

# **Alachua County, FL**

12 SE 1st Street  
Gainesville, Florida



## **Meeting Agenda - Final**

**Tuesday, September 17, 2019**

**1:30 PM**

**Grace Knight Conference Room**

### **Special Meeting**

12 SE 1st Street ■ Gainesville, Florida 32601 ■ Tel. (352) 264-6900 ■ Fax (352) 338-7363 ■ TDD call 711 Relay  
Commissioners' E-Mail: [bocc@alachuacounty.us](mailto:bocc@alachuacounty.us) ■ Home Page: [www.alachuacounty.us](http://www.alachuacounty.us)  
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**Approval of Agenda****Items for Discussion**

1.     [19-0250](#)   Community Agency Partnership Program (CAPP) Policy Discussion  
      *Fiscal Consideration:* n/a  
      *Recommended Action:* Provide staff direction on key policy issues  
                                  [CAPP Policy Questions for 09032019 BoCC Meeting.pdf](#)  
                                  [CAPP Process for 09032019 BoCC Meeting.pdf](#)
  
2.     [19-0310](#)   Affordable Housing “Linkage Fees” and Impact of New Law on  
                          Inclusionary Housing (HB 7103/Ch. 2019-165, Laws of Florida)  
      *Fiscal Consideration:* N/A  
      *Recommended Action:* Direct staff to work with local housing providers to develop needed  
                                  cost and other data and bring back recommendations for the  
                                  components of an inclusionary housing program for a policy  
                                  discussion.  
                                  [BoCC-Backup-Material-Affordable Housing-9-17-2019.pdf](#)  
                                  [Engagement Survey-AffordableHousing-9-17-2019.pdf](#)  
                                  [Presentation Aff Hsg BoCC 9-17-19 0911 2pm \(002\).pdf](#)

**Closing Comments**

Public Comment

Commission Comment

**Adjourn**



## Agenda Item Summary

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Agenda Date: 9/17/2019

Agenda Item No.: 1.

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**Agenda Item Name:**

Community Agency Partnership Program (CAPP) Policy Discussion

**Presenter:**

Claudia Tuck 352-231-0058

**Description:**

Commissioners to discuss and provide staff direction on key policy issues related to CAPP.

**Recommended Action:**

Provide staff direction on key policy issues

**Prior Board Motions:**

n/a

**Fiscal Consideration:**

n/a

**Background:**

At previous regular and special Board of County Commission meetings, Commissioners have briefly discussed and identified issues related to CAPP including but not limited to:

- Coordination with the newly created Children's Trust of Alachua County regarding:
  - Identified needs and gaps in children's programming
  - Planned programs and services
  - Funding plans and priorities
- Broadening the scope of CAPP to include other priorities
- Ensuring a broader range of organizations are eligible to apply for CAPP funding

# **CAPP Policy Considerations**

1. Revise the CAPP mission statement?

a. Current CAPP Mission Statement

“To reduce the impact of poverty among residents by funding 501(c)(3) organizations that provide basic needs services to eligible agency clients.”

b. Possible Mission Statement

Building partnerships to facilitate resiliency, social equity, sustainability, and self-sufficiency for Alachua County residents to alleviate and prevent generational poverty.

2. Expand funding priorities, e.g., family stability, financial education, job training, rural community support, self-sufficiency; expanded programs for seniors, aging in place, fraud and exploitation prevention; disabled citizens programs such as independent living and mental health services

3. Reserve a portion of CAPP funding for annual one-time grants for programs that would not ordinarily qualify for CAPP funding:

- a. Innovation: new programs/collaborative efforts (no one year service history required)
- b. Capital: one-time equipment purchases or facility enhancements
- c. Quality Improvement: professional development, grant writing training, governance

4. In order to match appropriation to funding awards reduce the percentage of award equally across all programs, restrict agencies to one application, cap the maximum award, or reduce the number of awards

5. Focus on 1-2 key areas of need per funding cycle and encourage agencies to collaborate for funding?

6. In order to cast a wider net for programs, request a simple “letter of intent” describing the agency’s concept and identified community need?

7. Allow funds to be used for infrastructure and/or system enhancements to improve quality?

8. Should eligible applicants expand to include not just 501(c)3 but also private/public partnerships? Governmental entities?

## **CAPP Process**

- Requested feedback from funded agencies
- Streamlined application and reporting requirements
- Simplified payment process using unit of service cost rather than cost reimbursement
- Multi-year contract to increase funding stability for grantees
- Currently funds 28 agencies and 37 programs.
- Allocations recommended by grant review committee; amounts determined via formula based on amount requested by the agency. Funding is contingent on number of recommended programs and the amount of funding requested.
- Current Funding priorities are Children's Education, Child Safety, Disabilities/Health Maintenance, Homeless/Housing, Hunger Relief, and Senior Citizens.



