

**City of Gainesville**



**SHIP LOCAL HOUSING` ASSISTANCE PLAN (LHAP)**

**2020-2021, 2021-2022, 2022-2023**



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## Section I. Program Details

### A. LG(s)

Name of Local Government	City of Gainesville
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	

### B. Purpose of the program:

1. To meet the housing needs of the very low, low and moderate-income households;
2. To expand production of and preserve affordable housing; and
3. To further the housing element of the local government comprehensive plan specific to affordable housing.

### C. Fiscal years covered by the Plan: 2020-2021, 2021-2022, 2022-2023

**D. Governance:** The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

**E. Local Housing Partnership:** The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

**F. Leveraging:** The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

**G. Public Input:** Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

**H. Advertising and Outreach:** SHIP funding availability shall be advertised in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

**I. Waiting List/Priorities:** A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time completed applications were submitted as well as any established funding priorities as described in this plan.



The following priorities for funding (very low income, Special Needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

The City will accept applications during the advertised application period, until all funds are expended for each strategy. Applications will be placed in order of receipt and separated by strategy. When funds are available for a particular strategy, the applicants from the waiting list will be contacted to update and/or complete an application for funding assistance. Applicants will receive assistance once they have provided all required documentation and have been determined eligible to receive funding. Once a list of eligible applicants is compiled for a particular strategy, applications will be awarded for assistance on a first-qualified, first-served basis.

For strategies providing Special Needs assistance, eligible applicants will be ranked giving first priority to households qualifying as Special Needs households to meet the minimum 20% set-aside for the funding year as listed below:

1. Homeowners with a developmental disability.
2. Households with household member with developmental disability.
3. Households with other disabilities and special needs, as defined by F.S. 420.0004
4. All other applicants that qualify.

After meeting the minimum 20% set-aside for Special Needs households for the funding year, remaining eligible applicants will be considered for assistance based upon a first-qualified, first-served basis.

- J. Discrimination:** In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in the award application process for eligible housing. Additionally, in accordance with Chapter 8 of the Gainesville, Florida Code of Ordinances, it is unlawful to discriminate on the basis of sexual orientation, race, color, gender, age, religion, national origin, marital status, disability or gender identity in the award application process for eligible housing.
- K. Support Services and Counseling:** The City of Gainesville will administer a Housing Counseling Program designed to promote homeownership opportunities and improve access to affordable housing. Funds will be utilized for housing counseling activities carried out by City staff, including equipment, materials and supplies related to housing counseling activities.

The Housing Counseling Program provides counseling services such as Homeownership, Credit and Money Management, Foreclosure Prevention and other general housing counseling services based on household need.

The City of Gainesville may also partner with other housing and community based housing providers and service organizations to provide housing counseling support services, as applicable based upon availability of resources.

- L. Purchase Price Limits:** The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar



year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

The City of Gainesville has elected to use the United States Department of Housing and Urban Development’s (HUD) Purchase Price Limits for the Alachua County/Gainesville Metropolitan Statistical Area. The Purchase Price Limits are updated annually by HUD.

**M. Income Limits, Rent Limits and Affordability:** The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at [www.floridahousing.org](http://www.floridahousing.org).

*“Affordable” means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household’s ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.*

**N. Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

**O. Monitoring and First Right of Refusal:** In the case of rental housing, the staff and any entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.



**P. Administrative Budget:** A line-item budget is attached as Exhibit A. The City of Gainesville finds that the moneys deposited in the local housing assistance trust fund are necessary to administer and implement the local housing assistance plan.

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:** “A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:** “The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.” The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

**Q. Program Administration:** Administration of the local housing assistance plan will be performed by:

Entity	Duties	Admin. Fee Percentage
Local Government	Administration of the LHAP will be wholly performed and maintained by the City of Gainesville.	N/A
Third Party Entity/Sub-recipient		

**R. First-time Homebuyer Definition:** For any strategies designed for first-time homebuyers, the following definition will apply: *An individual who has had no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned a home with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*

**S. Project Delivery Costs:** Project delivery costs for the City’s Owner Occupied Rehabilitation programs will include initial inspections, work write ups, cost estimates, selection of contractors, interim inspections, final inspections, counseling and homeowner conferences. These costs shall be capped at \$3,000 and will be included as part of the loan to the homeowner.

**T. Essential Service Personnel Definition (ESP):** **ESP includes** teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, and skilled building trade personnel.

**U. Describe efforts to incorporate Green Building and Energy Saving products and processes:** The City of Gainesville will encourage green building requirements in the building specifications for all new construction and rehabilitation projects to include, but not limited to, the following: Energy Star rated windows, appliances, hot water heaters and ceiling fans; low flow plumbing fixtures, insulated exterior doors, increased



insulations for walls and ceiling, higher efficiency HVAC units and programmable thermostats.

These building specification may be amended if federal, state and/or local regulations require a more prescriptive list.

**V. Describe efforts to meet the 20% Special Needs set-aside:** The City of Gainesville gives preference to persons applying for housing program assistance who meet the special needs definition listed in Florida State Statutes 420.0004(13). The City provides funding notification to local organizations informing them of opportunities available to provide services to its special needs clients.

