



# AFFORDABLE HOUSING ADVISORY COMMITTEE

Public Hearing  
November 10, 2021  
Leon County Agriculture Building – Auditorium  
615 Paul Russell Road  
6 p.m.

## Agenda

- I. Call to Order
- II. Roll Call
- III. Approval of November 10, 2021 Agenda
- IV. Approval of July 7, 2021 Meeting Minutes (**TAB 1**)
- V. Approval of October 6, 2021 Meeting Minutes (**TAB 2**)
- VI. Public Comment on Unagendaed Items
- VII. Old Business
  - Adoption of the Draft Affordable Housing Advisory Committee Report (**TAB 3**)
    - Public Comment
- VIII. New Business
  - Schedule date for the first AHAC meeting in calendar year 2022
- IX. Adjournment

**Leon County**  
**Affordable Housing Advisory Committee**  
**July 7, 2021**  
**Meeting Minutes**

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**MEMBERS PRESENT:** Chair Trina Searcy  
Commissioner Nick Maddox  
Lawrence Tobe  
Oral Payne  
Ian Waldick  
Madelon J. Horwich  
Herschel Holloway

**MEMBERS ABSENT:** Vice Chair Marthea Pitts  
Shawn Menchion  
Deborah Lloyd  
Elias Mathes

**STAFF PRESENT:** Shington Lamy, Director, Office of Human Services &  
Community Partnerships  
Matthew Wyman, Housing Services Manager

**PUBLIC PRESENT:** Chuck White, Housing Finance Authority of Leon County  
Hollis Card, Citizen

**Item # I. Call to Order**

With a quorum present, Chair Searcy called the meeting to order at 10:07 a.m.

**Item # II. Roll Call**

Mr. Wyman proceeded with roll call.

**Item #III. Approval of July 7, 2021 Agenda**

Chair Searcy requested a motion from the floor for approval for today's agenda.

Commissioner Maddox moved to approve the agenda, seconded by Mr. Waldick. The motion passed unanimously.

**Item #IV. Approval of April 7, 2021 Meeting Minutes**

Chair Searcy requested a motion to approve the April 7, 2021 Meeting Minutes.

Mr. Waldick moved to approve the minutes with edits to correct the spelling of Ian Waldick's name, seconded by Commissioner Maddox. The motion passed unanimously.

**Item # V. Approval of May 5, 2021 Meeting Minutes**

Chair Searcy requested a motion to approve the May 5, 2021 Meeting Minutes.

Mr. Waldick moved to approve the minutes with edits to correct the spelling of Ian Waldick's name, seconded by Ms. Horwich. The motion passed unanimously.

**Item # VI. Public Comments**

Chair Searcy inquired if there was public comment as two members of the public were present. Mr. Chuck White introduced himself as a past member of the County Affordable Housing Advisory Committee (AHAC) who now serves on the Housing Finance Authority of Leon County (HFA). Mr. White continued that the HFA has designated him to serve as their liaison to the County and City AHAC to coordinate efforts to produce affordable housing.

Mr. Hollis Card did not have comment.

**Item #VII. Old Business**

**Proposed Affordable Housing Advisory Committee Recommendations**

Mr. Wyman presented the item on the proposed Affordable Housing Advisory Committee Recommendations and iterated that the Committee's primary responsibility is to review the established policies and procedures, ordinances, land development regulations, and comprehensive plan of Leon County, and to recommend specific actions or initiatives which encourage development of affordable housing to be presented to the Board at the end of 2021.

The staff proposed recommendations were reviewed. During the presentation, Mr. Tobe asked for a map that shows the zoning districts application to Section 420.9076(4)(k) F.S. "The support of development near transportation hubs and major employment centers and mixed-use developments."

Mr. Waldick was provided clarification on the amount proposed to be increased on the maximum award amounts for down payment assistance as requested.

Mr. Wyman turned the floor back to Chair Searcy and she requested a motion from the floor.

*Mr. Waldick moved for the approval of Option #1: Approve the staff recommendations for the Leon County Affordable Housing Advisory Committee's 2021 Report as presented in Attachment #1, seconded by Ms. Horwich. The motion passed unanimously.*

### **Overview, Review and Discussion of Inclusionary Housing Policy**

Mr. Wyman provided the Committee an overview of Inclusionary Housing Policy (IHP) including:

- The highest affordable housing needs in Leon County; and
- The County's current voluntary IHP found in the Comprehensive Plan; and
- The City's current mandatory IHP; and
- Review of mandatory and voluntary IHP adopted by local governments in Florida; and
- Examples of local governments using consultants to create or revise their IHP.

Mr. Wyman shared that an agenda item on inclusionary housing would be presented to the County Commission on July 14, 2021 which would be further discussed at the next joint County City Committee meeting.

### **Item #VIII. Adjourment**

The Chair announced the next meeting will be the Joint City/County AHAC on August 23, 2021.

