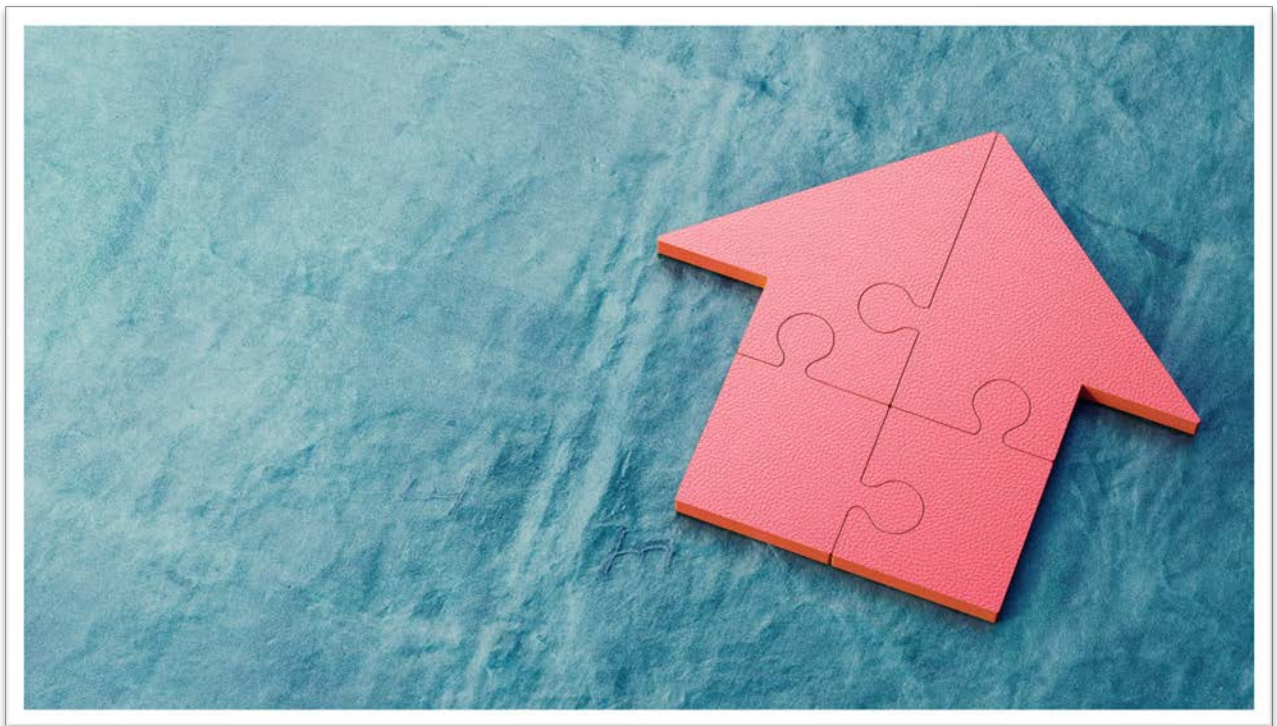




## ***City of Port St. Lucie 2022 Affordable Housing Advisory Committee (AHAC) Report***

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**City of Port St. Lucie Neighborhood Services Department**

City Hall Building A - 121 SW Port St. Lucie Blvd., PSL, FL 34984

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**AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)  
2022 REPORT TO THE CITY OF PORT ST. LUCIE CITY MANAGER AND CITY COUNCIL  
ON STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)  
AFFORDABLE HOUSING INCENTIVE STRATEGIES**

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\*Report presented as an advertised Public Hearing on November 17, 2022,  
<https://psl.legistar.com/DepartmentDetail.aspx?ID=45193&GUID=9E311FB3-880B-451D-ACF1-11805BB0BE13>.

PREPARED BY: The City of Port. St Lucie Neighborhood Services

SUBMITTED TO: City Manager and City Council of the City of Port St. Lucie  
Florida Housing Finance Corporation/Florida Housing Coalition

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**INTRODUCTION/BACKGROUND**

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As a recipient of State Housing Initiative Partnership funds, the City of Port St. Lucie established an Affordable Housing Advisory Committee on May 19, 2022, as required by the Florida Statutes, Sec. 420.9076. The AHAC members are responsible for reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of the City of Port St. Lucie’s housing activities that impact the production of affordable housing. Further, the AHAC is specifically directed by the SHIP Statute to consider and evaluate the implementation of the incentives set out at Florida Statues, Sec. 420.9076 (4) (a) - (k) on a yearly basis. Based on the AHAC evaluation, it may recommend to local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles which would encourage production of affordable housing.

As approved by the City Council, the recommendations are used to amend the Local Housing Assistance Plan and the local Comprehensive Plan Housing Element.

The AHAC is required to submit an incentive report annually. The report includes recommendations by the Committee as well as comments on the implementation of incentives for at least the following eleven distinct areas:

- Incentive: Expedited process of development approvals
- Incentive: Impact fee modifications, waivers, or reimbursement
- Incentive: Flexibility in density
- Incentive: Reservation of infrastructure capacity
- Incentive: Accessory dwelling units

- Incentive: Reduction of parking and setback requirements
- Incentive: Flexible lot considerations
- Incentive: Modification of street requirements
- Incentive: Ongoing regulatory review process
- Incentive: Surplus lands inventory
- Incentive: Transportation hubs and transit-oriented development

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## *COMMITTEE COMPOSITION*

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All members were appointed to the Committee in accordance with Section 420.907 of the Florida Statutes lists the categories from which committee members must be selected. There must be at least 8 committee members with representation from at least 6 of the following categories and an elected official.

