

BOARD MANAGEMENT AND PLANNING COMMITTEE AGENDA

MONDAY, FEBRUARY 4, 2008

1:00 PM - 4:00 PM

COUNTY COMMISSION CHAMBERS

1. I-75 CULVERTS AT HALFWAY CREEK AND ESTERO RIVER

PRESENTER: Roland Ottolini, Natural Resources

TIME REQUIRED: 15 Minutes

2. DR/GR UPDATE

PRESENTER: Mary Gibbs, Community Development

TIME REQUIRED: 5 Minutes

3. AFFORDABLE HOUSING WORKING GROUP STATUS REPORT

PRESENTER: Mary Gibbs, Community Development

TIME REQUIRED: 20 Minutes

BOARD COMMENTS/DISCUSSION

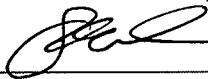
ADJOURN

The Management & Planning Meeting is carried live
on the following cable channel:

Comcast Cable Channel 11

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT #**

PRESENTED BY: Roland Ottolini, Director,
Natural Resources



REQUESTED BY: BoCC

TITLE OF ITEM FOR THE AGENDA:

I-75 culverts at Halfway Creek and Estero River

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The SFWMD has conditioned the Environmental Resource Permit for the I-75 Widening Project to include providing additional culverts at the Halfway Creek crossing. This is based on information provided in the South Lee County Flood Study that was conducted in response to the major floods in '92 and '95. Several citizens of the Brooks community and representatives of the Conservancy of Southwest Florida believe the study is inaccurate or at least out of date and have voiced opposition for the addition of culverts based on concerns for wetlands impacts to the east and potential flooding downstream.

The SFWMD plans on conditioning the permit to require all downstream improvements to be completed prior to placing culverts in operation and establishing a control structure on the upstream side to avoid dewatering of wetlands.

2. PROPOSE POLICY, PROCEDURE OR PLAN OF ACTION

The SFWMD has offered consideration of special conditions language to the permit if an agreement can be made. At this time of the process, filing a petition for an administrative hearing challenging the issuance of the permit may be the only recourse if suitable language to all parties has not been accomplished within the 21 day period to file a petition.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Accept the permit as issued and support the installation of the culverts to enhance flood protection for the region provided that control of the upstream side is secured to prohibit dewatering of wetlands and groundwater resources. The applicant has 5 years to install the culverts, giving ample time to consider and complete additional studies if warranted. SFWMD has indicated that they would support a permit modification if said studies determined that the current design is inappropriate.

File a petition challenging the issuance of the permit citing the County's objections to the permit and other suggested language that addresses the concerns.

4. FINANCIAL IMPACTS/FUNDING SOURCE

FDOT will be responsible for the installation of the culverts according to the permit as written. Downstream improvements have been made by the SFWMD and Lee County and through permit compliance by the Brooks, Coconut Mall and others. Remaining restriction in Halfway Creek at the force main location several miles downstream is funded under Lee County CIP.

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Support enhanced flood protection for the region while maintaining wet season water table.

6. Mandated: Y N

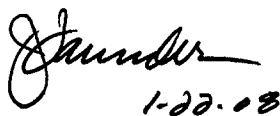
BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE

COUNTY MANAGER SIGNATURE

MEETING DATE

TIME REQUIRED


1-22-08

2-4-08

15 min.

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # CW**

INITIATED BY: Mary Gibbs
Director, Community Development

REQUESTED BY: Board of County Commissioners

TITLE OF ITEM FOR THE AGENDA DR/GR Update

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

Commissioners have requested a routine update on the status of the DR/GR Action Plan

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

Informational Item

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

N/A

4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

N/A

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
<i>Mary Gibbs</i>	<i>[Signature] for DAS</i>	2/4/08	5 mins

MANAGEMENT & PLANNING COMMITTEE

AGENDA REQUEST FORM

COMMISSION DISTRICT: ALL

COUNTY ADMINISTRATION

08 JUL 25 PM 2:16

INITIATED BY: Mary Gibbs/Community Development REQUESTED BY: Board of County Commissioners
Name/Department