There being no further business to come before the Committee, the meeting was adjourned at 11:16.

**Leon County  
Affordable Housing Advisory Committee  
October 6, 2021  
Meeting Minutes**

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**MEMBERS PRESENT:** Chair Trina Searcy  
Lawrence Tobe  
Madelon J. Horwich

**MEMBERS ABSENT:** Vice Chair- Marthea Pitts  
Commissioner Nick Maddox  
Oral Payne  
Ian Walkick  
Herschel Holloway  
Shawn Menchion  
Deborah Lloyd

**STAFF PRESENT:** Matthew Wyman, Housing Services Manager  
Shington Lamy, Director, Office of Human Services &  
Community Partnerships

**PUBLIC PRESENT:** Angie Avery, Tallahassee Board of Realtors  
Ryan Horton, Tallahassee Board of Realtors

**Item # I. Call to Order**

Without a quorum present, Chair Searcy called the meeting to order at 10:14 a.m.

**Item # II. Roll Call**

Mr. Wyman proceeded with roll call and confirmed there was not a quorum.

**Item #III. Approval of October 6, 2021 Agenda**

Chair Searcy did not entertain a motion from the floor for approval of the agenda because a quorum was not established.

**Item #IV. Approval of July 7, 2021 Meeting Minutes (Tab 1)**

Chair Searcy did not entertain a motion from the floor for approval of the July 7, 2021 Meeting Minutes because a quorum was not established. Approval of the minutes will be added to the next regular meeting's agenda.

Mr. Wyman requested if there were any proposed revisions from the floor. There were none.

**Item # V. Public Comments**

Chair Searcy inquired if there was public comment as there were two members of the public present. The two members of the public introduced themselves as being part of the Tallahassee Board of Realtors Leadership Class.

**Item # VI. Old Business**

**Options for the County's Inclusionary Housing Policy (Tab 2)**

Mr. Wyman presented on Inclusionary Housing Policy (IHP) and survey results recently collected from other Florida local governments regarding their inclusionary housing policy in partnership with the Florida Housing Coalition. The presentation included an overview of both mandatory and voluntary IHP; reviewed current local IHP; considered regulatory requirements associated with a mandatory IHP including the various incentives to fully offset costs as required by Florida Statutes; and provided the number of units that have been produced as a result of IHP in other Florida jurisdictions.

Chair Searcy requested that since a quorum was not established at the October 6, 2021 meeting, staff share the contents of the presentation and resend the options included in the item on Options for the County's IHP to all committee members via email so that members can be prepared to take action at the October 25, 2021 Joint City/County AHAC meeting. Discussion between staff and the Committee ensued on the presentation, the potential need for additional housing units due to the impending opening of the Amazon fulfillment center and sustainable building practices.

At the conclusion of the presentation, Mr. Lamy reviewed the following options on IHP the Committee may consider for approval at the October 25, 2021 Joint City/County AHAC meeting as provided in the agenda item on Options for the County's Inclusionary Housing Policy:

- Make no changes to the current County IHP;
- Adopt the current City IHP in unincorporated Leon County;
- Adopt similar proposed enhancements to the City IHP as recommended by the City AHAC applicable to unincorporated Leon County;
- Committee direction.

Mr. Lamy reiterated that the recommendations on IHP as well as those previously approved on July 7, 2021 will be incorporated into the draft AHAC report to be adopted at the November 2021 public hearing and presented to the Board of County Commissioners in December 2021. The County and City AHAC reports are anticipated to be the primary focus of the February 2022 Joint County/City Affordable Housing Workshop.

**Item #VII.                   New Business**

**Appointment of a Draft AHAC Report Review Committee**

Chair Searcy appointed Madelon Horwich and Lawrence Tobe to the Draft AHAC Report Review Committee to work with staff to revise and edit the report as appropriate.

**Item #VIII.                   Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 11:04.



## AFFORDABLE HOUSING ADVISORY COMMITTEE

**DATE:** November 10, 2021

**TO:** Chair Trina Searcy and the Affordable Housing Advisory Committee

**FROM:** Shington Lamy, Director of Human Services and Community Partnerships  
Matthew G. Wyman, Housing Services Manager

**SUBJECT:** Proposed 2021 Affordable Housing Advisory Committee Report

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### **Statement of Issue**

This item presents the proposed Affordable Housing Advisory Committee 2021 Report of Recommendations for adoption.

### **Staff Recommendations:**

- Option #1: Adopt the proposed Affordable Housing Advisory Committee 2021 Report of Recommendations Report (Attachment #1).
- Option #2: Authorize the Committee Chairperson to draft and sign a letter to accompany the final report in preparation for presentation to the Board of County Commissioners.

### **Background**

Pursuant to Section 420.9076(4) Florida Statutes, the Affordable Housing Advisory Committee's (Committee) primary responsibility is to review the established policies and procedures, ordinances, land development regulations, and comprehensive plan and to recommend specific actions or initiatives which encourage development of affordable housing.

