



BOARD OF COUNTY COMMISSIONERS

Housing & Human Services Department

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Building B, Suite 103
Viera, Florida 32940

Affordable Housing Council
Incentive Strategies Evaluation and Recommendation Report

Background Information:

Annually the Brevard County Affordable Housing Council (AHC), pursuant to Section 420.9076(4) of the Florida Statutes, must review the established policies and procedures, ordinances, land development regulations, the housing element of the local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.

The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the comprehensive plan and corresponding regulations, ordinances, and other policies.

At a minimum, each advisory committee shall submit a report, to the local governing body that includes recommendations on and annually thereafter evaluate the implementation of, affordable housing incentives as described in 420.9076(4) of the Florida Statutes.

On May 20, 2008, the Brevard County Board of County Commissioners (BOCC) adopted Ordinance 08-16 putting in place the requirements of Section 420.9076(4) of the Florida Statutes. On November 3, 2011, during a Public Hearing, the Affordable Housing Council approved, by a unanimous vote, the following Board of County Commissioner approved State Housing Initiative Partnership (SHIP) Affordable Housing Incentive Strategy recommendations:

- (a) **Expedited Permitting:** The processing of approvals of development orders or permits, as defined in s.163.3164 (7) and (8), for affordable housing projects to be expedited to a greater degree than other projects.
- (b) **Impact Fee Waivers or Modification:** The modifications of impact-fee requirements, including reduction or waiver of fees, and alternative methods of

of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances, Codes and Comprehensive Plan Policies which put in place:

- A process to facilitate the movement of projects through the permitting process, with priority given to developments with affordable housing units.
- Policies and Ordinances to continue and develop procedures to expedite review of affordable housing developments and housing for essential employees and special needs groups, and
- Fee waivers and refunds for workforce and affordable housing.

This process is still in place and available for use. Brevard County Planning and Development remains efficient and timely in processing all development review applications. Limited funds are available from Brevard County Housing and Human Services Department refunding permit fees as new affordable housing development projects arise.

Recommendation: Continue current process and monitor site development plans, land subdivision applications and building permits for affordable housing, to ensure they are being expedited to the greatest extent possible.

- b. **Impact Fee Waivers or Modifications:** The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Information Reviewed: Ordinance No. 07-18, The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009, the Brevard County Codes of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances, Codes and Comprehensive Plan Policies which put in place:

- Fee waivers and refunds for workforce and affordable housing.

The process continues to be available for deferral of Transportation Impact Fees when needed.

Recommendation: Continue the processes established in Section 62-6303 of the Brevard County Code and Ordinance 07-18. Study and consider existing and additional fee deferrals, waivers and new fees permitted per changes and additions to Florida Statutes in HB 1399 (2020) and other established best practices by local governments statewide.

concurrency capacity and exemption areas for affordable housing. County continues to monitor and will act accordingly.

Recommendation: Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider concurrency exemptions for affordable housing units and those developed in mixed use centers and corridors along established transit routes and hubs.

- e. **Accessory Dwelling Units and Tiny Homes:** The allowance of affordable accessory residential units and Tiny Homes in residential zoning districts.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinance and Comprehensive Plan which calls for county staff to:

Study accessory units as a method for use by private families and individuals in the provision of affordable/workforce housing opportunities and solutions on their own properties, in areas with established infrastructure. The Comprehensive Plan also indicates that the County will consider land development regulations and other ordinances as needed that will regulate the use of accessory dwelling units as permitted by state statute.

The County code continues to allow units and tiny homes in multiple zoning classifications. Review and monitoring of the code will continue. A development order in the Viera Development of Regional Impact allows for the use of accessory dwelling units in some residential projects.

Recommendation: Continue established procedure. Monitor and promote new uses and local regulation changes consistent with changes and additions to the Florida Statutes and in HB 1339 (2020). Consolidate Accessory Units and similar units into one section of the County Code. Develop a User Guide for use and application. Study and consider density, intensity and impact fee waivers and concurrency exemptions for affordable accessory units and tiny homes. Consider incentivizing the development of accessory units and tiny homes in permissible areas with local housing program funds and lands.

- h. **Street Requirements:** The modification of street requirements for affordable housing.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances and Codes which allows:

- Flexible design requirements relating to roads, driveways and parking lots for developments providing a minimum of 30 percent of affordable or workforce housing.

Flexibility remains available through the County Land Development Regulations and The County Comprehensive Plan in multiple Future Land Use Categories and Zoning Classifications County wide. It has been used in single family subdivisions.

Recommendation: *Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider additional public and private street width and street related infrastructure reductions and waivers consistent with project market feasibility and other established best practices by local governments statewide.*

Ongoing Process Review: The establishment of a process by which a local government considers, before adoption of policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Information Reviewed: Ordinance 08-16

Review Synopsis: *Review Synopsis:* Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinance with puts in place

- An ongoing review process for review of county policies, ordinances, regulations and Comprehensive plan provisions that significantly impact the cost of housing.

The process remains in effect for Brevard County with no negative impacts to date that have impacted affordable housing costs or production. The County continues to coordinate and monitor and will act accordingly.

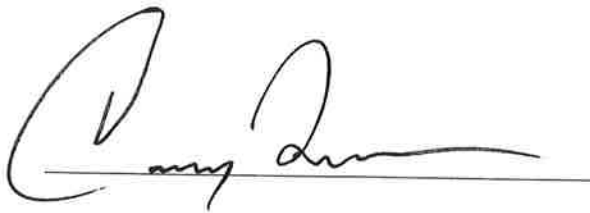
Recommendation: *Continue established procedure in accordance with Section 420.9076(4) of the Florida Statutes.*

favorable locations for affordable /work force housing and to determine eligibility for funding and incentives.

The process continues and remains available through the County Land Development Regulations and The County Comprehensive Plan, in multiple Future Land Use Categories and Zoning Classifications County wide. The Housing and Human Services Department uses an Affordable Housing Location Evaluation Matrix when evaluating; affordable housing projects requesting funding and use of incentives, and transfers of properties to the land bank inventory.

Recommendation: Continue established procedure, monitor and promote use. 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. Include in a County User Guide on the use and application of density and intensity bonuses and other County Comprehensive Plan and Code based incentives.

On December 17, 2020 at a publicly noticed Public Hearing, an evaluation of the implementation of Brevard County's local housing incentive strategies was conducted by the Affordable Housing Council and the above recommendations were approved by an affirmative vote of the majority of the membership.



Corey Lancaster, Chair
Brevard County Affordable Housing Council

Date: _____

12/17/2020