

Alachua County Board of County Commissioners
Special Meeting
Tuesday, September 17, 2019

Affordable Housing “Linkage Fees” and Impact of New 2019 Law on Inclusionary Housing (HB7103/Ch. 2019-165, Laws of Florida)

Focus of this discussion

- What is the impact of new law/what are approaches to complying with new law?
 - Does Board wish to proceed with further development necessary to implement the direction on April 2, 2019?
- I. Summary of BoCC Directive (From April 2, 2019)
- a. Prepare comprehensive plan amendment requiring new developments to provide a percentage of workforce/affordable housing or pay a “linkage” fee sufficient to provide affordable housing in another location in cooperation with local housing providers
 - b. Prepare a Nexus Study
 - c. Register Alachua County’s opposition to SB 1730/HB 7103
 - d. Send a Chair letter to City of Gainesville to inform them that the County is reconsidering affordable housing and requesting the City staff to work with County staff to identify opportunities for cooperation
- II. New Law
- (Chapter 2019-165 Section (1))
- 125.01055 Affordable housing.—
- 1. Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.
 - 2. An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units. However, in exchange, a county must provide incentives to fully offset all costs to the developer of its affordable housing contribution. Such incentives may include, but are not limited to:

- a. Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;
- b. Reducing or waiving fees, such as impact fees or water and sewer charges; or
- c. Granting other incentives.

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(Chapter 2019-165 Section (5))

163.31801 Impact fees . . .–

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- 8. A county, municipality, or special district may provide an exception or waiver for an impact fee for the development or construction of housing that is affordable, as defined in s. 420.9071. If a county, municipality, or special district provides such an exception or waiver, it is not required to use any revenues to offset the impact.