## Agenda Item Summary

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Agenda Date: 9/17/2019

Agenda Item No.: 2.

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**Agenda Item Name:**

Affordable Housing “Linkage Fees” and Impact of New Law on Inclusionary Housing (HB 7103/Ch. 2019-165, Laws of Florida)

**Presenter:**

Ivy Bell

**Description:**

This presentation will provide information on how recent legislation (signed into law in June 2019) impacts the establishment of linkage fees for affordable housing by local governments.

**Recommended Action:**

Direct staff to work with local housing providers to develop needed cost and other data and bring back recommendations for the components of an inclusionary housing program for a policy discussion.

**Prior Board Motions:**

From April 2, 2019: 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; prepare a Nexus Study; register County’s opposition to SB1730/HB 7103; and prepare Chair letter to City of Gainesville to inform that the County is re-looking at affordable housing and requesting City staff work with County staff to identify opportunities for cooperation.

**Fiscal Consideration:**

N/A

**Background:**

At the April 2, 2019 special Board of County Commissioners meeting regarding the evaluation and appraisal of the comprehensive plan, specifically during the discussion of the Housing Element, the Board directed staff to prepare a 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. Staff became aware of pending legislation (SB 1730/HB 7103) which directly impacted the ability of local governments to establish inclusionary housing policies as well as linkage fees for funding affordable housing. That legislation was passed and subsequently signed into law.

**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.

...

(Chapter 2019-165 Section (5))

163.31801 Impact fees . . .–

...

- 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.



# Engagement Survey

1. In regard to this item being submitted to the agenda, has County staff engaged with the stakeholders in a way that allowed input/ feedback to be shared?

Yes, please fill out the remainder of this form

No, please explain why: \_\_\_\_\_  
*(If no, there is no need to continue filling out this form)*

2. Please provide the following information for each method of engagement used by County staff. *(Please write N/A for any items that are not applicable)*

ENGAGEMENT ACTIVITY	QUANTITY	DATE(S)	LOCATION(S)	WAS COMMUNITY INPUT RECORDED
<b>HOSTED BY COUNTY</b>	_____	_____	_____	_____
<b>HOSTED WITH STAKEHOLDERS</b>	_____	_____	_____	_____
<b>SURVEYS</b>	_____	_____	_____	_____
<b>INTERVIEWS</b>	_____	_____	_____	_____
<b>FOCUS GROUPS</b>	_____	_____	_____	_____
<b>OTHER</b>	_____	_____	_____	_____

3. Please indicate what communication/ outreach was used to inform the public about your engagement activities. *(Select all that apply)*

Email  
 Letter from Mayor/Commission  
 Mailers  
 Phone calls  
 Print media (flyers, posters)  
 Social Media  
 Website  
 Other: \_\_\_\_\_

4. How has stakeholder input/ feedback been incorporated into the recommendations being presented to the County Commission?



# **Affordable Housing “Linkage Fees” and Impact of New Law**

***Board of County Commissioners Special Meeting  
September 17, 2019***

# BOCC MOTION FROM APRIL 2, 2019

- 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
- Prepare a Nexus Study
- County registers opposition to SB 1730/HB 7103
- Chair letter to City of Gainesville to inform that the County is relooking at affordable housing and requesting City work with County staff to identify opportunities for cooperation

## SUBSEQUENT TO APRIL 2, 2019

- Florida Legislative process resulted in Ch 2019-165 (Committee substitute for HB 7103)
- Approved by Governor June 28, 2019

## FOCUS OF THIS DISCUSSION

- What is impact of new law/approaches to complying
- Does Board wish to proceed with further development of Inclusionary Housing Program?

# PRESENTATION OUTLINE

- New Law and Its Requirements
- Affordable Housing Definition / Local Housing Data
- Approaches to Inclusionary Housing in accordance with new law

# NEW LAW

## (CHAPTER 2019-165 SECTION (1))

- (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.

## NEW LAW

### (CHAPTER 2019-165 SECTION (1))

- Inclusionary housing ordinance may require developer to:
  - Provide specified number or percentage of affordable units or allow developer to:
    - Contribute to a housing fund or other alternatives in lieu of building the affordable housing units
- In exchange, a county must:
  - Provide incentives to fully offset all costs to developer of its affordable housing contribution

Continued . . .