At a minimum, each advisory committee is required to submit a report to the Board of County Commissioners that includes recommendations on the incentives found at Section 420.9076 (4)(a)-(k), Florida Statutes. Recommendations on the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions may also be included in the report.

Adoption of the Committee's report of recommendations must be made by a majority of the membership of the Committee at a public hearing.

### **Analysis**

During 2021, the Committee held six public meetings and met jointly with the City AHAC during four additional public meetings to produce the recommendations included in the Affordable Housing Advisory Committee 2021 Report of Recommendations Report (Report).



On July 7, and October 25, 2021, the Committee approved recommendations that address the following four areas:

1. Statutorily Required Incentives for the Report (a-k)
2. Tallahassee-Leon County Comprehensive Plan
3. Leon County Inclusionary Housing Policy
4. Leon County SHIP Local Housing Assistance Plan

In addition to the list of recommendations, the Report includes an executive summary, legal background, and a proposed plan for implementation of the recommendations. On October 6, 2021, the Committee Chair appointed a subcommittee to review the draft Report of Recommendations compiled by staff. The subcommittee comprised of Madelon Horwich and Lawrence Tobe provided feedback to staff on the draft Report prior to conducting the public hearing to approve the recommendations as required by Florida Statutes.

Notice of the public hearing to adopt the Report was published in the Tallahassee Democrat on Saturday, October 30, 2021 and posted on the County website. The notice included a concise summary of the recommendations to be considered by the Committee, where interested persons could obtain a copy of the draft report as well as the time and location of the public hearing. The affidavit verifying the public notice was published has been included in the report as Exhibit A.

Once adopted by the Committee, the Report will be shared with the Florida Housing Finance Corporation and the Florida Housing Coalition as required by Florida Statutes. Additionally, staff will prepare an agenda item requesting Board of County Commissioners acceptance of the Report at the December 14, 2021 meeting which, along with the City Committee report, are anticipated to be the primary focus of the February 2022 Joint County/City Affordable Housing Workshop.

**Options:**

1. Adopt the proposed Affordable Housing Advisory Committee 2021 Report of Recommendations.
2. Authorize the Committee Chairperson to draft and sign a letter to accompany the final report in preparation for presentation to the Board of County Commissioners.
3. Committee direction.

**Recommendations:**

Options #1 and #2

**Attachment**

1. Proposed Affordable Housing Advisory Committee 2021 Report of Recommendations Report



# **Affordable Housing Advisory Committee**

**2021 Report of  
Recommendations  
DRAFT**

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EXHIBIT A: NOTICE OF PUBLIC HEARING

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**THE LETTER FROM THE ADVISORY**  
**COMMITTEE CHAIR**

## EXECUTIVE SUMMARY

Section 420.9076, Florida Statutes, requires that each jurisdiction in Florida receiving State Housing Initiatives Partnership (SHIP) funds shall appoint an eight- to eleven-member Affordable Housing Advisory Committee (AHAC). Each member represents a different role in the affordable housing industry. The AHAC is mandated to review Comprehensive Plan Elements, County Ordinances, Land Development Regulations, and County Policies and Procedures to identify regulatory barriers to affordable housing and to recommend incentives to create more affordable housing. Section 420.9076, Florida Statutes, requires the Committee to produce a report to submit to the County Commission and to the Florida Housing Finance Corporation (FHFC) annually by December 31st or risk the forfeiture of annual allocations of SHIP funds.

The Committee met six times in 2021 and met jointly with the City of Tallahassee (City) AHAC four times. Committee members reviewed various County documents as required by law as well as the *2019 County Affordable Housing Advisory Committee Report of Recommendations*. The Leon County AHAC, from its review, consideration, evaluation, and recommendations, drafts and submits this report, which details the scope of the Committee’s work and the resulting recommendations, to the Board of County Commissioners, Florida Housing Finance Corporation, and the Florida Housing Coalition as required by Florida Statutes. The final report was also sent to the Directors of the Tallahassee-Leon County Planning Department, Development Services and Environmental Management Department, County Attorney’s Office, Real Estate Management Department, and the City of Tallahassee Housing and Community Resilience Department for review.

### Summary Table of Recommendations

All AHAC recommendations were discussed and voted upon by members. Table 1 provides a summary of 2021 AHAC Recommendations and includes only Committee recommendations that require some form of implementation if adopted by the Board of County Commissioners. Recommendations to continue current practices are not included in the table.