TITLE OF ITEM FOR THE AGENDA : Affordable Housing Working Group Status Report

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

At the October 1, 2007 Management and Planning meeting the Board directed staff to convene an Affordable Housing Working Group of Horizon Council members to develop options for affordable housing. The Board requested that a summary be presented at a future Management and Planning meeting. The Working Group Horizon Council members include: Bob Basset; Ron Inge; Steve Hartsell; Stephanie Keyes; Sharon Jenkins Owen; Michael Reitmann; and, Greg Toth, along with Regina Smith; Mary Gibbs; Joan LaGuardia, Paul O'Connor; and, Gloria Sajgo from county staff. The group met on November 6th, December 6th, December 19th, and January 10th. The Working Group initially identified 32 possible strategies to assist in the formation of affordable housing. These options were eventually narrowed to focus on 6 preferred options. The 6 options are outlined in the attached memorandum and summarized in the list below.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

Provide staff with direction on implementing options.

3. SUMMARY OF OPTIONS (Please see the attached memorandum for more detail.)

- A. Eliminate any further consideration of Linkage Fees.
- B. Provide additional monetary support for the Community Land Trust.
- C. Develop a comprehensive and integrated affordable housing web site.
- D. Support the Bonus Density Program.
- E. Suspend implementation of Inclusionary Zoning.
- F. Reimburse, reduce, eliminate, or freeze Impact Fees.

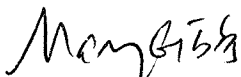
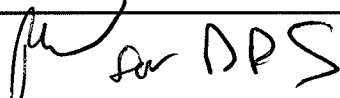
4. FINANCIAL IMPACTS/FUNDING SOURCE

Depends on option chosen.

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

The consensus of the Working Group Horizon Council members is for the Board to consider implementation of all of the options. A spokesman for the Working Group (Steve Hartsell) would like to summarize their conclusions.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		Feb. 4, 2008	20 Min.

DIVISION OF PLANNING

MEMORANDUM



LEE COUNTY

S O U T H W E S T F L O R I D A

to: Board of County Commissioners
from: Paul O'Connor ^{POC}
subject: Affordable Housing Working Group Recommendations
date: January 25, 2008

At the October 1, 2007 Management and Planning meeting, the Board directed staff to convene an Affordable Housing Working Group of Horizon Council members and staff to develop options to further the provision of affordable housing. The Board requested that a summary be presented at a future Management and Planning meeting. The Working Group Horizon Council members include: Bob Basset; Ron Inge; Steve Hartsell; Stephanie Keyes; Sharon Jenkins Owen; Michael Reitmann; and, Greg Toth, along with Regina Smith; Mary Gibbs; Joan LaGuardia, Paul O'Connor; and, Gloria Sajgo from county staff. The group met on November 6th, December 6th, December 19th, and January 10th. ~~Following the first meeting, the Working Group initially identified 32 possible strategies. These 32~~ options were evaluated by staff (see the attached Workforce Housing Options table) and further discussed by the Working Group.

The Affordable Housing Working Group eventually narrowed the options to the ones which they believe offer the most appropriate solution to the issue of affordable housing.

The most important option to the group was having the Board officially take the Linkage Fee option off the table. With the current economic times, the group believes that leaving such an option as a possibility is a liability to the county and also believes that formal action by the Board is the only way to remedy this issue.

Another favored option is for more support for the Community Land Trust. The group would like to recommend that the existing loan be forgiven and that additional funding be granted. They would also like to see the CLT's operations expanded and the county more active in deeding them surplus property and/or tax sale property.

The working group strongly recommends that a comprehensive Workforce Housing web site be developed. The site should address include information for both consumers of workforce housing and developers of workforce housing and act as a one stop web page that includes links to a variety of housing resources.

The group is also recommending that the Board of County Commissioners support the County's existing Bonus Density Program. They believe that density affords an opportunity for the provision of affordable housing and that the program could be implemented more effectively. They also endorsed the use of true mixed use projects and the use of "mother-in-law" apartments. There was support for taking the Bonus Density Program out of the public hearing process and back into the administrative arena.