**W. Describe efforts to reduce homelessness:** The City of Gainesville collaborates with Alachua County, the local Continuum of Care (CoC) and other homeless service organizations to address homelessness in the community. The City of Gainesville continues to participate and collaborate in these planning efforts to address homelessness in the community; and to assist homeless individuals and families to obtain access to stable housing and adequate referrals to resources and assistance.

## Section II. LHAP Strategies

<b>A. OWNER OCCUPIED REHABILITATION</b>	Code 3, 4
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a. Summary: This strategy provides for the repair of existing homes and may include demolition and reconstruction. Funds will be awarded to owner occupied homes to correct code violations, health and safety issues, HVAC, electrical, plumbing, roofing, windows, structural items and accessibility to substantially rehabilitate the home, or demolish and reconstruct the home. When an applicant’s home that has been approved for rehabilitation, but is determined to be beyond reasonable repair (more than 50% of structure is deemed unlivable and estimated rehab exceeds maximum award for the Owner Occupied Rehabilitation Program), the home may be eligible for demolition and reconstruction of a new home through the House Replacement Program. Eligible costs may include construction costs and related project soft costs (e.g., architectural, engineering, title searches, recording fees, appraisal fees, lead based paint inspections, and building permits). This strategy covers the following programs:

1. Roof Replacement Program (new roof replacement)
2. Owner Occupied Rehabilitation Program (health/safety issues, and correct code violations)
3. House Replacement Program (demolition and reconstruction)

b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023

c. Income Categories to be served: Very low and low

d. Maximum award:

1. Roof Replacement Program	\$15,000
2. Owner Occupied Rehabilitation Program	\$60,000
3. House Replacement Program	\$125,000



e. Terms:

1. Repayment loan/deferred loan/grant: Deferred loan secured by a recorded mortgage and promissory note.
2. Interest Rate: 0%
3. Years in loan term:
  - a. Roof Replacement Program 5
  - b. Owner Occupied Rehabilitation Program 10
  - c. House Replacement Program 20
4. Forgiveness: Loan is forgiven after term years:
  - a. Roof Replacement Program 5
  - b. Owner Occupied Rehabilitation Program 10
  - c. House Replacement Program 20
5. Repayment: N/A
6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; or failure to occupy the home as primary residence. If any of these occur during the term of the Loan, the outstanding balance will be due and payable.

A homeowner may need to refinance and/or sell the home due to extenuating circumstances such as loss of wages, job transfers, divorce, death, and/or health related issues. Under these circumstances, a subordination and/or forgiveness of the loan may be eligible as outlined below:

- **Subordination:** A subordination of a loan for the purpose of refinancing an existing debt that is in the superior lien position to the loan may be allowed for situations such as, to obtain a lower interest rate, debt consolidation, to make home improvements or improvements to the property, payment of medical expenses, and illness. No cash out to the homeowner. However, when a hardship exists such as, divorce, death, and health related issues, an exception may be considered.  
A subordination of the loan will only be approved in accordance with the guidelines of the City's Loan Subordination Policy, as amended.
- **Forgiveness:** Forgiveness of the loan will only be approved in accordance with the guidelines of the City's Loan Forgiveness Policy, as amended. If a homeowner needs to sell the home due to a hardship such as divorce, death, and/or health related issues, the homeowner may be eligible to request a loan forgiveness for all or a portion of the loan. Staff will work with the mortgage holders and/or legal representatives to recapture any funds available to satisfy the lien.
- **Foreclosure:** If a property is foreclosed on by a superior mortgage holder, the City will make an effort to recapture funds through the legal process; if it is determined that sufficient funding may be available to justify pursuing repayment. If sufficient funding is available, recapture of the loan will be repaid to the SHIP Program and/or other leveraged program funding based on the percentage of the funding invested in the project, as applicable.

Program restrictions on the property shall terminate upon foreclosure, transfer in lieu of



foreclosure or assignment of an FHA insured mortgage to HUD. To the extent that there are any proceeds from the foreclosure or other sale of the property by HUD remaining after the HUD insured loan is paid, the remaining net proceeds shall be paid to the City of Gainesville. Net proceeds consist of the sales prices minus loan repayment, other Owner Occupied Rehabilitation, Program closing costs and other related project costs. If the net proceeds of the sale are insufficient to fully satisfy the amounts owed, the City of Gainesville may not personally seek or obtain a deficiency judgment or any other recovery from the Borrower and/or Seller of the property.

The amount due to the Lender is limited to the net proceeds, if any, if the net proceeds are not sufficient to recapture the full amount of Owner Occupied Rehabilitation Program funding invested plus allow Borrower to recover the amount of Borrower's equity and capital improvement investment, including, but not limited to cases of foreclosure or deed-in-lieu of foreclosure. Recapture of the loan may be repaid to the Owner Occupied Rehabilitation funding program based on the percentage of the financing provided to the project, as applicable. If there are no net proceeds, the City of Gainesville will receive no share of net proceeds.