Table 1: Summary of 2021 Affordable Housing Advisory Committee Recommendations

<b>Subject</b>	<b>Affordable Housing Advisory Committee Recommendations</b>
<i><b>Inclusionary Housing Policy</b></i>	<p><b>Recommendation:</b> Adopt a uniform inclusionary housing policy, applicable within the urban services area (unincorporated and City), that mirrors the City AHAC’s recommendations on the established City Inclusionary Housing Ordinance which, as a result, would require residential developments (single and multifamily) that exceed 20 units to set aside no less than 10% of units for households earning no more than the area median income no matter the average income level of the area where the development is constructed.</p> <p><b>Recommendation:</b> Evaluate incentives including, but not limited to, increased density bonuses to offset the costs to developers imposed by the establishment of a mandatory inclusionary housing policy.</p>
<i><b>Comprehensive Plan-Housing Element</b></i>	<p><b>Recommendation:</b> Update the Leon County Housing Element of the Comprehensive Plan concurrently with the Land Use and Mobility Element.</p>
<i><b>Home Rehabilitation &amp; Replacement Eligibility Criteria</b></i>	<p><b>Recommendation:</b> Require applicants (or household members) to meet the Special Needs set aside established in Florida Statutes or be 55 years of age or older due to limited funding and to ensure the community's most vulnerable receive the needed home rehabilitation to support aging in place.</p>
<i><b>Home Rehabilitation &amp; Replacement Waitlist</b></i>	<p><b>Recommendation:</b> Eliminate the waitlist and direct staff to contact each waitlisted applicant and invite them to apply as soon as possible following Board approval. A new waitlist should not be created.</p>
<i><b>Increase Maximum Award Amounts</b></i>	<p><b>Recommendation:</b> Increase the maximum limits of construction related activities including Owner Occupied, Homebuyer, and Rental Development programs.</p>

## **BACKGROUND**

In 1992, the Florida Legislature enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Session Laws (the “Sadowski Act”), allocating to local governments a portion of documentary stamp taxes on deeds for the development and maintenance of affordable housing. In addition, the Sadowski Act created the State Housing Initiatives Partnership Act, codified at Florida Statutes, Sections 420.907-420.9079 (SHIP Statutes). The SHIP Statutes require participating local governments to establish an Affordable Housing Advisory Committee (AHAC) which is responsible for reviewing and evaluating all aspects of the County’s housing activities that impact the production of affordable housing and is specifically directed to consider and evaluate the implementation of the incentives set forth at Section 420.9076(4).

In 1993, the Board of County Commissioners (Board) incorporated SHIP Act provisions by adopting Ordinance No. 93-2, which was codified in the Code of Laws of Leon County at Chapter 8, Article V, Sections 8-151 through 8-156, entitled Affordable Housing Assistance (Code of Laws). Since its establishment, the Board has adopted ordinances in 2007, 2016, and 2020 amending the Code of Laws, to align its provision with amendments to the SHIP.

Most recently, in 2020 the Florida Legislature adopted House Bill 1339, further amending Sections 420.907-420.9079, F.S. (SHIP Statute). The SHIP Statute, as amended, requires a County Commissioner to serve on the AHAC and requires the AHAC to provide an annual, rather than triennial, report to the Board. Also, a copy of the report must be submitted to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program, currently the Florida Housing Coalition, in addition to providing the report to the Florida Housing Finance Corporation (FHFC) which administers the State Housing Initiatives Partnership (SHIP) program. As such, on September 29, 2020, the Board adopted Ordinance No. 20-34, amending the Code of Laws to incorporate the provisions of House Bill 1339.

### **Composition of the Affordable Housing Advisory Committee**

The Office of Human Services and Community Partnerships’ Division of Housing Services serves as Staff for the AHAC. SHIP Statute requires that there be at least eight but not more than 11 committee members, including one locally elected official, with representation from at least six of the following categories:

- (a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.

- (h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- (i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) A citizen who represents employers within the jurisdiction.
- (k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

Table 2 lists the appointed Committee members, along with their category affiliation and appointment date, who participated in the production of this report.

Table 2: Affordable Housing Advisory Committee Membership

<b>Name</b>	<b>Category Represented</b>	<b>Date Appointed</b>
1. Nick Maddox	County Commissioner	9/29/2020
2. Lawrence Tobe	Resident Within the Jurisdiction Making Appointment	5/12/2020
3. Oral Payne	Engaged in Residential Homebuilding	3/9/2021
4. Shawn Menchion	Advocate for Low-Income Persons	5/12/2020
5. Deborah Lloyd	Not-For-Profit Provider of Affordable Housing	5/12/2020
6. Trina Searcy	Real Estate Professional	5/12/2020
7. Ian Waldick	Planning Commission Member	11/20/2018
8. Madelon Horwich	Resident Within the Jurisdiction Making Appointment	10/1/2016
9. Herschel Holloway	Banking Professional	1/16/2021
10. Marthea Pitts	Advocate for Low-Income Persons	5/12/2020

## **AFFORDABLE HOUSING ADVISORY COMMITTEE** **RECOMMENDATIONS**

As established in the SHIP Statute, the Committee is responsible for annually reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of the County housing activities that impact the production of affordable housing. Further, the AHAC has specifically considered and evaluated the strategies set out at Section 420.9076(4)(a)-(k), F.S. Based on the Committee’s evaluation, it may recommend to local government that it modify, provide exceptions, and/or create new plans, policies, procedures, and other governing authority documents that would encourage production of affordable housing which must be approved at a public hearing by affirmative vote of a majority of the membership in accordance with the SHIP Statute.

