

# Affordable Housing Advisory Committee (AHAC) Orientation Part 2

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[www.flhousing.org](http://www.flhousing.org)



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# Our Thanks to the Florida Housing Catalyst Program



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# About the Florida Housing Coalition

- Statewide nonprofit organization that is primarily a training and technical assistance provider to local governments and nonprofits on all things affordable housing
- Our work covers:
  - Compliance with local, state, and federal affordable housing programs
  - Affordable housing program design
  - Capacity building for nonprofit housing providers
  - Land use planning for affordable housing
  - Research & data gathering

# FHC Presenters



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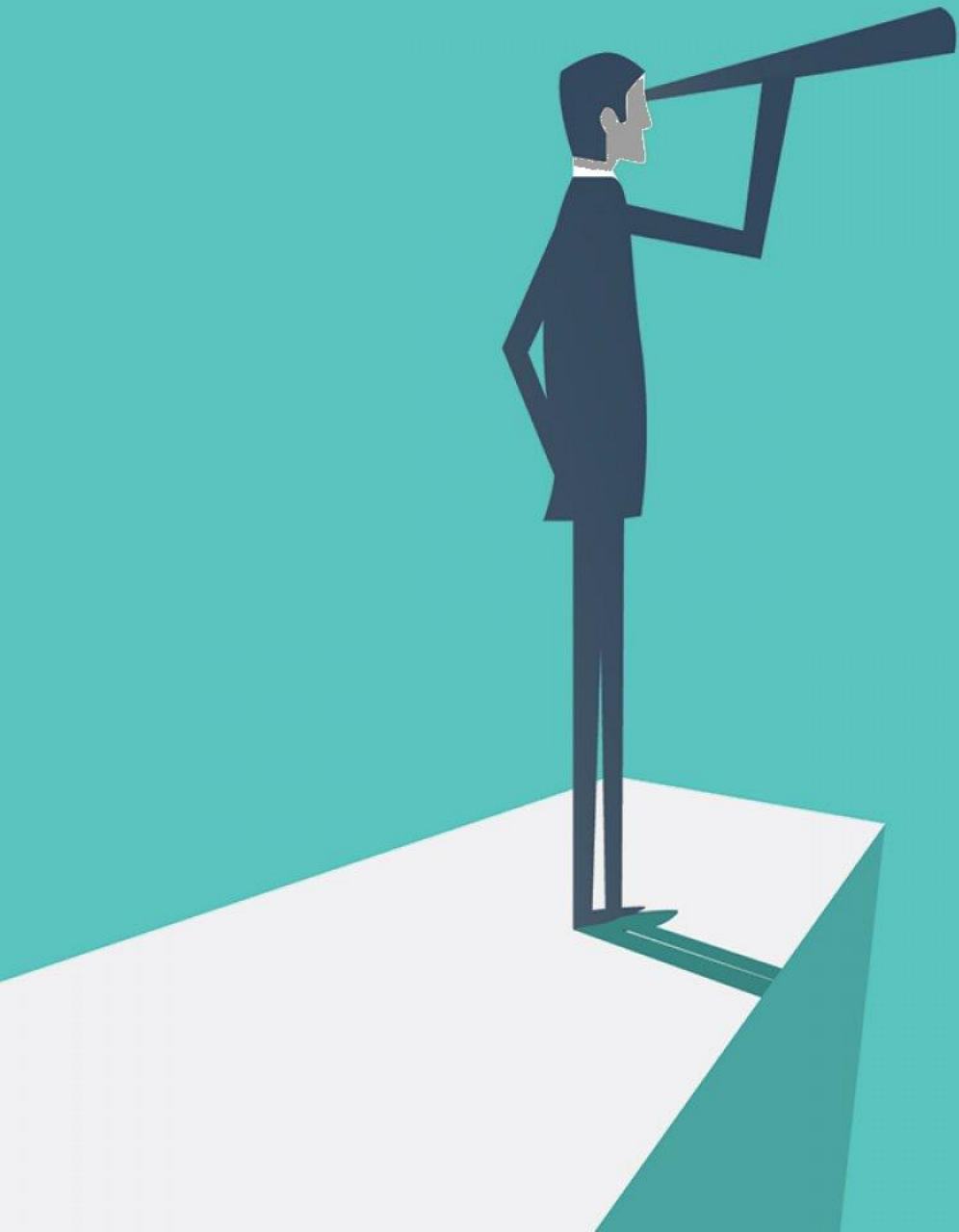


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# Webinar Logistics

- All participants are on mute
- Please type in your questions and comments into the chat
- We will not identify who has asked a question unless the question is made public
- Webinar is recorded
- PPT is provided as a handout
- For follow-up information or problems downloading handouts, please contact: [glazer@flhousing.org](mailto:glazer@flhousing.org)





