



## **Report 2: Inclusionary Housing in Alachua County**

### **Analyzing Capacity and Resources**

This second report of the feasibility study for inclusionary housing in Alachua County analyzes potential outcomes from implementing an inclusionary program, as well as the feasibility of adopting an effective program in compliance with State law with a resulting menu of regulatory options for the County's consideration.

This report first provides some background on mandatory and inclusionary housing programs, including parameters in Florida law for mandatory inclusionary programs. This overview is followed by general local considerations that may influence structuring and implementing an inclusionary program in the County. The following section evaluates prior development trends and development capacity currently or potentially available in the County that would provide a basis for development that might trigger an inclusionary requirement if adopted. This section also analyzes the County's options to offset costs via increased density allowances. Based on this analysis, this report then provides scoring criteria to help locationally focus regulatory strategies and other resources the County has to offset costs of and/or incentivize inclusionary housing if it were to adopt a mandatory and/or voluntary program, as well as by-right regulatory and procedural adjustments the County can make to facilitate more housing options. The final section summarizes these options.

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## Main Takeaways

- 1. Based on findings from Report 1, the County should consider housing needs at higher target income levels than those explicitly identified in the Comprehensive Plan, namely up to 80% Area Median Income (AMI) for rental and 120% AMI for homeownership strategies.**

Report 1 shows that the greatest housing need is experienced by households at 80% area median income (AMI) thresholds and below, particularly for rental units serving 60% AMI and below. For-sale units are quickly becoming unaffordable at 120% AMI and below. These income thresholds are greater than those explicitly targeted in the Comprehensive Plan language. Policy 1.2.8 of the County's Housing Element provides direction to "Establish regulatory incentives for the development and redevelopment of housing units affordable to very low and extremely low-income households." Very low- and extremely low-income have the standard definitions of 50% and 30%, respectively, of median annual gross income for households adjusted for family size within the metropolitan statistical area.

- 2. The County has remaining development capacity in its Urban Cluster area to which a mandatory requirement could apply. Yet, the main limiting factor of adopting mandatory IHO is likely the limited desire for density bonuses, which is a typical and robust incentive to adequately meet the cost-offset requirements of State law. As a result, the County should evaluate alternative strategies and incentives to increase affordable housing units.**

Over the past several years, Alachua County has taken praiseworthy steps to remove barriers to building housing, adding by-right density increases for Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), and Cottage Neighborhood (CN) Development if additional regulations are met. TND and TOD provisions also allow for multi-family housing types.

A review of a sample of prior developments indicates some TND and CN developments have completely used all their allowed entitlements, and others have used most but not all their entitlements. Discussions with County planning and housing staff have indicated that there generally have not been many requests for land use amendments and re-zonings for additional density. One perspective offered during a discussion with a local developer indicated a potential limit to the desire for additional density due to the market desire for detached, single-family homes.

This lack of requests for more density poses a challenge to implementing an inclusionary housing ordinance in Alachua County. Providing additional density or other land use benefits is the most successful tool a local government has to offset the costs of an affordable housing requirement and the fact that developers have not utilized existing incentives or requested land use changes is concerning for an IHO feasibility study.

Given the prior increase in by-right density and housing type allowances in the past via TOD, TND, and cottage neighborhood regulations; the mixed results in terms of complete use of existing density in the cases of these developments reviewed; and indications from developers and staff of limited desire for additional density through requests for increases in Urban Cluster areas, it is not clear that use of a typical tool like a density bonus to incentivize and offset costs for an inclusionary

requirement would be effective in Alachua County in the current market. In a situation where a developer opts to not select a density bonus as an incentive to “fully offset all costs” of an IHO requirement, the County may be put into a predicament where it needs to provide monetary incentives to reduce costs instead of using regulatory incentives. However, current or additional density bonuses may become more desirable with administrative allowances to build multi-family without a mixed-use requirement and if there is further market shift towards more dense, multifamily rental development.

- 3. While requests for entitlement increases are currently rare, the County can consider implementing mandatory IHO requirements for future entitlement increases via land use amendments, rezonings, and Urban Cluster expansions. Such requirements should apply to single-family and for-sale units.**

While the County has reported limited requests for additional density through land use amendments and rezonings, the County can still put a mandatory IHO requirement in place now for future land use amendments, rezonings, and Urban Cluster expansion requests with entitlement increases as market and build-out conditions evolve. IHO requirements should be coordinated between these options in view of growth management goals to focus urban densities in the Urban Cluster area, optimal use of infrastructure investments, and others.

As noted in Report 1, most new construction in the unincorporated County for the past 10 years has been one- and two-family homes, which likely capture many units for sale. Consequently, any affordable housing strategy such as IHO that is tied to market-rate development in the County would need to apply not only to rental but also to for-sale units.

- 4. The following are additional incentive opportunities for voluntary IHO/affordable housing development that can also be provided with mandatory IHO requirements.**

- 4a. Establish density bonus.**

Given the mixed indications of potential desire for additional density from the density analysis completed and additional information gathered in this report, the County could pilot a by-right density bonus above and beyond what is offered with current TND and TOD density allowances through a voluntary program to gauge whether with a streamlined process of not having to do a land use/zoning amendment would encourage requests for additional density in exchange for provision of affordable units.

- 4b. Provide funding and land with permanent affordability.**

The County can use existing public land in its inventory and land acquired through the recently passed one-cent surtax (see details in the appendix) for permanently affordable housing via a community land trust or other permanent affordability mechanism.

- 4c. Remove non-residential requirement for TNDs and TODs.**

TND and TOD regulations have successfully provided greater density in exchange for a policy goal of mixed-use development. An affordable housing density bonus can be offered in the same vein as

these TND/TOD incentives by amending regulations to include extra benefits for an affordable housing contribution.

TND and TOD regulations, put in place in 2009, offer a way through the base zoning regulations to include various housing types and additional densities beyond base residential-only regulations. If a density bonus were to be offered in return for affordable units with use of residential-only base regulations, particularly for areas with more restrictive densities and housing type allowances, there could be cases where use of the full density could require transitioning to building attached and multi-family units, depending on space needed to meet other land development regulatory requirements (e.g., stormwater management, parking, etc.). TND and TOD regulations allow for multi-family and help account for these considerations through base regulations, with additional regulations for non-residential requirements, multi-modal transportation, etc.

A key adjustment to the regulation to incentivize affordable housing is the removal of the non-residential requirement in TODs and TNDs in exchange for affordable units; this would essentially provide the density bonus available to TOD and TND developments without having to do a mixed-use residential/non-residential project. A sample of recent TND development had commercial square footage far below maximum allowed, which may suggest potential interest in a reduced requirement. County staff has also indicated potential developer interest in this option. This strategy should be used in coordination with an evaluation of commercial land distribution to ensure that affordable development still has access to commercial areas.

**4d. Streamline/frontload public hearing and workshop requirements for developments with 25 units or more.**

Required workshops and hearings on a project-by-project basis can significantly slow down the development review process, increasing time and costs required for a project. However, these sorts of inputs are critical to ensure a project meets local vision and goals. Consequently, workshops and hearings should be frontloaded to enable exemptions at least for affordable housing developments of 25 units or more from these requirements during the development review process, excluding those projects triggering workshops and BOCC involvement on a case-by-case basis for other reasons stated in the Land Development Code (LDC). This input can occur during the Comprehensive Plan, LDC, and affordable housing funding guideline update and amendment processes.

**4e. Establish standard development fee and transportation mitigation cost offsets for affordable housing developments.**

The County previously bought down impact fees with general revenue but did not continue this practice; the 2022 Incentives and Recommendations Report from the Alachua County Affordable Housing Advisory Committee provides direction to revisit this incentive for impact fees.

The County can implement a standard fee waiver or buy-down for developments with income-restricted units. Whether the County would consider a waiver without an offset from another revenue source should be discussed with the County Attorney, along with revenue needs for infrastructure and other general revenue impacts from provisions in the Live Local Act. This program can consider inclusion of fees such as impact fees, the mobility fee, development review and permit

fees, and planning and land use fees. Policy 1.1.10 of the Transportation Element of the Comprehensive Plan has additional mitigation requirements for developments of greater than 1,000 dwelling units or 350,000 square feet of non-residential uses. The County can provide a cost offset aligned with the amount of required IHO units for these additional mitigation requirements where they apply.

Orange and Bay counties provide examples of buy-downs using State Housing Initiative Partnership (SHIP) funding; Manatee, Hillsborough, and Pasco counties provide examples of use of other funding sources for buy-downs, including funding availability from infrastructure surtax revenues.

**4f. Consider additional incentives, including stormwater management support, facilitation of use of non-residential parcels for affordable housing, funding support, and site design flexibility:**

- Provide off-site stormwater management.
- Facilitate affordable housing development on commercial, industrial and mixed-use sites via Live Local Act (2023).
- Establish additional funding for manufactured/modular (the latter indicating no chassis) homes; this approach should be considered in view of current homeowner’s association rules which may limit this housing type.
- Eliminate buffer requirements internal to IHO development and buffer/minimum lot size requirements for mixed-use development edge transitions.
- Remove/reduce setback requirements.
- Establish streamlined process to request additional requirement deviations and incentives.

**5. The following are opportunities for by-right adjustments to facilitate market-rate housing since they are options that may not be easily quantified to offset costs, that would not unlock large amounts of units provided on-site in one development where an IHO requirement would likely apply, or that are best practice to comply with State law.**

**5a. Evaluate locations for implementation of a “missing middle” housing zoning district.**

With the changes to the CN development regulations in 2023 allowing only detached units, primarily due to concerns with compatibility with surrounding single-family neighborhoods, the County should evaluate where small-scale missing middle housing types such as duplexes, triplexes, and quadplexes should be allowed and promoted. This will expand options to meet a variety of housing needs in the areas of focus while not removing the option to build single-family homes. Locational scoring criteria included in this report can provide a starting point for identifying appropriate areas, as well as transition areas between larger scale multi-family districts, commercial districts, and other more dense/intense development to single-family neighborhoods.

**5b. Remove ownership and locational barriers to accessory dwelling units (ADUs); consider tiered size caps between urban and rural areas.**

Remove owner-occupancy requirements for properties with ADUs. Owner occupancy requirements may discourage development of ADUs, limit selling options for current owners, and dissuade prospective buyers. Permit ADUs by right wherever single-family homes are permitted by right,

including higher density future land use categories and zoning districts where single-family homes are permitted. ADUs are currently permitted uses in Future Land Use categories ranging from Rural/Agricultural to Medium Residential (in terms of density). Consider a smaller size cap than the current 1700-square-foot cap for ADUs in the Urban Cluster area to maintain additional affordability through size.

**5c. Additional opportunities for expedited review and more objective language for compatibility.**

- Expand expedited review for affordable housing to the entire review process and all developments meeting income-restricted affordable development standards of the County.
- Establish objective terms for transitions between land uses and developments; address these regulations in the LDC as opposed to the Comprehensive Plan.

## Background on Inclusionary Housing

### Inclusionary Housing Basics

There are two main types of inclusionary housing ordinances (IHO), also called inclusionary zoning ordinances: 1) mandatory IHO and 2) voluntary IHO. A **mandatory IHO** is a land use policy that *requires* certain market-rate developments to set aside a number or percentage of units as affordable housing to income-eligible households. It is extremely rare for a mandatory IHO to apply to all new developments. Typically, there will be a unit threshold that triggers the affordable housing requirement. For example, a mandatory IHO could mandate affordable units only for developments of 50 units or more or another threshold determined by the local government. The local government must also determine the number or percentage of units that must be affordable within the market rate development. An example of a mandatory IHO would be: “All developments of 50 or more units must set-aside at least 10% of units as affordable housing to households earning at or below 120% of the Area Median Income.”