The Committee conducted a public hearing, held six public meetings, and met jointly with the City AHAC during four additional public meetings in 2021 to produce this report and the recommendations herein. Further, the Committee has specifically considered and evaluated the strategies set forth in Section 420.9076(4), F.S., to formulate the following recommendations and submits them to the Board for possible incorporation into its housing strategy:

(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in Section 163.3177(6)(f)3, F.S.

Current Practice: Expedited permitting of affordable housing projects is accomplished by administrative direction, close coordination, and teamwork, which include:

- 1) Using pre-permitting review to determine project status, identify and resolve potential legal problems that might preempt permitting, and otherwise expedite affordable housing.
- 2) Obtain assistance and cross-training from Building Inspection with the initial inspection of rehabilitation projects to ensure all code compliance issues are addressed in write-ups and permit applications. This expedites plan review and minimizes changes that delay permitting and project completion.
- 3) The Director of the Office of Human Services & Community Partnerships and staff are the designated liaisons with the Affordable Housing Program and assist with the resolution of difficult permitting issues.

**AHAC Recommendation:** Maintain the current practice.

(b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Current Practice: Leon County does not impose impact fees. Impact fees were eliminated in 1995.

**AHAC Recommendation:** Maintain the current practice.

(c) The allowance of flexibility in densities for affordable housing.

Current Practice: Although the Land Development Code (LDC) does not specifically address density flexibility for affordable housing, it does provide incentives for affordable housing regarding the required review level. For example, projects with 50% or more affordable housing units can have their review threshold increased by 50% thereby potentially allowing a lower review level and reducing permitting costs. [Section 10-7.402(4) of the LDC]

**AHAC Recommendation:** Evaluate incentives, including but not limited to, increased density bonuses to offset the costs to developers imposed by the establishment of a mandatory inclusionary housing policy that mirrors the City's AHAC recommendations on their established Inclusionary Housing Ordinance.

(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

Current Practice: The concurrency management system treats all projects the same and does not provide special provisions for affordable housing projects. (Article III of the LDC)

**AHAC Recommendation:** Maintain the current practice.

(e) The allowance of affordable accessory residential units in residential zoning districts.



Current Practice: The LDC allows accessory dwelling units in conjunction with the following principal structures: single-family detached dwellings; retail establishments; offices; and principal industrial structures. [Section 10-6.803(b)(2) of the LDC]

**AHAC Recommendation:** Maintain the current practice.

(f) The reduction of parking and setback requirements for affordable housing.

Current Practice: The LDC does not address this specific issue. However, it does allow a permit applicant the ability to file a request of the Parking Standards Committee for reduction to the parking requirements based upon data supporting such a request. A deviation may also be requested for consideration of relaxing setbacks. (Article VII, Division 5, Subdivision III of the LDC – Parking and Loading Standards; Section 10-1.106 of the LDC)

**AHAC Recommendation:** Maintain the current protocol.

(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Current Practice: Many zoning districts already provide for zero-lot-line development patterns. The Department of Development Support & Environmental Management staff provides flexibility in design in order to reduce impervious surface area consistent with Low Impact Design ordinance and to identify other efficiencies. (Sections 10-7.502 and 10-4.308 of the LDC)

**AHAC Recommendation:** Maintain the current protocol.

(h) The modification of street requirements for affordable housing.

Current Practice: Street requirements for affordable housing are not different than for other types of housing development. Uniformity of roadways can help to minimize negative views of affordable housing. Emergency vehicles require the same mobility in affordable housing developments as in others.

**AHAC Recommendation:** Maintain the current protocol.

(i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Current Practice: County staff conducts collaborative evaluation (Department of Development Services & Environmental Management, Human Services and Community Partnerships & Public Works) of potential impactful policies, procedures, ordinances, regulations, or plans.

**AHAC Recommendation:** Maintain the current practice.

(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Current Practice: County staff prepares, and makes available to the public, a printable inventory of County-owned lands suitable for affordable housing.

**AHAC Recommendation:** Maintain the current protocol.

(k) The support of development near transportation hubs and major employment centers and mixed-use developments.