- Citizen actively engaged in the residential home building industry in connection with affordable housing.
- Citizen actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- Citizen representative of those areas of labor actively engaged in home building in connection with affordable housing.
- Citizen actively engaged as an advocate for low-income persons in connection with affordable housing.
- Citizen actively engaged as a for-profit provider of affordable housing.
- Citizen actively engaged as a not-for-profit provider of affordable housing.
- Citizen actively engaged as a real estate professional in connection with affordable housing.
- Citizen actively serving on the local planning agency pursuant to Florida Statute 163.3174.
- Citizen residing within the jurisdiction of the local governing body making the appointments.
- Citizen who represents employers within the jurisdiction.
- Citizen who represents essential services personnel, as defined in the local housing assistance plan.

The City of Port St. Lucie did not advertise the reconvening of the AHAC and did not solicit applications for the Committee, as the 2021 members reappointed themselves and alternates agreed to remain in the committee for 2022. The 2022 AHAC Committee members were appointed by the City Council via Resolutions 21-R58 and 21-R62 on May 10, 2021, and May 24, 2021, respectively.

The appointed AHAC members and their category affiliation are listed here:

<b><i>Name</i></b>	<b><i>Category Represented</i></b>
Anthony Bonna City Council, District 3, City of Port St Lucie	Locally elected Official
Bryan Gerner Business Regional Sales Director, Comcast	Citizen who represents employers within the jurisdiction
Daisy McGinnis Senior Financial Service Representative, TD Bank	Citizen who resides within the jurisdiction of the local governing body making the appointments
Melissa Winstead Development Director, St. Lucie Habitat for Humanity	Citizen actively engaged as a not-for-profit provider of affordable housing
Patricia Garcia-King Sales Associate and Realtor, Keller Williams Realty of Port St Lucie	Citizen actively engaged as a real estate professional in connection with affordable housing
Rebecca Danise Insurance agent, licensed FL CAM & banker for Florida Blue	Citizen who resides within the jurisdiction of the local governing body making the appointments
Samiea Hawkins Seminole Tribe of Florida, Housing Office Coordinator	Citizen actively engaged as an advocate for low-income persons in connection with affordable housing.
Stefan Obel IT Network Security Engineer and volunteer member of the Habitat for Humanity 'Family Selection' Committee and volunteer mortgage underwriter/loan originator for Habitat for Humanity	Citizen actively engaged as a not-for-profit provider of affordable housing
Stephanie Heidt Economic Development and Intergovernmental Programs Director, Treasure Coast Regional Planning Council	Citizen who resides within the jurisdiction of the local governing body making the appointments

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### ***MEETINGS OF THE AHAC***

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All meetings of the Committee were public meetings, and all Committee records are public records. The City Clerk’s Office was present at all meetings and recorded the minutes. All agendas, back up documentation and minutes are published on the City’s online agenda management system and can be accessed at: <https://www.cityofpsl.com/government/departments/city->



[clerk/agendas-meeting-archives.](https://psl.legistar.com/Calendar.aspx) AHAC meetings are published here:  
<https://psl.legistar.com/Calendar.aspx>

The final meeting of the AHAC adopting the recommendations to be presented to the City Manager and City Council was advertised as a public hearing in accordance with 420.9076 (5) and held on November 17, 2022. A copy of the advertisement has been attached as **Exhibit A**.

*Meetings were held at City of Port St. Lucie City Hall Complex  
 (121 SW Port St Lucie Blvd – Building A and Building B, Port St. Lucie, FL 34984)*

<b>Meeting Date</b>	<b>Meeting Time</b>	<b>Meeting Agenda &amp; Minutes</b>
May 19, 2022	2:00 pm – 3:27pm	1. Oath of office – new committee members 2. Introduction of staff and committee members 3. Introduction of duties and responsibilities of board 4. Review of current incentives 5. Review of timeline; vote to conduct meetings on the 3rd Thursday of each month from June to November 2022  <a href="#">Agenda</a> <a href="#">Minutes</a>
June 16, 2022	2:00 pm – 3:56 pm	1. Appointment of committee chair and vice-chair 2. Review of Committee by-laws and proposed amendments 3. Confirmation of Committee meeting schedule 4. Initial review of the first eight incentives, in which two were discussed <ul style="list-style-type: none"> <li>• Expedited Permitting</li> <li>• The Allowance of Flexibility in Densities</li> </ul> <a href="#">Agenda</a> <a href="#">Minutes</a>
Sept. 15, 2022	2:00 pm to – 4:42 pm	1. Review of committee by-laws and rules of conduct 2. 2022 Neighborhood Services Affordable Housing Advisory Committee - Introductory Review & Future Planning Discussion - Part 1 (6 incentives) 2. Continued review of Incentives <ul style="list-style-type: none"> <li>• Reservation of infrastructure capacity</li> <li>• Allowance of affordable accessory residential units</li> <li>• Allowance of flexible lot configurations</li> <li>• Modification of Street Requirements</li> <li>• Reduction of parking and setback requirements</li> <li>• Local government review process</li> </ul> <a href="#">Agenda</a> <a href="#">Minutes</a>

