

MEMORANDUM

TO: Brevard County Building Construction Advisory Committee

FROM: Alan J. Woolwich, AICP, Community Planner, Brevard County Housing & Human Services Department

DATE: October 30, 2006

RE: Review of proposed Affordable/Workforce Housing Development & Incentives Ordinance in the Brevard County Code, Meeting of November 8, 2006

On May 2, 2006 the Board of County Commissioners (BOCC) held an Affordable Housing Workshop and directed the Housing and Human Services staff to create an Affordable Housing Task Force for the purpose of reviewing current policies and to identify solutions that support affordable housing production in Brevard County. During the months of June and July 2006 Housing and Human Services Department staff researched several programs throughout the state and met with County Department staff from; Planning & Zoning, Permitting & Enforcement, and Legal, for their input into the proposed "Affordable/Workforce Housing Development & Incentives Ordinance" .

During the month of August 2006 the Affordable Housing Task Force met twice to review and comment on the draft ordinance. On August 17<sup>th</sup> the Affordable Housing Council met in regular session to review the ordinance. They voted unanimously to have the Board of County Commissioners consider adoption of the Ordinance. On August 23<sup>rd</sup> the Affordable Housing Task Force moved to have the ordinance forwarded to the Board of County Commissioners for their review and consideration. On October 10, 2006 the BOCC granted permission to advertise the proposed ordinance for review in public hearing by the Local Planning Agency and the Building Construction Advisory Committee, before returning to the BOCC for final consideration of recommendations from the advisory boards and the public.

The proposed ordinance (attached) specifies incentives that are available to developers of affordable & workforce housing developments (A/WHHD) within the Brevard County Code. The voluntary incentive based process proposes a two tier approach in the creation of new housing units that are consistent with the current definitions of affordable and workforce housing, as defined in Florida Statute 420 and Administrative Code 67-37. Incentives available for the creation of affordable housing units are greater, as these need the additional incentives to be successful.

The Ordinance is intended to comply with Chapter 163 F.S. generally and specifically 163.3177(6) (f), Chapter 420 F.S. generally and specifically 420.907. F.S. and Chapter 125 F.S.,and specifically 125.379 F.S.

The incentives below are proposed to encourage development of Affordable & Workforce housing:

- Technical Assistance from a Affordable/Workforce Housing Team (AWHT)
- Permit Review Fee Refunds
- Transportation Impact Fee Deferral
- Density Bonus for Using Planned Unit Development (PUD) Concept
- Mixed Use Development Incentives In Commercial Areas
- Transfer of Development Rights (TDRS), Using PUD Concept
- Use of Nonconforming Lots for Infill Development
- Establishment of a Housing Trust Fund
- Conveyance of County Owned Surplus Properties to Nonprofit Developers
- Use of a County Recognized Land Trust
- The Use of Accessory Dwelling Units (ADUS)

Application and use of the ordinance and the incentives are voluntary, with the exception of the section entitled “Affordable Housing Stock Lost to Development”; this section is regulatory and applies to lands and properties within the unincorporated areas of Brevard County.

Adoption of the ordinance will provide a tool for staff, members of the Task Force and the public to move forward with implementing solutions to support affordable housing production in Brevard County.

**AFFORDABLE/WORKFORCE HOUSING INCENTIVE MATRIX**

<i><b>INCENTIVE</b></i>	<i><b>30% AFFORDABLE</b></i>	<i><b>15% WORKFORCE</b></i>
Transportation Impact Fee Deferral	YES (All Affordable Units Eligible )	NO
Affordable/ Workforce Housing Team & Technical Assistance	YES	YES
Development Permit Review Fee Refund for Residential Units	YES (For All Affordable Units)	YES (For All Workforce Units)
Housing Trust Fund Use	YES (Subject To Meeting Location Criteria & Fund Availability)	NO
Density Bonus, Using PUD Concepts	YES (Up to 25%, Subject To Meeting Location Criteria)	YES (Up to 15%, Subject To Meeting Location Criteria)
Transfer of Development Rights, Using PUD Concepts (Applicability determined on a case-by-case basis)	YES (Subject To Meeting Location Criteria)	NO