Due to the current economic trends in the housing market, the group favored placing the concept of inclusionary zoning on the back burner.

The group also believes that impact fees should be reimbursed, reduced, eliminated, or frozen. They pointed to the recent fee reduction in Charlotte County, which happened due to an automatic tie to market indexes not a specific action by the commissioners.

**Workforce Housing Options
For Discussion and Consideration**

Option	Implementation	Comments
<p>1. <u>Dedicated source of funds from property tax value increases</u> - This would be a fund that includes a portion of revenues anticipated from property tax increases to support affordable housing programs.</p>		New taxes are not viable at this time.
<p>2. <u>Real estate resale transfer tax</u> - These are taxes that are assessed on real property when ownership of the property is transferred between parties. May be used to fund affordable housing programs.</p>		New taxes are not viable at this time. Requires an amendment to state legislation.
<p>3. <u>Enhanced use of "tax increment financing" (TIF) areas and mechanisms</u> - This could involve allocation of TIF funds to support specific affordable housing programs.</p>		TIF financing relies on an increase in tax base from improvement or redevelopment. Additional development to increase the tax base may be necessary.
<p>4. <u>Government partnerships with non-profits/development community</u> - This would involve the creation of programs to maximize resources, funding and options to support or provide affordable housing.</p>	SHIP Community Land Trust	
<p>5. <u>Enhance Community Development Block Grant (CDBG) programs</u> - The CDBG is a federal program which provides annual grants on a formula basis to many different types of grantees through several programs.</p>	Human Services CDBG funding is decreasing	Enhance this with funding from where?

Option	Implementation	Comments
<p>6. <u>Enhance Home Investment Partnership (HOME) programs</u> - These programs provide non-amortized, low interest loans to developers for acquisition and/or new construction or rehabilitation of affordable rental housing to low income families. The borrowers of HOME funds are for-profit developers, nonprofit housing providers, Community Housing Development Organizations or local governments, redevelopment organizations or public housing authorities.</p>	<p>HOME is a state run program similar to the SHIP program.</p>	<p>Enhance this with funds from what source?</p>
<p>7. <u>Enhance State Housing Initiatives Partnership (SHIP) Programs</u> - These programs established by the State of Florida via the passage of the 1992 William E. Sadowski Affordable Housing Act. Funds are collected through documentary stamp tax revenue from the sale of homes and then deposited into the Local Government Housing Trust Fund.</p>	<p>SHIP</p>	<p>Enhance this with funds from what source?</p>
<p>8. <u>Create partnerships with Housing Authorities (including enhanced funding). Enhance the use/programs of Housing Authorities</u> - Housing authorities provide rental housing for eligible and low-income families, the elderly and persons with disabilities, and manage public housing sites.</p>	<p>Federal program</p>	<p>This is a Federal program that has very little funding. Examples of projects are Michigan Links tear down and Warner Circle. Enhance this with funds from what source?</p>
<p>9. <u>Enhanced "first-time homebuyer" programs</u> - These programs provide below market interest rate mortgage loans through a network of participating lenders to eligible families and individuals who are purchasing their first home or who have not owned a home over a defined period.</p>	<p>SHIP down payment assistance is run by Human Services</p>	<p>Enhance this with funds from what source?</p>

