



City of Pensacola

Affordable Housing Advisory Committee

Agenda

City of Pensacola
222 W. Main Street
Pensacola, FL 32502

November 12, 2024, 9:00 AM

Vince Whibbs Conference Room, 1st Floor,
City Hall

The meeting can be watched via live stream at cityofpensacola.com/video.

CALL TO ORDER

ROLL CALL

PROOF OF PUBLICATION

APPROVAL OF MINUTES

PRESENTATIONS

ACTION ITEMS

1. 24-1059 SHIP INCENTIVE REPORTS APPROVAL

Recommendation:

Sponsors:

Attachments: None

DISCUSSION ITEMS

PUBLIC COMMENT

ANNOUNCEMENT/WRITTEN COMMUNICATION

ADJOURNMENT

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**ESCAMBIA COUNTY
AFFORDABLE HOUSING INCENTIVE PLAN REVIEW
BY
ESCAMBIA/PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE**

1. BACKGROUND

The Sadowski Affordable Housing Act as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act, including, but not limited to, the local use of SHIP funds in support of affordable housing activities. The Escambia-Pensacola Affordable Housing Advisory Committee (AHAC), established by resolution and Interlocal Agreement of the governing bodies of the City of Pensacola and Escambia County, and representing citizens as well as the housing industry and local government, reviewed the implementation of the Affordable Housing Incentive Plan Strategies and provided these recommended changes for the Board of County Commissioner's consideration and adoption.

2. PURPOSE

The purpose of the Incentive Plan Report is to set out the deliberations and recommendations for monetary and non-monetary incentives targeting regulatory reform with respect to affordable housing, including the evaluation of the established policies, procedures, ordinances, land development regulations and the comprehensive plan. All recommendations should encourage or facilitate the development and preservation of affordable housing (rental as well as ownership opportunities) while protecting the ability of property to appreciate in value. The Plan encompasses the specific committee action of the 2024 AHAC, all of which were then subsequently voted upon and approved at a Public Hearing on November 12, 2024. This Plan Report details existing County housing related policies/procedures to be undertaken by the County in support of affordable housing.

3. AFFORDABLE HOUSING INCENTIVES

INCENTIVE A: THE PROCESSING OF APPROVALS OF DEVELOPMENT ORDERS OR PERMITS, AS DEFINED IN S. 163.3164(7) AND (8), FOR AFFORDABLE HOUSING PROJECTS IS EXPEDITED TO A GREATER DEGREE THAN OTHER PROJECTS.

Discussion: Escambia County is continually reassessing the permitting function to improve permit processing efficiency and reduce the time required for issuing residential permits. This process incorporates specific actions that will enhance expedited processing for documented affordable housing developments/projects planned within the County. The Development Services and Building Services Departments will take the actions necessary to expedite and/or avoid delay of affordable housing developments which incorporate financing from Federal, State or community-based affordable housing

programs or initiatives. Such developments will receive review priority in accordance with provisions of the Housing Element of the Escambia County Comprehensive Plan.

The current permitting review process for single family homes or duplexes in established/platted, properly zoned subdivisions shall be generally retained as this process provides a permit issuance time of less than 4 days. In the event the permit approval time should reach a level in excess of 7 days in the future, affordable housing permit applications will be given specific priority.

Recommendation: The committee recommends that the County continue with its efficient level of permitting operations and maintain its commitment to preserve the primacy of affordable housing permits should a backlog of permits develop.

INCENTIVE B: THE MODIFICATION OF IMPACT FEE REQUIREMENTS, INCLUDING REDUCTION OF WAIVER OF FEES AND ALTERNATIVE METHODS OF FEE PAYMENT FOR AFFORDABLE HOUSING.

Discussion: The County does not have impact fee requirements. Emerald Coast Utilities Authority (ECUA), the primary local water and sewer provider in the urban area of the County, does assess impact fees. The County has worked with ECUA regarding waivers and allowances for lower income residents or with affordable housing developments and will continue to do so.