Here are the main elements of the typical mandatory IHO policy:

<b>Applicability.</b> What is the unit threshold that triggers the affordable housing requirement?	<b>Geographic Scope.</b> Which areas of the County will be subject to the affordable housing requirement? Whole jurisdiction? High-growth areas? Areas of high or low median household incomes?
<b>IHO Requirement.</b> What percentage or number of units must be affordable?	<b>Incentives.</b> What incentives can be used to fully offset all costs to the market-rate developer?
<b>Term of Affordability.</b> How long will the affordable units remain affordable?	<b>Exemptions.</b> What exemptions, if any, will be included in the IHO policy?
<b>Alternative compliance methods.</b> Can a developer satisfy their affordable housing requirement through a fee in-lieu or other alternative method?	<b>Pricing.</b> For ownership, how will pricing and resale be handled?
<b>Program Administration.</b> Who will be responsible for managing and monitoring the IHO program?	<b>Penalties.</b> What will the penalties be if a market-rate developer is not in compliance with their affordable housing requirements?

Mandatory IHO works best in areas with strong real estate markets where the value of producing additional market rate units will more than offset the costs of the required affordable units. Mandatory IHO is also most successful when local government has valuable regulatory incentives it can offer to market-rate developers in exchange for building mandated affordable units. In weaker markets where the local development industry does not need additional density or other regulatory incentives to build their product, mandatory IHO may be ineffective and actively stifle new development.

In contrast, a **voluntary IHO** encourages the private sector to provide affordable homes to income-eligible households with financial and regulatory incentives. As with a mandatory IHO, a typical voluntary IHO policy includes an incentive structure, a unit threshold, a determination of the number or percentage of affordable units needed to receive the incentives, and program compliance methods. Both mandatory and voluntary policies require staff capacity to run the program and an analysis of local development patterns and the existing regulatory structure.

For a voluntary IHO program to be effective, the incentives must be structured in a way to give the private sector something they want or need but do not already have. In other words, the local government must identify “carrots” they can offer (zoning flexibility, fee waivers, expedited permitting, financial subsidy, etc.) in exchange for provision of affordable units.

For example, a local government could provide only a density bonus for its voluntary IHO program, with language such as “The City will provide a 25% density bonus if the developer sets aside at least 10% of its units as affordable housing.” However, if market-rate developers are rarely building up to maximum densities to begin with, a density bonus by itself will be ineffective to truly incentivize affordable development; if a market-rate developer already has what they need to build their product, they will most likely leave the incentives on the table and not provide below-market rate units. In this example, additional work must be done to explore why it is that developers are not building up to maximum densities and if there are other development incentives, such as housing type flexibility, lot design standards, and fee reductions, that can truly entice the private sector to participate in the IHO program.

### [House Bill 7103 \(2019\) Requirements](#)

Florida law has expressly authorized local governments to adopt mandatory inclusionary housing ordinances since 2001 in sections 125.01055 and 166.04151 of the Florida Statutes for counties and municipalities, respectively.<sup>1</sup> In 2019, House Bill 7103 passed and become law, which amended these state inclusionary zoning statutes.

House Bill 7103 continued to allow local governments to implement mandatory IHO but with a condition. If a city or county implements a mandatory inclusionary housing program, ss. 125.01055(4) and 166.04151(4) require it to provide incentives to “**fully offset all costs** to the developer of its affordable housing contribution.” This “fully offset all costs” language requires local governments to keep developers economically whole in exchange for providing mandated affordable units. The Coalition interprets these statutes to mean that a local government does not need to do a calculation to “fully offset all costs” if it implements a *voluntary* IHO. Here is the statutory language for counties at s. 125.01055 of the Florida Statutes:



*125.01055 Affordable housing.—*

*(1) Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances.*

*(2) An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.*

*(3) An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.*

***(4) In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a county must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to:***

***(a) Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;***

***(b) Reducing or waiving fees, such as impact fees or water and sewer charges; or***

***(c) Granting other incentives.***

*(5) Subsection (2) does not apply in an area of critical state concern, as designated by s. [380.0552](#).*

For example, if there is a 100-unit development, and the local government requires that 10% of the development be set aside for affordable housing through a mandatory IHO, this statute requires that the local government “fully offset all costs” associated with the 10 required affordable units by providing regulatory and/or financial incentives. Factors such as the amount and affordability levels of the required units affect the associated costs and thus the incentives needed to offset those costs. Note that since the law is relatively new, there is no case law to provide further clarity on how local governments are to comply with these requirements.

This report includes a regulatory review to identify incentive opportunities to fully offset costs as part of the feasibility analysis for mandatory IHO.

## General Considerations for IHO and Additional Affordable Housing Strategies in the County

### Target Affordability Levels

Both County policy and findings from Report 1 on housing needs inform potential affordability levels to target through IHO and other strategies. Policy 1.2.8 of the County’s Housing Element in the Comprehensive Plan provides direction to “**Establish regulatory incentives for the development and redevelopment of housing units affordable to very low and extremely low-income households.** The new units are to be located within proximity to major employment centers, high performing public schools and public transit.” Very low- and extremely low-income have the standard definitions of 50% and 30%, respectively, of median annual gross income for households adjusted for family size within the metropolitan statistical area.

Findings from Report 1 indicate that significant need for housing extends into higher income brackets, as well. The report shows **the greatest housing need is experienced by households at 80% AMI and below, with a particular need for rental units serving households at 60% AMI and below.** Regarding homeownership opportunities, **for-sale units are quickly becoming unaffordable at 120% AMI and below.**

As noted earlier, deeper affordability requirements as part of a mandatory IHO program increase the amount of offset needed via incentives, unless share or number of required units is reduced.

#### [Locational Considerations for Affordable Housing: Access to Amenities & Dispersion](#)

As noted in the previous section, Policy 1.2.8 of the Comprehensive Plan includes direction to locate affordable units near major employment centers, high-performing public schools, and transit. Policies 1.1.1 and 1.1.4 also include proximity to services, shopping, and daycare facilities, as well as considerations for availability of land, availability of infrastructure, and promotion of infill opportunities. See the appendix for complete language of the policies referenced.

In conjunction with these access considerations, the Comprehensive Plan also includes direction to disperse affordability housing throughout the County (see Objective 1.1 and Policy 1.1.4 in the appendix). Dispersion of affordable housing has also arisen with the recent January 2023 public meeting regarding the proposed Dogwood Village development, due to concerns of concentration of affordable units in East Gainesville and a desire for more units provided in West Gainesville. Figure 1 relies on University of Florida Shimberg Center Assisted Housing Inventory data to show the current dispersion of units countywide. Many of these developments are in incorporated areas, particularly Gainesville.

Dispersion of affordable units via an IHO would depend on where market activity is occurring, assuming on-site provision of units is the main way developers would fulfill the IHO requirements. Figure 11 from Report 1 indicates that much of the recent development activity has been occurring in the western part of the County, indicating that more income-restricted units could come online in that area. Dispersion in the Gainesville incorporated area specifically would depend on any inclusionary program the City adopts, with the recently proposed program discussed further in the next section. Even without an IHO policy, locational criteria can still be incorporated into strategies, including land acquisition and new construction funding sources such as SHIP and infrastructure surtax revenues.

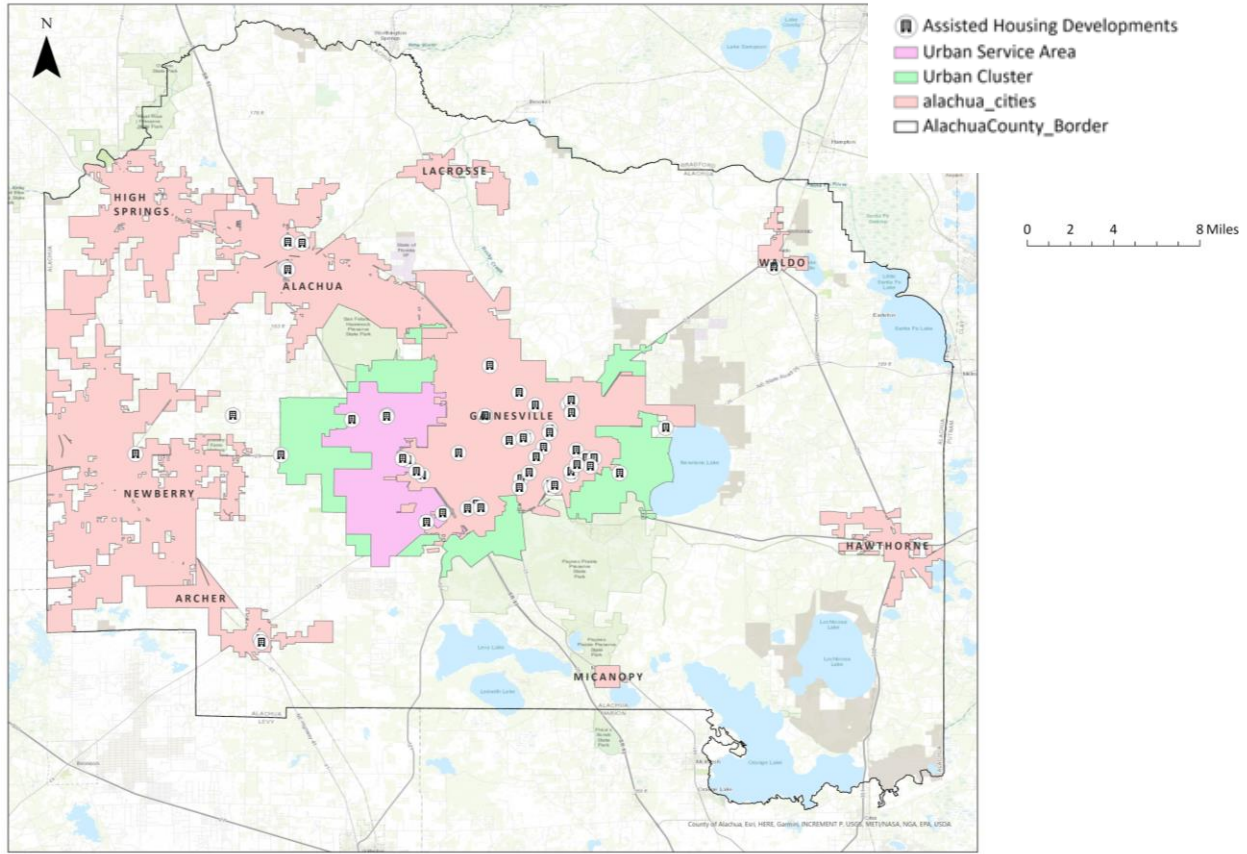


Figure 1: Assisted Housing Inventory in Alachua County

### Gainesville Inclusionary Housing Efforts

The City of Gainesville is currently considering adoption of an IHO policy. Coordination between County and City IHO policies can help stem a “race to bottom” where developers are enticed to build exclusively in the areas that have less restrictive affordable housing requirements. The December 8, 2022 City Plan Board Meeting included agenda items on amendments to the Comprehensive Plan and LDC to establish a mandatory inclusionary program; proposed strikethrough/underline amendments to the LDC included but are not limited to the following provisions:

- Targets affordable units serving households at 80% of median income or below.
- Applies only to rental properties/developments with a residential component of 10 units or more (those with 9 units or less can voluntarily participate).
- Requires that 10% of units in a rental project be affordable.
- Requires an affordability period of 99 years.
- May allow an in-lieu fee option to comply.
- Allows density and height bonus for provision of affordable housing.

The 80% median income affordability threshold in the proposed Gainesville IHO language captures the income levels where there is particular rental need demonstrated in Report 1 and is inclusive of the income levels of focus for affordability in the Alachua County Comprehensive Plan language of the Housing Element (50% and 30% AMI).

As noted in Report 1, most new construction in the unincorporated County for the past 10 years has been one- and two-family homes, which likely capture many units for sale. Consequently, **any affordable housing strategy such as IHO that is tied to market-rate development in the County would need to apply not only to rental but also to for-sale units.**

As of the February 13, 2023 Affordable Housing Advisory Committee (AHAC) meeting, the AHAC is reviewing results from initial community engagement on inclusionary housing and will plan additional engagement.

### Staffing Needs

IHO or any strategy resulting in an increase in income-restricted units that require administration such as income certification and compliance monitoring throughout the term of affordability will also require County staff capacity to administer the program. The amount of staff involvement depends to some degree on implementation approach, such as whether staff will directly complete these administrative tasks or whether they will be overseeing or auditing completion of these tasks by developers, property owners/managers, or third-party organizations.

## Development Allowances, Trends & Opportunities

### Future Land Use and Zoning Review

Alachua County has an Urban Cluster area designated on the Future Land Use Map that provides a boundary for urban development with relatively higher densities for residential development, generally served by urban services. As a result, most of the land outside the Urban Cluster is designated as Rural/Agriculture and Preservation future land use categories. Land within the Urban Cluster is predominantly designated for relatively low-density urban residential future land use categories, given the amount of land designated Estate Residential (density allowance of up to one unit per two gross acres) and Low Residential (density allowance between one and four units per gross acre).

However, the County's by-right land use policies and zoning regulations add a significant amount of flexibility to the base future land use categories and zoning districts:

- The County uses gross density to regulate density allowances, and single-family and multi-family base residential zoning districts do not have minimum lot size requirements. This approach facilitates flexibility in site planning.
- The predominant Low Residential future land use category allows attached single-family dwellings, zero lot line dwellings, and multi-family developments in planned developments, providing flexibility from detached single-family types that might typically be the only type allowed in relatively low-density categories.
- Additionally, the County has Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), and Cottage Neighborhood (CN) policies and regulations. These provisions allow for additional maximum density allowances if other requirements for these developments are met. TND and TOD developments allow for multi-family housing types,<sup>1</sup> and requirements include a non-residential component of the development. Regarding CN development, in March

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<sup>1</sup> Part III, Title 40, Chapter 410, Art. III of the LDC defines a multi-family dwelling as: "A residential building designed for or occupied exclusively by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided."

of 2023, the Board of County Commissioners adopted LDC amendments to CN regulations due to neighborhood compatibility concerns. Amendments included, but were not limited to, allowing only detached units (removing prior allowances for duplex and triplex housing types), increasing the minimum lot sizes to 2 acres from 1 acre unless otherwise approved by the Board via special exception, and requiring the development be on an un-platted lot unless otherwise approved by the Board via special exception.

Table 1 highlights the housing type and density allowances for the primary residential future land use categories and Rural/Agriculture category for rural development. Note that several primarily non-residential zoning districts also have allowances for residential over commercial or, in the case of Business, Highway, adaptive reuse of hotels or motels to multi-family.

FLU Category	Housing Type Allowances	FLU Gross Density Allowances
<b>Rural/Agricultural</b>	Single-family homes, ADUs (latter excluded from density calculations)	1 unit/5 acres <sup>1</sup>
<b>Estate Residential</b>	Single-family homes, ADUs (latter excluded from density calculations)	1 unit/2 acres
<b>Low Residential</b>	Single residential detached and attached dwellings, ADUs (latter excluded from density calculations), attached structures including townhouses, multi-family developments in planned developments, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, or mobile homes.	1-4 UPA
<b>Medium Residential</b>	Small lot single family residential detached and attached dwellings, and multi-family residential dwellings; ADUs (latter excluded from density calculations); various housing types, such as conventional, site-built single family dwellings, accessory living units, attached structures including townhouses, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, mobile homes, or multi-family dwellings	>4-8 UPA
<b>Medium-High Residential</b>	Small lot single family residential detached and attached dwellings, and multiple family residential dwellings.	>8-14 UPA
<b>High Residential</b>	Small lot single family residential detached and attached dwellings, multiple family residential dwellings	>14-24 UPA
<b>TND</b>	Single-family detached, single-family attached, multi-family, assisted and independent living facilities are all allowable residential uses.	Outside transit supportive area: consistent with underlying land use category.

		<p>Transit support area: min. 4 UPA or min. density of underlying land use category, whichever is greater</p> <p>Transit supportive area for TNDs not contiguous to planned Rapid Transit or Express Transit Corridor: max. of additional 4 UPA</p> <p>Transit supportive area outside of Village Center for TNDs contiguous to Rapid Transit or Express Transit Corridor: max. of additional 6 UPA</p> <p>Village Center for TNDs contiguous to Rapid Transit or Express Transit Corridor: max. of additional 8 UPA</p>
<b>TOD</b>	Mixed housing types [based on language from other future land use category descriptions referencing TOD]	<p>Outside transit supportive area: min. 3 UPA; max. consistent with underlying land use category.</p> <p>Inside transit supportive area, outside Village Center: 7-24 UPA</p> <p>Village Center: 10-48 UPA</p>
<b>Cottage Neighborhood</b>	Variety of housing types and sizes available within the community to meet the needs of a population diverse in age, income, and household composition	2x max. UPA of zoning district designation

Table 1: Housing Type and Density Allowances by Rural/Agricultural and Residential Future Land Use Categories

<sup>1</sup>May be exceeded by use of Planned Developments with Transfers of Development (Future Land Use Policy 6.2.5.1)



IHO incentives are typically based on removing restrictive land use policies and zoning regulations, relative to what a market would provide, in exchange for the provision of affordable units. In other words, IHO often works when more exclusionary zoning is in place to remove. Additional density is typically a key incentive to offer. **As noted above, over the past several years, Alachua County has taken praiseworthy steps to remove exclusionary zoning, with some adjustments back to more restrictive zoning regulations in the case of CN development. While this approach may decrease opportunities to offset costs for and/or incentivize affordable units as part of a blanket IHO program, it may also indicate alternatives to a blanket IHO requirement as a way forward.**

The Insights from Recent Development: Incentive Capacity section later in this report will explore recent development activity to evaluate built density and requested density increases versus allowed densities to indicate the limitations (or lack thereof) of existing density allowances.

### Potential IHO Outcomes

This section of the report builds on findings from Report 1 on development in the County to understand outcomes that might be anticipated from adopting an IHO based on past development trends and remaining development capacity.

Analysis included a review of permits since 2013 to indicate how many affordable units would have been produced during the past 10 years had an IHO been in place that applied. Since permits in the County often reflect individual phases of a development, this analysis compared permit titles to see where permits collectively would have amounted to at least 20 units. For example, if one phase of a development was permitted at 18 units during the timeframe of focus (2013 to present) and there was another phase of the development since 2000 that indicated another phase would have included at least 2 additional units, this analysis assumed that the IHO requirement would have applied to the 18-unit permit and any other permits related to that development issued during the timeframe of focus. If a 10% set-aside is assumed as a hypothetical requirement for affordable units as a share of total permitted units, then **633 affordable units would have been produced over the past 10 years** (out of a total of 6,337 units) across 44 permits.

Note that this analysis did not include permits for Celebration Pointe, a development of relatively large magnitude compared to others in the county. This development already includes an ad hoc voluntary inclusionary requirement written into the Comprehensive Plan: “Upon entering into an agreement with the County that guarantees 10% of additional units over 2,000 are affordable to households earning up to 50% of the Area Median Income, an additional 500 units may be approved.”

Findings in Report 1 suggest that much of the development activity over the past 10 years has been on the west side of the Urban Cluster area, with a vast majority of permits issued in the one- to two-family unit category and a strong predominance in the housing stock overall of single-unit detached homes. It is likely then that had an inclusionary housing ordinance been in place in the past, it may have generated income-restricted single-family units.

Looking towards the future, the 2019 Supporting Data & Analysis for the Evaluation & Appraisal Based Update of Alachua County Comprehensive Plan included a calculation of dwelling unit capacity for undeveloped lands in the Urban Cluster area, excluding approved yet unbuilt units. **Applying a 10% IHO requirement were applied to the 11,621 estimated number of dwelling units from the undeveloped lands in the Urban Cluster area, that would result in 1,162 affordable units.**

## Insights from Recent Development: Incentive Capacity

This permit review also begins to provide insights on density of development, an important factor to understand if a density bonus, one of the typical and most robust incentives that governments offer to offset costs of an inclusionary requirement, would create a true incentive to offset costs in Alachua County's case. The overall density of units among the 44 permits that would have triggered the IHO requirement is 3.6 units per gross acre and most of the individual permits triggering requirements (59%) were also within a low-density range of one to four units per acre. Whether allowing further density would have enticed these developments to build more would be a factor of whether the low densities are due to direct limitations via the regulations, indirect limitations due to other land development regulations that must be met, factors related to market demand or perceptions of it (e.g., residents generally want to live in single-family homes), or other factors.

One factor in play may be the degree of project phasing; many permits during the past ten years mention individual phases of developments, so much recent permitting reflects overall development approvals that happened earlier, although amendments to the original approvals may have since occurred. Regulatory context, market demand, etc. may have been different at the time of the original approval. This factor may be significant in view of large developments approved. For example, Arbor Greens, Town of Tioga, and Oakmont planned developments all received permits for phases during the past ten years, as well as earlier permits; these developments were approved for 660, 537, and 999 units, respectively.

Looking at TND and TOD developments during this timeframe takes these considerations a step further. TND and TOD regulations, put in place in 2009, offer a way through the base zoning regulations to include various housing types and additional densities beyond base residential-only regulations. **Additionally, if a density bonus were to be offered in return for affordable units with use of residential-only base regulations, particularly for areas with more restrictive densities and housing type allowances, there could be cases where use of the full density could require transitioning to building attached and multi-family units, depending on space needed to meet other land development regulatory requirements (e.g., stormwater management, parking, etc.). TND and TOD regulations allow for multi-family and help account for these considerations through base regulations, with additional regulations for non-residential requirements, multi-modal transportation, etc.** Looking at TND and TOD permits, including developments with TND and TOD intent that were approved prior to the formal regulations, may provide an initial indication of the level of interest in using these provisions moving forward. Additionally, looking at density and square footage used by newer developments in view of what was allowed and required can indicate if there is capacity for additional density bonus or non-residential requirement flexibility to incentivize affordable housing units as part of the process.

Of the permits to which an IHO requirement would apply if a mandatory requirement were in place, 19 (43%) were TND or TOD development based on documentation provided by staff, mentions of TND or TOD in the permit name, and/or mention of TOD or TND standards in related planned development documents, where applicable. Most of these TOD and TND permits had a gross density in the low-density range of one to four units. However, if this degree of development were to continue in the future with the aim of being TND and TOD, these developments would have current additional TND and TOD density allowances available as long as they met the associated site design requirements, if they didn't already have the new allowances to use at time of approval. In short, if TND and TOD



developments, which were a significant share of permits associated with development that would have triggered our hypothetical IHO requirement, were low density due to direct density limitations in the past, that may be relieved at least to some degree by current additional by-right allowances (with associated site design requirements). One of the recommendations of this report is to incorporate incentives to build affordable units into the TND/TOD structure.

In practice, density is regulated at level of the development as a whole and IHO requirements, if adopted, likely also would be regulated for an entire development, so that phasing would not be a way to avoid requirements. To help address analysis of density use at the level of entire developments and not just permits that might contain only one phase, analysis included review of a sampling of development approval documentation. Figure 7 of the County's 2019 Evaluation and Appraisal Report supporting data and analysis document included a review of acreage, units, and gross density of approved TND and TOD developments (see Table 2 below).

The project team then compared the approved gross density to allowed gross densities, which are regulated by sub-area (village center, transit supportive area, outside transit supportive area) for TNDs and TODs. For three recent TND developments (23 West TND, Newberry Park TND, and Park Avenue TND), the entirety of the development for each was encompassed by the "Village Center" sub-area, which permits the highest density allowances of all the TND sub-areas. This arrangement allowed for the comparison of the village center density allowance and the approved gross residential density overall for the developments. 23 West TND used the maximum allowance of eight units per gross acre; Newberry Park TND and Park Avenue TND developments used much but not all the permitted allowance (10 units per gross acre of 12 permitted and 11 units per gross acre of 12 permitted, respectively; see Table 3).

This review included non-residential square footage of final approved development relative to what was allowed via the Preliminary Development Plans and regulatory maximums allowed for non-residential development. The table shows that the amount of non-residential square footage for approved development in all three of these TND cases was significantly lower than the regulatory maximums allowed.

The project team also reviewed recent cottage neighborhood developments; the County codified regulations for these development types in 2018, allowing at the time for additional small-scale duplex and triplex housing types and density through base regulations (yet recently repealing these housing type allowances). Of the two cottage neighborhood developments approved since adoption of the regulations (Table 4), one used all the allowed density, and one did not.

This review of TND and CN developments thus indicates a mix of complete and partial use of allowed density; the former may have benefited from additional density allowances, but others may not have. The non-residential square footage final approval for non-residential square footage in TNDs indicates that additional non-residential allowances may not provide an incentive for affordable housing, but removing requirements where affordable housing is provided may. The mapping analysis in Future Development Opportunities for IHO includes mapping of commercial areas to indicate existing availability and distribution of commercial that would ensure access to daily needs if this requirement were removed from a TND/TOD development on site.

Name	Construction Permits Issued	Future Land Use Category	Acres	Non-Residential (sq. feet)	Residential Units	Gross Residential Density
23 West TND	Yes	Res. Low	22	42,400	174	7.9
Celebration Pointe TOD	Yes	Mixed Use	244	896,000	1,772	7.3
Dogwood Park TND	No	Res. Low	25	184,750	224	9.0
Lugano TND	Yes	Res. Low	145	127,000	460	3.2
GWR TND Jonesville	No	Res. Low and Med.	130	30k - 90k	246 - 653	1.9 - 5.0
Multerra TND	No	Res. Low	25	22,000	228	9.1
Newberry Park TND	Yes	Res. Low	31	27,650	300	9.7
Park Avenue TND	Yes	Res. Medium	28	14,250	298	10.6
Springhills TND/TODs	No	Mixed Use/ Activity Center	388	1,668,500	1,509- 3,296	3.9 - 8.5
<b>TOTALS</b>			<b>1,038</b>		<b>5,211 - 7,155</b>	<b>5.0 - 6.9</b>

Source: Alachua County G.I.S. and Development Plan Database, March 2019

Table 2: Density of Approved Traditional Neighborhood Developments and Transit Oriented Developments

Note: an additional 12 units were added in phase 2 of the Park Ave TND, which have been included in calculations for Table 3.

TND Development	Future Land Use Category	Contiguous to rapid or express transit?	Max. Density Allowed (Village Center)	Gross Residential Density for Final Approved Development	Max. Allowed Non-Residential Sq. Ft. (based on Staff Reports)	Sq. Ft. of Non-Residential for Final Approved Development
<b>23 West TND</b>	Low Density Residential (1-4 UPA)	N	8	7.9	94,800 approved per Preliminary Development Plan, consistent with regulatory max.	42,400
<b>Newberry Park TND</b>	Low Density Residential (1-4 UPA)	Y	12	9.7	150,000 approved per Preliminary Development Plan, consistent with	27,650

					regulatory max.	
<b>Park Avenue TND (Phases I and 2)</b>	Medium Density Residential (4-8 UPA)	Y	12	11.2 <sup>1</sup>	30,000 approved per Preliminary Development Plan; 97,750 regulatory max.	14,250

Table 3: Density and Square Footage Allowances and Approvals for TND

<sup>1</sup> An additional 12 units included in phase 2 of Park Ave TND have been included in these calculations.

Cottage Neighborhood Development	Future Land Use Category	Zoning	Max Density Allowance (2X zoning)	Development Density
<b>88<sup>th</sup> St Cottages</b>	Low Density Residential (1-4 UPA)	R1-A	8	7.8
<b>Lanata Cottages</b>	Residential 2-4 UPA	R1-A	8	6

Table 4: Allowed and Approved Density for Cottage Neighborhood Developments

The TND and CN review sample is small for drawing conclusions on these developments alone, but it provided a base for integrating additional insights from developers and staff on density usage in practice. One perspective offered during a discussion with a developer indicated a potential limit to the desire for additional density due to the market desire for detached, single-family homes. For a developer primarily focused on delivering this product, there may not be a desire to get into attached and multi-family housing types. Some additional use of density might occur through approaches such as being able to manage stormwater off-site. Additional input from this discussion indicated, however, a potential interest in Urban Cluster expansions, which provide an alternative way of increasing entitlements and could be tied to affordable housing requirements.

Discussions with County planning and housing staff have indicated that there generally have not been many requests for land use amendments and re-zonings for additional density. This lack of requests for land use changes poses a challenge to implementing an inclusionary housing ordinance in Alachua County. Providing additional density or other land use benefits is the most successful tool a local government has to offset the costs of an affordable housing requirement, and the fact that developers have not utilized existing incentives or requests land use changes is concerning. However, staff have also indicated that developers have expressed interest in potentially building TND or TOD development without the non-residential requirement.

**Given the prior increase in by-right density and housing type allowances in the past via TOD, TND, and CN regulations; the mixed results in terms of complete use of existing density in the cases of these developments reviewed; and indications from developers and staff of limited desire for additional density through requests for increases in Urban Cluster areas, it is not clear that a typical density bonus to incentivize and offset costs for an inclusionary requirement would be effective in Alachua County.** The following sections evaluate remaining avenues for inclusionary housing requirements;

these options include alternatives for providing robust entitlements and resources on the condition of mandated affordable housing provision, as well as a voluntary IHO option for removing non-residential TND and TOD requirements in exchange for affordable units.

### Future Development Opportunities for Affordable Housing

As the last section showed, a limiting factor to an effective blanket IHO approach in Alachua County may be the lack of desire for additional density from what is already allowed, which is a typical and robust incentive used to offset costs for IHO. In view of this finding, even if the County has capacity for additional development where it could require affordable units, it likely would not have this typical tool to meet cost offset requirements or effectively incentivize use of a voluntary program. Consequently, the County may need to turn to a more targeted consideration of requiring affordable units with alternative avenues for providing robust incentives. Those approaches include the following:

- Provision of government-owned land in exchange for significant provision of affordable units, which can be coordinated with use of the County's new surtax money for land acquisition for affordable housing;
- Land use amendments and rezonings for additional density that may be desired eventually;
- Urban Cluster expansion requests or development outside the Urban Cluster where a complete, mixed-use community will be provided; and
- Expedited development approvals, including reducing the number of public hearings as applicable.

This section provides a scoring approach that can help inform land acquisition, funding use, and land use amendment decisions incorporating additional density to optimize location of affordable units in the implementation of the above strategies; this includes application of scoring to agricultural land that may be particularly well located for affordable housing provision if it underwent a land use amendment.

Overall scoring of County parcels can also help inform certain by-right approaches the County might consider outside of strategies for income-restricted units. Given the recent changes to the CN regulations to remove duplex and triplex allowances, the County might consider where a zone allowing missing middle housing types would be appropriate, with the locational criteria providing a starting point.

This section also includes direction on evaluating land zoned for commercial, industrial, and mixed-use where the County might facilitate use of new Live Local Act and amended HB 1339 statutory tools to increase affordable housing development. Commercial areas reviewed can also help illustrate the potential for flexibility for commercial regulatory requirements of TND and TOD developments that could promote use of mandatory and voluntary IHO programs if adopted. If access to commercial can be adequately met through existing development and more limited inclusion of commercial in future development (accounting for those developments that may provide affordable units in lieu of the commercial component of the development), that can support removal of commercial requirements as an incentive for affordable units.

### Scoring Criteria

To develop locational scoring criteria to inform land acquisition and funding usage for new construction, a set of eight factors were employed to rank each parcel in the unincorporated county, with weights assigned based on the Florida Housing Coalition's expertise. The final factors used for ranking parcels

include those found in Table 5.

Variable	Source	Parameters	Weights
<b>Distance from Job Concentrations</b>	LEHD	Within 1 mile of a job concentration	1
<b>Transit Stop</b>	County Data	.25-mile buffers around transit stops.	1
<b>Medical Facility</b>	County Data	3-mile buffer from a medical facilities	1
<b>Fire Station</b>	County Data	Within 3-mile “as the crow flies” from a fire station	2
<b>Proximity from Protected Areas</b>	County Data	.5-mile buffer away from Preservation Lands	2
<b>Sewer and Water</b>	County Data	Within .25 miles of Sewer	2
<b>Urban Cluster Area</b>	County Data	Within UCA	3
<b>Road Proximity and Current Road Use</b>	County Data	.1-mile buffer from a major road	3

Table 5: Factors for Locational Scoring Criteria

Parcels were given points of either zero or one based on these variables, resulting in the factor maps depicted in Figure 2. For each parcel these points were total and weighted with multipliers of 1, 2, or 3 based upon ranked importance.

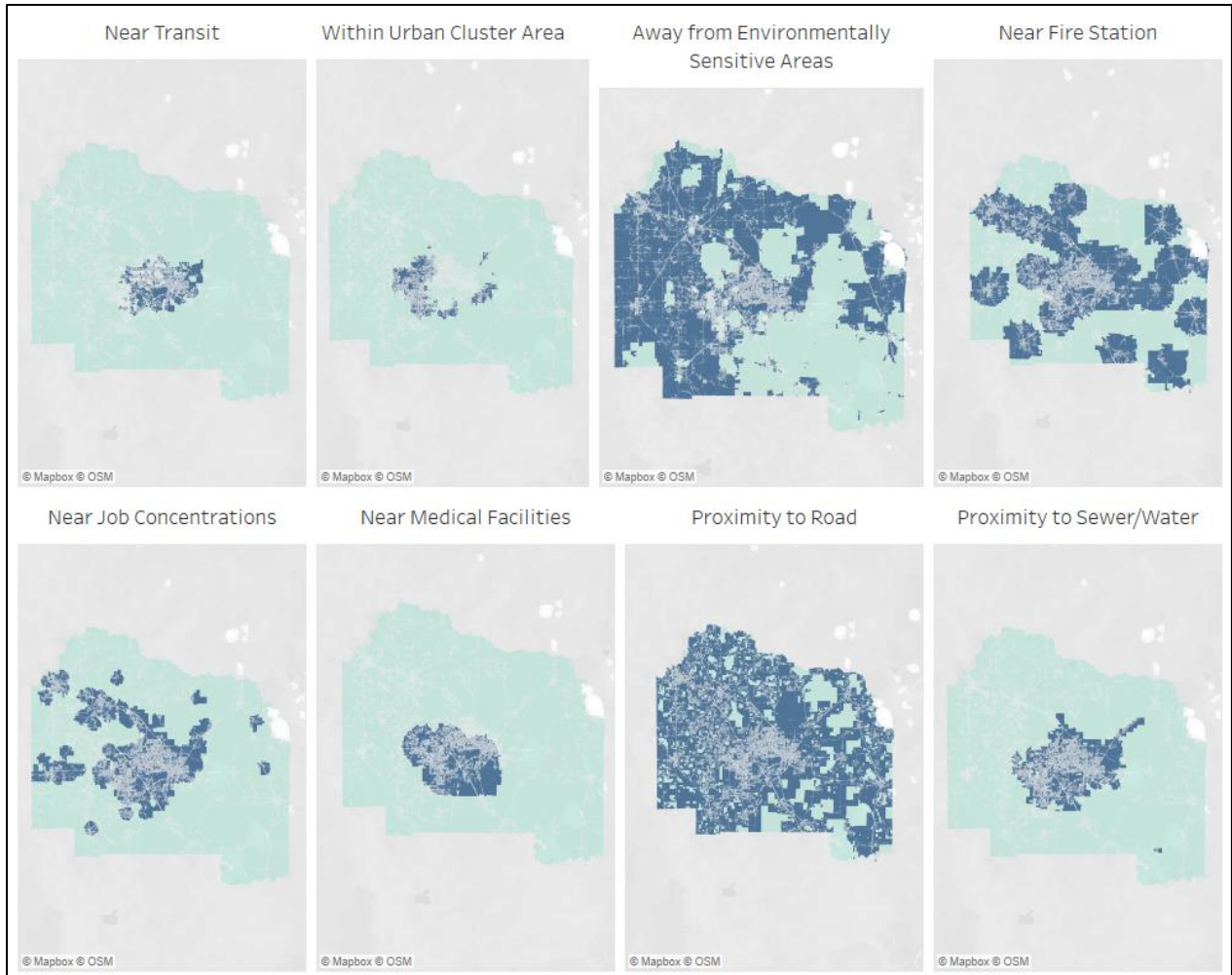


Figure 2: Ranking Factor Maps

Factor totals and priority multipliers resulted in scores for each parcel from 0 to 14. A score of 0 denotes parcels that meet no criteria and that are less of a focus for targeted land acquisition, investment, and incentives for affordable housing, as well as potential targeted by-right entitlement increases; a score of 14 denotes parcels that meet all the chosen criteria for desirable location. These final scores result in the final ranked parcel map in shown Figure 3, the Alachua County Parcel Ranking Map. The map visualizes scores using a red-blue scale, with dark blue indicating a positive and red representing negative. To the right of the map are a series of filters that allow the viewer to target parcels based upon score, building value, acreage, or zoning category. The map reinforces the Urban Cluster, particularly near Gainesville, and Urban Cluster surroundings as prime locations.



Alachua County Ranked Parcels

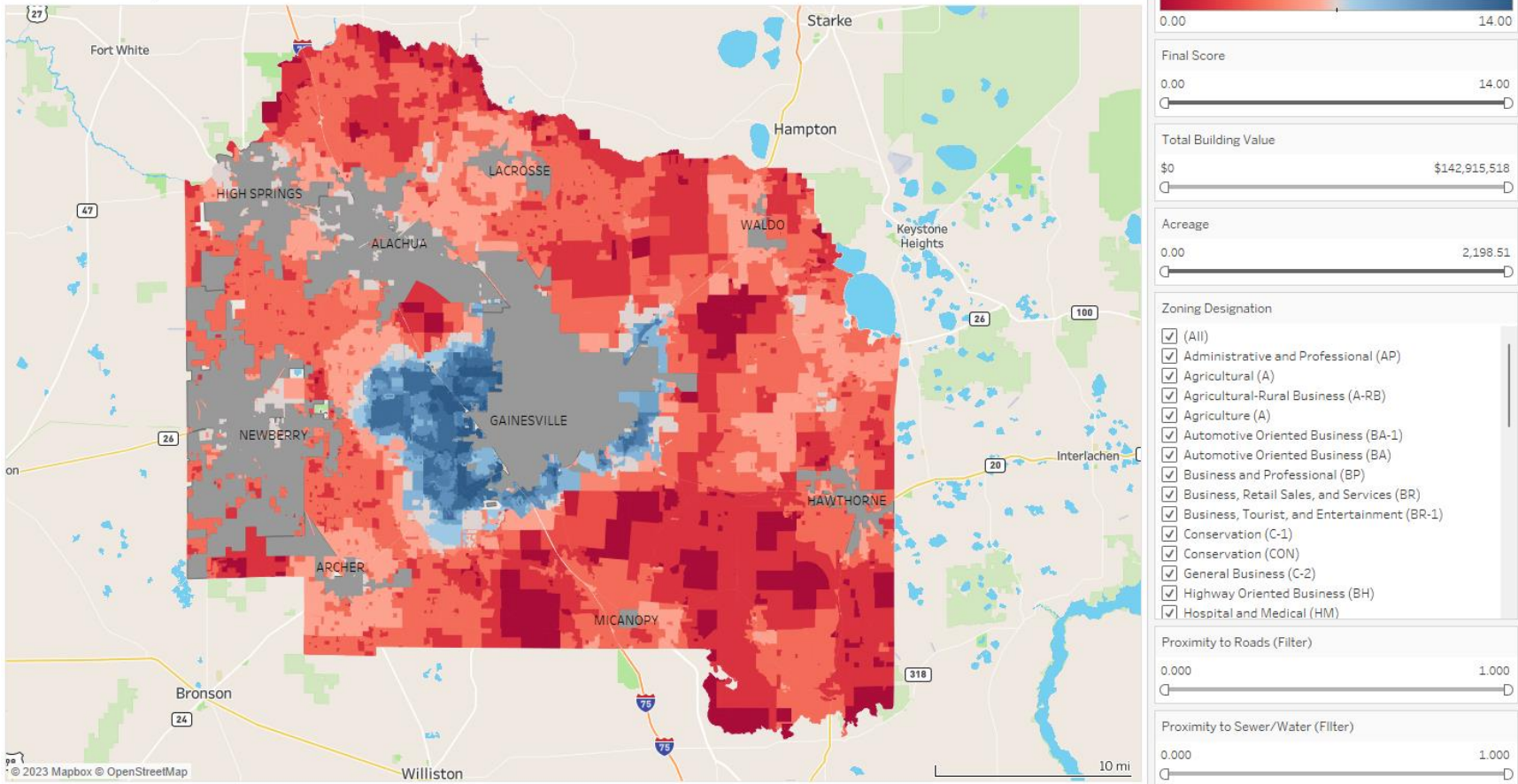


Figure 3: Ranked Parcels Map

[https://public.tableau.com/app/profile/flhousing/viz/AlachuaCountyParcelRankingMap/AlachuaCountyRankParcelsDraft3\\_1?publish=yes](https://public.tableau.com/app/profile/flhousing/viz/AlachuaCountyParcelRankingMap/AlachuaCountyRankParcelsDraft3_1?publish=yes)

### Agricultural Parcels Analysis

Agriculturally zoned parcels present an opportunity for the future of development expansion by way of land use change, rezoning, and inclusion in the Urban Cluster. The ranking threshold for agricultural parcels that are moderate to high opportunity sites is at a range of 5 to 14, which includes properties which may be desirable for residential development in the next 10 or more years as parcels with current residential zoning and within the Urban Cluster are built out. This timescale might not be the only pattern by which this land gets developed, however. Developers may propose land use amendments and master planned communities for large rural parcels outside the Urban Cluster; approval of such plans would ultimately be at the discretion of the Board in consideration of goals related to growth management and affordable housing location/amenity access.

*The highest scoring agricultural parcels, 8 and above, are shown in blue in*



. These parcels tend to either be within the Urban Cluster or lie just beyond the Urban Cluster border. There are numerous agriculturally zoned parcels further out beyond the edge of the Urban Cluster that rank at 5-7.99 on the ranking scale and present a moderate appropriateness depicted in red-orange to grey. One such example of land that has developed in this way is the Flint Rock Agrihood development, which scores a 6 by the ranking methodology and is currently in the process of selling homesites at the size of .99 to 1.69 acres of its 250-acre property. This project is just outside the Urban Cluster line, near to other residential subdivisions such as Oakmont and Haile Planation, with a Rural/Agriculture zoning designation. The site is developed as a clustered subdivision, preserving 50% of the site as preservation which will be purchased by the Alachua County Conservation Trust.

# Alachua County Ranked Parcels

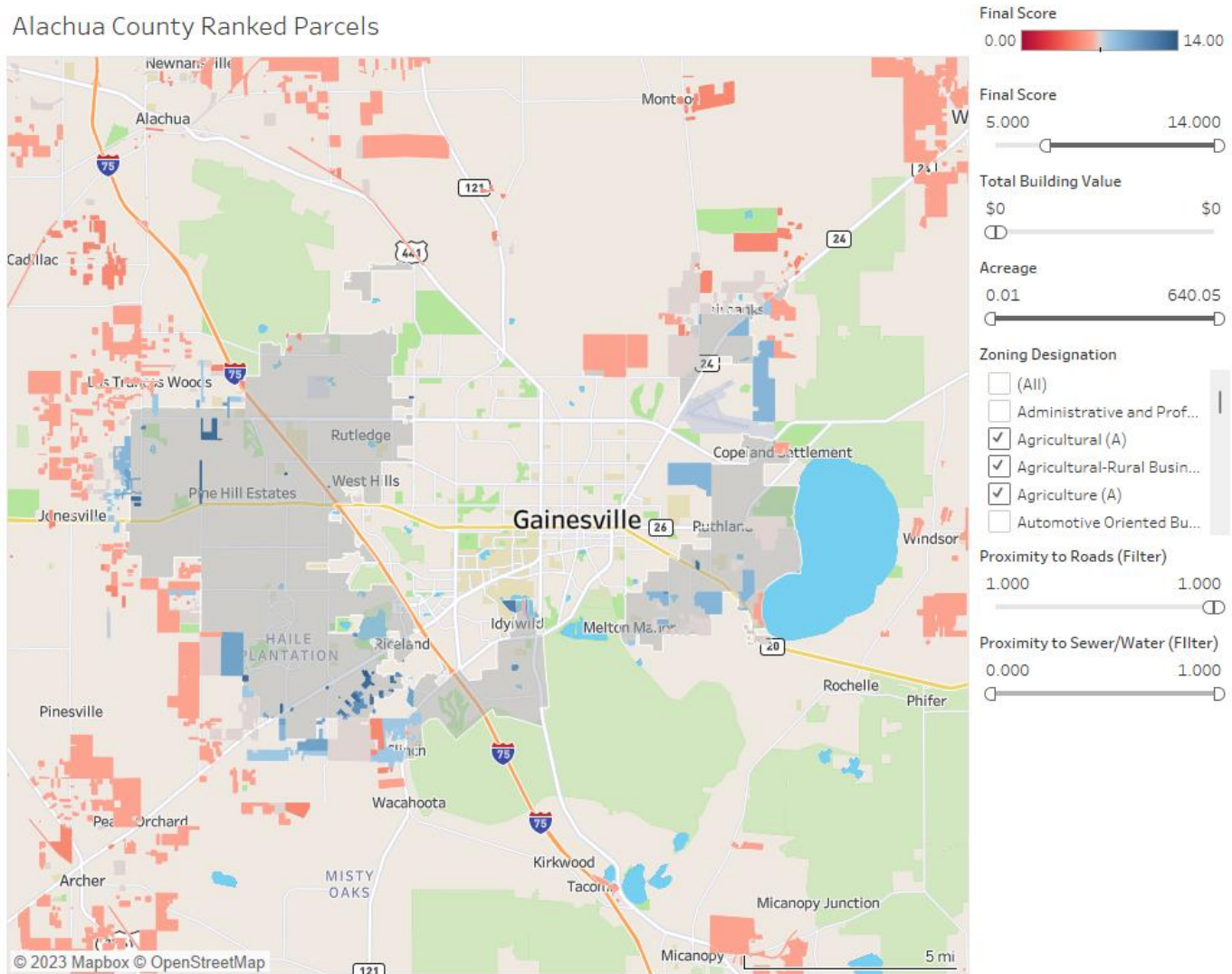


Figure 4: Agricultural Ranked Parcels

Another example of agricultural lands being looked at for future development are 4,068 acres owned by FCL Timber, Land, & Cattle which has undergone a Special Area Study to investigate the future of development on the site. One alternative that the study recommends is a master planning scenario where a special Future Land Use Map designation and policies are established as an alternative to expanding the Urban Cluster. Staff recommendations include that “the Special Area Plan shall provide for the contribution of a minimum of 50 acres of land to Alachua County or its designee, specifically designated for the provision of affordable housing targeting 50% to 80% AMI, within the development areas of the property.” While the Special Area Plan does not appear to be going forward at this time, the scenario where large property owners become ready to plan for development on their land is to be expected to continue as time goes on. Land use amendments and rezonings for agricultural parcels that are ripe for development is an incredibly opportune time for the County to seek public benefits, such as affordable housing, in return. The County needs to weigh requests for these developments with growth management and access goals; this locational analysis has shown that parcels in and near the Urban Cluster line are well suited to meet these aims.

#### Commercial, Industrial, and Mixed-Use Zones

The Live Local Act introduces new land use standards for specific affordable housing developments in commercial, industrial, and mixed-use zones, as outlined in s. 125.01055(7)/166.04151(7) of Florida Statutes. This required allowance lasts for 10 years. Local governments are restricted from regulating the use, density, or height of affordable housing projects if the proposed rental development is multifamily or mixed-use residential, situated in an area zoned for commercial, industrial, or mixed-use, and at least 40% of the units are designated as affordable for households earning up to 120% of the Area Median Income (AMI) for a minimum of 30 years. If mixed-use, a minimum of 65% of the development must be residential.

Use, density, and height standards that apply to projects meeting these conditions include:

- Multifamily rental use or mixed-use allowance in commercial, industrial, or mixed-use zones without a zoning or land development change;
- A maximum density of the highest allowed density in the jurisdiction where residential development is allowed; and
- A maximum height of the highest currently allowed height for a commercial or residential development in the jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

While other State and local laws, such as setbacks, parking, concurrency, maximum lot coverage, and environmental regulations, still apply and can indirectly affect density and height, projects that adhere to existing multifamily land development regulations and are consistent with the comprehensive plan must be administratively approved. Local government must consider reducing parking requirements to the greatest extent possible for developments approved with this tool if the development is located within a half-mile of a transit stop.

One caveat to this tool for counties is that if the proposed project is in an unincorporated area zoned for commercial or industrial use within boundaries of a multicounty independent special district 1) created to provide municipal services, 2) not authorized to levy ad valorem taxes, and 3) with less than 20% of

land in that district designated for commercial or industrial use, then only mixed-use residential is allowed with this tool in those commercial and industrial areas.

The County should consult its attorney to confirm a statutory interpretation of this new act to identify eligible parcels for use of this tool, including the revised language in sections of the act that were adopted via HB 1339 in 2020. Further, it can look at the vacant or underused subset of these parcels to determine which parcels may be better positioned for development or redevelopment resulting in affordable units with use of this tool.

Lastly, evaluation of existing commercial parcels and other parcels zoned for commercial can provide an indication of current and future availability and distribution of commercial uses. This analysis will help inform whether removing TND and TOD non-residential requirements in exchange for affordable units will still ensure access to key commercial uses for those units.

## IHO & By-Right Options for Affordable Housing

### Opportunities for Mandatory Inclusionary Housing

This section provides options for how the County can “fully offset all costs” of an affordable housing mandate to create a mandatory IHO program that is compliant with State law. The most productive way to “fully offset all costs” is to allow developers to build more market-rate units than currently allowed. A challenge arises, however, if a developer does not want or need additional allowances to build their product. When extra market-rate units are not sought or desired, the County would then need to provide other incentives, such as land or subsidy, to “fully offset all costs” under State law.

### Land Use Amendments and Rezonings for Additional Density

While discussions with County planning staff have indicated limited land use amendments and re-zoning for additional density, mandatory inclusionary housing requirements can be put in place to ensure provision of affordable units if conditions evolve to a point where developers apply for these changes in the future. For example, the County could enact a policy where affordability requirements would only be triggered when a rezoning, comprehensive plan amendment, or other increase in allowable units is requested.

### Urban Cluster Expansion

The County can incorporate affordability requirements whenever a request to expand the Urban Cluster is made. For example, if a property owner wants to expand the Urban Cluster, the County could approve that request with the condition that the property contains a set percentage or number of income-restricted units. In support of this strategy, the County can amend the Comprehensive Plan to include language to permit land with Future Land Use designations of Low Density and Medium-High Density only in the Urban Cluster, with exceptions for anything already designated outside of it. This language is already included in the Future Land Use Element of the Comprehensive Plan for Medium Density and High Density designations.

Future Land Use Policy 7.1.3 already includes affordable housing as one consideration for expanding the Urban Cluster, supporting the connection between affordable housing provision in proximity to services and amenities. The affordability impact of this sort of expansion can be increased and further guaranteed by including a requirement for inclusion of income-restricted units.

This should be coordinated with any requirements considered for land use amendments and rezonings since an Urban Cluster expansion would likely be accompanied by one of those approvals at some phase in development. Additionally, the County may want to consider how affordable housing requirements and related incentives for Urban Cluster expansions compare to those offered for land use amendments and re-zonings for additional density within the existing Urban Cluster, in conjunction with County goals of growth management, optimal use of infrastructure investments, housing type variety, etc.

### Additional Incentives for Affordable Housing Generally, Including Voluntary IHO

The County can provide these options for affordable development regardless of whether it occurs through a mandatory or voluntary IHO provision. Incentives offered should reflect the number of affordable units, affordability level, or degree of other contribution provided by the development.

#### Establish Density Bonus

Given the mixed indications of potential desire for additional density from the density analysis completed and additional information gathered in this report, the County could pilot a by-right density bonus above and beyond what is offered with current TND and TOD density allowances through a voluntary program to gauge whether with a streamlined process of not having to do a land use/zoning amendment would encourage requests for additional density in exchange for provision of affordable units. This decision should be considered in conjunction with new land use standards for density introduced via the Live Local Act for eligible affordable housing projects.

#### Provide Funding & Land with Permanent Affordability

Given the limitations with a traditional density bonus, where an Urban Cluster expansion, land use amendment, or rezoning may not be sought, the County can provide publicly owned land as an incentive for significant affordable housing provision. The County can use existing public land in its inventory and land acquired through the recently passed one-cent surtax (see details in the appendix) to this end and can incorporate permanent affordability via the community land trust operating locally.

Additionally, this effort can be coordinated with the recently passed Live Local Act, which requires inclusion of dependent special district land in analysis to create an inventory of land suitable for affordable housing, as well as a property tax exemption for land owned entirely by a nonprofit with a 99-year ground lease (such as a community land trust) to provide affordable housing developments meeting certain criteria.

This approach will help retain affordable units and promote the longevity of use of public subsidy; given how robust this incentive is, it should be matched with robust depth and longevity of affordability. The Penny for Pinellas program in Pinellas County provides a model (tied to voluntary affordable development) to guide this effort.

#### Remove Non-Residential Development Requirement for TNDs and TODs

The County can provide the option of removing the non-residential component requirement in TODs and TNDs in exchange for affordable units; this would essentially provide the density bonus available to TOD and TND developments without having to do a mixed-use residential/non-residential project. Sec. 407.64(d)(2) of the LDC currently requires at least 10,000 square feet along with 50 square feet per dwelling unit of non-residential development for TNDs. Sec. 407.65(d)(2) related to TODs includes a minimum requirement of 10,000 square feet along with 100 square feet per dwelling unit. As shown earlier in this report, some of the recent TND developments had commercial square footage far below

the maximum allowed, which may suggest potential interest in a reduced requirement. County staff has also indicated potential developer interest in this option. This strategy should be used in coordination with an evaluation of commercial land distribution to ensure that affordable development still has access to commercial areas.

#### [Streamline/Frontload Public Hearing & Workshop Requirements for Developments with 25 Units or More](#)

Streamline approval for residential developments of 25 units or more by front-loading public workshops and hearings (excluding those triggering workshops and BOCC involvement on a case-by-case basis for other reasons stated in the LDC) into Comprehensive Plan, LDC, and affordable housing funding guideline update and amendment processes; remove additional neighborhood workshop and hearing requirements in these cases.

LDC Sec. 402.44 provides development thresholds at which BOCC consideration and action is required for the preliminary development plan. These thresholds are as low as 25 units for single-family residential, multi-family residential, and TND/TOD development. LDC Sec. 402.12 requires a neighborhood workshop and other forms of public notice for developments exceeding thresholds.

#### [Establish Standard Development Fee and Transportation Mitigation Cost Offsets for Affordable Housing Developments](#)

The County can implement a standard fee waiver or buy-down for developments with income-restricted units. Whether the County would consider a waiver without an offset from another revenue source should be discussed with the County Attorney, along with revenue needs for infrastructure and other general revenue impacts from provisions in the Live Local Act (discussed further in Issues to Address By-Right for Market-Rate Units section). This program can consider inclusion of fees such as impact fees, the mobility fee, development review and permit fees, and planning and land use fees. Policy 1.1.10 of the Transportation Element of the Comprehensive Plan has additional mitigation requirements for developments of greater than 1,000 dwelling units or 350,000 square feet of non-residential uses. The County can provide a cost offset aligned with the amount of required IHO units for these additional mitigation requirements where they apply.

The current Local Housing Assistance Plan (LHAP) indicates that general revenue was used to offset impact fees previously, but the County decided to no longer continue this due to “budgetary considerations and lack of effectiveness at achieving affordable housing.” However, the 2022 Incentives and Recommendations Report from the Alachua County Affordable Housing Advisory Committee provides direction to revisit this incentive for impact fees: “AHAC recommends the Board of County Commissioners reduce or eliminate Impact Fees for non-profit developers of affordable housing no later than 2024 in conjunction with the Impact Fee Study.”

As noted, the County offset these costs previously using general revenue, which is also a strategy used by Manatee County. Manatee County uses these funds to pay 100% of County impact fees, educational facilities impact fees, and facility investment fees for qualifying affordable housing with at least a 25% set-aside of affordable units. Hillsborough County buys down up to 100% impact fees for parks, roads, right-of-way, and fire rescue service for eligible affordable housing projects, with authorization to allow school impact fee relief. These buy-downs are funded with municipal service taxing unit revenues, with an annual cap on total relief provided to multifamily projects of \$800,000.

Additionally, several jurisdictions use SHIP funds to offset these fees, as well, a strategy which could be considered in the next LHAP update. Orange County and Bay County provide examples of a stand-alone impact fee incentive strategy (as opposed to integrating into an existing affordable housing construction incentive), with the following terms:

Orange County:

- Max award: \$25,000 per unit (up to 100% of fees can be paid for depending on income served)
- Term: 10 years; fully deferred & fully forgivable if loan in good standing
- Interest rate: 0%
- Like Orlando, must provide documentation that impact fee payments reduce sales price
- Eligible housing: For-sale units. Single family, condos, townhomes

Bay County:

- Max award: \$7,500
- Term: 3 years; fully deferred & fully forgivable if loan in good standing
- Interest rate: 0%

The County's one-cent surtax money can also provide a source to offset costs for transportation, fire service, and parks impact fees in alignment with permitted expenditures of the surtax revenues. Pasco County staff in previous correspondence has indicated that infrastructure surtax revenues are available as a source for mobility fee buy-downs for affordable housing.

The County currently has a fee study underway; fee increases considered in the study may provide additional incentive capacity through this avenue.

#### Provide Off-Site Stormwater Management

On-site stormwater management can require significant space on a development site, potentially limiting achievable density. The County can evaluate feasibility of allowances and investments such as land acquisition for centralized off-site stormwater management for an area to facilitate development of additional housing units with inclusion of affordable units.

#### Facilitate Affordable Housing Development on Commercial, Industrial & Mixed-Use Sites via Live Local Act

Funding, land, and incentives can be tailored to further use of land use provisions in the Live Local Act to promote affordable housing development on sites zoned for commercial, industrial, and mixed use, as described earlier in this report. This may include identifying interested property owners or eligible sites and coordinating with them to facilitate use of the tool, clarifying applicable site development standards for these sites based on the Live Local Act standards, and further evaluation of applicable regulations aside from those addressed in the Live Local Act to facilitate and guide use of the tool for affordable housing development and other local goals.

#### Establish Additional Funding for Manufactured/Modular Homes

Given limitations for funding manufactured homes via the SHIP program, identify and/or establish additional funding sources to support production of this housing as affordable units. This approach should be considered in view of current limitations on this housing type that may be imposed by homeowner's association rules. The SHIP program limits funding for manufactured housing to 20% of



funds. Policy 1.1.10: “Manufactured homes. Alachua County recognizes manufactured homes as one source of affordable housing when constructed, placed, and maintained in a safe manner. Although recognized as a source of housing, Alachua County may be restricted in its ability to offer funding for the construction, rehabilitation, or repair of manufactured homes.” Recent permit activity analyzed in Report 1 for this feasibility study indicated that 21% of permits over the past ten years were for mobile/manufactured homes, indicating interest by the private market in promoting these housing types which can be further facilitated by the County. Modular homes, which in this report is meant to indicate housing manufactured off-site without a chassis that would only be provided with a permanent foundation, may still face limitations in terms of use of SHIP dollars and could also be considered for support with this funding.

#### Eliminate Buffer Requirements Internal to IHO Development and Buffer/Minimum Lot Size Requirements for Mixed-Use Development Edge Transitions

Eliminate buffer requirements within IHO developments, particularly between residential uses. A further option is to eliminate buffer requirements at project edges for mixed-use areas, as well as minimum lot size requirements at mixed-use project edges to match abutting lots, in favor of less space-intensive transition approaches (e.g., reliance on building scale compatibility without additional buffer/lot size/housing type compatibility requirements, stepbacks of upper stories where multi-family is adjacent to single-family, screening via walls). An approach to building scale transitions might include evaluation of implementing a missing middle housing zone as a transitional area between multi-family/non-residential zones and single-family areas (see the Issues to Address By-Right for Market-Rate Units section later in this report).

These changes should be coordinated with potential impacts on impervious surface ratios and stormwater management approaches. The County should retain buffer requirements adjacent to environmentally sensitive areas.

FLUE Policy 1.4.1.4 promotes a variety of transitional techniques, including design, transitional density/intensity, buffering, landscaping, and open space.:

*Urban development shall incorporate design techniques to promote integration with adjacent neighborhoods and enhance the quality of the living environment. Such design techniques shall include:*

*(a) Quality design practices, transitional intensity (types of uses), stepped density, buffering, boundaries, landscaping, and natural open space.*

*(b) Open space shall be designed to be accessible as required by Conservation and Open Space Policy 5.2.3 and Stormwater Management Element Policy 5.1.11. Open space requirements fulfilled through the use of conservation resource areas per Conservation and Open Space Element Policy 5.2.2 shall incorporate accessible open space, to the extent consistent with the character and protection of the resource.*

*(c) Special attention shall be provided to the design of development and neighborhood edges, which shall be designed to be integrated into the surrounding community.*

Approaches such as buffering and open space at the edge of development and between uses do not allow for use of the transition area for additional development such as housing units; by requiring a land



use/development buffer, this approach may also limit options for and benefits of open space planning in view of other priorities with locational considerations such as stormwater management, protection of key natural resource areas, and passive recreation and active recreation opportunities.

Future Land Use Element Policy 7.1.8 includes reference to the Buffer Group Matrix that establishes buffer requirements between uses. Development edge buffers are also referenced extensively for mixed-use developments noting residential uses, documented in the Comprehensive Plan: Celebration Pointe, Springhills Activity Center, Jonesville Low Activity Center/Employment. External buffering is also generally mentioned for Millhopper Activity Center and Tower Road/24<sup>th</sup> Avenue Low Activity Center, Eastside Activity Center.

LDC Table 407.43.1 and Sec. 407.70(b)(2) and 407.154(h) establish requirements on project boundary buffers, including TOD, TND, and CN developments, and alternatives for TND and TOD developments of minimum lot size requirements for project edges. Minimum lot size requirements at the project edge limit the amount of development achievable in the project, which would limit units in the case of housing.

#### Remove/Reduce Setback Requirements

Allow removed or reduced minimum setbacks internal to an IHO development, coordinated with stormwater management and roadway sight line needs. Use building scale transitions where possible (see the discussion on a missing middle housing zone evaluation in the Issues to Address By-Right for Market-Rate Units section) and stepbacks of stories above a certain height to manage building transitions in place of current requirements for multi-family residential districts and additional setbacks for additional height, in coordination with impervious surface considerations and stormwater management. Add clarifying language that side setbacks do not apply to zero lot line and attached single-family units developed in multi-family residential districts (see existing single-family district language).

LDC regulations for R-3, RP, HM, BP, AP, BR, BR-1, BH districts require additional setbacks for additional height. Additionally, larger setbacks are required for R-2 through R-3 multi-family residential districts relative to single-family districts. Adjusting setbacks provides an opportunity to allow more flexibility where more units will be provided in the building. Consider where building scale transitions and stepback requirements for upper stories could help address transitions instead of additional setbacks where maximum heights are greater than single-family districts.

#### Establish Streamlined Process to Request Additional Requirement Deviations and Incentives

IHO developments should have an easy way to request additional deviations from requirements and incentives to offset costs not explicitly codified. Parameters for these requests can include but are not limited to:

- maintained protection of public health, safety, and welfare;
- consistency with the Comprehensive Plan; and
- not exceeding additional density already enabled by any density bonuses for IHO.

#### Issues to Address By-Right for Market-Rate Units

Options discussed in this section include those that may not be easily quantified to offset costs, that would not unlock large amounts of units provided on-site in one development where an IHO

requirement would likely apply, or that are best practice to comply with State law. As a result, they would not factor into incentives for an IHO policy but could still increase affordability through the private market and existing avenues for income-restricted units.

#### Evaluate Locations for Implementation of a Missing Middle Housing Zoning District

With the changes to the CN development regulations allowing only detached units, primarily due to concerns with compatibility with surrounding single-family neighborhoods, the County should evaluate where small-scale missing middle housing types such as duplexes, triplexes, and quadplexes should be allowed and promoted. This approach will expand options to meet a variety of housing needs in the areas of focus while not removing the option to build single-family homes.

This approach would help support housing type diversity aims in the Future Land Use Element of the Comprehensive Plan. Objective 1.2 states: “Provide for adequate future urban residential development that includes a full range of housing types and densities to serve different segments of the housing market, designed to be integrated and connected with surrounding neighborhoods and the community, with opportunities for recreation and other mixed uses within walking or bicycling distance.”

Locational considerations can include focus on areas near transit, commercial and mixed-use nodes, and other amenities, as well as where this zoning district could be helpful as a transition from larger scale multi-family districts, commercial districts, and other more dense/intense development to single-family neighborhoods. The locational scoring presented earlier in this report can support this locational evaluation.

Regulatory considerations can include parking requirement reductions, building envelope regulations to promote desired scale transitions, and density maximums high enough to promote an increased number of smaller units within the building envelope, among other considerations.

St. Petersburg provides an example of where a missing middle housing zone (NTM-1) was adopted in a targeted way along Future Major Streets and High Frequency Transit Routes.

This process should also evaluate exemption of this type of small-scale multi-family development from arterial and collector road access requirements that multi-family development outside of TND or TOD developments. Future Land Use Element policies 1.3.8.2, 1.3.9.2, and 1.3.10.3 have arterial and collector road access requirements for multi-family development outside TND or TOD in the Medium, Medium-High, and High Density Residential Land Use categories, with alternatives allowed in Medium and Medium-High categories. LDC Sec. 403.10 applies these access requirements to multi-family development generally in zoning districts R-2, R-2a, and R-3. Note that Title 40, Chapter 410, Art. III of the LDC defines a multi-family dwelling as: “A residential building designed for or occupied exclusively by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.”

The Urban Cluster Area contains Urban Transportation Mobility Districts, which are a focus for multi-modal transportation options. These types of improvements, along with locational considerations such as proximity to transit, can help manage transportation demand in areas where more small-scale multi-family is permitted.

## Remove Ownership and Locational Barriers to Accessory Dwelling Units (ADUs); Consider Tiered Size Caps Between Urban & Rural Areas

Remove owner-occupancy requirements for properties with ADUs. Future Land Use Element Policy 1.3.6.1 and 6.2.10.1 and LDC Sec. 404.24 include owner-occupancy requirements for either the principal building or the ADU. Owner occupancy requirements may discourage development of ADUs, limit selling options for current owners, and dissuade prospective buyers. Single-family homes without ADUs are not subject to owner-occupancy requirements. Gainesville removed its owner-occupancy requirement for ADUs in 2020.

ADUs should also at least be permitted by right wherever single-family homes are permitted by right. ADUs are currently permitted uses in Future Land Use categories ranging from Rural/Agricultural to Medium Residential (in terms of density). Zoning districts where they are allowed range from Agricultural to Single-Family, Medium Density (no multi-family, higher density zones). Expand ADU allowances at least in the higher density categories/districts where single-family homes are permitted. Pinellas County allows ADUs for single-family detached homes throughout nearly all single-family and multi-family residential zoning districts, as well as in non-residential districts as an accessory use to office, commercial, or industrial uses.

The County may also consider adding a smaller absolute size cap for ADUs in the urban area versus those in the rural area. In 2022, the County amended ADU size restrictions of “a maximum of 50 percent of the principal residence or 1,000 square feet, whichever is greater” to increase the absolute cap to 1,700 square feet to accommodate mobile homes. A smaller cap may help retain affordability of ADUs in the urban area via a smaller unit size. Note that homeowner’s association rules may limit where ADUs are allowed, by extension limiting where these units are built.

## Expand Expedited Review for Affordable Housing

Apply expedited review to the entire review process for affordable housing developments, not just building permit processing. Expand expedited approval to all developments that meet income-restricted affordable development standards of the County, not just those receiving a subsidy. An additional option is to reserve expedited permitting for developments using voluntary and mandatory inclusionary programs. Staff has noted that given the pace of the permitting process already, this may only result in minor increases in expediting.

LDC Sec. 402.03.5 currently provides expedited processing of building permits for affordable housing units tied to funding programs. The SHIP program requires “assurance that permits for affordable housing projects are expedited to a greater degree than other projects” as an incentive strategy employed by program participants (Sec. 420.9071(18), Florida Statute).

## Land Use & Development Transitions: Establish Objective Terms & Address in LDC

Use objective compatibility terms for transitions between uses/development and avoid general references to compatible “character”. For example, Future Land Use Element Policy 1.4.1.1 states: “Appropriate mixes of housing types shall be allowed where such mixes may be integrated with the character of the surrounding residential area.” More objective terms might include reference to building scale and whether uses have nuisance impacts on adjacent development such as noise, vibration, odors, etc.

Consider handling all land use transitions through the more nuanced regulations of the LDC as opposed to the Comprehensive Plan.

## Appendix: Current Policies & Regulations Promoting Housing

### Affordability

This appendix details additional information and strategies currently in the County's Comprehensive Plan policies and LDC to facilitate provision of affordable housing.

#### Definitions and Affordability Levels of Focus

Chapter 410, Article III within Title 40 of the LDC related to Land Development Regulations defines "affordable housing development" as: "A development where at least fifty (50) percent of the units meet the definition for affordable housing for low-income households, or where at least twenty (20) percent of the units meet the definition for affordable housing for very low-income households. This definition includes developments funded with low-income housing tax credits allocated by the Florida Housing Finance Corporation."

This article also indicates that income limits for extremely low-, very low-, low-, and moderate-income households are derived from application of standard thresholds (30%, 50%, 80%, and 120%, respectively) to median annual incomes adjusted for family size at the metropolitan statistical area, county, and nonmetropolitan state level, whichever is greatest.

The Land Development Regulations section of the LDC includes concurrency reservation and tree canopy retention incentives for affordable housing developments (discussed further under Other Incentives for Affordable Housing below).

Additionally, the Housing Element of the Comprehensive Plan includes direction to support housing serving very low- and extremely low-income levels:

- Policy 1.2.8: "Establish regulatory incentives for the development and redevelopment of housing units affordable to very low and extremely low-income households. The new units are to be located within proximity to major employment centers, high performing public schools and public transit."
- Policy 1.4.6: "Alachua County shall encourage methods of financing which will increase the opportunities for very low and extremely low-income households to obtain decent, safe, sanitary, attractive and affordable housing."
- Policy 1.4.9: "Provide funding for permanent housing and rental assistance programs for very low and extremely low-income households. This would include assistance with rent deposits as well as the establishment of a rental deposit surety bond program."

#### Dispersion of Affordable Housing & Access Considerations

The Housing Element promotes dispersion of affordable housing throughout the county, while promoting access to vital services and destinations:

- Objective 1.1: "Alachua County shall provide for the development of affordable housing, dispersed throughout the County, through policies which focus on the following areas:
  - Land use and facilities

–Methods to promote the dispersion of affordable housing, and  
–Manufactured housing”

- Policy 1.1.1: “Alachua County shall, through the policies in the Future Land Use Element, provide areas for residential development which would be suitable for the development of affordable housing. These areas shall take into account the availability of infrastructure and land, the accessibility to employment and services, the proximity to shopping, daycare facilities, transit corridors, and the promotion of infill opportunities.”
- Policy 1.1.4: “It is and shall be the policy of the Board of County Commissioners to promote the dispersion of newly built affordable housing units within developments throughout the entire County. This should include areas which are proximate to schools, shopping, employment centers, daycare facilities, and transit corridors. The Board of County Commissioners shall promote the development of affordable housing in the areas identified in the Housing Study that are deficient in market produced, or incentive based, affordable housing. This policy shall be used as a guideline to determine future affordable housing development goals. This policy shall not limit housing programs created to assist farmers or rehabilitation assistance programs and activities which may be appropriate in rural areas.”
- Policy 1.2.8: “Establish regulatory incentives for the development and redevelopment of housing units affordable to very low and extremely low-income households. The new units are to be located within proximity to major employment centers, high performing public schools and public transit.”