In the event of foreclosure or deed in lieu of foreclosure of Prior Security Deed or assignment of the first mortgage to the Secretary of Housing and Urban Development, any provisions herein or any provisions in any other collateral agreement restricting the use of the property or otherwise restricting the Borrower's ability to sell the Property shall have no further force or effect. Any person (including his successors or assigns) receiving title to the Property through a foreclosure or deed in lieu of foreclosure of a Prior Security Deed shall receive title to the Property free and clear from such restrictions.

- f. Recipient Selection Criteria: The first priority special needs funds must be to serve persons with developmental disabilities as defined in s. 393.063, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership. Applications for assistance under this program will be reviewed and approved based on a first-qualified, first-served basis with the following priorities:
1. Homeowners with a developmental disability.
  2. Households with household member with developmental disability.
  3. Households with other disabilities and special needs, as defined by F.S. 420.0004.
  4. All other applicants that qualify.

After serving enough Special Needs households to meet the 20% set-aside for the funding year, all applicants determined to be eligible will be considered for Homeowner Rehabilitation Program assistance based upon a first-qualified, first-served basis.

- g. Sponsor Selection Criteria: N/A
- h. Additional Information: To be eligible for the Owner Occupied Rehabilitation Program and House Replacement Program, the homeowner must have owned and occupied the property as their primary residence for at least five (5) years prior to applying for program assistance.



In the event that the owner(s) executing the mortgage and note expire(s) during the term of the loan, the loan shall be considered satisfied and will no longer constitute a lien against the property.

Mobile homes are not eligible to receive assistance from this program.

<b>B. DOWNPAYMENT ASSISTANCE</b>	Codes 1 & 2
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a. Summary: The Downpayment Assistance Program will provide downpayment and/or closing cost assistance to eligible first-time homebuyers with the purchase of eligible homes. The program may also provide assistance for minor repairs of eligible existing homes purchased.

For existing homes that do not require repairs, a maximum of up to \$10,000 will be available to assist with downpayment and/or closing costs.

For existing homes that require repairs, this program may provide up to \$2,000 as identified by a SHIP certified home inspection report. The repairs must be financially feasible to address as determined by the City of Gainesville. The eligible minor repairs may include, but are not limited to the cost of labor and materials for items such as broken electrical outlets/fixtures, broken window panes, HVAC maintenance, and battery replacement for smoke/carbon monoxide detectors. A maximum of \$2,000 will be available to assist with repairs on the property; and a maximum of \$8,000 will be available to assist with downpayment and/or closing cost assistance for total maximum assistance of \$10,000. On a case-by-case basis, the level of funding assistance may be adjusted based on the required repairs for the home and/or downpayment and closing costs assistance needs of the homebuyer.

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$10,000
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: Deferred loan secured by a recorded mortgage and promissory note.
  - 2. Interest Rate: 0%
  - 3. Years in loan term: 5
  - 4. Forgiveness: Loan is forgiven after 5 year term
  - 5. Repayment: N/A
  - 6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; or failure to occupy the home as primary residence. If any of these occur during the term of the Loan, the outstanding balance will be due and payable.

A homeowner may need to refinance and/or sell the home due to extenuating circumstances such as loss of wages, job transfers, divorce, death, and/or health related issues. Under these circumstances,



a subordination and/or forgiveness of the loan may be eligible as outlined below:

- Subordination: A subordination of a loan for the purpose of refinancing an existing debt that is in the superior lien position to the loan may be allowed for situations such as, to obtain a lower interest rate, debt consolidation, to make home improvements or improvements to the property, payment of medical expenses, and illness. No cash out to the homeowner. However, when a hardship exists such as, divorce, death, and health related issues, an exception may be considered. A subordination of the loan will only be approved in accordance with the guidelines of the City's Loan Subordination Policy, as amended.
- Forgiveness: Forgiveness of the loan will only be approved in accordance with the guidelines of the City's Loan Forgiveness Policy, as amended. If a homeowner needs to sell the home due to a hardship such as divorce, death, and/or health related issues, the homeowner may be eligible to request a loan forgiveness for all or a portion of the loan. Staff will work with the mortgage holders and/or legal representatives to recapture any funds available to satisfy the lien.
- Foreclosure: If a property is foreclosed on by a superior mortgage holder, the City will make an effort to recapture funds through the legal process; if it is determined that sufficient funding may be available to justify pursuing repayment. If sufficient funding is available, recapture of the loan will be repaid to the SHIP Program and/or leveraged program funding based on the percentage of the funding invested in the project, as applicable.

Program restrictions on the property shall terminate upon foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. To the extent that there are any proceeds from the foreclosure or other sale of the property by HUD remaining after the HUD insured loan is paid, the remaining net proceeds shall be paid to the City of Gainesville. Net proceeds consist of the sales prices minus loan repayment, other Downpayment Assistance, Program closing costs and other related project costs. If the net proceeds of the sale are insufficient to fully satisfy the amounts owed, the City of Gainesville may not personally seek or obtain a deficiency judgment or any other recovery from the Borrower and/or Seller of the property.

