

**OFFICIAL MEETING MINUTES
OF THE
COMMISSION ON AFFORDABLE HOUSING (CAH)
PALM BEACH COUNTY, FLORIDA**

JUNE 02, 2021

**THURSDAY
10:30 A.M.**

**100 AUSTRALIAN AVENUE,
WEST PALM BEACH, FL**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

Commissioner Mack Bernard
John-Anthony Bogess – via Webex
George “Adam” Campbell
Timothy Coppage – via Webex
Corey O’Gorman
William Elliot Johnson
Ezra M. Krieg- via Webex
Amy Robbins- via Webex
Aquanette Thomas
Leonard “Len” A. Tylka

STAFF:

Jonathan Brown, Director, Housing and Economic Sustainability (HES)
Sheila Brown, Planner II, Housing and Economic Sustainability (HES)
Sherry Howard, Deputy Director, HES
Carlos Serrano, Director of Strategic Planning and Operations,
Dorina Jenkins-Gaskin, Mortgage and Housing Assistance Manager, HES

ADMINISTRATIVE STAFF:

Yadzia Roa, Deputy Clerk, Clerk & Comptroller’s Office

III. APPROVAL OF AGENDA

MOTION to approve the agenda. Motion by Corey O’Gorman, seconded by Elliot Johnson, and carried 10-0.

IV. SESSION 1

IV.a. Stakeholder Forum

Kevin Ratteree, GL Homes Vice President, said that:

- Alternatives to the Zoning code were implemented to the County system that incentivize and provide a mechanism for workforce and affordable housing projects through an entitlement process.
- Differences in a project's frontage needed to go through the variance process, which added 3-4 months to the overall approval by the Zoning Commission.
- Other jurisdictions came up with an alternative method such as a self-regulating development order.
- The alternative method allowed each developer to set their criteria on which property development regulations would apply for approval by elected officials.
- The Planned Unit Development (PUD) regulations applied if there was discrepancy between the PUD regulations and the code.
- A prescriptive code should be reviewed when determining entitlement process alternatives.
- The alternative setting forth a self-regulated development order allowed an alternative way to review an entitled property.
- Some current countywide proposals were called small lot subdivisions that allowed smaller products on smaller lots.
- A form-based code showed where the end product should look like from a dimensional standard.
- The County's zoning code was designed to handle suburban-type development and it was not designed for infill or higher density projects.
- Setting property development regulations was an alternative way without having to amend the zoning code every time a project came forward.
- Another alternative was to have the development approval process done as a narrative that would set forth the PUD approval document, the types of units allowed, and what the setbacks were as well the lack of coverage.

Len Tylka said that the County's documents needed some flexibility, especially for workforce and affordable housing.

Ezra Krieg expressed concern that projects could be delayed on a small point of contention and asked on the experiences of other communities that had used the tools.

Mr. Ratteree said that:

- Since the same issues could occur, the tool should be vetted through a public hearing process.
- The public hearing process could take many months to complete.
- He reiterated that the alternative tool, would set forth regulations on its own document and was vetted by staff, committees and then eventually BCC.

Discussion continued regarding the alternative tools and multigenerational units.

Responding to stakeholder question, Mr. Ratteree said that smaller developers needed entitlements the same as larger developers. Special development regulations were eligible to go through the entitlement process to mold their approval or their entitlement specific to the type of housing product not included in the County code.

Jonathan Brown, Director, of HES said that the first funding was or the 9% to match the State's tax credit program, and another \$1 million in funding would be released because the County needed to match the State's tax credit program.

Mr. Tylka said that starting a communitywide discussion where the alternatives could be presented and shown as a part of a community solution not just an individual developer solution.

Jennifer Ferriol, stakeholder, said that affordable/workforce housing should be titled something else entirely, because even the individuals under those programs paid rent regardless of the area median income (AMI).

Timothy Coppage suggested reaching out to the groups that were most affected by housing.

Carol Jones, stakeholder, said that the populations served by the Palm Beach County Housing Authority (PBCHA) were below the AMI for affordable housing eligibility. She added that the County should include the PBCHA in future discussions.

Mr. Tylka said that their recommendations should discuss Section 8 and the stigma surrounding it.

Ms. Jones added that during the COVID-19 eviction moratorium, landlords were requesting Section 8 guaranteed rental assistance.

Carlos Serrano, Director of Strategic Planning and Operations, HES, said that there were 33 Webex participants besides CAH members.

Mr. Krieg said that the Steering Committee and the Housing Leadership Council were working on communication and education issues relating to the housing plan.

Commissioner Bernard said that the County owned Agricultural Reserve land to build affordable housing, but it could not yet be built.

Ms. Ferriol said that the City of West Palm Beach (City) was finalizing downtown residences utilizing a 60-100% AMI incentive. She added that balance was needed in the development community.

Responding to a commission member's question, Ms. Ferriol said that in the last year, a large portion of City assets were sold, making land limited.

Elliot Johnson suggested that the City partner with developers for mid-rise and mixed-use development to retain ownership on some of the property and control-the evaluation of sales and rental units.

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John-Anthony Bogess said that the School District of Palm Beach County proposed a new high school in the West Boynton area that could push housing onto County-owned Agricultural Reserve land.