Current Practice: Applicable zoning districts such as the Mahan Corridor, the Lake Protection Node districts, and others are designed to promote this incentive by providing mixed use development patterns centered near major intersections. These zoning districts are intended to accomplish several goals including, but not limited to: providing convenience goods to area residents within a short distance of home, maximizing infrastructure, minimizing automobile dependency, promoting transit, and facilitating compatibility with nearby neighborhoods. (Sections 10-6.654.1 and 10-6.660 of the LDC)

**AHAC Recommendation:** Maintain the current protocol.

## **ADDITIONAL RECOMMENDATIONS**

From review and evaluation of County ordinances, regulations, comprehensive plan, policies, and procedures, the Committee makes the following, additional recommendations to the Board for consideration of incorporation into its housing program strategy:

### **Inclusionary Housing Policy**

Inclusionary housing policy (IHP) requires that a percentage of new housing units within a market rate development be set aside at an affordable rate for low- to moderate income households. IHP can be classified as one of two types: mandatory or voluntary. Mandatory IHP requires developers to provide a set number or percentage of affordable housing units or allow a developer to contribute to a housing fund in lieu of building affordable housing units, while Voluntary IHP offers incentives such as density bonuses, fee waivers, and expediting permitting to encourage the development of affordable and/or workforce housing.

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. 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 the County's voluntary program by which the provision of affordable units is incentivized.

The voluntary incentive program found in the Comp Plan is implemented through Section 10-7.402 of the LDC, which allows for reduced review thresholds for site plan review and permit cost savings if 50% or more of the residential units within a proposed development meet the criteria of affordable housing. To date, no developer has utilized this incentive.

### Current City of Tallahassee Ordinance

In 2005, the City adopted a mandatory inclusionary housing ordinance (Ordinance) as required by the Tallahassee-Leon County Comprehensive Plan. The Ordinance applies to developments in those portions of the City where average household income levels are above the area median income (\$76,400 annually for a family of four). 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. Since the City's establishment of the Ordinance, only the Canopy Planned Unit Development (PUD) located on Welaunee Boulevard has been required to produce affordable units, and it is expected to provide a total of 67 single-family inclusionary housing units at project completion.

### City of Tallahassee Affordable Housing Advisory Committee Recommendations

At this time, the City's inclusionary housing requirement currently does not apply to multifamily housing developments (e.g. duplexes, townhouses, apartments, etc.); however, at the May 24, 2021 Joint AHAC Meeting, the City AHAC voted to recommend to the City Commission that multifamily developments be added to the City's Ordinance as well as to reduce the 50 unit threshold to 20. Additionally, at the August 23, 2021 Joint AHAC Meeting, the City AHAC unanimously approved to recommend to the City Commission the development of a comprehensive countywide City-County IHP and that the Ordinance no longer be limited to portions of the community where income levels are above the area median income.

**AHAC Recommendation:** Adopt a uniform inclusionary housing policy, applicable within the urban services area (unincorporated and City), mirroring the City AHAC's recommendations on their established Inclusionary Housing Ordinance which, as a result, would require residential developments (single and multifamily) that exceed 20 units to set aside no less than 10% of units for households earning no more than the area median income no matter the average income level of the area where the development is constructed.

**AHAC Recommendation:** Evaluate incentives including, but not limited to, increased density bonuses to offset the costs to developers imposed by the establishment of a mandatory inclusionary housing policy.

## **Tallahassee-Leon County Comprehensive Plan**

According to the Tallahassee-Leon County Planning Department, the Comprehensive Plan is a translation of community values and aspirations into public policy. The Plan includes Goals, Objectives, and Policies intended to guide economic, social, physical, environmental, and fiscal development of the community over the next 20-30 years. To ensure a unified vision, the Tallahassee-Leon County Comprehensive Plan is a joint document adopted by both the City of Tallahassee and Leon County.

Tallahassee and Leon County jointly developed their first comprehensive plan in 1981. As a result of State growth management legislation, the Tallahassee-Leon County Comprehensive Plan was rewritten in 1990. The Comprehensive Plan is a dynamic document and can be amended on an annual basis.

### Housing Element

During the Committee's due diligence, the Comprehensive Plan, the Comprehensive Plan-Land Use Element and Mobility Elements, and the Comprehensive Plan-Housing Element were reviewed. The

AHAC was briefed by Tallahassee-Leon County Planning Department staff on the actions taken by the Board and City Commission at the April 2021 Joint Workshop, including direction that staff move forward with developing and releasing a Request for Proposal to identify a consultant to update the Land Use and Mobility Element, with the option for additional Comprehensive Plan Elements to be updated under the same contract at the direction of the Board and City Commission. At the time of the briefing, Planning staff estimated that the approval of the selected consultant would occur late in 2021 and the expected work to be completed late in 2023.

**AHAC Recommendation:** Update the Housing Element of the Comprehensive Plan concurrently with the Land Use and Mobility Element.

## **Local Housing Assistance Plan**

Every local government participating in SHIP is required to have an active Florida Housing Finance Corporation-approved Local Housing Assistance Plan (LHAP). Generally, local governments submit LHAPs by May 2 once every three years, covering the three state fiscal years beginning July 1 of the year the plan is submitted. LHAPs are designed to detail how each local government will expend SHIP funds allocated to them for each of the three fiscal years.