The amount due to the Lender is limited to the net proceeds, if any, if the net proceeds are not sufficient to recapture the full amount of Downpayment Assistance Program funding invested plus allow Borrower to recover the amount of Borrower's equity and capital improvement investment, including, but not limited to cases of foreclosure or deed-in-lieu of foreclosure. Recapture of the loan may be repaid to the Downpayment Assistance funding program based on the percentage of the financing provided to the project, as applicable. If there are no net proceeds, the City of Gainesville will receive no share of net proceeds.

In the event of foreclosure or deed in lieu of foreclosure of Prior Security Deed or assignment of the first mortgage to the Secretary of Housing and Urban Development, any provisions herein or any provisions in any other collateral agreement restricting the use of the property or otherwise restricting the Borrower's ability to sell the Property shall have no further force or effect. Any person (including his successors or assigns) receiving title to the Property through a foreclosure or



deed in lieu of foreclosure of a Prior Security Deed shall receive title to the Property free and clear from such restrictions.

- f. Recipient Selection Criteria: Applications for assistance under this program will be reviewed and approved on a first-qualified, first-served basis, following receipt of an application, income qualification, lender approval of mortgage, completion of a City approved homeownership training program to determine applicant eligibility.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: The recipient must pay a minimum of 2% contribution towards the sales price of the home. Additional homebuyer contribution may be required by the Lender. Only the amount of SHIP subsidy required to close will be awarded. The home inspection must be performed by a City SHIP certified home inspector.

The minor repairs must be performed by a City approved vendor and/or contractor. The funds approved for the minor repairs are paid directly to the vendor and/or contractor upon satisfactory completion of the specified scope of work as determined by the City of Gainesville. The repairs must begin within the timeframe specified by the scope of work after closing and must be completed within 60 days of commencement of the work.

In the event that the owner(s) executing the mortgage and note are deceased during the 5-year term, the loan shall be considered satisfied and will no longer constitute a lien against the property.

Mobile homes are not eligible to receive assistance from this program.

<b>C. AFFORDABLE HOUSING DEVELOPMENT PROGRAM (HOMEOWNERSHIP)</b>	Code 9,10
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a. Summary: This program is designed to provide an additional resource for the provision of affordable housing. This program supports the creation, expansion and preservation of the City's affordable housing stock. Funds will be awarded to developers of affordable housing for acquisition, rehabilitation, reconstruction or new construction and resale to income eligible of single-family housing units (developer subsidy). Homes rehabilitated, reconstructed or constructed will be sold to income eligible buyers. Financial assistance will also be provided by the Developer to the buyer of the housing unit in the form of downpayment/closing cost assistance (homebuyer assistance).

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$25,000



e. Terms:

1. Repayment loan/deferred loan/grant: Deferred loan secured by a recorded mortgage and promissory note (Developer and Homebuyer).
2. Interest Rate: 0% (Developer and Homebuyer)
3. Years in loan term: Developer-2 Years; Homebuyer 10 years
4. Forgiveness: Developer: loan will be forgiven upon the sale of the property to an eligible buyer.  
Homebuyer: loan will be forgiven after 10 year term.
5. Repayment: Developer: if the home is not completed and sold within 24 months from the date of contract award date, loan is due and payable.  
Homebuyer: N/A

6. Default:

Developer: In the event:

- Sale, transfer, or conveyance of property to a non-income eligible buyer or prior to completion of the unit
- The home is not completed and sold within 24 months from the date of funding award.
- Failure to maintain standards for compliance as required by other funding sources.

If any of these events occur, then the full amount of the loan provided to the Developer becomes due and payable.

Homebuyer: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; or failure to occupy the home as primary residence. If any of these occur during the term of the Loan, the outstanding balance will be due and payable.

A homeowner may need to refinance and/or sell the home due to extenuating circumstances such as loss of wages, job transfers, divorce, death, and/or health related issues. Under these circumstances, a subordination and/or forgiveness of the loan may be eligible as outlined below:

- Subordination: A subordination of a loan for the purpose of refinancing an existing debt that is in the superior lien position to the loan may be allowed for situations such as, to obtain a lower interest rate, debt consolidation, to make home improvements or improvements to the property, payment of medical expenses, and illness. No cash out to the homeowner. However, when a hardship exists such as, divorce, death, and health related issues, an exception may be considered. A subordination of the loan will only be approved in accordance with the guidelines of the City's Loan Subordination Policy, as amended.
- Forgiveness: Forgiveness of the loan will only be approved in accordance with the guidelines of the City's Loan Forgiveness Policy, as amended. If a homeowner needs to sell the home due to a hardship such as divorce, death, and/or health related issues, the homeowner may be eligible to request a loan forgiveness for all or a portion of the loan. Staff will work with the mortgage holders and/or legal representatives to recapture any funds available to satisfy the lien.



- **Foreclosure:** If a property is foreclosed on by a superior mortgage holder, the City will make an effort to recapture funds through the legal process; if it is determined that sufficient funding may be available to justify pursuing repayment. If sufficient funding is available, recapture of the loan will be repaid to the SHIP Program and/other leveraged program funding based on the percentage of the funding invested in the project, as applicable.