Recommendation: The incentive is being implemented in accordance with the plan and no changes are recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE C: THE ALLOWANCE OF FLEXIBILITY IN DENSITY LEVELS FOR AFFORDABLE HOUSING.

Discussion: The existing land use regulations do not currently provide for increased density. It was noted that the County must abide by 2023 Florida Senate Bill 102 and its' accompanying laws related to this topic.

Recommendation: The incentive is being implemented in accordance with the current land use plan. The AHAC recognizes that most zoning codes allow for a builder to petition for a variance to specific issues within the code and encourage the consideration of density flexibility on a case-by-case basis, with a preference given for affordable housing development.

INCENTIVE D: THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR VERY-LOW-INCOME PERSONS, LOW-INCOME PERSONS AND MODERATE- INCOME PERSONS.

Discussion: Infrastructure Capacity is not an issue for development of affordable housing within the larger urban area of the county as water, sewer (in most areas), electricity, and roadways are more than adequate for concurrency. Additionally, all areas within the

County Community Redevelopment Areas are exempt from traffic concurrency. These areas are often the focus of housing redevelopment.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE E: THE ALLOWANCE FOR AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS.

Discussion: Accessory dwellings are allowed by City and County Codes and are used frequently in both jurisdictions. There was much discussion about the County's potential adoption of Appendix Q which would allow for smaller units to be constructed. There was further discussion that took place regarding the size limitations within the County with a push to a more flexible policy that would allow for smaller designs.

Recommendation: The committee recommends that the County adopt a minimum lot size requirement of 7,500 square feet (0.172 acres) for the construction of accessory dwelling units (ADUs) across all applicable residential zoning categories. This proposed standard aligns with practices observed in numerous communities throughout Florida and is aimed at enhancing the supply of affordable housing.

INCENTIVE F: THE REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion: Currently, the County may grant a reduction in the parking requirements through its Planned Unit Development (PUD) process. Affordable housing is typically given consideration (along with site design and features) when reviewing PUDs for approval. The PUD process has been used often for residential developments with affordable set-asides and/or mixed income/mixed use developments.

Recommendation: The AHAC recognizes that most zoning codes allow for a builder to petition for a variance to specific issues within the code and encourage the consideration of flexibility with regard to this issue on a case-by-case basis, with a preference given for affordable housing development.

INCENTIVE G: THE ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS.

Discussion: The County land development code provides for the use of zero-lot-line configurations in development of residential housing. Any variation requested should be first brought to the County Planning and Zoning Office.

Recommendation: The AHAC recognizes that most zoning codes allow for a builder to petition for a variance to specific issues within the code and encourage the consideration of flexibility with regard to this issue on a case-by-case basis, with a preference given for affordable housing development.

INCENTIVE H: THE MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion: The County provides allowances for modification of street, curb and gutter, and sidewalk requirements within residential developments through its PUD process.

Recommendation: The AHAC recognizes that most zoning codes allow for a builder to petition for a variance to specific issues within the code and encourage the consideration of flexibility with regard to this issue on a case-by-case basis, with a preference given for affordable housing development.

INCENTIVE 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.

Discussion: The review process is in place in both jurisdictions. Review information and comments are provided by private builders, affordable housing organizations, or municipal development staff during a review and comment period to be taken into consideration by jurisdictional policy makers.

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE J: THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING DEVELOPMENT.

Discussion: While the County is in compliance with both the Statutory requirement associated with Incentive J and the requirement established under 2023 Florida Senate Bill 102, further discussion took place about updating this list on a more frequent basis. Discussion considered whether there was potential for process improvement and ease of getting lots into the hands of interested developers.

Recommendation #1: The committee recommends that the Escambia County Board of County Commissioners adopt a disposition policy for county-owned inventory—both those designated for affordable housing and those yet to be evaluated. This policy should include the option to donate properties to certified Community Land Trusts. This approach aims to increase the supply of affordable housing while ensuring long-term affordability for residents.

Recommendation #2: The committee recommends that the County's Surplus Property inventory list be updated and made available to the public on an annual basis.