Oct. 20, 2022	2:00 pm – 3:00 pm	<ol style="list-style-type: none"> <li>1. 2022 Neighborhood Services Affordable Housing Advisory Committee - Introductory Review &amp; Future Planning Discussion - Part 2 (3 incentives)</li> <li>2. Continued Review of Incentives <ul style="list-style-type: none"> <li>• Modification of impact fee requirements</li> <li>• Printed inventory of locally owned lands</li> <li>• Other Recommendations of the Committee</li> </ul> </li> </ol> <p style="text-align: center;"> <a href="#">Agenda</a>  <a href="#">Minutes</a> </p>
Nov. 17, 2022	1:30 pm – 5:00 pm	<p style="text-align: center;"><b>Advertised Public Hearing</b></p> <ol style="list-style-type: none"> <li>1. Review 2022 AHAC Report</li> <li>2. Receive Public Comments</li> <li>3. Vote to accept incentive plan recommendations of the Affordable Housing Advisory Committee for submission to the City Manager and City Council</li> <li>4. Fair Housing Presentation (Analysis of Impediments to Fair Housing), if applicable and upon request</li> <li>5. Florida Housing Coalition Presentation (Technical Assistance), if applicable and upon request</li> </ol> <p style="text-align: center;"> <a href="#">Agenda</a>  <a href="#">Minutes (including public comments)</a> </p>
Dec. 6, 2022	3:00pm – 5:00pm	<ol style="list-style-type: none"> <li>1. Meeting not executed because there was not a quorum.</li> </ol> <p style="text-align: center;"> <a href="#">Agenda</a>  <a href="#">Minutes (including public comments)</a> </p>

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## **REVIEW OF INCENTIVES/AFFORDABLE HOUSING RECOMMENDATIONS**

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Staff presented the latest affordable housing practices and recommendations on incentives. Each of the eleven affordable housing incentives recommended by the State were examined and discussed with AHAC members. This plan is a result of the recommendations from the AHAC and meetings. If approved by City Manager and City Council, the recommendations are used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan-Housing Element, ordinances, or governing resolutions to incorporate these changes.

The AHAC has reviewed local government plans, policies, and procedures; ordinances; regulations; statutes; and the comprehensive plan, among other documents applicable to affordable housing, for evaluation of their impacts on affordable housing. Further, the AHAC has

specifically considered and evaluated the strategies set out at Florida Statutes, Sec. 420.9076 (4) (a)-(k). Based on this review and evaluation, the AHAC has formulated recommendations to the City Council that it incorporate into its housing strategy certain changes designed to encourage production of affordable housing.

The AHAC, from its review, consideration, evaluation, and recommendations, drafts and submits this report to the City Manager, City Council, and to Florida Housing Finance Corporation, which details the scope of its work and the resulting recommendations.

From review and evaluation of the local government documents listed here, the AHAC makes these recommendations to the City Council that it incorporate into its housing strategy the following recommendations.

\*An in-depth explanation of all the State mandated incentives can be located in the Florida Housing Coalition's Publication "Affordable Housing Incentive Strategies" <https://flhousing.org/wp-content/uploads/2021/08/8-4-21-AHAC-Guide-UPDATE.pdf>

***The following 2 incentives were reviewed on June 16<sup>th</sup>, 2022.***

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### ***EXPEDITED PERMITTING***

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**(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.**

A functioning process for expedited permitting for affordable housing units reduces time and helps avoid setbacks by designating a staff member to shepherd a development through the process.

**Meeting Synopsis:** Deputy Director, Alessandra Tasca stated that the city has not started the Comprehensive Plan Review and amendments had not yet been made, and she proposed that once they got through the incentives that the Committee then look at the "Housing Element" in detail. Ms. Winstead stated that these exercises were the same as last year and recommended to have a sidebar with the new members rather than have the whole Committee go through the same items again. The Committee discussed funding, bringing recommendations to Council, and additional recommendations for Expedited Permitting. There being no further discussion, Vice Chair Heidt moved to keep the recommendations the same as last year. Chair Obel seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** Policy 3.1.10.1 The City shall continue to provide expedited permitting procedures for affordable housing projects developed with state and federal funds.

**AHAC Recommendation:** *Keeping same recommendation as 2021.* The Committee recommends removal of the verbiage "state and federal funds" from the application



process. In addition, the Building Department, Planning & Zoning Department, City Attorney's Office, the Neighborhood Services Department (NSD) as well as the Communications Department should work together to better define the ability to confirm whether or not a project can be classified as affordable housing. The definitions and obligations should be published and advertised. A regular\* review of inquiries and submissions should be maintained by NSD. **Definition of the regularity of the review needs to be established.**

**Schedule for Implementation:** 1 year, after the City conducts a Housing Needs Assessment (HNA).

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## *FLEXIBLE DENSITIES*

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### **(c) The allowance of flexibility in densities for affordable housing.**

Increasing the maximum units allowable may help make a development more financially feasible.

**Meeting Synopsis:** Vice Chair Heidt moved to do nothing with The Allowance of Flexible Densities Incentive this year, and the Committee will look at it further when the Housing Needs Assessment (HNA) comes out next year. Chair Obel seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** Policy 3.1.10.6 (2020)- Densities are established by the property's future land use designation.

**AHAC Recommendation:** No changes recommended by the Committee. Flexible densities do not need to be addressed by the City this upcoming year.

**Schedule for Implementation:** N/A

***The following 5 incentives were reviewed on September 15<sup>th</sup>, 2022.***

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## *AFFORDABLE ACCESSORY RESIDENTIAL UNITS*

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### **(e) Affordable accessory residential units.**

Accessory dwelling units (ADUs) are secondary residential units typically on single-family lots that are independent of the primary dwelling unit. The concept of an accessory dwelling unit is to have an additional complete residence, meaning a place for sleeping, bathing, and eating, independent of the primary home.

**Meeting Synopsis:** The City has allowed accessory units in the Planned Unit Development (PUD) or Master Planned Unit Development (MPUD). Currently the City allows mother-in-law suites, but they cannot have oven plugs or full kitchens. Ms. Tasca informed the Committee that a Housing Needs Assessment (HNA) and Implementation Plan would be underway. Chair Obel moved to leave the recommendation as is under Incentive #4, the allowance of affordable accessory residential units. Vice Chair Heidt seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** The Planned Unit Development (PUD) and the Master Planned Unit Development (MPUD) zoning districts allow accessory dwelling units.

**AHAC Recommendation:** Continue with existing strategy with consideration that this is a policy in the City's Comprehensive Plan and once the HNA is completed, the Comprehensive Plan would be reviewed, and changes would be made.

**Schedule for Implementation:** 2023

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### *FLEXIBLE LOT CONFIGURATIONS*

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#### **(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.**

Minimum lot size, maximum lot coverage, open space, and setback requirements may prevent the development of smaller affordable housing units.

**Meeting Synopsis:** There was a brief discussion by the Committee members and staff on the current policies for allowance of flexible lot configurations in the City. Vice Chair Heidt moved to leave the recommendation as is. Chair Obel seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** Policy 3.1.10.8 - The Planned Unit Development (PUD) and Master Plan Unit Development (MPUD) allow for flexibility in lot considerations and setback requirements.

**AHAC Recommendation:** No changes recommended by the Committee. Flexible Lot Configurations do not need to be addressed by the City this upcoming year.

**Schedule for Implementation:** N/A

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### *MODIFICATION OF STREET REQUIREMENTS*

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#### **(h) The modification of street requirements for affordable housing.**

The modification of street requirements can reduce development costs and allow more land to be developed as housing. Modifications may free up land for lots and may allow for more flexible design. Land use regulations typically list a number of requirements related to streets:

driveway and walkway requirements, alleyways, curb allowances, drainage requirements, utility easements, and parking on both sides of the street.

**Meeting Synopsis:** Ms. Tasca explained that it could also be used as a tool on a case-by-case basis. Vice Chair Heidt moved to leave the recommendation as is. Ms. Hawkins seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** N/A

**AHAC Recommendation:** No changes recommended by the Committee. Modification of Street Requirements do not need to be addressed by the City this upcoming year.

**Schedule for Implementation:** N/A

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## *PARKING AND SETBACK REQUIREMENTS*

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### **(f) The reduction of parking and setback requirements for affordable housing.**

The modification of parking and setback requirements can resolve issues an affordable housing development might have in design and siting. Flexibility in these requirements can help lower development costs and ensure that more of the buildable land is available for housing development.

**Meeting Synopsis:** Ms. Tasca explained that this was a policy in the City’s Comprehensive Plan and added that once the HNA was completed, the Comprehensive Plan would be reviewed, and changes would be made. Chair Obel moved to add Ms. Tasca’s statement into the implementation schedule and leave everything else as is until the Housing Needs Assessment (HNA) is completed. Vice Chair Heidt seconded the motion, which passed unanimously by voice vote.

**Existing Strategy:** Policy 3.1.10.4 The City shall establish guidelines that allow parking and setback reductions for affordable housing projects where it can be shown that such reduction will be compatible with the surrounding neighborhood and will not cause an adverse impact to the neighborhood by 2013.

**AHAC Recommendation:** *Will continue with 2021 recommendation, which is City staff should comply with Policy 3.1.10.4 and establish guidelines to amend the Code to allow for the reduction of parking and setback requirements for affordable housing. The language should be revised and more detail on the implementation of this incentive should be included in the Housing Element.* In addition, Parking and Setback Requirements do not need to be addressed by the City this upcoming year.

**Schedule for Implementation:** To be reviewed once the Housing Needs Assessment (HNA) is complete in 2023.

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## *SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS*

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### **(k) The support of development near transportation hubs and major employment centers and mixed-use developments.**

S. 420.9076(4)(k) of the Florida Statutes directs the AHAC to assess: “The support of development near transportation hubs and major employment centers and mixed-use developments.”

**Meeting Synopsis:** Ms. Tasca explained that the policy was adopted in 2009. She explained how Amazon was building housing for their employees in a different state and hoped that this could be an incentive for the City to use. Vice Chair Heidt mentioned how affordable housing had to be in proximity of transit, shopping centers, food stores, services, etc. She stated that she was unsure if affordable housing should be in *any* area just because it was free land. The Committee discussed where the best locations would be for affordable housing as well as how businesses may influence the area. Ms. Danise added that there were different opportunities in each place.

**Existing Strategy:** Policy 3.1.10.5: The City shall encourage development of affordable housing and/or workforce housing near (within ½ mile) a transportation hub, major employment center, and mixed-use development.

**AHAC Recommendation:** The committee supports this policy to the fullest and states that it is a great benchmarking tool to use in the future analysis in the HN. In addition, the committee suggests having a 2023 workshop with St Lucie County AHAC to further develop this incentive.

**Schedule for Implementation:** 2023

*The following 2 incentives were reviewed on October 20<sup>th</sup>, 2022.*

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## *MODIFICATION OF IMPACT FEES*

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### **(b) All allowable fee waivers provided for the development or construction of affordable housing.**

By modifying fee requirements for affordable housing construction, the overall cost of the development can be reduced, and the savings can be passed on in the form of lower rents or lower sales prices.

**Meeting Synopsis:** A Planner representative from the Planning & Zoning Department explained the way impact fees worked to the Board. As a part of the Western Land Development Orders, the Developers are required to pay \$250 per housing unit, which go into the Affordable Housing “Annexation” Trust Fund. There was a discussion on the fact that the recommendation of the use

of the funds to cover the cost of impact fees for affordable housing put forward in 2018 has technically been adopted but the community is not aware of it and therefore no one has requested this use of the funds. Even so a policy does exist in the City's Comprehensive Plan that would allow an entity to request a reduction or waiving or other support if they were to prove to the City that their project was in fact an affordable housing project, outside of the realm of the Affordable Housing Trust Fund. Since 2018, no one has petitioned under that auspice either. Criteria to receive these incentives are currently determined on an ad-hoc basis using the Florida State Statutes as a legal, guiding document. The amount of funding in the Affordable Housing Trust Fund was discussed. The Fund was only recently developed in 2016 and is voluntary. Therefore, the last 4 years it has been growing and a definite, adopted budget was not deemed efficient or effective prior to having at least 3 years of steady budgetary facts and figures. Currently, the fund has been receiving approximately between \$120,000 - \$170,000 over the last 3 years and at the end of the 20-21 Fiscal Year (Sept. 2021) was at about \$630,000. Staff stated that programs can be developed for funding that is in the Fund but cannot be planned for funding that has not been received. The funding will continue through as long as the western DRIs involved are being constructed which can potentially last past 2030-2040 and is dependent on the economy and rates of construction. Information on all of this was presented by NSD and Planning & Zoning. The types of programs that have been proposed by staff for the Fund include but are not limited to: Emergency Rental and Mortgage Assistance, Emergency Culvert Repairs, Septic to Sewer conversions, and Emergency Repair and Rehabilitation. Use of the funds has not been finalized by the City Council. Proposals are still under legal review. NSD is responsible for managing the City's Local Housing Assistance Plan and the expenditure of the funds from the Fund.

**Existing Strategy:** Comprehensive Plan policy 3.1.10.3 The City shall reduce, waive, or support alternative methods of the impact fee payment for affordable housing.

**AHAC Recommendation:** The Committee continues to support the recommendation from 2018 to use the Affordable Housing Assistance Fee (a condition in several DRIs) to pay impact fees for affordable housing. The current Committee also recommends using the funds to their fullest capabilities. Staff should study all potential programs and bring forth comprehensive information on all possibilities and implement as many as possible. The Committee recommends that the Building Department, Planning & Zoning Department, City Attorney's Office, the Neighborhood Services Department (NSD) as well as the Communications Department work together to better define programs, have them approved by City Council as an overall strategy and budget in line with the City's Strategic Plan and subsequently advertised to the public. A regular review of the programs and staffing necessary to run them should be managed by NSD. Innovative options like land trusts, non-forgivable loans, and flexible zoning changes should be considered when developing the programs.

**Schedule for Implementation:** 2 years, after the City conducts a Comprehensive Housing Study.

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## PUBLIC LAND INVENTORY

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### **(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.**

Discounted or donated land can significantly reduce the cost of developing affordable housing. Generally, due to the high cost and limited availability of land in urban parts of the state, government-owned land is an essential tool for affordable housing development. Locating suitable land for affordable housing can be challenging. Public land is a valuable resource, and it is essential to have guidelines to ensure that these parcels are properly identified and used for affordable housing.

**Meeting Synopsis:** NSD provided information in the advancements that the City has achieved in managing its inventory of properties. There was also discussion about the City's updated policy on the topic (see Exhibit B) and how much land has been allocated to successful affordable housing projects since the last Committee met in 2018. Goals set in 2018 were attained successfully. Staff is currently working on establishing a pilot Community Land Trust (CLT) disposition program for affordable housing projects and invited Florida Housing Coalition technical experts to conduct a special presentation on this and other subjects for the Committee. There was discussion on selling the land for affordable housing or donating the land for affordable housing to non-profit developers. City Council has supported this idea and incorporated it into its policies and direction for staff. A new interdepartmental team called "High Performing Public Spaces or HPPS" is leading the initiatives. The list and interactive maps will be reviewed on a continual basis.