Program restrictions on the property shall terminate upon foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. To the extent that there are any proceeds from the foreclosure or other sale of the property by HUD remaining after the HUD insured loan is paid, the remaining net proceeds shall be paid to the City of Gainesville. Net proceeds consist of the sales prices minus loan repayment, other Homeownership-New Construction or Rehabilitation, Program closing costs and other related project costs. If the net proceeds of the sale are insufficient to fully satisfy the amounts owed, the City of Gainesville may not personally seek or obtain a deficiency judgment or any other recovery from the Borrower and/or Seller of the property.

The amount due to the Lender is limited to the net proceeds, if any, if the net proceeds are not sufficient to recapture the full amount of Homeownership-New Construction or Rehabilitation Program funding invested plus allow Borrower to recover the amount of Borrower's equity and capital improvement investment, including, but not limited to cases of foreclosure or deed-in-lieu of foreclosure. Recapture of the loan may be repaid to the Homeownership-New Construction or Rehabilitation funding program based on the percentage of the financing provided to the project, as applicable. If there are no net proceeds, the City of Gainesville will receive no share of net proceeds.

In the event of foreclosure or deed in lieu of foreclosure of Prior Security Deed or assignment of the first mortgage to the Secretary of Housing and Urban Development, any provisions herein or any provisions in any other collateral agreement restricting the use of the property or otherwise restricting the Borrower's ability to sell the Property shall have no further force or effect. Any person (including his successors or assigns) receiving title to the Property through a foreclosure or deed in lieu of foreclosure of a Prior Security Deed shall receive title to the Property free and clear from such restrictions.

- f. **Recipient Selection Criteria:** The recipient must be a first-time homebuyer, as defined Section I, Program Details, Paragraph R, First-Time Homebuyer Definition. Recipients will be selected through the Developer's application process, which shall include the following: submittal of a buyer's application, income qualification of the buyer, buyer's mortgage approval from a lender, completion of a City approved homeownership training program and other program criteria as required to determine applicant eligibility.
- g. **Sponsor/Sub-recipient Selection Criteria:** Developers will be selected through a Request for Proposal (RFP) process. The selection criteria may include, but is not limited to: (1) past experience working with target population; (2) past experience working with similar programs; (3) capacity to administer the program; and (4) such other criteria as may be determined appropriate.
- h. **Additional Information:** Since the funds awarded to the Developer is passed through to the homebuyer; the funds will be given to the Developer in the form of a deferred loan, but forgiven at the time of the sale



to an eligible buyer. At that time, the assistance will be passed through to the homebuyer by reducing the cost of housing by the awarded amount. The Developer shall be required to sell the property to an eligible homebuyer at or below the appraised value within 24 months of the contract award date.

The homebuyers must qualify and obtain a first mortgage loan from a lender or not-for profit organization. Any person listed on the mortgage must complete at least eight (8) hours of homebuyer education and training from a City approved homeownership training program. Proof of program completion is required before assistance can be provided to the homebuyer.

In the event that the homebuyer(s) executing the mortgage and note are deceased during the 10-year term, the loan shall be considered satisfied and will no longer constitute a lien against the property

This program is subject to funding availability and may not be funded every fiscal year.

<b>D. MORTGAGE FORECLOSURE INTERVENTION</b>	Code 7
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a. Summary: The Mortgage Foreclosure Intervention Program provides assistance to eligible homeowners to prevent foreclosure and retain ownership of their homes. Funds will be provided to eligible homeowners to assist with bringing their mortgage payments current. Eligible expenses include, but are not limited to: delinquent mortgage payments (principal, interest, taxes and insurance), attorney's fees, late fees and other customary fees, if applicable. Mobile homes are eligible if the residential unit meets the standards of Chapter 553, Florida Statutes for homeownership. Owner-financed and/or private mortgage loans are not eligible for assistance.

b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023

c. Income Categories to be served: Very low, low and moderate

d. Maximum award: \$5,000

e. Terms:

- |  |   |
|--|---|
| 1. Repayment loan/deferred loan/grant: | Funds will be awarded as a grant with no recapture terms. |
| 2. Interest Rate:                      | 0%  |
| 3. Years in loan term:                 | N/A   |
| 4. Forgiveness:                        | N/A   |
| 5. Repayment:                          | N/A   |
| 6. Default:                            | N/A   |

f. Recipient Selection Criteria: Applications for assistance under this program will be reviewed and approved on a first-come, first-qualified, first-serve basis. To participate in this program, an applicant must provide all of the following items: an application, proof of ownership, proof of mortgage arrearage, and evidence of hardship. If an applicant provides these items and the City determines that the applicant is income qualification, the applicant can receive foreclosure counseling from City Staff.



g. Sponsor Selection Criteria: N/A

h. Additional Information: N/A

<b>E. DISASTER MITIGATION</b>	<b>Code 5</b>
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a. Summary: Funds will be awarded to applicants in need of home repairs directly caused by a disaster that is declared by an Executive Order of the President or Governor. SHIP funds will be used to leverage available federal, state and/or insurance funds to provide assistance to eligible households for the purpose of repairing eligible housing. Mobile homes are not eligible for this program. Use of funds for repairs will be prioritized as follows:

