

# **AFFORDABLE HOUSING INCENTIVES**

**offered through the**

## **PINELLAS COUNTY LAND DEVELOPMENT CODE**



**Pinellas County Planning  
Department  
440 Court Street, 2nd Floor  
Clearwater, Florida 33755**

### **Affordable Housing Incentives offered through the Pinellas County Land Development Code**

#### **Purpose and Intent**

Section 138-1346 of the Pinellas County Land Development Code describes the procedure for certification of Affordable Housing Developments ("AHD"), specifies incentives available to developers of AHD's, and provides for a review process for approval of these incentives. An Affordable Housing Development is defined as a housing development in which at least 20% of the units are affordable to households at or below the applicable income limits. The applicable limit for rental housing developments is 60% AMI. The applicable limit for homeowner housing is 80% AMI. Income limits are updated periodically and are available from the Planning Department upon request.

#### **Incentives to Encourage Provision of Affordable Housing**

The incentives listed below are made available by the Board of County Commissioners in order to encourage development of affordable housing in unincorporated Pinellas County. These incentives are fully described in the Appendix to this document and in the Pinellas County Land Development Code.

Expedited Permit Processing	Density Bonuses
Review Fee Relief	Accessory Structures
Reduced Parking Requirements	Reduced Setbacks
Housing in Commercial Zones	Street Design Modifications
Donation of Publicly Owned Land	Zero Lot Lines
Identifying Qualified Renters or Buyers	

The Planning Department administers the AHD certification process, provides relief of review fees, and enforces mechanisms to ensure affordability of assisted units and compliance with applicable regulations. The Development Review Services Department processes all requests for modification of development standards.

### **Owner-Occupied Housing**

Builders and developers of affordable homes for sale to income-eligible households may seek expedited permit processing; relief from County review fees; and modification of development standards. The price of the home may be restricted. Maximum house prices are determined annually and are available from the Planning Department. To be eligible for fee relief, the planned development must be certified as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement.

### **Rental Housing Development**

Developers building affordable units for rent to income-eligible households may seek expedited permit processing; relief from County review fees; and other incentives provided through modification of development standards. Applicants for fee relief must sign a Land Use Restriction Agreement pledging to rent to eligible households at affordable rents for the period required by the funding source or by local policy. To be eligible for fee relief, the developer must apply for certification of the planned development as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement.

Within a rental community, affordable units may not be substantively different from market rate units in size, amenities, or condition. Affordable rents are determined annually and are available from the Planning Department. Owners may adjust rental rates as maximum rents change and must give residents at least 30 days written notice before increases are implemented. Residents whose incomes increase above program limits are not required to move. However, the next available unit must be rented to an eligible household.

### **Administrative Procedures**

Builders and developers may submit applications for AHD certification to the Planning Department at any time. If certified as an AHD, the developer is issued a voucher specifying the time limit on the use of the voucher. The voucher also serves as documentation of AHD certification and is submitted with permit and review applications. The applicant will immediately be entitled to review fee waivers and expedited permit processing.

If a certified AHD is seeking modification of development standards, the developer must provide a concept plan and an explanation of why the requested modifications are needed. The developer must also submit plans and specifications when appropriate. The Development Review Administrator serves as an ombudsman to shepherd the AHD through the review and permitting process and is responsible for coordinating all County review comments, questions, and responses. This ombudsman will provide the developer with a single point of contact for all questions regarding the review process.

Certain modifications of development standards are awarded through administrative action. Other modifications require action of the Board of Adjustment. Development Review Services prepares all recommendations to the Board of Adjustment. Modifications are recommended for approval based on local housing needs and compatibility with the surrounding neighborhood. Staff and the Boards reserve the right to review architectural designs and specifications and, where appropriate, make recommendations that would enhance the development and the neighborhood. If the request for modifications is approved, the developer will be issued a variance or special exception. The developer shall insure that all housing is constructed and operated in accordance with the plans reviewed and approved by the County.

