City</b>	<b>Type of Units</b>
Bannerman Residential	135	No	Single Family - Detached
Camellia Oaks – Phase I	67	No	Single Family - Detached
Camellia Oaks – Phase II	75	No	Single Family - Detached
Brookside Village	61	Yes	Single Family - Detached
Fallschase I-III	130	Yes	Single Family - Detached
Fallschase I-III	288	Yes	Multi-Family Rental
Single Family TOTAL	468	N/A	Single Family - Detached
Overall TOTAL	756	N/A	ALL

These developments were not required to construct affordable units since the County does not have an IHP.