Option	Implementation	Comments
<p>10. <u>County/municipal “subordinated second mortgage program” (i.e. “Coral Springs” proposal)</u> - This program type provides a second mortgage funding opportunity to close the gap between the purchase price of a home and household income buying power.</p>	<p>Affordable Housing Trust Fund</p> <ul style="list-style-type: none"> • DRI mitigation • Bonus Density Option 2 	
<p>11. <u>Enhance the use/programs of Housing Authorities</u> - Housing authorities provide rental housing for eligible and low-income families, the elderly and persons with disabilities, and manage public housing sites.</p>	<p>Federal program</p>	<p>Same as Number 8 above. Enhance this with funds from what source?</p>
<p>12. <u>Linkage Fees</u> - A mitigation or impact-type fee that developers pay to offset the development's impact on affordable housing. Few places in Florida have official linkage fee programs, likely due to the fear of the program's impact on economic growth.</p>		<p>Requires that the Board adopt a Linkage Fee Ordinance.</p>
<p>13. <u>Waiver of Application/impact fees for affordable housing</u> - This would involve full or partial waiver of various application and impact-type fees such as development review processing fees, utility hook-up fees, and transportation, school and park impact/concurrency fees. For affordable housing, the fees may be waived or postponed until the buyer sells the unit.</p>	<p>School Impact Fee one half reimbursement program.</p>	<p>This could be expanded to other Impact Fees. Requires a dedicated funding source. Current source for School Impact Fees is interest earned prior to giving the fee to the District.</p>
<p>14. <u>Mandatory requirements or voluntary inclusionary goals, with bonus densities, and targets for new large-scale residential developments</u> - “Inclusionary” programs involve defined requirements or encouraged targets for affordable housing within described areas or specific residential development projects.</p>		<p>Development community is strongly opposed to this proposal.</p>

Option	Implementation	Comments
<p>15. <u>Increase time periods for which subsidized/regulated housing remains affordable</u> - For example, currently, the Broward County Land Use Plan affordable housing "bonus density" provisions require bonus affordable units to remain affordable for 5 years for owner occupied housing and 15 years for rental housing.</p>	<p>SHIP is currently 15 years. Bonus Density Program was just lowered to 7 years.</p>	<p>We just did the opposite to the Bonus Density Program. Burden on developer is too great. Extension of time requirement on the State's Tax Credit Program?</p>
<p>16. <u>Publicly owned housing leasing program, such as a Community Land Trust program</u> - This is a nonprofit program which administers perpetually owned land on which houses priced for moderate-income or lower-income families are built or remodeled. Price controls on those homes for the initial sale and every sale thereafter would be imposed. More than 160 land trusts have been created nationwide for affordable housing.</p>	<p>Have created a Community Land Trust.</p>	<p>Once the program proves itself we need to be more creative with this program.</p>
<p>17. <u>Partnership with School Board and/or other appropriate agencies to provide housing</u> - Allocating funding to programs designed to offer affordable housing to eligible public school personnel. Also, portions of public school property may be an option to use for affordable housing development.</p>	<p>Bonita Bay partnered with Lee County Housing Development Corporation on Osprey Cove. Program has not been very successful.</p>	
<p>18. <u>Revise existing County Land Use Plan affordable housing density bonus provisions</u> - Some current density bonus provisions allow density only for additional affordable units. This option would permit a bonus density blend of market-rate units with affordable units.</p>	<p>Option 1 of the Bonus Density Program already does this. Only the bonus units are required to be affordable.</p>	

Option	Implementation	Comments
<p>19. <u>Rewrite existing municipal codes to reduce the need for variance requests and more easily allow mixed uses</u> - Currently, many municipal land development codes favor the development of single-use, low density, high square footage, large lot oriented residential uses.</p>		<p>Clarion recommendation to waive use, density and dimensional standards.</p>
<p>20. <u>Support density increases in appropriate redevelopment, transit-oriented, mixed use and currently designated nonresidential areas</u> - Development of housing in higher density and transit-oriented areas may facilitate a reduction of the per-unit costs of housing and also reduce household transportation costs.</p>	<p>Mixed Use Overlay has been adopted.</p>	<p>Once the program proves itself we need to be more creative with this program.</p>
<p>21. <u>Employer Assisted Housing Programs</u> - Employer sponsored housing benefit which can close the home ownership and rental affordability gap and allow workers to live in the communities they serve. The programs offer an innovative mechanism for leveraging public and private funds to make housing affordable for working families.</p>	<p>Bonita Bay Bank of America Colonial Bank South Seas Gasparilla Inn</p>	<p>Hospital Board represented on Affordable Housing committee.</p>
<p>22. <u>Promote retention and creation of rental unit supply</u> - It has been indicated that the increase in the market value of residential properties, with the concurrent increase in tax assessment values, has significantly impacted the rental housing stock by resulting in substantial increases in rents and encouraging rental property owners to seek conversion of rental units to owner-occupied units.</p>		<p>County does not regulate ownership.</p>

