

**MANATEE COUNTY AFFORDABLE HOUSING
ADVISORY COMMITTEE REGULAR MEETING
BRADENTON AREA CONVENTION CENTER, LONGBOAT KEY ROOM
One Haban Boulevard
Palmetto, Florida
August 17, 2020**

Present were:

Charlie Kennedy, Chairman
Glen Gibellina, First Vice-Chairman
Frank Conozzo, Second Vice-Chairman
Vallerie Guillory
George Kruse
Steve Rinehart (entered during the meeting)

Absent were:

Kenyatta Randall, Third Vice-Chairman
Erin Bodie
Amy Farrington
Sandra Suite

One seat is vacant.

Also present were:

Geri Lopez, Redevelopment and Economic Opportunity Director
Denise Thomas, Redevelopment and Economic Opportunity Manager
Deborah Ash, Redevelopment and Economic Opportunity
Lisa Barrett, Building and Development Services
Bill O'Shea, Building and Development Services
Robin Toth, Deputy Clerk, Clerk of the Circuit Court

Commissioner Misty Servia, representing District 4, was not present

REVISED AGENDA AND SIGN-IN SHEET

HC20200817DOC001

I. **CALL TO ORDER**

 Chairman Kennedy called the meeting to order at 3:02 p.m.

PLEDGE OF ALLEGIANCE

 Chairman Kennedy led the Pledge of Allegiance.

ROLL CALL AND DECLARATION OF A QUORUM

 A quorum was declared, with Members Randall, Bodie, Farrington and Suite absent.

MINUTES FOR APPROVAL

 It was noted the July 20 Minutes would be approved at the next meeting.

II. **ALLOWANCE OF FLEXIBILITY IN DENSITIES FOR AFFORDABLE HOUSING**

 Bill O'Shea, Building and Development Services, utilized working documents 1) Potential Zoning Districts from Land Development Code (LDC) Section 545-Housing Program, with Footnotes 2 through 7, and 2) Revised June 2020 Affordable Housing Incentives, per Florida Statute (F.S.) 420.9076(4).

HC20200817DOC002
HC20200817DOC003

Incentive (C) - The allowance of flexibility in densities for affordable housing

Discussion at the last meeting did not expound on available density bonuses for affordable housing and there was some confusion. The handout lists future land use categories and the potential zoning districts based upon density bonuses. Some non-residential zoning districts meeting commercial locational criteria could also result in density bonuses.

 There was discussion as to the purpose of the last sentence on Footnote 7 on the use of a land trust as a mechanism to retain units as affordable and/or special needs units, how a land trust fits in with the rest of Footnote 7 regarding a Land Use Restriction Agreement (LURA), and the last sentence was inserted as a placeholder for future opportunities.

 Geri Lopez, Redevelopment and Economic Opportunity Director, stated a portion of the land trust language is in the LDC. The last sentence on Footnote 7 was included as a mechanism to restrict the property to ensure its affordability. This can be accomplished through a Land Use Restriction Agreement and on a bigger scale through a land trust if all of the lots are developed as affordable housing. Currently, the County does not have a land trust, but it is a tool that is being explored.

 Member Gibellina commented on Footnote 5, stating it was his understanding that a smaller square-foot home could be put on a reduced-size lot as long as setbacks were met. Mr. O'Shea stated that perhaps Member Gibellina was referring to existing, in-fill lots that are grandfathered in from the LDC, which are reviewed on a case-by-case basis.

 Member Rinehart commented on Footnote 3, questioned how a site plan could be submitted in the general rezone process, and that Footnote 3 is poorly written and does not address Planned Development Residential (PDR) development. Mr. O'Shea stated there is no site plan with a straight rezone and this is why they are so problematic. The County Commission is very reluctant to approve a straight rezone, because they cannot see a product. An H (Affordable Housing) rezone designation could be obtained, but staff would still address compatibility during final site plan review.

Discussion continued that Footnote 3 does not suggest a site plan but addresses a rezone, how affordable housing in a straight rezone could be approved, whether vernacular language could be added to state that a site plan could be submitted with a general rezone, this could be an option if it were determined how it could be done versus a PDR, Sarasota County's PDR process is more streamlined than Manatee County's, is there a way to circumvent Florida Statute by not allowing the final site plan to be submitted until rezone, and House Bill 1339.

 Member Rinehart indicated he would like the opportunity to submit to the Committee for discussion in a work session setting, constructive suggestions that tie into affordable housing and suggested LDC language changes.

 In order for this to work, Mr. O'Shea suggested striking-through existing LDC language that does not apply and underline proposed language to see how it fits into the current structure of the LDC.

Mr. O'Shea stated that during the establishment of a threshold, it was determined that 30 percent or less was appropriate for staff to review and possibly recommend approval. Staff felt that waivers should not be provided for anything over 30 percent. This would require going to the County Commission through the PDR process and request setbacks less than the 30 percent allowance.