# NEW LAW

## (CHAPTER 2019-165 SECTION (1))

- Incentives may include:
  - Allowing developer density or intensity bonuses
  - Reducing or waiving fees
  - Granting other incentives
- Also added specifics on rational nexus to Florida Impact Fee Act; also “allowed exception or waiver of impact fees for affordable housing” and local government “is not required to use any revenues to offset the impact”



# INCLUSIONARY HOUSING COMPONENTS

- Nexus study
- Specific areas v. whole jurisdiction
- Development threshold
- Implementation point (eg, plan amendment, rezoning, development plan approval)
- Target income levels & housing units price/rents
- Percentage of units to set-aside or mitigation options
- Incentives to compensate developers of affordable housing
- Control Period
- Comparable design standards
- Affordable housing development plan
- Qualification of buyers and tracking resales
- Managing Housing Trust Fund

# AFFORDABLE HOUSING DEFINITION

- Monthly rent or mortgage payments (including insurance and taxes) do not exceed 30% of household income for moderate-income, low-income, and very low-income households.

# WORKFORCE HOUSING

Housing for necessary occupational fields, such as, but not limited to, education, government, health care and retail services

- E.g., housing affordable to households in the range from 61-140% of Area Median Income (Town of Jupiter, FL Ordinance)

# AFFORDABLE HOUSING

<b>2019 Income Limits Florida Housing Finance Corporation SHIP Program – Alachua County area</b>					
	<b>Income Limit by Number of Persons in Household (\$)</b>				
<b>Percent of AMI*</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>120% (Moderate)</b>	59,760	68,280	76,800	85,320	92,160
<b>80% (Low)</b>	39,850	45,550	51,250	56,900	61,500
<b>50% (Very Low)</b>	24,900	28,450	32,000	35,550	38,400
<b>30% (Extremely Low)</b>	14,950	17,100	21,330	25,750	30,170

\* AMI – Area Median Income for Gainesville MSA

# ***AFFORDABLE HOUSING***

**Adjusted for Family of 3**

<b>Percent of AMI</b>	<b>Annual Household Income (\$)</b>	<b>Buying Power (\$)</b>
<b>120% (Moderate)</b>	76,800	230,400
<b>80% (Low)</b>	51,250	153,750
<b>50% (Very Low)</b>	32,000	96,000
<b>30% (Extremely Low)</b>	21,330	63,990

# AFFORDABLE HOUSING

Florida Housing Rent Limits, 2019 (\$)								
	AMI Category	0 Bedroom Limit	1 Bedroom Limit	2 Bedroom Limit	3 Bedroom Limit	4 Bedroom Limit		
Alachua County	30%	373	400	533	699	864		
	50%	622	666	800	924	1,031		
	80%	996	1,067	1,281	1,480	1,651		
	120%	1,494	1,600	1,920	2,218	2,475		
Source: Florida Housing Finance Corporation, 2019 Combined Income and Rent Limits by County								

## KEY QUESTION

- What are “costs to the developer of its affordable housing contribution” that must be “fully offset” in accordance with the new law?
- The cost of a developer’s affordable housing contribution will depend on various factors

# FACTORS THAT WILL AFFECT COST OF AFFORDABLE HOUSING CONTRIBUTION

- Price/affordability level
- Percent of units required to be affordable
- Form of contribution
  - Affordable units included in development
    - Construction of units (or provision of land or lots to affordable builder)
  - Contribution in lieu of affordable units in development
- Components of development cost



# COMPONENTS OF DEVELOPMENT COST

- Size and other aspects of units
- Land price
- Lot sizes
- Site work, streets, utilities, stormwater, amenities
- Approvals, permitting, and fees
- Construction costs
- Other (administration, consultants)
- Financing/return on investment
- Subsidies

# FEE IN LIEU

Review of some inclusionary ordinances in Florida indicates:

- Dollar amounts of fees in lieu for required affordable units not built in development varies widely among jurisdictions; total amounts of fees for developments of the same size depends on factors such as percent of units required to be affordable, target household income ranges, and other factors built into specific ordinances
- Develop fee for Alachua County in consultation with local affordable providers based on fee necessary to enable them to provide equivalent affordable units

## KEY QUESTION

What are potential incentives to fully offset the cost of the developer's contribution?

- Allow developer density bonus more than allowed under current or proposed future land use or zoning
- Waiver of impact fees or other fees
- Other incentives

## RECOMMENDATION

If Board wishes to proceed with development of approaches to inclusionary housing in accordance with new law, direct staff to work with local housing providers to develop needed cost and other data and bring back recommendations for components of an inclusionary housing program for a policy discussion.

## *AFFORDABLE HOUSING*

# **BOARD DISCUSSION & DIRECTION**



## FOR MORE INFORMATION

**Alachua County**  
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