# Topics Covered Today

- Discussion of AHAC incentive strategies
  - Flexibility in densities
  - Parking & setback requirements
  - Flexible lot configurations
  - Accessory dwelling units (ADUs)
  - Transit-oriented & mixed-use development
  - Infrastructure capacity



# Recordings to Review

- **AHAC Orientation:**  
<https://vimeo.com/748903982>
- **Expedited Permitting:**  
<https://vimeo.com/748474488>
- **Ongoing Review:**  
<https://vimeo.com/748479233>
- **Inventory of Surplus Lands:**  
<https://vimeo.com/748477233>
- **Fee Waivers:**  
<https://vimeo.com/748476056>
- **Street Modifications:**  
<https://vimeo.com/748478083>



# Discussion of Incentives & Recommendations

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# Affordable Housing Incentive Strategies - 420.9076(4)

- Each AHAC must submit a report to the local governing body, Florida Housing Finance Corporation, and the Florida Housing Coalition that includes recommendations and the evaluation of at least 11 specified affordable housing incentives.
- All recommendations must be *considered* by the local government but only two are required to be *implemented* in the Local Housing Assistance Plan (LHAP).

# The AHAC can be a Catalyst for Regulatory Reform

- Local government cannot control every cost of development, but it can control the costs associated with its local regulation.
- These incentives are designed to encourage local government to consider how its policies affect the cost of housing development and in turn, housing affordability.
- Each incentive will be highly localized – there is no one-size fits all method for encouraging & facilitating the development of affordable housing.

# The AHAC Incentives. 420.9076(4)

Expedited Permitting*	Fee Waivers	Flexibility in densities
Reservation of infrastructure capacity	Affordable accessory residential units	Reduction of parking and setback requirements
Flexible lot configurations	Modification of street requirements	Housing impact statement*
Inventory of publicly owned lands suitable for affordable housing	Support of development near transportation hubs, major employment centers, and mixed-use developments	

\*Required incentive to implement

# The AHAC's Charge



Review established policies & procedures



Recommend specific actions or initiatives



**(Optional)** Create an implementation schedule.

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# Incentive Strategies Discussed in Part 2

1. Flexibility in densities
2. Parking & setback requirements
3. Allowance of flexible lot configurations
4. Accessory dwelling units (ADUs)
5. Transit-oriented & mixed-use development
6. Reservation of infrastructure capacity

# Push & Pull of these strategies

Whether you think loosening zoning regulations by-right will result in affordable housing

Whether you think local government needs to condition zoning flexibility on providing affordable units

# Structure for Today's Training

## REVIEW

List of ideas for what to review as part of the AHAC recommendations process



Ideas for professionals to invite to AHAC meetings

## RECOMMEND

Specific policy ideas for the AHAC to recommend

# Tips for a Good AHAC

- A thorough **review** and **understanding** of existing policies is fundamental to make effective recommendations
- Utilize the development experience of the AHAC members
- Involve planning staff
- Consider forming subcommittees to study certain incentives
- Focus on several incentives per year – not all at once each time
- Encourage creativity
- Always ask: How does this policy affect the cost, amount, or size of housing?





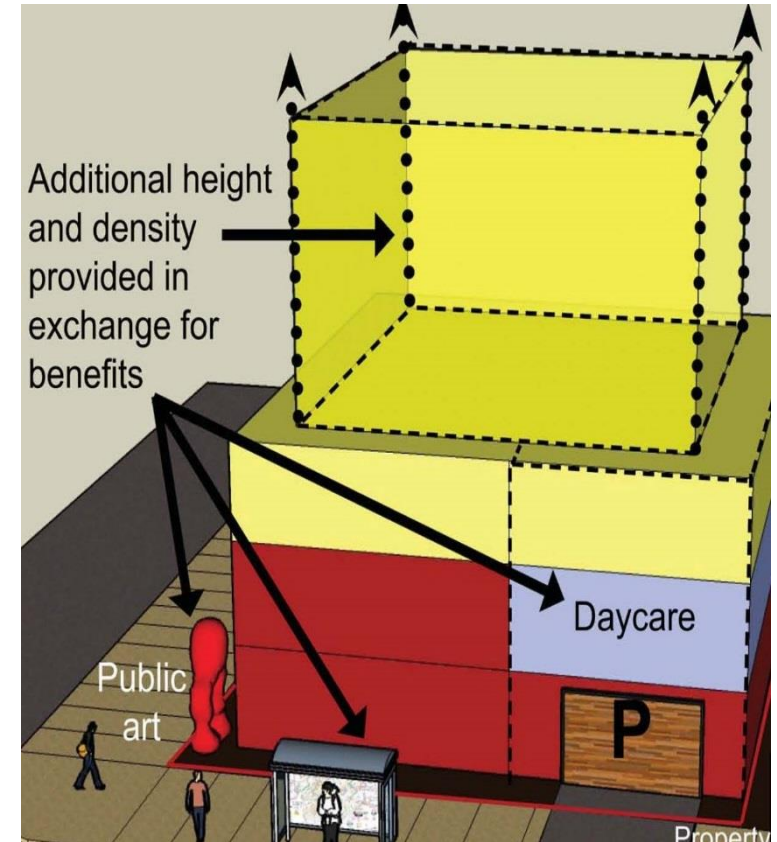
# Flexibility in densities for affordable housing