1. Immediate threats to health and life safety (i.e., sewage, damaged windows, tree/debris removal, roofing) in cases where the home is still habitable.
2. Imminent residual damage to the home (such as damage caused by a leaking roof) in cases where the home is still habitable.
3. Repairs necessary to make the home habitable.
4. Repairs to mitigate dangerous situations (i.e., exposed wires)

In addition, this program can award funds for relocation expenses such as security deposit and rental assistance for eligible recipients who have been displaced from their homes due to the declared disaster.

b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023

c. Income Categories to be served: Very low, low and moderate

d. Maximum award: \$10,000

e. Terms:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant with no recapture terms.
2. Interest Rate: 0%
3. Years in loan term: N/A
4. Forgiveness: N/A
5. Repayment: N/A
6. Default: N/A

f. Recipient Selection Criteria: Applicants will be assisted on a first-qualified, first-served basis with the following additional requirements:

1. Must provide proof of ownership
2. Must provide proof of homeowner's insurance
3. Must file for and use proceeds from homeowners insurance as first option



- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Funds for disaster mitigation will only be allocated from unencumbered funds or additional funds awarded through Florida Housing Finance Corporation for the declared disaster.

<b>F. RENTAL DEVELOPMENT (NEW CONSTRUCTION/REHABILITATION)</b>	Codes 14, 15 & 21
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a. Summary: To promote the production of affordable multi-family rental housing in the City, particularly for special needs households as defined by Section 420.0004, Florida Statutes, funds may be provided as deferred loans or low interest loans to support the rehabilitation or the new construction of multi-family housing, including single room occupancy, transitional/group home housing, senior rental facilities, or scattered sites. The program is designed to promote mixed income projects and neighborhoods.

Funds may be used as a match for US Department of Housing and Urban Development’s HOME program and various other programs offered by the federal government and the State of Florida to develop affordable housing.

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$37,500 per project
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded mortgage and promissory note.
  - 2. Interest Rate: 0%
  - 3. Years in loan term: 15
  - 4. Forgiveness: Deferred loan is forgiven after a 15 year term.
  - 5. Repayment: Not required as long as loan is in good standing.
  - 6. Default: For all awards, a default will be determined as: sale, transfer, or conveyance of property; conversion to another use; failure to maintain standards for compliance as required by any of the funding sources. If any of these occur, the outstanding balance will be due and payable.

If a property is foreclosed on by a superior mortgage holder, the City will make an effort to recapture funds through the legal process; if it is determined that sufficient funding may be available to justify pursuing repayment. If sufficient funding is available, recapture of the loan will be repaid to the SHIP Program and/other leveraged program funding based on the percentage of the funding invested in the project, as applicable.

Program restrictions on the property shall terminate upon foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. To the extent that there are any proceeds from the foreclosure or other sale of the property by HUD remaining after the HUD insured loan is paid, the remaining net proceeds shall be paid to the City of Gainesville. Net proceeds consist of the sales prices



minus loan repayment, Program closing costs and other related project costs. If the net proceeds of the sale are insufficient to fully satisfy the amounts owed, the City of Gainesville may not personally seek or obtain a deficiency judgment or any other recovery from the Borrower and/or Seller of the property.

The amount due to the Lender is limited to the net proceeds, if any, if the net proceeds are not sufficient to recapture the full amount of the City's funding invested plus allow Borrower to recover the amount of Borrower's equity and capital improvement investment, including, but not limited to cases of foreclosure or deed-in-lieu of foreclosure. Recapture of the loan may be repaid to the Rental/New Construction/Rehabilitation funding program based on the percentage of the financing provided to the project, as applicable. If there are no net proceeds, the City of Gainesville will receive no share of net proceeds.

In the event of foreclosure or deed in lieu of foreclosure of Prior Security Deed or assignment of the first mortgage to the Secretary of Housing and Urban Development, any provisions herein or any provisions in any other collateral agreement restricting the use of the property or otherwise restricting the Borrower's ability to sell the Property shall have no further force or effect. Any person (including his successors or assigns) receiving title to the Property through a foreclosure or deed in lieu of foreclosure of a Prior Security Deed shall receive title to the Property free and clear from such restrictions.

- f. Recipient Selection Criteria: All applicants for residence in a SHIP-assisted unit must meet income qualifications of the program, as determined and reported by the developer's management company and/or other managing entity for the development.
- g. Sponsor Selection Criteria: Developers will apply to the City of Gainesville through an application process that is open year round. The application will require proof of developer experience in providing affordable rental housing, proof of financial capacity, proof of property management experience, evidence of site control (or contract for sale) and proof of ability to proceed once all funding is closed. Other program criteria may apply to determine eligibility for a funding award.

All funding awards will be subject to the developer receiving final approval of other funding sources leveraged in the project.

- h. Additional Information: Developers will be required to meet compliance reporting requirements on the development necessary to meet the statutory requirements for monitoring of SHIP rental units.

This program is subject to funding availability and may not be funded every fiscal year.



<b>G. RAPID REHOUSING RENTAL ASSISTANCE</b>	Code 26
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a. Summary: Funds will be awarded to eligible recipients who are in need of a rental subsidy to assist with obtaining a lease on a rental unit.