### Home Rehabilitation & Home Replacement Program Implementation

The SHIP funded Home Rehabilitation program is designed to provide owner-occupied households assistance with repairs for health, safety, insurability, correction of code violations, structural improvements, accessibility rehabilitation, water and sewer connections (including tap fees), and to prepare for future disasters. If the County finds that rehabilitation of the home is expected to surpass 50% of the current value of the home, staff considers implementing the Home Replacement program, which constitutes demolition and reconstruction of the home.

The Home Rehabilitation & Home Replacement programs currently have a waitlist of over 100 households, all of whom will need to be qualified as eligible due to SHIP program rules. Due to its size, the waitlist is currently closed. In order to determine the next household on the waitlist to be served, staff must verify income and other information impacting prioritization based upon criteria established in the LHAP, which requires significant effort on the part of both the applicant and staff and may not lead to a completed project.

Limited funding due to legislative sweeps of the State Housing Trust Fund (totaling nearly \$4 million when compared to full funding) over the past several years has greatly limited the number of waitlisted homes that can receive a comprehensive rehabilitation. Although the County will receive \$673,269 in SHIP funds for FY 2022, estimations indicate that it would take at least 10 additional years of funding at FY 2022 levels to serve all the households on the waitlist if other programs such as Down Payment Assistance and the Emergency Home Repair were not funded.

Due to limited resources, the extensive waitlist and to ensure the community's most vulnerable live in a home that is safe, accessible, and supports aging in place, the following recommendations are submitted to the Board for consideration:

**AHAC Recommendation:** Require applicants (or household members) of the Home Rehabilitation & Replacement programs to meet the Special Needs set aside established in Florida Statutes or be 55 years of age or older.

**AHAC Recommendation:** Eliminate the Home Rehabilitation & Home Replacement waitlist and direct staff to contact each waitlisted applicant to invite them to apply as soon as possible following Board approval. A new waitlist should not be created.

#### Increase to Maximum Award Amounts for Construction Related Activities

Since the start of the COVID-19 pandemic, construction costs have increased exponentially, including a significant spike in 2021. Though the recent drop in lumber prices on the open market is encouraging, the cost of petroleum-based products (plastics, PVC pipe, etc.) and other building materials has been increasing at a steady pace. For example, costs of home demolition and reconstruction projects completed by the County's construction contracting partners in 2021 on behalf of other local governments in the Big Bend area cost more than 15% above current Leon County Home Replacement program limits. Additionally, recent inflationary pressures on all goods and services, not just building materials, have contributed to prices remaining high in the latter half of 2021.

It is plausible that the cost of construction materials will not return to 2020 levels in 2022 and as such, the following recommendations are submitted to the Board for consideration to increase the spending limits for programs that involve construction (other than Emergency Home Repairs, which was sufficiently increased in 2021):

**AHAC Recommendation:** Increase the maximum limits for Owner Occupied programs due to increases in construction costs as follows:

- Home Rehabilitation - Up to \$75,000 from up to \$60,000;
- Home Replacement - Up to \$200,000 from up to \$150,000;
- Home Ownership Development. - Up to \$75,000 from up to \$50,000 (\$40,000 for non-Community Land Trust homes).

**AHAC Recommendation:** Increase the maximum limits for the Down Payment Assistance program, which varies by income category and activity to meet set-aside requirements, for New Construction and Rehabilitated Homes (as defined in Florida Administrative Code) due to increases in construction costs as follows:

- Increase the assistance for Very Low- & Low-income households (less than 80% of area median income) to up to \$25,000 from up to \$15,000 currently;
- Increase the assistance for Moderate income households (80.1%-120% of area median income) to up to \$20,000 from up to \$10,000.

**AHAC Recommendation:** Increase the maximum limits for the Rental Development-Single Family program due to increases in construction costs as follows:

- Up to \$50,000 per unit for Non-homeless from up to \$20,000;
- Up to \$75,000 per unit for Special Needs & Homeless from up to \$30,000 for Special Needs and \$50,000 for Homeless.

#### Multifamily Rental Development

In order to be considered for funding via 9% Low Income Housing Tax Credits, which is administered by the Florida Housing Finance Corporation, a proposed multifamily development must obtain a commitment of financial support from the local government in which the development is located, known as the Local Government Area of Opportunity Funding (LGAOF).

As established in the Interlocal Agreement between Leon County and the Housing Finance Authority of Leon County (HFA), the HFA considers applications for the LGAOF on the County's behalf and provides a recommendation to the Board on a development to select to provide the necessary funding.

SHIP funds may be used for the LGAOF but must meet applicable rules and expenditure deadlines. Currently, the LHAP limits funding for the development of rental housing at \$300,000; however, in 2021, \$460,000 was required to meet the LGAOF requirement and as such the following recommendation is submitted to the Board for consideration:

**AHAC Recommendation:** Add language to the multifamily rental development maximum amount so that the required Local Government Area of Opportunity Funding (LGAOF) amount is allowed. For example, "Leon County may use SHIP funds to meet the minimum LGAOF requirement regardless of the maximum amount indicated for this program."