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# Flexibility in densities

**Strategy (c): “The allowance of flexibility in densities for affordable housing.”**

- Flexibility in densities allow more homes to built in a given area
- Purpose: increased density offers an economic incentive to build affordable units & creates more housing supply
- This strategy must be done in conjunction with parking/setbacks & flexible lot configuration strategy



# Visualizing density



5.9 units/acre

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theurbanist.org



15 units/acre

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theurbanist.org

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# Unlocking density

- The AHAC could look at current density limits, recommend new density maximums and minimums, & recommend density bonuses for affordable housing units
- To unlock the greatest density, all other land development regulations must facilitate it. Otherwise, density maximums may not be reached.
- Unlock density by addressing:
  - Housing type flexibility
  - Lot configuration requirements
  - Setbacks & parking standards
  - Open space requirements

# Unlocking density



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# Housing type flexibility

- To unlock maximum densities, allow a range of housing types beyond the single-family detached home
- AHAC could recommend allowing duplexes, triplexes, quadplexes, and other multi-family, attached units in more parts of the City or County by-right
- There is a planning movement of local governments allowing more housing types in single-family zone districts



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# Flexibility in housing types allows creative building



7-plex

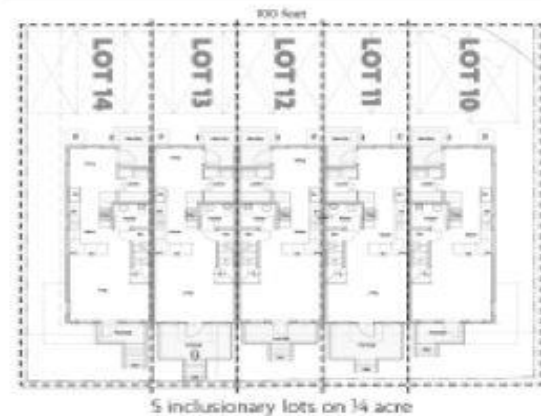
Photo credit: Michael Bradley

Designer: Opticos Design, Inc.

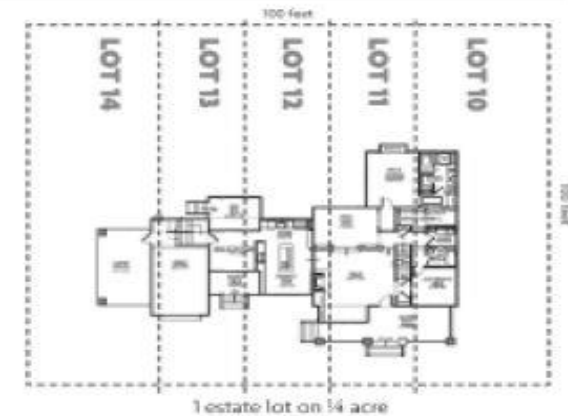
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ESTATE HOME



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# Density bonuses for affordable housing

- Increasing in popularity throughout the state
- Most programs do not attract private sector involvement
- Work best in areas with high market demand, limited land availability, and restrictive zoning codes
- Affordable housing incentive programs are most effective when local government has not already given too much away to the private sector
- No one-size-fits all solution: a functioning density bonus program requires local study



# Types of density bonus policies

- Flexible, case-by-case negotiation
  - Staff works with applicant to negotiate favorable development rights in exchange for affordable housing
- Rigid, but predictable
  - Language contained in the Code that allows density bonus by-right if a developer provides x% of affordable housing
- Points-based system or one of several options (avoid)
  - Affordable housing is a type of public good that can give a developer “points” to seek a density bonus

# Study first, policy design second

- A successful density bonus program requires a feasibility study.
- Questions to ask:
  - What densities does the current land development code/comprehensive plan allow?
  - Are developers building up to maximum densities with the existing system? (i.e. if developers aren't building up to max densities currently, a density bonus program will be ineffective)
  - If developers aren't building to maximum densities, why not? What other standards in the land development code prevent maximum densities from being utilized?
  - What does the private sector want that they don't already have?

# Policy considerations

- **Coverage.** Which areas will the density bonus cover? Whole city? High growth areas where density bonuses may be most effective?
- **Unit threshold.** What will be the unit threshold for density bonus?
- **Incentives.** What additional incentives can be offered?
- **Calculating bonus units.** How are number bonus units to be determined?
- **Stakeholder engagement.** Who are key stakeholders to interview to find out what which incentives will be most enticing?