 Member Rinehart stated he would also like to see better defined setbacks. His sole interest is to get the general rezone as a viable option for developers in getting the density bonus. The PDR process is long and extensive. A true incentive to attracting affordable housing developers would be the general rezone process with PDR characteristics.

 Member Guillory concurred with Member Rinehart and questioned if a Committee work session could be held on Footnote 3.

 Denise Thomas, Redevelopment and Economic Opportunity Manager, stated that a recommendation could be added to suggest a work session with the County Commission regarding these changes, and it would be separate and apart from a Committee meeting. The request for a work session would have to be initiated from the planning aspect, and the request for the recommendation can be part of the action of the Committee.

The Committee's final recommendations would be presented to the County Commission for review in December, along with a request for a work session to look further at the affordable housing incentives currently in the LDC. The Committee's recommendations initiate the County Commission's consideration for future action.

RECESS/RECONVENE: 3:30 p.m. – 3:35 p.m. All members were present except Members Bodie, Farrington, Randall and Suite.

 Lisa Barrett, Planning Section Manager, stated Manatee County Ordinance 19-03 included language changes for affordable housing, and minimal comments were received from developers at that time. Staff would be willing to look at suggestions on how to improve the standards to help encourage straight rezones when appropriate. In the past, the County Commission has not seen many straight rezones.

 Chairman Kennedy stated Member Rinehart could create a document of suggested LDC language changes that would become an agenda item for consideration and discussion at the September meeting.

 Mr. O'Shea stated Member Rinehart could use the Accessory Dwelling Unit (ADU) language in underline/strike-through format presented at the last meeting (7/20/20), as a guide to create a suggested language document with underline/strike-through format.

 Ms. Lopez commended Member Rinehart on his willingness to create viable options for developers and draft suggested language. She encouraged other Committee members to participate in feedback and offer any suggested language changes.

Ms. Barrett stated the LDC would be provided to Member Rinehart in WORD format as a working document.

 Member Conorozzo commented on the process to make LDC changes.

 Member Guillory offered to assist Member Rinehart.

 Ms. Thomas stated Member Rinehart's suggested LDC language changes should be forwarded to staff for review and then presented to the Committee for discussion. The

language changes could be included as a recommendation in the report to the County Commission.

 Discussion ensued on the intent of Footnote 6.b. and use of the words “abutting” and “adjacent”, both words have separate meanings, staff is trying to transition compatibility within a development, Comprehensive Plan Policy 2.2.1.10 regarding RES-3 future land use and range of potential density/intensity, other factors must be considered, general rezone process, hitting snags on compatibility, identifying barriers, a recommendation could be made for an alternate process, and incorporate portions of Sarasota County’s process as a recommendation in the report to the County Commission, Committee members cannot meet outside of an advertised meeting, and a work session of the Committee would be publicly noticed.

 Ms. Thomas emphasized the main objective of the Committee is to review, discuss and make recommendations on Affordable Housing Incentives A through K, and submit the recommendations in a formal report to the County Commission by December.

 Chairman Kennedy stated the Committee could hold a work session prior to its September meeting, to review and discuss Mr. Rinehart’s suggested language changes.

 There was further discussion on the details of scheduling a Committee work session, the Clerk must be present and the work session must be recorded and minutes prepared, the work session location must factor the restrictions of social distancing and safety, possibility of conducting a ZOOM meeting, and Chairman Kennedy would communicate with staff and, Committee members would be informed.

 Member Rinehart commented on Footnote 4 regarding the maximum project density permissible if units are transferred.

 Mr. O’Shea stated LDC Section 545 contains language stating the density bonus must be used on the project for which it is granted.

 Member Guillory also requested the LDC in WORD format.

III. **REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING**

Incentive (F) - The reduction of parking and setback requirements for affordable housing

 Mr. O’Shea stated Incentive (F) gives the developer, who is not using a planned development process, the ability to receive up to 30 percent reduction of parking and other LDC requirements. Anything beyond the 30 percent reduction could be requested with a planned development. As a general rule, staff does not go below the setbacks established by the County Commission.

 Member Conorozzo commented that Incentive (F) does not affect any Americans with Disabilities Act (ADA) requirements.

 Ms. Lopez stated the two methods to achieve Incentive (F) could be through (1) the planned development process and (2) LDC Section 545, which references LDC Section 365, as well as the urban corridor standards. The 30 percent reduction is for affordable housing. This is meant as an administrative reduction versus the reduction approved by the County

Commission. The same reduction or higher could be requested through the planned development process with the County Commission.

Mr. O'Shea stated LDC Section 365 would be distributed to AHAC members.

 Ms. Thomas requested Committee members indicate if the language in each incentive is acceptable as presented, or make a recommendation of suggested language.

 Member Rinehart stated much of his suggested changes would be to add language to the RSF-6/H zoning designation and try to mirror PDR to some degree, because all of the current, general rezone language is not a viable option.