Option	Implementation	Comments
<p>23. <u>Coordinate with social service providers and support “supportive,” “transitional” and elderly housing”</u> - It has been indicated that correlation exists between those persons who need affordable housing and social services such as educational and medical assistance. Such social services support may include housing or accessible facilities with specialized features such as training or medical facilities.</p>	<p>Goodwill Presbyterian Homes Palm Harbor SWFAS Renaissance Manor</p>	<p>Ongoing projects</p>
<p>24. <u>Revise policy requirements, and comment and analysis regarding affordable housing during land use amendment/rezoning reviews</u> - The consideration of affordable housing in relation to land use plan amendment/rezoning reviews is minimal.</p>		<p>All factors must be balanced not just affordable housing.</p>
<p>25. <u>Fast-Track Permitting</u> - Development that includes affordable housing is given priority. Permitting today can take up to two years.</p>	<p>Required by the Local Housing Assistance Plan.</p>	<p>Clarion recommendation for Ombudsman.</p>
<p>26. <u>Multifamily Mortgage Revenue Bonds</u>- Multifamily Mortgage Revenue Bond program uses taxable and tax-exempt bonds to provide below market rate loans to nonprofit and for-profit developers who set aside a certain percentage of their apartment units for low income families.</p>	<p>Lee County Housing Finance Authority</p>	
<p>27. <u>Florida Affordable Housing Guarantee</u>- This program encourages affordable housing lending by issuing guarantees on financing for affordable housing.</p>		<p>State program</p>

Option	Implementation	Comments
<p>28. <u>State Apartment Loan Program (SAIL)</u>- This program provides low-interest loans on a competitive basis to developers of affordable rental housing each year. These funds provide gap financing that allows developers to obtain the full financing needed to construct affordable multifamily units.</p>	<p>Palm Harbor</p>	<p>Non-profit and for-profit State program</p>
<p>29. <u>Community Workforce Housing Innovation Pilot Program</u>- The 2006 Florida Legislature passed House Bill 1363. HB 1363 includes \$50 million for an affordable housing pilot program called the Community Workforce Housing Innovation Pilot Program (CWHIP). These funds are awarded through a Request for Proposals process to public-private entities seeking to build affordable housing for Florida's workforce.</p>		<p>Pilot program that required the creation of public-private partnerships to finance, build and manage workforce housing. Program timeline has passed.</p>
<p>30. <u>Density by right</u>- This allows any developer willing to build affordable housing an increase in density without a county commission's approval. This would take away the ability of residents to fight affordable housing near their neighborhoods.</p>		<p>Past actions by the Board has taken bonus density out of administrative process and into the public hearing process. NIMBY</p>
<p>31. <u>Bonus Density programs</u>- Allowing developers to purchase additional density units up to some maximum cap by making donations to Affordable Housing trust funds. Some counties and cities with Housing Density Bonus Provisions: 1) Collier County 2) Brevard County 3) Jacksonville 4) Coral Springs 5) Lee County</p>	<p>Option 2 of the Bonus Density Program</p>	

Option	Implementation	Comments
<p>32. <u>Density in Density Reduction/Groundwater Resource Lands</u>- This would allow affordable housing at increased density to be built in the Density Reduction/Groundwater Resource Lands.</p>		Services are not available
<p>33. <u>Accessory Dwelling Units</u>- Also known as garage, loft or mother-in-law apartments, this is a new trend in proposed affordable housing solutions. Lee County code currently restricts such rentals, but leaders may reconsider it on a neighborhood-by-neighborhood basis.</p>	Allowed if comp plan density is maintained	Could make this process easier
<p>34. <u>Teacher Down Payment Money</u>- A Teacher Down Payment Assistance Pilot Program, is created in Section 45 of the Appropriations Implementing Bill (SB 2802). The Teacher DAP provides for \$4,000 down payment assistance in the form of forgivable loans.</p>		State run program

Clearing House