# Policy considerations

- **Term of affordability.** How long will the units be affordable?
- **Compliance monitoring.** Who will monitor and ensure long-term affordability? Best to have local government staff monitor to remove burden from private sector.
- **Penalties.** What will the penalties be for non-compliance?
- **Reporting.** What will the annual reporting process look like?
- **Staff capacity.** Which staff will be dedicated to the program's success?

# Statutory land use flexibility for affordable housing, HB 1339 (2020) + SB 962 (2022)

- S.125.01055(6) (counties) & s. 166.04151(6) (cities) allow local governments to approve an affordable housing development on any parcel zoned **residential**, **commercial**, or **industrial** without needing a rezoning or comprehensive plan amendment.
- For commercial and industrial areas:
  - At least 10% of units must be affordable (local government can require more)
  - Developer must agree not to apply for SAIL funding
- AHAC could recommend the City or County use this tool for density flexibility for affordable developments

# Examples

## **Palm Beach County**

- The County's Workforce Housing Program provides opportunities to increase density up to 100 percent based on affordable housing provided
- Density bonuses of 50% or below do not require special review and approval process; bonuses over 50% require enhanced staff review
- Point system to determine the extent a project furthers County objectives

## **Polk County**

- Allows higher densities and intensities via the Comprehensive Plan within Transit Corridors & for affordable housing projects

# Examples

## **St. Petersburg (from 2021 AHAC Report)**

- Has a robust Workforce housing bonus program
- Recommends research into the possibility of increasing # of WFH bonus units that trigger a public hearing requirement
- Recommends research into reducing parking requirements when WFH bonus units are granted
- Recommends City pursue the “Missing Middle” initiatives

## **Largo (from 2021 AHAC Report)**

- Recommends “eliminating the density cap of 18/units/acre in Citywide density bonus codes”

# AHAC Ideas: Flexibility in densities

## REVIEW

## RECOMMEND

Recruit a planner to help visualize maximum allowable densities in the current zoning code and comprehensive plan	Increase maximum allowable densities in targeted areas of the City or County with density minimums
Study if and where maximum allowable densities are reached	Develop or improve a density bonus program for affordable housing
Explore housing types allowed	Allow more housing types by-right in more parts of the jurisdiction
Assess how current density bonus policies are working	Implement land use flexibility for affordable housing in s. 125.01055(6) or s. 166.04151(6) for counties & cities, respectively
	Explore developing an inclusionary zoning ordinance





# Parking & Setback Requirements

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# Parking & Setback Requirements

## **(f) “The reduction of parking and setback requirements for affordable housing.”**

- Housing costs can be reduced through a reduction in the required number of parking spaces
- Reducing setback requirements can allow more area of a lot to built on
- Purpose: lower development costs (for parking) and ensure that more buildable land is available for housing development
- A key way to unlock density



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# Parking reductions

- More parking means more costs and less land for homes
- AHAC can make recommendations on reducing parking requirements and by allow parking reductions in exchange for affordable units
- Possible recommendation: Lower required parking close to transit stations or major bus lines or where on-street or nearby parking will suffice
- Possible recommendation: Remove minimum parking reductions and decide standards on case-by-case basis, rather than one-size-fits-all solution

# Parking reduction examples

## **Orlando, FL (August 2022)**

- Removed certain parking minimums in the Downtown Parking Area of the Central Business District

## **Boston, MA (January 2021)**

- Eliminated parking minimums for affordable housing developments – parking determined on a case-by-case basis based on need

## **St. Petersburg, FL (2019)**

- Reduced parking requirements for affordable multi-family construction and for units within close proximity to high-frequency transit routes

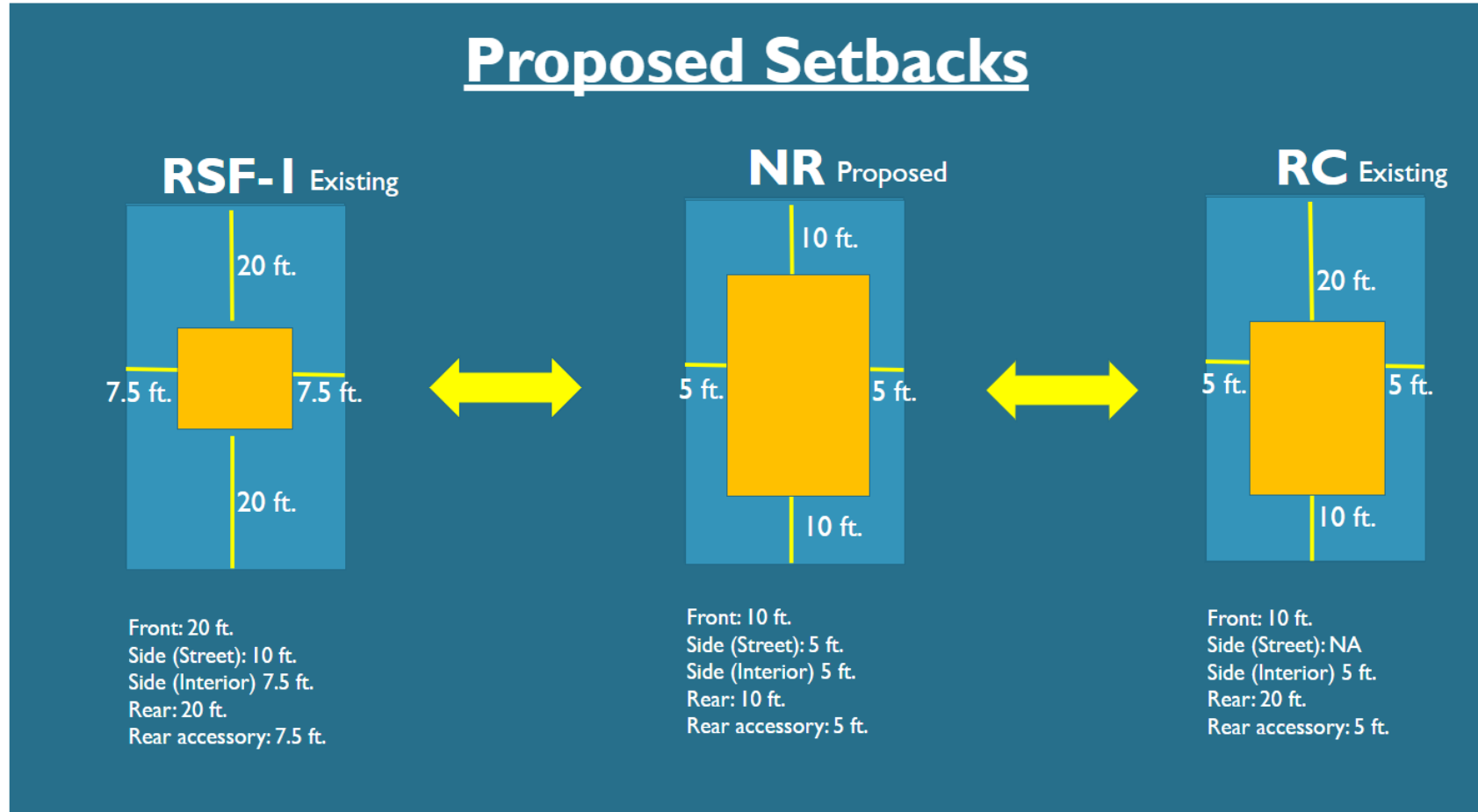
## **Evanston, IL (2019)**

- Removed parking requirements for bonus IZ units

# Setback reductions

- Stringent setback requirements prevent missing middle housing types such as duplexes and triplexes, and small unit development generally
- They also may prevent smaller lots from having livable units – pair setback reform with minimum lot size reform
- Like other strategies, setbacks can be reduced by-right or on a case-by-case basis in exchange for affordability
- Possible recommendation: lower setback requirements to encourage zero-lot line development and cluster development
- Possible recommendation: allow certain setback reductions by-right that do not require additional meetings or reviews

# Visualizing setback reductions



City of Gainesville “Missing Middle” Zoning Reform.

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# Setback reduction examples

## Clearwater

- Housing element of Comprehensive Plan – “Allow flexibility with regard to setbacks . . . to accommodate density bonuses associated with affordable housing developments.”



## Gainesville (from 2021 AHAC report)

- “the City should also consider allowing reduced setbacks for subdivisions that provide a certain amount of affordable housing . . . without requiring those subdivisions to go through the entire Planned Development process.”

# AHAC Ideas: Parking & Setbacks

## REVIEW

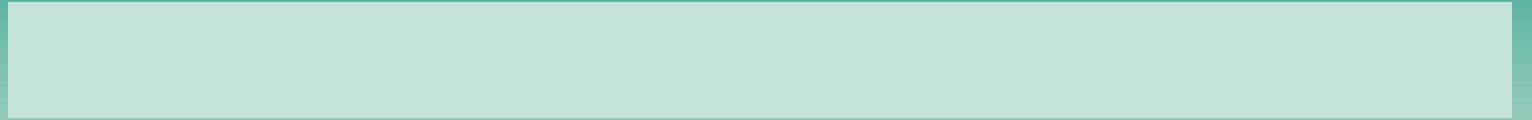
## RECOMMEND

Recruit a planner or engineer to visualize the City or County's parking and setback requirements in various districts	Remove parking minimums for affordable housing developments
Conduct an unused parking space study	Lower setback requirements to facilitate missing middle housing types and small lot development
Utilize development experience on the AHAC to assess the cost of a parking space	Conduct a study on how underused parking can be adapted into housing
Create a map visualizing area dedicated to parking	Offer parking & setback reductions in exchange for affordable units
Recruit planning staff to assess how many more units could be built through various setback reductions	





# Flexible Lot Configurations



# Flexible Lot Configurations

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

- As with the previous two strategies, this strategy aims to allow more housing units on single lots and allow smaller lots to contain homes
- Concepts under this strategy can include:
  - Zero-lot-line development: homes built to the edge of the property line w/very low or no setback standards
  - Cluster development: buildings grouped together on a site
  - Minimum lot size reform
  - Lot width reform

# Zero-lot-line development



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# Cluster Development

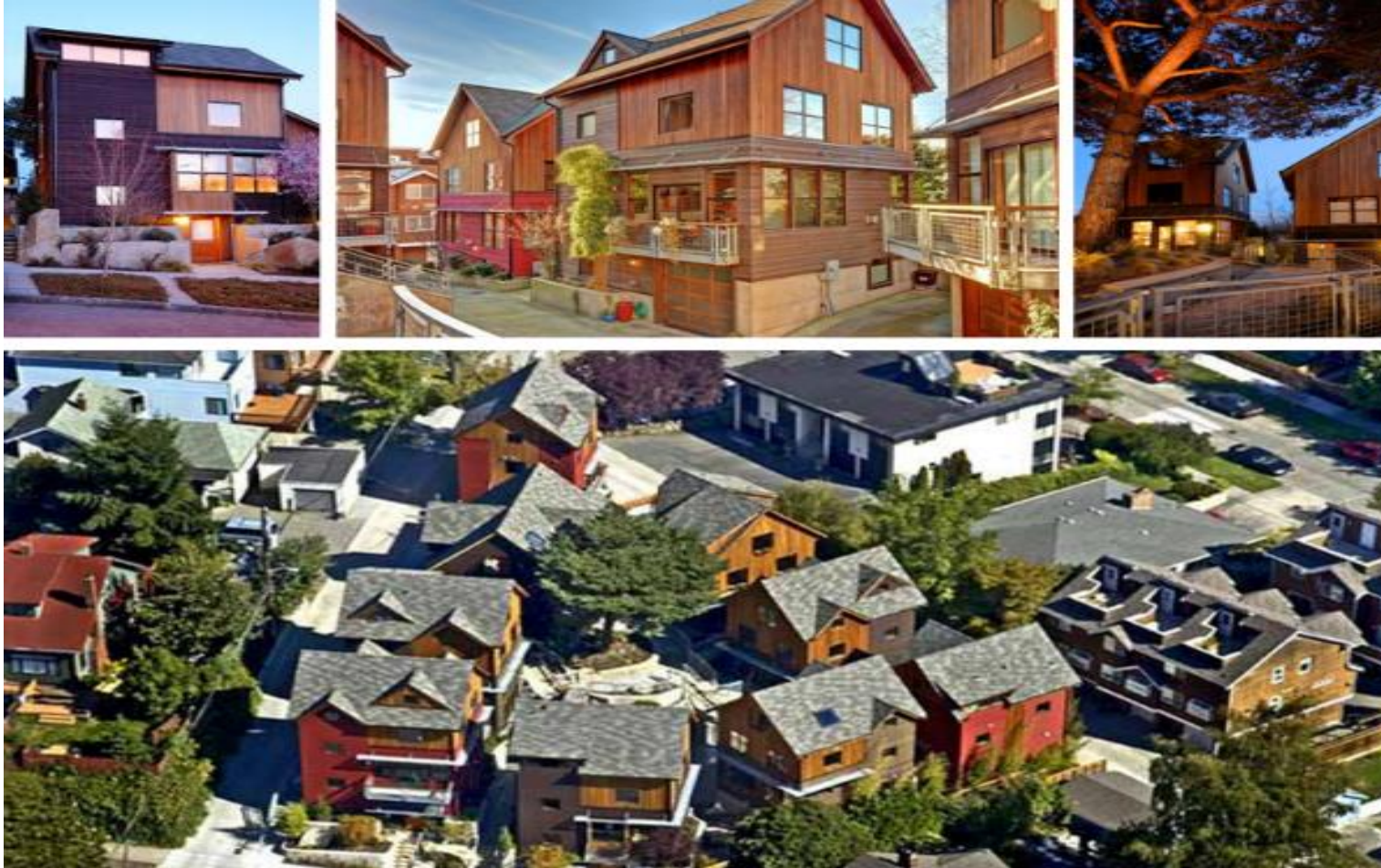


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# Minimum Lot Size Reform

- A high minimum lot size requirement:
  - Decreases the possible density of a given area
  - Legally caps the number of buildable lots
  - Requires purchase of more land – driving up costs
  - Lowers the number of potential homes
- Lowering minimum lot size requirements can unlock greater densities, facilitate smaller housing types, & promote housing affordability
- Possible recommendation: lower minimum lot sizes by-right to facilitate more homes on smaller lots



# Examples

## **Houston, TX (1998)**

- Lowered min. lot size requirement for single-family homes from 5,000 sq ft to 3,500 sq ft w/allowances to go to 1,400 sq foot
- Between 1999 and 2016, 25,269 new residential parcels smaller than 5,000 square feet were developed (credit: Better Cities Project)

## **Orlando**

- Permits zero-lot-line development as a design option for 1 or 2-family dwellings.