**Existing Strategy:** Policy for Disposition of City owned land was approved by the City Council on June 16, 2003 and revised on January 22, 2018 Resolution 18-R07. Additional revision to be confirmed from 2020. City Council Directed Policy 18.01ccd (updated 2020) is attached as Exhibit B.

**AHAC Recommendation:** The Committee recommends that the City continue to allocate as much surplus land as possible to affordable housing projects, support the acquisition of land for such projects, when possible, and allocate funds received from the sale of surplus vacant lots to be used for affordable housing projects.

**Schedule for Implementation:** On-going

***The following incentive was reviewed on June 16<sup>th</sup>, Sept. 15<sup>th</sup>, and Oct. 20<sup>th</sup>, 2022***

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## RESERVATION OF INFRASTRUCTURE CAPACITY

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### **(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.**

The reservation of infrastructure capacity is based upon local requirements in largely urban areas. These larger areas require future developments to make a reservation to guarantee the new development will meet concurrency requirements by meeting designated levels of service for certain types of infrastructure. Reservation is the act of setting aside a portion of available infrastructure capacity necessary to accommodate valid intermediate or final development orders.

**Meeting Synopsis:** There was discussion on the use of the reservation of infrastructure capacity for the City. Chair Obel stated that this incentive was not previously implemented before and inquired if there were funds in the budget to support this measure. Alessandra Tasca advised that there were measures that could be accomplished with money and some could be accomplished without money. She stated that one example could be a tenant-landlord bill of rights. The Committee discussed the further investigation as to the detailed definitions and possibilities associated with infrastructure capacity and what it consisted of. Stephen Mayer, Planner III, replied that it can refer to impact/mobility fees and felt that this incentive was proposing to defer those fees to another source.

**Existing Strategy:** N/A

**AHAC Recommendation:** The Committee recommends selecting a large piece of land for donation for housing and provide builder incentives.

**Schedule for Implementation:** Once The City Attorney's Office will provide a legislative update from the State in regard to infrastructure capacity in 2023 after the session is public and completed.

***The following incentive was reviewed on Sept. 15<sup>th</sup> and Oct. 20<sup>th</sup>, 2022***

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### ***PROCESS OF ONGOING REGULATORY REVIEW***

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**(i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.**

The purpose of this strategy is to require local governments to consider how proposed governmental actions may affect the cost of housing development. This level of review may lead governmental bodies to reconsider certain actions that may increase the cost of development and in turn, increase the price of housing.

**Meeting Synopsis:** Chair Obel inquired if large builders were members of TCBA and inquired if other parties should be included, to which Ms. Tasca replied that negotiating skills could be enhanced with large developers. Chair Obel recommended to change the language to include "TCBA and/or other parties". Ms. Tasca replied that they will make note of the change but would like to hold all changes to the Comprehensive Plan until the HNA is completed. Ms. Danise moved to table this incentive to the next meeting on October 20<sup>th</sup>, 2022. Ms. Garcia King seconded the motion, which passed unanimously by voice vote. On October 20<sup>th</sup>, the committee unanimously agreed on the AHAC recommendation below.

**Existing Strategy:** Policy 3.1.1.3: Continue to review ordinances, codes, regulations, and the permitting process for the purpose of eliminating excessive requirements, streamlining, and amending or adding other requirements to maintain or increase private sector participation in meeting the housing needs of all residents, especially those with special housing needs, while continuing to insure the health, welfare, and safety of the residents. Policy 3.1.10.2: Coordinate with the Treasure Coast Builders Association (TCBA) to review any increases in building fees.

**AHAC Recommendation:** *Keep the current strategy of supporting the amendments to Policy 3.1.10.2 that were adopted in 2020. In addition, policies and ordinances that will impact affordable housing are subject to a public hearing process, discussed with staff from the community development departments and presented to the Treasure Coast Builders Association."*

**Schedule for Implementation:** N/A

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### **OTHER RECOMMENDATIONS OF THE COMMITTEE**

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After meetings and discussion, the Committee made the following additional recommendations for consideration by the City Council.

**AHAC RECOMMENDATION 1:**

Staff continue to work to have a Comprehensive Housing Needs Assessment (HNA) and Implementation Plan completed as soon as possible.

**AHAC RECOMMENDATION 2:**

Meet with Lucie County AHAC in 2023 to discuss incentives that affect city and county residents and potential collaboratives among the respective committees.

**AHAC RECOMMENDATION 3:**

Staff work with interdepartmental working groups and the CRA to research and propose a larger property, of at least 1 acre, for multi-family, workforce and/or affordable housing as a new feature City project for housing development.



## **Public Comments from the Public Hearing November 17, 2022:**

Two Port St. Lucie residents attended the Public Hearing on November 17, 2022 and provided comments. Melody Hearn attended and is the Family Care Council Area 15 Co-chairperson. Dana Elharintaragun attended and is from Stand Up For Independence (SUFII). SUFI is The Treasure Coast self-advocacy group for individuals with developmental disabilities who learn how to be independent and stand up for their rights we are also nonprofit.

### **Family Care Council**

In 1993, the Florida Legislature created the Family Care Councils (Section 393.502, Florida Statutes) in each service area of the Agency for Persons with Disabilities (APD) to advise the agency, develop a plan for the delivery of family support services within the local area, and monitor the implementation and effectiveness of services and supports provided under the plan.

While the Agency for Persons with Disabilities has the responsibility for the health and safety of individuals with developmental disabilities, the Family Care Councils (FCCs) are governor-appointed volunteers who educate Floridians with developmental disabilities and their families about services and resources so they may live meaningful and integrated lives in their community.

Public Comments also documented in official City Clerk's:

[Minutes 11/17/2022](#) & [Minutes 12/6/2022](#).

There are 15 local FCCs throughout the state. Each council is made up of 10 to 15 members which reflects the geographical areas and the various disabilities, ethnicity, and ages served by the agency. The membership is comprised of individuals with developmental disabilities, parents, siblings, grandparents, and guardians of people with developmental disabilities who qualify for APD services.

In addition, each council is independent from the others. Most FCCs are active with other local organizations and partner to provide community forums, events, and conferences to benefit individuals with developmental disabilities and their families. <https://www.fccflorida.org/area-15-fcc.html>

The two representatives of these organizations are part of a self-advocate network across the State of Florida and they request that the City and Committee look to doing more to help house individuals with disabilities. In particular they would like to see a facility to help train and house members, in particular those who are on the Medicaid waiver program and its waitlist. They provided the Promise of Brevard as the closest best example for what they would dream of having here in Port St. Lucie. Currently, there are over 22,000 individuals on the Medicaid

waiver waitlist for Florida and 1,431 on the program in St. Lucie, Martin and Okeechobee and 398 on the waitlist in this tri-county area. <https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/Waiver-Descript-Factsheet/FL>

**OTHER STAFF RECOMMENDATIONS:**

Staff continues to recommend that current SHIP funds and some CDBG funds be used for repair and rehabilitation, code violations and emergency assistance for very low, low- and moderate-income households. In addition, the leveraging of these funds, when possible, should regularly be examined. The determination of any new incentive program using City housing fee funds will be determined by the NSD Director, after consultation with staff, City management and based on greatest need and priorities established by staff. All programs are contingent on City Council approval.

It is of utmost importance that staff continue work on Comprehensive Housing Needs Assessment (HNA) and Implementation Plan in collaboration with the County and Ft. Pierce. It has been bid and agreement is in the final stages of approval. Staff recommends working in conjunction with all local social agencies and its counterparts at St. Lucie County Human Services. The HNA is key for the updating of numerous City policies and the Comprehensive Plan's Housing Element.

Some key news items in 2022:

<https://www.wqcs.org/wqcs-news/2022-08-14/port-st-lucie-helping-residents-own-their-own-home>

<https://www.wptv.com/money/real-estate-news/6-affordable-houses-available-for-low-income-families-in-port-st-lucie>

<https://www.wpbf.com/article/port-st-lucie-officials-continue-to-improve-workforce-housing-plan/40315297#>

<https://www.wpbf.com/article/florida-affordable-housing-rent-rick-rick-scott/38199080>

<https://www.wptv.com/money/real-estate-news/new-affordable-housing-complex-coming-to-fort-pierce>

<https://www.wptv.com/news/treasure-coast/region-st-lucie-county/port-st-lucie/port-st-lucie-offering-mortgage-assistance-to-residents>

<https://cw34.com/news/local/home-repair-grant-funds-available-to-low-income-psl-residents>



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## *Exhibit A*

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NOTICE OF PUBLIC HEARING  
CITY OF PORT ST. LUCIE  
AFFORDABLE HOUSING ADVISORY COMMITTEE

November 10, 2022, at 1:30 PM **\*Postponed to November 17, 2022, due to Hurricane Nicole**

The City of Port St. Lucie's Affordable Housing Advisory Committee as established by Section 420.9076 (2), F.S. must approve the local affordable housing incentive strategy recommendations at a public hearing by affirmative vote of a majority of the membership of the advisory committee. The public hearing will be held at 1:30 p.m. on November 10, 2022, in City Hall Building B, training room located at 121 SW Port St. Lucie Boulevard.

A copy of the Evaluation and tentative Advisory Committee recommendations are available in the Neighborhood Services Department, City Hall Building B, training room and for any additional information on this public hearing please contact Mendy Solorzano at 772-344-4302 or Ann Fidge at 772-871-5220.

The Affordable Housing Advisory Committee is charged with the responsibility to review the established policies and procedures, ordinances, land development regulations and adopted local government comprehensive plan of the City of Port St. Lucie and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modifications or repeal of existing policies, procedures, ordinances, regulations or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances or plan provisions; including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances and other policies.

At a minimum, the advisory committee shall adopt recommendations and submit a report to the local government on affordable housing incentives in the following areas: (a) The processing of approvals of development orders or permits as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects; (b) The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing; (c) The allowance to flexibility in densities for affordable housing; (d) The reservation of infrastructure capacity for housing for very low income, low income and moderate income persons; (e) The allowance of affordable accessory residential units in residential zoning districts; (f) The reduction of parking and setback requirements for affordable housing; (g) The allowance of flexible lot configuration, including zero lot line configurations for affordable housing; (h) The modification of street requirement for affordable housing; (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulation or plan provisions that increase the cost of housing; (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing; and (k) The support of development near transportation hubs and major employment centers

and mixed use developments. The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee.