### **Summary**

The intent of Section 138-1346 of the Pinellas County Land Development Code is to provide private sector builders and developers with regulatory and financial incentives to produce affordable housing in Pinellas County. This section is intended to be a tool to both spur construction and to engage the creativity of the development community.

For further information, contact Steve Baumann in the Pinellas County Planning Department at (727) 464-8247, [sbaumann@pinellascounty.org](mailto:sbaumann@pinellascounty.org)

## Appendix

### Pinellas County Land Development Code Section 138-1346 Affordable Housing

The following is excerpted directly from Section 138-1346 of the Pinellas County Land Development Code.

(a) *Purpose and Intent.* The purpose and intent of this section is to provide a permitting procedure for the construction of affordable housing in keeping with the affordable housing incentive plan (Resolution 94-60) adopted by the board of county commissioners pursuant to the state housing initiatives partnership (SHIP) program pursuant to F.S. § 420.9072. This section will describe procedures and criteria for the certification of affordable housing developments (AHD's), describe the package of incentives which may be made available to developers of AHD's and provide a review process for the approval of AHD's. This section may also provide reference to other county ordinances and regulations effecting the development of AHD's.

(b) *Incentives.* The following incentives may be made available to encourage the provision of affordable housing:

(1) *Expedited permit processing.* The county administrator shall provide a review process that gives AHD's priority in the permit review process. A two-week turnaround time shall be the desired goal for the processing of a site plan for such development. To assist in achieving this goal a pre-application meeting will be required between the applicant and county site plan review staff. The development review administrator will serve as an ombudsman to assist the applicant in achieving an expeditious review.

(2) *Review fees may be waived or paid by the county.* The county administrator is authorized to waive review fees for affordable housing units. The Department of Community Development shall administer a program to assist the applicant subject to available funds.

(3) A density bonus of up to 50 percent above the normal density permitted by this chapter may be provided as a special exception pursuant to article II division 7 of this chapter. Such bonus shall be subject to compatibility with the surrounding natural and physical environment, site constraints, concurrency management requirements and shall be in keeping with the purpose and intent of this chapter.

(4) Parking requirements may be reduced where it can be shown that such reduction will be compatible with the surrounding neighborhood and not cause an adverse impact to the neighborhood. Such reduction shall be reviewed by the board of adjustment pursuant to section 138-240(23).

(5) Setback requirements may be reduced up to 25 percent provided such reductions are not permitted for structures along the periphery of the AHD. Reductions along the periphery or in excess of the 25 percent limitation may be considered by the board of adjustment.

(6) Zero lot line configuration will be permitted in all single-family residential districts as follows:

- a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is the normal requirement of the district in which the AHD is located. All other requirements must be met including article 4 division 11 of this chapter shall be applicable.
  - b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.
- (7) *Street design.* Modifications in street layout and design may be permitted subject to site constraints, type and intensity of development, and compatibility with surrounding development. The county public works director or his designee may recommend such modifications as deemed appropriate to achieve the intent of this section. However, such recommendation will be in keeping with standard, safe engineering practice and construction standards generally shall not be modified.
- (8) *Donation of publicly owned land.* County ordinance 88-47 currently permits donations of escheated property to nonprofit organizations. Using state or federal housing funds, the county may also make deferred payment or low-interest loans to both nonprofits and for-profits for the purchase of property when the use meets the requirements of the funding source.
- (9) *Guest cottages.* Will be permitted in all areas permitting single-family homes subject to size limits, design

guidelines, parking and that the primary unit be owner-occupied (see section 138-1).

- (10) *Identifying qualified buyers or renters.* Existing sources will be identified and made available to AHD's to provide assistance in locating a qualified pool of homebuyers and renters for the affordable units. The department of community development will make this information available.
- (11) *Affordable housing development.* Up to ten units per acre shall be permitted in commercial zoning districts provided all development standards of the zoning district are adhered to. Where residential development is provided as upper floors above commercial uses, the allowable floor area permitted for the commercial use shall not be reduced.