# AHAC Ideas: Flexible Lot Configurations

## REVIEW

## RECOMMEND

Study minimum lot size and lot width requirements of the jurisdiction	Create an easy process to provide lot flexibility for affordable developments
Recruit planner or engineer to visualize how flexible lot configurations can unlock density	Allow zero-lot-line development in targeted areas
	Reduce minimum lot size and minimum lot area requirements



# Accessory Dwelling Units

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# Accessory Dwelling Units

## (e) “Affordable accessory residential units.”

- An ADU is an accessory living unit, with a separate kitchen, bathroom, and sleeping area, on the same lot as a primary home
- Can be attached or detached from primary unit
- Also called granny flats, mother-in-law suites, carriage houses, backyard apartments, etc.
- Zoning is not the only barrier to ADU growth, but can be the first barrier to overcome



# Zoning for ADUs

- **Location.** ADUs should be allowed by-right in all single-family districts.
- **Owner-occupancy restrictions.** Allow owners to occupy either the primary unit or ADU, or have no owner-occupancy requirements.
- **Use restrictions.** Allow ADUs to be rented freely on the market.
- **By-right v. conditional use.** Allow ADUs by-right w/predictable standards.
- **Size.** Allow up to 800-1200 sq feet with no minimum size and allow ADUs larger than maximum size for large lots.
- **Minimum lot size.** Reach a solution that allows the most lots to contain a lawful ADU.
- **Setbacks.** Consider zero-lot-line or other configurations that do not burden smaller lots.
- **Parking.** Flexible standards; stay away from “one-spot per ADU rule”
- **Density.** Exempt ADUs from calculating density.

# Supporting ADU growth

- In addition to zoning reforms, local government can otherwise facilitate ADU development through:
  - Homeowner education
  - Pre-approved design plans
  - De-minimus impact fees
  - Financing support for affordable rental ADUs
- Collect data on how ADUs are used & where they are permitted
- Bottom-line: Too many restrictions will prevent ADU development altogether

# ADU Examples

## **St. Petersburg**

- 2019: Amended ADU regulations to exempt ADUs from density calculations, reduce minimum lot size requirements, and eliminate minimum unit size
- 2022: Amended ADU regulations to expand where ADUs are allowed, clarified unit sizes, increase max ADU size, and lessened parking regs
- Collects real-time data on ADU permitting

## **Orlando**

- Does not require parking for ADUs of a certain size

## **Sarasota**

- Zoning reforms in 2019 in City and County to allow ADUs in most single-family districts

# AHAC Ideas: Accessory Dwelling Units

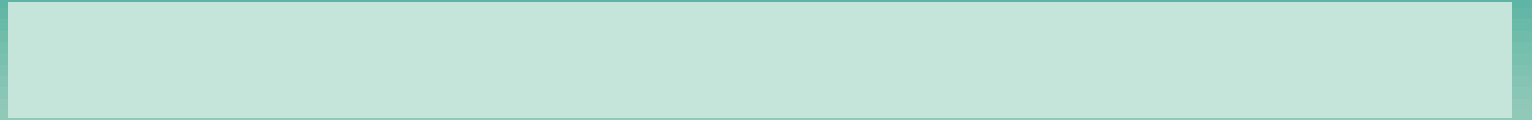
## REVIEW

## RECOMMEND

Study existing ADU regulations	Adopt or revise an ADU ordinance containing best practices
Recruit a planner to assess how many more lots could contain ADUs if certain regulations were lessened	Explore ADU financing & education program for lower-income homeowners
	Designate a staff person to help homeowners navigate the permitting process