Disposition: No recommended language changes were offered for Incentive (F).

IV. **ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE FOR AFFORDABLE HOUSING**

Incentive (G) – The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing

 Ms. Barrett stated Incentive (G) language has been in the LDC for a very long time. Incentive (G) has only been applied in planned development and is not available for a standard zoning district.

Disposition: No recommended language changes were offered for Incentive (G).

V. **MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING**

Incentive (H) – The modification of street requirements for affordable housing

 Mr. O'Shea stated there is some flexibility in street widths in straight subdivisions, but requirement would still have to be close to the County standard, or Public Works will not accept the street(s) for maintenance, and they would end up being private streets. This would not be a good situation for an affordable housing community. The extent of flexibility would be determined by Public Works.

 Member Rinehart stated the language for Incentive (H) as presented, is poorly written; it does not specify the thickness of the roadway base, asphalt depth, or right-of-way width.

Mr. O'Shea stated it is doubtful that any standards regarding roadway base, depth or asphalt type would be waived, but there could be a reduction in right-of-way width for an affordable housing project, which provides at a minimum 25 percent of the overall units as affordable housing and may request modifications of standards per Section 365 of the LDC.

Upon question, Mr. O'Shea stated there have not been any public streets with less than 50 feet of right-of-way approved through non-planned development.

Disposition: No recommended language changes were offered for Incentive (H).

 Mr. O'Shea stated the County Commission work session minutes of August 4 on Accessory Dwelling Units (ADUs) would be distributed to Committee members once they are approved by the County Commission.

VI. **NEXT MEETING**

 The next meeting is scheduled for September 28, in the Longboat Key Room at the Bradenton Convention Center.

DESIGNATION OF COMMITTEE SPOKESPERSON

Chairman Kennedy suggested Member Gibellina be designated Committee spokesperson to the County Commission.

 A motion was made by Member Kruse, to designate Member Gibellina as Committee spokesperson to the County Commission. The motion was seconded by Chairman Kennedy and carried 6-0, with Members Bodie, Farrington, Randall, and Suite absent.

Ms. Thomas noted that any comments made to the County Commission should pertain only to what has been discussed by this Committee.

 Mr. O'Shea stated the Committee's recommendations from the July 20 meeting were presented to the County Commission at their August 4 worksession on ADUs.

 As Committee spokesperson, Member Gibellina stated his comments to the County Commission would include the Committee's July 20 recommendation regarding ADUs.

VII. **PUBLIC COMMENT**

 There being no public comment, Chairman Kennedy closed public comment.

MEMBER COMMENTS 

Member Guillory

- Questioned the ability to hold a training session on the affordable housing process

Member Rinehart

- Member Rinehart questioned staff's thought process on the RSF-4.5/H zoning district and, from a developer's point of view, he would like to have the benefits of RSF-6/H at RSF-4.5/H

 Ms. Barrett stated that staff's thought was looking at the lot sizes and the more intense, higher density in the future, overlay zoning districts. It would be an option to put the minimum lot size within the RSF-6/H zoning district and look at larger buffers versus the minimum 15-foot buffer.

There was discussion regarding the amount of Coronavirus Aid, Relief, and Economic Security (CARES) ACT Funding allocated to Manatee County, whether developers would receive funding this calendar year, the State has not yet allocated funding for development due to the overwhelming need for housing assistance, the County has been inundated with requests for CARES ACT funding and mortgage assistance, further funding allocations are uncertain at this time, the State is to re-assess this in November, the latest House Bill allows the County to sell bonds to fund projects, this is new territory to explore, how can this Committee find out how much funding is available, does the Committee have authority to recommend the allocation of any of the funds to smaller builders (Habitat for Humanity), smaller developers have roadblocks, the purpose of this Committee is to review and make recommendations to the County Commission on affordable housing Incentives under F.S. 420.9076(4) to encourage and facilitate affordable housing, what are the other funding sources for affordable housing, Housing and Urban Development (HUD) funding is allocated through a block grant and

dependent upon population, HUD lays out specific details for rehabilitation and infrastructure assistance, State Housing Initiative Partnership (SHIP) Program, Livable Manatee Incentive Program for developers pays 100 percent of impact fees of affordable units up to a certain amount for a project through a LURA, the Committee can make a recommendation to the County Commission to look into selling bonds as a new source of funding for affordable housing projects, this can be included as an additional recommendation at the end of the list of incentives, whether the County could do a bridge loan to kick-start small independent contractors, staff has been working with the Community Development Financial Institutions Fund on a revolving loan fund, Livable Manatee Funds came out of the General Fund, the ability to augment Livable Manatee Funds using Southwest County Tax Increment Funds, Manatee County's current reserves and restricted and unrestricted funds, the complete affordable housing process and all of this information needs to be presented in a work session.

ADJOURN

There being no further business, Chairman Kennedy adjourned the meeting at 5:05 p.m.

Minutes Approved: _____