INCENTIVE K: THE SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE DEVELOPMENTS.

Discussion: Development regulations of both jurisdictions strongly support and encourage the location of affordable housing, including a priority for mixed use/mixed income, housing near transit stops/interchanges, and employment/educational centers (urban areas).

Recommendation: This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

4. Additional Recommendations:

Recommendation #1: The committee recommends that the Escambia County Board of County Commissioners adopt the Florida Building Code Appendix Q on a county-wide basis. This recommendation aims to provide citizens and developers with alternative strategies for reducing costs and enhancing affordability.

Recommendation #2: The committee recommends that the Escambia County Board of County Commissioners explore the inclusion of Community Land Trusts in the Local Housing Assistance Plan, which serves as the guiding framework for SHIP funding. Additionally, the committee encourages the Board to direct staff to investigate innovative approaches to leverage other grant funding that could enhance the development or subsidy of homes within a Community Land Trust.

Recommendation #3: The committee recommends that the Escambia County Board of County Commissioners request Escambia County Planning and Zoning staff to track projects that come before them that are not able to be implemented due to nonconformance with current zoning and regulations.

CITY OF PENSACOLA
2024 AFFORDABLE HOUSING INCENTIVE PLAN REVIEW REPORT
ESCAMBIA/PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE

1. BACKGROUND

The Sadowski Affordable Housing Act as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act. Pensacola City Council, jointly with Escambia County Board of County Commissioners, appointed the members to serve on the Escambia-Pensacola Affordable Housing Advisory Committee (AHAC). The Escambia-Pensacola AHAC reviewed the implementation of the Affordable Housing Incentive Plan and determined the incentives are being implemented in accordance with the plan.

2. PURPOSE

The purpose of the Incentive Plan is to set out the deliberations and recommendations for monetary and non-monetary incentives targeting regulatory reform with respect to affordable housing including the evaluation of the established policies, procedures, ordinances, land development regulations and the comprehensive plan. All recommendations should encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The Plan encompasses the specific recommendations of the AHAC all of which were voted upon and approved at a Public Hearing on November 12, 2024. This Plan details existing City Housing related policies/procedures to be undertaken by the City in support of affordable housing.

3. AFFORDABLE HOUSING INCENTIVES

INCENTIVE A: THE PROCESSING OF APPROVALS OF DEVELOPMENT ORDERS OR PERMITS, AS DEFINED IN S. 163.3164(7) AND (8), FOR AFFORDABLE HOUSING PROJECTS IS EXPEDITED TO A GREATER DEGREE THAN OTHER PROJECTS.

Discussion:

The City Inspection Services Department utilizes an online application process allowing for both convenience and safety. The City Housing Department, in cooperation with the Development Services Department, offers affordable housing developers an opportunity to apply for expedited permitting. The application is available on the City of Pensacola Housing, Development Services, One-Stop Development, and Planning Department webpages. Affordable housing documentation is required to fast track the permitting application.

Recommendation:

The incentive is being implemented in accordance with the plan. The AHAC will review the incentive on an annual basis.

INCENTIVE B: THE MODIFICATION OF IMPACT FEE REQUIREMENTS, INCLUDING REDUCTION OR WAIVER OF FEES AND ALTERNATIVE METHODS OF FEE PAYMENT FOR AFFORDABLE HOUSING.

Discussion:

The City does not have impact-fee requirements. To support the creation and preserve sustainable affordable housing, the Comprehensive plan supports offering incentives for infill development, one of which is the liens waiver policy for affordable housing.

Recommendation:

This incentive is being implemented in accordance with the plan. The AHAC will review the incentive on an annual basis. Review and update the City's lien waiver policy for affordable housing.

INCENTIVE C: THE ALLOWANCE OF FLEXIBILITY IN DENSITIES FOR AFFORDABLE HOUSING.