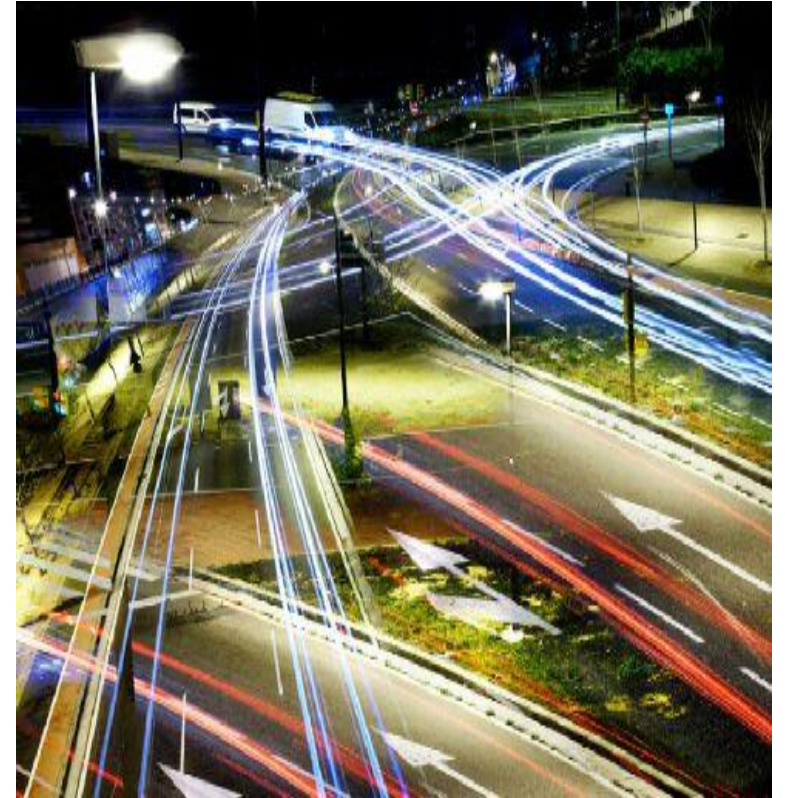
# Transit-Oriented & Mixed-Use Development



# Transit-Oriented & Mixed-Use Development

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

- “Catch-all” strategy
- Purpose: decrease transportation costs & create walkable communities
- Create dense housing options around transit lines & employment centers



# Considerations

- Require or incentivize high-density affordable housing around transit and major employment centers through overlay districts
- Create and implement community plans around employment/transit centers
- Use this strategy in concert with other regulatory incentives proposed by the AHAC



# Examples

## **Brevard County**

- From 2021 Report: “Study and consider increasing as of right density and intensity bonuses to levels that meet market development feasibility in the production of affordable residential units in these locations. Study and consider concurrency exemptions and impact fee waivers for affordable housing units developed in mixed use centers, corridors and along established transit routes and hubs.

## **Manatee County**

- From 2021 Report: “The County adopted in 2016 higher densities along 6 major corridors within the urban core.”

## **Marion County**

- From 2021 Report: “Develop incentives for developers who build affordable multi-family housing accessible to public transportation routes and large employment areas.”

# AHAC Ideas: Transit-Oriented and Mixed-Use Development

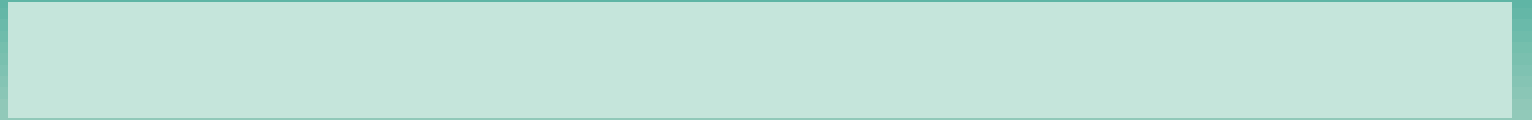
## REVIEW

## RECOMMEND

Identify transportation and employment hubs	Regulatory reform near transit and employment centers to allow more housing (or through a density bonus program)
Assess long-range transportation plans	Use HB 1339 affordable housing land use flexibility to create walkable communities in commercial areas
	Incorporate housing into long-range transportation plans



# Reservation of Infrastructure Capacity



# Infrastructure Capacity

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

- Some parts of Florida may not have enough water, sewer capacity, or transportation concurrency for all potential development
- Without existing infrastructure capacity, developers may not build in certain areas
- **Purpose:** strategize how to pair infrastructure investments with housing development and smart growth
- Majority of AHAC reports have no recommendations on this strategy

# Infrastructure to consider

Roadways

Public  
transit

Water  
supply

Wastewater

Broadband

Stormwater

Flood  
protection

Schools

Parks

Hospitals

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# Public infrastructure funding

- AHAC could make recommendations on how best to target publicly-funded infrastructure investments
- **Ask:** Where has my City/County invested in roads, water, sewer, stormwater? Have my City/County's investments excluded certain neighborhoods?
- **Idea:** in the decision-making process for infrastructure improvements, have LMI neighborhoods as a priority or consideration

# AHAC Ideas: Infrastructure Capacity

## REVIEW

## RECOMMEND

Assess long-range infrastructure plans (road projects, public transit, stormwater, sewer, etc.)	Require or incentivize developments that utilize publicly-funded infrastructure to contain affordable homes
Study historical infrastructure investment trends	Target infrastructure investments to underserved neighborhoods
Recruit a local Metropolitan Planning Organization to discuss long-range planning	Explore incorporating affordable housing into the infrastructure decision making process
Identify funds that can be devoted to infrastructure for affordable housing	

**Questions?**