Future Land Use Policy 7.1.3 also includes affordable housing as one consideration for expanding the Urban Cluster, supporting the connection between affordable housing provision in proximity to services and amenities.

An inclusionary housing policy helps promote dispersion by linking affordable units to market-rate development activity; this policy could include strategies to prioritize certain approaches in certain areas to ensure adequate access to vital services, amenities, and destinations.

### Housing Type Diversity

The Future Land Use Element of the Comprehensive Plan includes language to support housing type diversity, which can support housing options and affordability relative to single-family homes. Objective 1.2 states: “Provide for adequate future urban residential development that includes a full range of housing types and densities to serve different segments of the housing market, designed to be integrated and connected with surrounding neighborhoods and the community, with opportunities for recreation and other mixed uses within walking or bicycling distance.”

Many single-family and multi-family residential base zoning districts allow single-family attached housing types, from low-density single-family districts of RE-1aa and R-1a to the high-density multi-family R-3 district. Additionally, the Future Land Use Element and LDC include policies and regulations to enable TND, TOD, and CN developments that generally allow for greater density; TND and TOD can facilitate a mix of housing types.

Accessory dwellings are also permitted in rural to certain medium-density residential areas, including single-family districts, further increasing allowable housing types.

Additionally, several business and professional zoning districts along with the Hospital/Medical District permit residential over commercial as a use.

Regarding manufactured and mobile homes, Title 40, Chapter 410, Article I provides the following definitions:

- *Manufactured home: For the purposes of floodplain administration, a structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.] This includes a mobile home fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act*
- *Mobile home: A structure, transportable in one or more sections, which is eight (8) feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities including plumbing, heating, air conditioning, and electrical systems.*

Policy 1.1.12 of the Housing Element limits these housing types to rural areas and uses very general terms defined by “adverse impacts” to indicate further allowances:

*Manufactured/ or mobile homes meeting the minimum construction standards should be generally permitted for use as permanent housing in the same manner as conventional housing for the following areas of the County:*

*(a) in rural areas;*

*(b) in areas where the nature of surrounding development indicates that there will not be adverse impacts on existing development, or*

*(c) provided that any adverse impacts can be mitigated through buffers and other design strategies.*

The LDC limits manufactured and mobile homes to the Agricultural, R-1c Single-Family Low Density, and Manufactured-Mobile Home Park District (Sec. 404.21 and 404.22). These housing types are currently permitted as “Limited Uses,” which indicates that a use that is permitted by right, provided that the use meets the additional standards established in the Use Regulations chapter or other chapters of the LDC. Additional standards referenced in the Use Table for these housing types relate to installation, storage, and inspection/certification standards. There may also be limitations on these housing types in homeowner’s association rules.

Note that the definitions of the housing types include reference to a chassis. Modular homes for the purposes of this report refer to homes manufactured offsite that do not have a chassis and are intended for use with a permanent foundation. These homes are permitted where single-family homes are permitted.

## Minimum Density/Development Requirements

The Future Land Use Element of the Comprehensive Plan and the LDC include requirements for minimum densities and thresholds indicating where TND or TOD types are required. These requirements ensure a certain number of units are provided and require developments that facilitate diverse housing types in mixed-use settings.

Future Land Use Policy 1.3.4 states: “The gross residential densities of new subdivisions and multi-family developments shall not be less than the urban residential density range for the assigned future land use category except where necessary to protect natural resource conservation areas as identified in Objective 3.1 of the Conservation and Open Space Element.”

Future Land Use Policy 7.1.34 states:

*The following thresholds for development design requirements and locational standards shall apply within the Urban Cluster:*

*(a) All commercial development or redevelopment on 25 developable acres or more in size shall be developed as either a Traditional Neighborhood Development or Transit Oriented Development in accordance with all requirements of Objective 1.6 or 1.7 and their policies.*

*(b) Developments within Urban Residential designations that are:*

*(1) 150 or more units and are contiguous to a Rapid Transit or Express Transit Corridor shall be either a Traditional Neighborhood Development, Transit Oriented Development or located within an Activity Center.*

*(2) 300 or more units shall be either a Traditional Neighborhood Development or located within an Activity Center.*

Future Land Use Policies 7.1.35 states: “Development or redevelopment in the Urban Cluster that is contiguous with a rapid or express transit corridor and exceeds 1,000 dwelling units or 350,000 sq ft of non-residential shall be developed as a Transit Oriented Development (TOD) consistent with Future Land Use Element Objective 1.7 and its policies.”

These requirements are also reflected in LDC Sec. 403.02.5, Sec. 405.44, and Sec. 405.04 (this last section regarding Activity Centers).

## Parking Standards Facilitating Housing Type Mix & Affordability

The LDC includes parking standards to further facilitate development types with relatively higher density allowances and/or that can promote a mix of housing types. Off-street parking in transit supportive areas of TNDs and TODs is not required; Table 407.68.2 establishes parking maximums for multi-family development in transit-supportive areas of TNDs and TODs, and there is flexibility on pooling and location of spaces within the development. Sec. 407.155 requires a lower minimum number of parking spaces for units in CN developments (1.5 spaces per unit) than requirements for single-family attached and detached homes in Table 407.14.1 parking schedule (2 spaces per unit). CN developments can also provide parking in common lots. Additionally, ADUs are omitted from density calculations and do not have additional minimum parking space requirements.

## Setback Standards Facilitating Flexibility in Housing Design

LDC Sec. 407.154(g) applies setback requirements from the overall property boundaries as opposed to applying to individual lots for CN developments, providing more flexibility within the development. LDC



Sec. 403.07 and Sec. 407.67 allow for zero lot line units in single family districts, TNDs, and TODs. Minimum side setbacks do not apply to zero lot line developments provided the building spacing requirements of the Florida Building Code are met.

### Other Incentives for Affordable Housing

The Comprehensive Plan includes direction and support for affordable housing and residential green building techniques:

- Housing Element Policy 1.2.2: “Alachua County shall provide incentives in the land development regulations for the development and redevelopment of affordable housing. These incentives may include but are not limited to:
  - (a) fee relief;
  - (b) provisions for expedited development review, approval, and permitting processes;
  - (c) special provisions for reservation of infrastructure capacity for concurrency;
  - (d) density bonuses;
  - (e) provisions for reduced lot sizes and modification of setback requirements; and
  - (f) grants and other financial incentives.”
- Housing Element Policy 1.2.9: “Establish an expedited conceptual plan review process for affordable housing developments that are applying for Low-Income Housing Tax Credits (LIHTC).”
- Future Land Use policy 7.1.16(c): “Gross density shall be consistent with this Plan, however, provision should be included within the land development regulations for awarding density credit based on provision for inclusionary housing, consistency with green building standards, or where provided in other Elements and Sections of the Comprehensive Plan. In the case of family homestead exceptions or hardship variances, gross density limits established in the Plan may be exceeded provided the other provisions of the implementing zoning district are followed.”
- Housing Element Policy 1.2.5: “Alachua County's building permit and development review processes shall include an incentive based scoring system that recognizes developers who use construction techniques which reduce future maintenance and energy costs in accordance with Policies 2.1.2 and 3.1.3 of the Energy Element, such as homes oriented and constructed for energy efficiency and sustainability.”

The Celebration Pointe development is one example where additional units are allowed if a percentage of units are affordable. Future Land Use Policy 1.9.1(a): “Upon entering into an agreement with the County that guarantees 10% of additional units over 2,000 are affordable to households earning up to 50% of the Area Median Income, an additional 500 units may be approved.”

Incentives codified in the LDC for affordable housing developments include:

- Sec. 407.121: concurrency reservation for affordable housing developments with phasing schedules, based on phases in the approved preliminary development plan (also allowed for TND and TOD developments).
- Sec. 406.12(a)(2): reduction in tree canopy retention requirement, 5% percent of tree canopy retained instead of 20% (also allowed for TND, TOD, and CN developments).

Additional incentive strategies for housing affordability documented in the 2021/22-2023/24 Local Housing Assistance Plan (LHAP) include:



- “The County Manager may waive development review application fees and charges to not-for-profit corporations that submit affordable housing projects. This policy is annually approved through the Alachua County fee schedule by the Board of County Commissioners.”
- “Alachua County also offers a 50% reduction in building permit fees for properties with a homestead exemption (owner-occupied) and a Total Just Value of less than \$50,000 as determined by the Alachua County Property Appraiser within the last year.”

### Funding for Affordable Housing

The LHAP lists the following funding strategies for use of State Housing Initiatives Partnership funds, targeting very low- to moderate-income households, depending on the strategy:

- Purchase assistance, including down payment, closing costs, and eligible repairs;
- Owner-occupied rehabilitation;
- Demolition and reconstruction where home is beyond reasonable repair;
- Home repairs directly caused by disaster;
- Emergency repairs essential system or critical structural problem for homeowners that are “special needs”, essential services personnel, or 62 years or older;
- Foreclosure prevention for homeowners in arrears on their first mortgage;
- Property acquisition, demolition, rehabilitation, new construction by developer of units for purchase;
- Rental assistance (to obtain a lease or for rent in arrears) and eviction prevention; and
- New construction or rehabilitation of rental units.

Comprehensive Plan Housing Element policies 1.4.2 and 2.3.1 specify down payment assistance, single-family housing development, and multi-family housing development as uses for SHIP funds.

The Housing Element also includes prioritization criteria for federal and State housing funds. Policy 2.3.6 states:

*The local priority for using federal and state housing funds shall be for improvement activities within residential neighborhoods. To the extent program rules and scoring criteria allow, the local criteria for setting priorities among eligible projects shall include:*

*(a) Condition of the Neighborhood: Target neighborhoods shall exhibit characteristics of housing costs and condition, household incomes, housing usage and population demography which meet eligible area requirements of the federal program for indicating public assistance needs.*

*(b) Size and Scope of Project: The project size and scope should be such that the available funds will permit a substantial improvement to the neighborhood so as to create incentives for continued investment by residents and developers in neighborhood improvements.*

*(c) Project Location: Project neighborhoods shall represent a viable part of the long term residential development patterns of the County. Priority will be given to projects that, by upgrading a single neighborhood, will also improve the surrounding area for uses proposed in the Future Land Use Element. This shall also include areas identified in Policy 1.1.3.*

Note that Policy 1.1.3 refers to areas identified through a detailed housing study as needing affordable housing. Additionally, the County Commission in January of 2023 reaffirmed direction to focus County affordable housing funding on development west of Main Street in Gainesville.

The Comprehensive Plan also includes direction for the County to apply for and support housing/neighborhood improvement with Community Development Block Grant (CDBG) and Home Ownership Made Easy (HOME) program funds (Housing Element policies 1.1.5, 1.4.5, and 2.3.5).

Housing Element policies 1.4.4 and 2.3.3 also provide direction to use bonds from the local Housing Finance Authority in support of providing affordable housing:

Policy 1.4.4 states: “Alachua County shall utilize Alachua County Housing Finance Authority bonds and approved bonds from other Issuing County Housing Finance Authorities to provide low interest rate mortgage loans to eligible homebuyers or to subsidize the creation of affordable rental housing in Alachua County. Areas identified under Policy 1.1.3 are eligible for bond financing, in addition to areas previously defined by the U.S. Department of Housing and Urban Development (HUD).”

Lastly, regarding additional local funding for affordable housing, Alachua County voters passed in November 2022 an infrastructure surtax of one cent for 10 years. Half of the funds may be used for uses that include acquisition of lands for housing of which at least 30% of the units are affordable to individuals or families whose total annual household income does not exceed 120 of AMI adjusted for household size, if the land is owned by the local government or a special district that enters into a written agreement with the local government to provide the housing (in accordance with Sec. 202.055(2) of Florida Statutes).

Additionally, the County has amended its charter to establish the Alachua County Affordable Housing Trust Fund (see Section 1.9 of the Charter). Housing Element policy 1.4.11 provides direction on a source of local revenue via the sale of escheated properties: “Develop a program to use the revenue from the sale of escheated properties to develop affordable housing for both home-ownership and rental opportunities. This includes the establishment of a local Housing Trust Fund.”