Discussion:

The City of Pensacola Comprehensive Plan and Land Development code allow flexibility in development density for residential developments. This is generally coordinated through predevelopment review meetings with developers through the Special Planned Development (SPD) process. Section 12-3-109 of the Land Development code specifically permits a residential bonus of not more than 25% or a density transfer of up to 50% of a donor site for new affordable housing construction projects.

Recommendation:

Review the residential density bonus offering in conjunction with the City's LDC Assessment to encourage wider spread use for development of affordable housing. The current residential density bonus as written is underutilized for affordable housing development. The AHAC encourages incorporation of target income levels for this incentive as well as specific affordability periods and a clearly defined minimum percentage of units. Since this incentive must currently be approved by the Planning Board, the provision of more specific goals and guidelines will aid developers by outlining what the City wants to see and what may be approved. Additionally, revision of this section of the LDC with specific guidelines that could be approved by staff without going to the Planning Board could expedite affordable housing development.

INCENTIVE D: THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR VERY-LOW INCOME PERSONS, LOW-INCOME PERSONS, AND MODERATE-INCOME PERSONS.

Discussion:

Infrastructure capacity is not an issue for development of affordable housing within the urban area of the City as water, sewer, electricity, and roadways are more than adequate for concurrency. Additionally, all areas within the City's Community Redevelopment Areas are exempt from traffic concurrency.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review on an annual basis.

INCENTIVE E: THE ALLOWANCE OF AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS.

Discussion:

Accessory dwellings are allowed in the City of Pensacola Comprehensive Plan and Land Development Code.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE F: THE REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion:

The City may grant flexibility in setbacks through its Special Planned Development (SPD) process. Parking variances of up to 10% may be granted administratively by Development Services staff for developments that demonstrate unique circumstances.

Recommendation:

Continue the allowance of parking variances of up to 10% for developments that demonstrate unique circumstances, particularly for affordable housing developments. The AHAC discussed allowing for parking variances for ADUs in cases where the unit is within ¼ mile of public transit route and where the primary unit meets current parking requirements. The AHAC also supports the reduction of parking requirements for elderly rental developments.

INCENTIVE G: THE ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS FOR AFFORDABLE HOUSING.

Discussion:

The City Land Development Code allows for administrative waivers for flexible lot configuration and provides for the use of zero-lot-line configurations in development of residential housing.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE H: THE MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING.

Discussion:

The SPD process provides a means for a developer to present modifications for street design. Pensacola City Council adopted by Resolution No. 29-12 in support of the complete street design concept.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE 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.

Discussion:

The review process is in place within the City. Review information and comments are provided by planning staff with input, as needed, by housing and community development staff for consideration by the policy makers.

Recommendation:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE J: THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING DEVELOPMENT.

Discussion:

In accordance with F.S. 166.0451(1), as amended by the Live Local Act, on September 14, 2023 City Council adopted an updated inventory list by October 1, 2023 through Resolution 2023-059. Review and update policies related to the disposition of properties for affordable housing to provide a clear process for disposition of properties.

Recommendation:

This incentive is being implemented in accordance with the plan, with City update of the inventory in 2023. The AHAC encourages an update of the current property disposition policy for affordable housing, and to specifically include considerations for disposition to community land trusts or other shared equity models that promote long term affordability. The AHAC will review the incentive on an annual basis.

INCENTIVE K: THE SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE DEVELOPMENTS.

Discussion:

Development regulations support and encourage the location of affordable housing, including a priority for mixed use/mixed income, housing near transit stops/interchanges and employment/educational centers.

Recommendations:

This incentive is being implemented in accordance with the plan and no changes were recommended. The AHAC will review the incentive on an annual basis.

INCENTIVE L: OTHER AFFORDABLE HOUSING STRATEGIES IDENTIFIED BY THE AFFORDABLE HOUSING ADVISORY COMMITTEE.

Recommendations:

1. Provide a definition of “affordable housing” in the Land Development code, so affordable housing incentives provided by the City clearly identify targeted households.
2. Update grant policies under SHIP and HOME to permit use of grant funds in collaboration with Community Land Trusts to create permanent community housing affordability.