Eligible recipients must qualify as very-low income household with at least one adult who is person with special needs as defined in s. 420.0004, or a person who is homeless as defined in s. 420.621 at the time of application. Rent subsidy assistance may include utility deposits, security deposits and payment of rent equal to no more than twelve (12) months.

b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023

c. Income Categories to be served: Very low

d. Maximum award: \$9,000

e. Terms:

- |  |                                  |
|--|----------------------------------|
| 1. Repayment loan/deferred loan/grant: | funds will be awarded as a grant |
| 2. Interest Rate:                      | N/A                              |
| 3. Years in loan term:                 | N/A                              |
| 4. Forgiveness:                        | N/A                              |
| 5. Repayment:                          | N/A                              |
| 6. Default:                            | N/A                              |

f. Recipient/Tenant Selection Criteria: Eligible recipients must qualify as very-low income household with at least one adult who is person with special needs as defined in s. 420.004, or a person who is homeless as defined in s. 420.621 at the time of application.

Additionally, applicants must be entered into the local Homeless Management Information System (HMIS) and assistance will be provided based upon priority ranking as established by the local Continuum of Care (CoC).

g. Sponsor Selection Criteria: The Alachua County Department of Community Support Services will administer the City of Gainesville Rapid Rehousing Rental Assistance Program via an Interlocal Agreement between the City of Gainesville and Alachua County. Implementation of the Rapid Rehousing Rental Assistance Program is based upon funding availability.

h. Additional Information: The recipient's lease must be at least twelve (12) months. Case management will be provided by Alachua County Community Support Services Department Social Services Division or referred to community social service agencies. Collaboration with local Continuum of Care (CoC) lead agency, landlords and realtors will be fostered to provide monitoring and improve program efficiency and effectiveness.



<b>H. EVICTION PREVENTION</b>	Code 13
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a. Summary: Funds will be awarded to eligible recipients who are in need of one-time payment assistance with rent payments that are in arrears. Eviction prevention applies only to rental dwellings to prevent homelessness. Eligible recipients may seek assistance for rent payments in arrears that are equal to no more than six (6) months rent.

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low and low
- d. Maximum award: \$3,000
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: funds will be awarded as a grant
  - 2. Interest Rate: N/A
  - 3. Years in loan term: N/A
  - 4. Forgiveness: N/A
  - 5. Repayment: N/A
  - 6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Applications for assistance under this program will be reviewed and approved based on a first-come, first-qualified, first-served basis.
- g. Sponsor Selection Criteria: The Alachua County Department of Community Support Services will administer the City of Gainesville Eviction Prevention Program via an Interlocal Agreement between the City of Gainesville and Alachua County. Implementation of the Eviction Prevention Program is based upon funding availability.
- h. Additional Information: The recipient's lease must be at least twelve (12) months. Case management will be provided by Alachua County Community Support Services Department Social Services Division or referred to community social service agencies. Collaboration with local Continuum of Care (CoC) lead agency, landlords and realtors will be fostered to provide monitoring and improve program efficiency and effectiveness.

## Section III. LHAP Incentive Strategies

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

A. Name of the Strategy: **Expedited Permitting**

Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.

Provide a description of the procedures used to implement this strategy: The City's Housing and Community Development Division staff certifies as "Affordable Housing Projects" residential projects that are either, funded by SHIP, CDBG, HOME, Low-Income Housing Tax Credits, the State Apartment Incentive Loan program, or similar programs; or built by nonprofit affordable housing providers like Habitat for Humanity and Neighborhood Housing Development Corporation. The City expedites Affordable Housing Projects in the two ways listed below.

1. The Building Department expedites the review and inspection of Affordable Housing Projects to a greater degree than other projects.
2. The Planning Department offers the affordable housing concept review and approval process to help Affordable Housing Projects meet the requirements of several State of Florida affordable housing programs (including the Low-Income Housing Tax Credit Program, and the State Apartment Incentive Loan Program). In addition to verifying that the project location has the appropriate zoning for the project, this review process notifies applicants of potential problems that would need to be addressed prior to final approval. The money saved by developers through the early review of the project can result in the delivery of housing at a lower cost than it would have been without the information generated by that review.

B. Name of the Strategy: **Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Provide a description of the procedures used to implement this strategy: The City has implemented an ongoing review of local policies, ordinances, regulations and comprehensive plan provisions that affect the cost of housing. Through this process, the City reviews new regulations to determine their potential impact on affordable housing. When appropriate and feasible, the City mitigates for negative impacts. As part of this process, the City reviews and evaluates zoning and other housing regulations to ensure that they do not limit housing opportunities for lower-income groups within the City. Petitions that regulate land use are required to include a fiscal impact statement regarding the impact of proposed development on affordable housing in the City.

### **Other Incentive Strategies Currently Being Implemented by the City**

**C. Reservation of infrastructure capacity for housing for low- and very-low-income persons.**

The City plans ahead to ensure that there is adequate infrastructure capacity to accommodate all new development. Part of that planning includes extensive coordination with various Federal, State, Regional and County Agencies. At present, GRU maintains sufficient water and wastewater treatment capacity. Each development is required to demonstrate that it provides the minimum stormwater retention level of service through either on-site retention or a coordinated system.