V. SESSION 2

(CLERK'S NOTE: Items under V. were discussed in tandem.)

V.a. Affordable Housing Incentives Recommendations

V.b. Old Business

V.c. New Business

V.d. Member Comments

Mr. Tylka said that the Affordable Housing Incentives recommendations included readdressing issues regarding the ULDC and searching the ULDC for modifications that included a more flexible process.

Mr. Johnson requested that the proposed alternative process be given a name.

Brief discussion ensued regarding naming the alternative process, and zoning regulations, and the commission members agreed that:

- Naming the alternative process could be created at a later time.
- The recommended alternative process was an approval process designed to develop a flexible and self-regulating development order.

Mr. Serrano said that 11 incentive areas were identified that the commission would recommend to the State.

Mr. Tylka requested that the annual incentives include:

- a communications program in collaboration with other groups, to build communitywide support for broad-based housing initiatives; and
- an alternative approval process designed to develop a flexible and self-regulation development order.

Mr. Tylka said that:

- Continued effort was needed for the expedited development approvals/ permitting.
- Affordable housing density flexibility would combine with the recommended alternative process.
- The verbiage, inventory of locally owned land could be changed to inventory of governmentally owned lands.
- Procedures could be drafted to make the land available.

Discussion ensued regarding annual incentives review recommendations, land development, procedures, and non-entitlement communities.

Tammy McDonald, stakeholder, requested that language be added to include collaboration with the Palm Beach Housing Authority. She also added a suggestion that housing that was built was insured to go into perpetuity and not just time specific.

Discussion ensued regarding the zoning procedures, developers, nonprofits organizations recommendations language, affordable housing incentives, and communitywide processes.

Mr. Johnson said that according to suggestions the incentive recommendation should read “developable inventory controlled or owned by Palm Beach County or other relevant jurisdictions should be targeted for development for public or private institutions to provide efficient or high quality residential units for workforce or affordable housing.”

Discussion ensued regarding affordable accessory residential units, CAH recommendations, zoning regulations, restrictions, self-regulation, deed restrictions, County code, and water meters.

Mr. Coppage suggested a property tax incentive for the affordable accessory residential units.

Mr. Tylka proposed the language on the affordable accessory residential units incentive to also include as an additional incentive to provide accessory residential units affordability via tax break.

Brief discussion ensued regarding transportation hubs and members agreed about having discussion with the municipalities before any recommendations be made.

Mr. Tylka requested that the CAH's responses to the incentives be similar to recommendations mentioned and agreed upon earlier in the meeting.

Discussion ensued regarding the ongoing regulatory review process and language.

Ms. Ferriol pointed out that the SHIP program required a regulatory review process, that provided the impact of affordable housing.

Discussion ensued regarding the effects and impact of affordable housing.

Mr. Tylka brought back the topic of the transportation hubs and wanted to rewrite the CAH's recommendation to include that the CAH would advise the Board of County Commissioners to consult with all the local jurisdictions to provide a more comprehensive response for providing affordable housing near transportation hubs.

RECESS

At 12:22 p.m., the chair declared the meeting recessed.

RECONVENE

At 12:58 p. m., the meeting reconvened with George Campbell, Corey O'Gorman, Elliot Johnson, Aquanette Thomas, and Leonard Tylka present. Commissioner Bernard, John-Anthony Bogess, Timothy Coppage, Ezra Krieg, and Amy Robbins absent.

Mr. Tylka suggested that an affordability impact statement was needed.

Corey O'Gorman suggested that the Planning, Zoning and Building Department request input from the HES on ULDC amendments and the impact of affordable housing.

Discussion ensued regarding the tri-annual report, board adoptions and State statutes.

Mr. Campell said that the CAH's recommendation was for the County to prepare an economic impact estimate and to consider new regulations, policies or procedures, that would increase the cost of housing.

Mr. Johnson suggested in requesting a statement from HES on how the ULDC amendments process was.

Discussion ensued regarding allowable fee waiver incentives provided for developing or constructing affordable housing as well as impact fees and subsidies.

Mr. Tylka suggested that the recommendation include that the County would review its fee structure in terms of advancing affordable housing.

- Adding the following incentives to the previously discussed alternative process.
 - allow flexible densities for affordable housing;
 - The allowing flexible lot configurations, and zero-lot-line configurations for affordable housing; and
 - The reduction of parking and setback requirements for affordable housing.

Mr. Campbell and Mr. Johnson read the tri-annual report recommendation relating to the infrastructure housing capacity for very-low income, low income, and moderate-income persons, and the members agreed to leave the language as is.

Mr. Johnson recommended for the incentive regarding the printed inventory of locally owned public lands suitable for affordable housing to read "Developable inventory controlled or owned by Palm Beach County or other relevant jurisdictions should be targeted for development by public or private institutions to provide efficient and high quality residential units for workforce or affordable housing.

Brief discussion ensued regarding developers, developable properties, partnerships with the County.

CAH members requested that County staff be present for the August CAH meeting regarding the recommendations.

V.e. ADJOURNMENT

At 1:25 p.m., the chair declared the meeting adjourned.

APPROVED: