

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

FEBRUARY 22, 2023

**WEDNESDAY
10:30 A.M.**

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

MEMBERS:

Commissioner Mack Bernard
John-Anthony Boggess
George "Adam" Campbell
Lynda Charles
Timothy Coppage
Corey O'Gorman
William "Elliott" Johnson
Ezra M. Krieg, Vice Chair
Amy Robbins
Aquannette Thomas
Leonard "Len" A. Tylka, Chair

COUNTY STAFF PRESENT:

Sheila Brown, Planner II, Housing and Economic Development (HED)
Carlos Serrano, Division Director II, HED

PRESENT VIA TELECONFERENCE:

David Brandt, Executive Director, Housing Finance Authority, HED
Jonathan Brown, Director II, HED
Suzanne Cabrera, President and CEO, Housing Leadership Council (HLC)
Sherry Howard, Division Director V, HED
Dorritt Miller, Assistant County Administrator
Michael Sklar, Principal Planner, HED

CLERK OF THE CIRCUIT COURT & COMPTROLLER'S OFFICE STAFF PRESENT:

Andrea Nadler, Senior Board Meetings Specialist
Jillian Zalewska, Deputy Clerk

I. Call to Order

The vice chair called the meeting to order at 10:33 a.m.

II. Roll Call

Present: Adam Campbell, Elliott Johnson, and Corey O'Gorman

Absent: Commissioner Mack Bernard, Lynda Charles, Timothy Coppage, and Len Tylka

Via Teleconference: John-Anthony Boggess, Ezra Krieg, Amy Robbins, Aquannette Thomas

(CLERK'S NOTE: No votes were taken at the meeting due to lack of a quorum.)

(CLERK'S NOTE: Lynda Charles joined the meeting via teleconference after the roll call.)

III. Approval of Remote Attendance

No vote was taken.

IV. Approval of Agenda

No vote was taken.

V. Approval of Minutes

No vote was taken.

VI. Old Business

a. CAH Scope Beyond SHIP

HED Director II Jonathan Brown informed the members that County Administrator Verdenia Baker had requested a written statement detailing CAH's interest in expanding its scope to include workforce housing.

At Mr. Krieg's request, the meeting attendees identified themselves for the record.

Mr. Krieg initiated a discussion of the CAH's vision for extending its mission beyond administration of the State Housing Initiatives Partnership program (SHIP).

Mr. Johnson said that the housing plan, if adopted, would require administration and oversight. He suggested that the HLC might be an appropriate entity to fulfill that role. He stated that an expansion of the CAH's current scope might be required and noted that the state mandate for all affordable housing advisory committees provided for best practices beyond determining incentive items.

Mr. Krieg said that the CAH had a role to play in advising the Board of County Commissioners (BCC) on affordable housing matters at all area median income (AMI) percentage ranges. He stated that he was unsure if the HLC would be the appropriate

body to administer the housing plan because it did not address housing needs at all AMI levels.

Mr. Brown inquired if the CAH was suggesting taking over the housing plan, which had been developed by the HLC.

Mr. Krieg said that the housing plan would become the County's plan once adopted by the BCC.

Mr. Brown noted that County staff might not support all elements of the plan.

Mr. Krieg said that broader oversight was needed if the BCC adopted the plan, and Mr. Brown said that the BCC could accept the plan without providing oversight.

Mr. Johnson said that certain portions of the plan would require full-time administration that was beyond the capacity of the CAH. He suggested that the HLC could expand its mission and scope beyond the parameters of its original mandate.

Ms. Charles agreed with Mr. Krieg and Mr. Johnson that oversight and administration were needed to implement the plan in a manner that would effectively address the affordable housing crisis. She also expressed concern that in the broader community, the housing bond was being incorrectly conflated with the housing plan as a whole.

Discussion continued about the County's role in overseeing and administering the plan.

Mr. Johnson discussed the CAH's role as outlined by State statute and suggested that the CAH could serve in a supervisory role by overseeing HLC's administration of the plan.

Mr. Brown asked if County staff would be able to remove items from the plan.

Mr. Johnson responded that it was a countywide plan and that certain elements might not apply to all areas of the county.

Mr. Brown suggested that the CAH present their recommended Local Housing Assistance Plan (LHAP) amendments to the municipalities that utilized SHIP dollars.

Mr. Johnson said that the LHAP recommendations could be incorporated into the housing plan. He noted that the HLC would not have to publicly notice meetings as was required of the CAH.

(CLERK'S NOTE: John-Anthony Boggess joined the meeting.)

Ms. Charles stated that the CAH should expand its oversight capacity, which was inclusive of the commission's duties as a SHIP administrator.

Mr. Krieg suggested that Mr. Brown ask Ms. Baker for clarification regarding the BCC's role in administering the housing plan.

Discussion continued regarding the BCC's role.

Assistant County Administrator Dorritt Miller said that the BCC would discuss the plan and provide direction to staff.

Mr. Krieg suggested that the members discuss the issue further at the next CAH meeting.

Ms. Miller said that the HLC had discussed plan implementation and oversight and might make a recommendation to the BCC.

Mr. Krieg noted that the CAH might provide an alternative recommendation because of the limited scope of HLC's mission.

Mr. Johnson stated that the housing plan was more comprehensive than any that had previously been attempted and reiterated that with additional resources, the HLC could oversee the plan's implementation.

STAFF DIRECTION:

Mr. Krieg requested that staff synthesize the comments from the day's meeting and provide an overview to guide the discussion at the next CAH meeting.

HED Division Director II Carlos Serrano agreed to provide a summary of the remarks.

b. BCC-Approved LHAP Amendment

Mr. Serrano informed the commission that on February 7, 2023, the BCC had approved the first amendment to the LHAP covering the three-year period beginning July 1, 2022. He summarized each of the CAH's incentives and staff's responses.

Mr. Serrano discussed the following regarding the expedited permitting incentive:

- Staff supported expedited permitting for projects in which at least 65 percent of housing units were designated as affordable or workforce housing.
- Planning, Zoning and Building (PZB) was collaborating with Information Systems Services (ISS) to facilitate implementation of the electronic permitting application system.
- PZB would continue to offer pre-application meetings for development approvals and provide guidance throughout the process.

- The proposed “shepherd” position could be complicated by the cross-departmental nature of the application process.
- PZB did not support review and approval by external private entities of general development applications, zoning variances, site plans, and related items.

Mr. Serrano highlighted the following points regarding fee waivers for affordable housing:

- The County already waived certain fees and administered an impact-fee assistance program.
- State law prohibited reduction of building permit fees except in cases of individual owners of single-family units.
- The State had authorized local governments to waive impact fees for affordable housing, but the BCC had not yet acted.

Mr. Johnson inquired about staff’s opinion regarding impact fee waivers for affordable housing.

Mr. Serrano replied that County Administration had historically been reluctant to waive impact fees because the fees were used to fund public improvements.

Mr. Serrano summarized staff’s response to the incentive regarding accessory dwelling units (ADUs):

- PZB partially supported the recommendation and was reviewing the pertinent development regulations.
- Staff agreed with CAH’s recommendation to eliminate the requirement that a property owner remove the kitchen from an ADU when the owner vacated the property.
- Staff did not support elimination of the requirement for an electrical feed to the ADU from the primary home.
- A policy discussion was needed to determine if ADUs should count as separate units in density calculations.

In response to questions from Mr. Krieg regarding the timeline for determining the status of a particular incentive, Mr. Serrano explained that the incentives review was an ongoing process.

STAFF DIRECTION:

Mr. Krieg requested that staff ask the BCC for a status update regarding the ADU issue and then inform the CAH of what progress had been made.

Mr. Serrano confirmed that Mr. Krieg was asking for staff to request the update prior to the CAH's April meeting.

Mr. Serrano discussed the following regarding CAH's request for an inventory of public lands suitable for affordable housing:

- The Property and Real Estate Management (PREM) department periodically updated a list of surplus properties on its website.
- Policy and procedure memoranda established the process for disposition of properties.
- A property was considered "surplus" if the County had no current use for it and did not foresee any potential future use.
- Most of the properties referred by PREM were small and not suitable for development.

Mr. Serrano said that County staff supported the CAH's recommendation regarding development near transportation hubs. He noted that because this would require a multijurisdictional effort, PZB had suggested that an organization such as the League of Cities might assume a leadership role.

Mr. Serrano proceeded to address the CAH's recommendation regarding alternative property development regulations, including the process allowing for a self-regulating development order. He said that PZB and other County staff supported the recommendation and that the Zoning division had been reviewing steps taken in other jurisdictions to implement flexible regulations.

STAFF DIRECTION:

Mr. Krieg requested that staff provide an update in three or four months on the status of efforts to implement flexible development regulations.

c. PBC School Board Workshop on Affordable Housing

STAFF DIRECTION:

Mr. Krieg requested that Mr. Brown inform the committee of the March 1, 2023, workshop meeting time; if the school board would hear public comments; and what items were on the agenda in addition to the workshop.

VII. New Business

a. Incentives Review Area of Focus 2023

Mr. Krieg reminded the members that they had agreed to select three incentives per year to enable a more thorough exploration and facilitate the development of specific recommendations.

Mr. Johnson requested that the CAH consider discussing density as an incentive at the next meeting. He also suggested reviewing the six incentive areas that the commission had already addressed to determine what progress had been made.

Ms. Charles expressed agreement with Mr. Johnson's suggestion that the commission review the six incentive areas. She also stated that she wanted to focus on density and ADUs. She suggested that the commission look at efforts made in other locales, such as the City of St. Petersburg, regarding zoning and development.

Mr. Johnson clarified that a discussion of density and the self-regulating development order should occur at the next meeting in addition to the review of the six incentive areas.

b. Meeting Schedule 2023

Mr. Serrano asked for direction regarding the meeting schedule.

Mr. Krieg said that the commission would determine the schedule for the rest of the year at the March 8, 2023, meeting.

VIII. Member Comments

STAFF DIRECTION:

Mr. Krieg requested that staff invite HLC Chair Jack Weir and HLC President and CEO Suzanne Cabrera to attend the March 8, 2023, CAH meeting to participate in a discussion regarding the housing plan.

On behalf of the commission, Mr. Krieg thanked staff for their work.

IX. Adjourn

At 11:53 a.m., the vice chair declared the meeting adjourned.