## **COMMITTEE ADOPTION OF THE 2021 REPORT**

The Committee formally adopted the report of recommendations by affirmative vote of a majority of the membership present at a public hearing on November 10, 2021. Notice of the public hearing to adopt the final report was published in the *Tallahassee Democrat* (Exhibit A) Saturday, October 30, 2021 and was posted on the County's website. The notice included how interested persons could obtain a copy of the final report.

## **PLAN FOR IMPLEMENTATION**

At the December 14, 2021 County Commission meeting, Commissioners will consider acceptance of the AHAC's report to comply with the state-mandated December 31, 2021 deadline. As required by SHIP Statutes, the County Commission must review and discuss the Committee's recommendations and vote to adopt the recommendations they plan to implement within 90 days of receipt. County Commissioners may adopt to implement any AHAC recommendations into policy or regulatory documents, including amending the appropriate LHAP to include new affordable housing incentive strategies.

# TALLAHASSEE DEMOCRAT

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### NOTICE OF PUBLIC HEARING

Attn: PATTI P  
BOARD OF COUNTY COMMISSIONERS  
1800 N BLAIR STONE RD STE 3  
TALLAHASSEE, FL 32308

Notice is hereby given that the Leon County Affordable Housing Advisory Committee (AHAC) will hold a public hearing on **Wednesday, November 10, 2021, at 10:00 a.m.** in the Auditorium of the Leon County Agricultural Center, located at 615 Paul Russell Road to adopt a report of recommendations regarding local housing incentives to be presented to the Board of County Commissioners.

The following substantive recommendations as well as recommendations that address Section 420.9076 (4) (a)-(k), Florida Statutes, are included in the report of recommendations to be considered at the public hearing:

- **Inclusionary Housing Policy Recommendation:** Adopt a uniform inclusionary housing policy, applicable within the urban services area (unincorporated and City), that mirrors the City AHAC's recommendations on the established City Inclusionary Housing Ordinance which, as a result, would require residential developments (single and multifamily) that exceed 20 units to set aside no less than 10% of units for households earning no more than the area median income no matter the average income level of the area where the development is constructed.
- **Inclusionary Housing Policy Recommendation:** Evaluate incentives including, but not limited to, increased density bonuses to offset the costs to developers imposed by the establishment of a mandatory inclusionary housing policy.
- **Comprehensive Plan- Housing Element Recommendation:** Update the Leon County Housing Element of the Comprehensive Plan concurrently with the Land Use and Mobility Element.
- **Home Rehabilitation & Replacement Eligibility Criteria Recommendation:** Require applicants (or household members) to meet the Special Needs set aside established in Florida Statutes or be 55 years of age or older due to limited funding and to ensure the community's most vulnerable receive the needed home rehabilitation to support aging in place.
- **Home Rehabilitation & Replacement Waitlist Recommendation:** Eliminate the waitlist and direct staff to contact each waitlisted applicant and invite them to apply as soon as possible following Board approval. A new waitlist should not be created.
- **Increase Maximum Award Amounts Recommendation:** Increase the maximum limits for construction related activities including Owner Occupied, Homebuyer, and Rental Development programs.

STATE OF FLORIDA COUNTY OF LEON:  
Before the undersigned authority personally appeared, who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

### NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

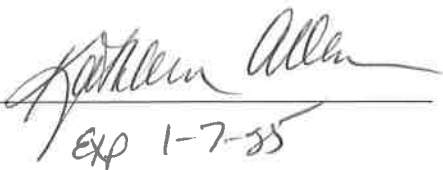
10/30/2021

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 3th of November 2021, by who is personally known to me.



Affiant



EXP 1-7-25

Notary

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

The AHAC will take public comment at the public hearing. For more specific information about the proposed recommendations, or to obtain a copy of the draft 2021 Report of Recommendations, please visit [www.LeonCountyFL.gov/Housing](http://www.LeonCountyFL.gov/Housing); or email [HSCP-HousingServices@LeonCountyFL.gov](mailto:HSCP-HousingServices@LeonCountyFL.gov); or visit the Division of Housing Services at 615 Paul Russell Road during regular business hours (Mon-Fri 8am-5pm). Please note that additional recommendations may be presented and adopted at this public hearing.

NOTICE: PLEASE BE ADVISED that if a person decides to appeal any decision made by the AHAC with respect to any matter considered at this hearing, such person will need a record of these proceedings; and, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based. The AHAC does not provide or prepare such a record. See Section 286.0105, F. S.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this public meeting should contact Matthew Wyman by written request to [HSCP-HousingServices@LeonCountyFL.gov](mailto:HSCP-HousingServices@LeonCountyFL.gov) at least 48 hours prior to the proceeding, or call 850-606-1900, 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service. Any non-English speaking person wishing to attend the meeting should contact Matthew Wyman at least five days prior to the hearing and an interpreter will be provided. (La información y los materiales del programa están disponibles en español a pedido.)

PUBLICATION: 10/30/2021