In accordance with Florida Statutes, Sections 166.041 (3)(a) and 286.0105, “Interested parties may appear at the meeting and be heard with respect to the proposed” and no stenographic record by certified court report will be made of the foregoing meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be heard.

Any special accommodation requests, such as an interpreter, or special seating that may be required by the public should be made of the Port St. Lucie City Clerk’s Office before the meeting.



**CITY COUNCIL DIRECTED POLICY**  
**Policy # 20-02ccd**

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**TO:** Russ Blackburn, City Manager                      **FROM:** City Council  
**EFFECTIVE DATE:** 1/22/2018                      **INITIATED BY:** Procurement Management Department  
**POLICY TITLE:** DISPOSITION OF CITY-OWNED REAL PROPERTY AND/OR BUILDINGS

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**PURPOSE STATEMENT**

To update the Policy for the Disposition of City-owned Property and/or Buildings that was amended and approved by City Council on January 22, 2018 via Resolution 18-R07.

**DEFINITIONS**

City Real Estate Review Committee – A Committee established by the City Manager of employee representatives of those city departments for which the use of real property may or is of benefit to the City. The Committee shall meet only as needed for the review and disposition of surplus property or to be engaged is presenting departmental interests for the assignment of escheated property(ies).

**POLICY**

1. The Procurement Management Department (PMD), prior to real property being declared surplus and offered for sale, either through Request for Proposal (RFP) or through the Auction Process, will receive a signoff from all City Departments indicating that there is no existing or future use for said real property or buildings. Upon reviewing comments by the various departments, which must respond to the request by PMD within five (5) business days, PMD will create a list of surplus properties that are to be sold. The City Real Estate Review Committee shall convene as deemed necessary to support PMD in completing property-use determinations.
2. PMD will submit to the City Council the list of properties to be declared surplus pursuant to procedures and the sale of all real property must be finalized by ordinance in accordance with the terms and provisions of the Charter of the City of Port St. Lucie at Section 9.09(g). The request to declare real property as surplus shall include the date the property was purchased by the City, original purpose, price, and legal description.
3. PMD will implement the appropriate arrangements for all declared surplus properties to obtain appraisals and then proceed to sale either via auction or RFP. The PMD Department will be responsible for providing the Finance Department with a list of the lands to be sold (for GASB 34 requirements) and to the City Attorney’s Office, who will work together with all appropriate parties and the title company to effectuate closing for all real estate sales. Upon completion of the closing, the City Attorney’s Office will advise the Finance Department, PMD, Office of Management and Budget, Information Technology, Risk Management, and other involved City Departments of the closing so it can be appropriately accounted for on the City’s master inventory and within the budget.
4. All land and/or buildings must have an appraisal prior to the sale and the establishment of a minimum price will be based upon said appraisal. Appraisal may be conducted by comparable and like parcels,



## CITY COUNCIL DIRECTED POLICY Policy # 20-02ccd

therefore, an individual appraisal per each site is not required. Said appraisal for the real property cannot be older than six (6) months.

5. The City Staff shall recommend, and provide the justification for, the method of sale via an RFP or Auction process. The City Council shall determine and approve the method of sale to be utilized.
  - A. RFP process is a written solicitation for competitive sealed proposals and shall follow the City's Purchasing Policy and Procedure Manual.
  - B. The Auction process will be accomplished through use of a Real Estate Broker or the City's contracted auction service and may be an on-site live auction with on-line bidding included.
6. All real property sold will require that the City set a minimum price for said property. The minimum price is as net to the City. No real property will be sold for less than the minimum price. Minimum price shall be based upon the appraisal and/or comparable and like parcels as previously indicated in paragraph "4" hereinabove.
7. All sales will allow the City to reject all proposals for failure to meet minimum price requirements, failure to meet other terms and conditions, or not be in the best interest of the City.
8. All real property to be sold will be posted with a sign detailing how and when it will be sold and a contact number for any questions that the prospective purchasers may have.
9. All adjacent property owners within 300' of the property to be sold will be notified of the sale by first class mail.
10. The City Manager will be required to recommend, in writing, a designation or disposition of revenues from the sale of each property. Such recommendation by the City Manager shall consider the original purpose for which the property was acquired and whether or not the proceeds from the sale of said real property are required to go to a specific fund. The City Council will designate the direction or utilization of proceeds from the sale of real property or buildings.
11. The City Council reserves the right to dispose of surplus real property and non-surplus real property by any other means in the best interest of the City of Port St. Lucie upon motion of the City Council.
12. Properties which are escheated to the City shall be reviewed to determine their highest and best use prior to assignment for use by a City department or declared surplus. Departments interested in assignment of an escheated property shall complete the "City-Owned Property Department Request Form" and submit the form to the City Attorney's Office for sufficiency prior to review and determination by the City Manager's Office.

**This item was before and approved by the Port St. Lucie City Council on January 22, 2018 as Agenda Item 11C: Resolution 18-R07.**