For automobiles, nearly all roads in the City operate at or better than the adopted level of service. The Transportation Mobility Program Area allows for development, such as urban redevelopment and infill development, to occur along roads that operate below their adopted level of service. Although the City may permit the development, the exemption does not relieve the developer from various improvements stated in the Transportation Mobility Element of the Comprehensive Plan.

**D. Preparation of an inventory of locally owned public lands suitable for affordable housing.**

A Land Rights Coordinator within the City's Public Works Department maintains an inventory of City-owned lands that have a residential zoning district. If those lands are not needed for another use, such as an infrastructure project, they are considered to be available for affordable housing. Public Works routinely shares that inventory with various city departments and with other governmental and nonprofit agencies that provide affordable housing.

**E. Support of affordable housing development near transportation hubs, major employment centers and mixed-use developments.**

The following objective and policies of the Future Land Use Element of the City's Comprehensive Plan encourage, support or require affordable housing near mixed use and employment centers:

- Objective 1.4
- Policy 1.4.1
- Policy 1.5.7
- Policy 4.1.3
- Policy 4.3.4g.6 (Plum Creek)
- Policy 4.3.6a.4 (Butler Development PUD)

Additionally, review of the City's Future Land Use and Zoning Maps indicate that residential zoning often is located near bus routes, major roads, mixed use areas and employment centers.

**F. Allowance of accessory residential units in residential zoning districts.**

The City's land development code defines an Accessory Dwelling Unit (ADU) as a subordinate living unit added to, created within, or detached from a single-family dwelling (but within the



same lot) that provides basic requirements for independent living, sleeping, eating, cooking and sanitation.

ADUs cannot be required to be affordable to low-income households. In fact, sometimes they are not affordable to low-income households. Nevertheless, they historically have been an effective means to provide mixed-income housing widely dispersed throughout the City. ADUs can provide affordable housing at little government cost, in neighborhoods where it is otherwise costly or impractical to create new affordable housing. ADUs can also generate a revenue stream to existing homeowners, making their home ownership more affordable and funding better property maintenance (as long as the homeowner that built the ADU maintains ownership of the property).

At public meetings, many residents have acknowledged the benefits of ADUs, particularly when either the primary or the accessory residence is the “Homesteaded” residence of the property owner, as is required by current regulations for new ADUs.

#### **Other Incentive Strategies Recommended by AHAC**

The AHAC noted that the incentives discussed below have at least some economic value to developers. These incentives deal with density, building height, setbacks, lot configuration and tree mitigation. Because these incentives have economic value, a reasonable person would conclude that at least some developers would be willing to provide something, such as affordable housing, in exchange for that value.

Given that government cannot subsidize enough affordable housing to meet the City’s need, AHAC generally recommends the following for the Incentives discussed below:

If and when the City decides to use any of these four incentives, the City should significantly revise its Comprehensive Plan and Land Development Regulations to link any use of the incentives to the provision of affordable housing. Essentially, this means requiring developers that choose to accept the incentive, to legally commit themselves to providing affordable housing, in exchange for receiving the benefit of the incentive. This can only be done after a great deal of public engagement to address the numerous questions such a revision would generate. At a minimum, those questions would include the following:

1. How much affordable housing would the City require (i.e., how many units)?
2. How affordable would the housing need to be?
3. How long would the housing remain affordable?
4. How, and by whom, would this requirement be monitored and enforced?
5. What would be the cost of monitoring and enforcement, and who will pay it?
6. What penalties would be implemented if the required affordable housing was not provided?
7. How much, if any, would the provision of affordable housing increase the cost of other units?
8. Would there be any places or circumstances where these incentives could not be available?
9. Would there be a minimum development size threshold for these incentives to be available?
10. How would the City evaluate the success of the incentives, and if necessary, change them?

**G. Allowance of flexibility in densities for affordable housing.**

**Discussion**

Currently, the City allows a wide variety of densities. This helps to provide many market rate housing choices for most residents of Gainesville. Nevertheless, Gainesville's experience with increasing density has been mixed. Generally, increasing density increases development potential and increases property values, both of which can spur development and redevelopment. While there are several benefits of development and redevelopment, they can increase the cost of housing and reduce the amount of affordable housing. This often results in the displacement of low-income renters and property owners.

At the same time, increased density is often a windfall for developers and large property owners. For that reason, the City is reasonable to think that under certain circumstances, developers would provide affordable housing in exchange for increased density.

Additionally, experience indicates that in several zoning districts that permit multiple-family development, the allowed density often exceeds the market demand. For that reason, in those districts, height, not density is the limiting factor. Therefore, in those districts, the City is reasonable to think that under certain circumstances, developers would provide affordable housing in exchange for increased height.

**AHAC Recommendation**

The City should consider revising its Comprehensive Plan and Land Development Regulations in two important ways. These changes can and should be implemented simultaneously. The first way would be to increase maximum residential densities and/or height limits, in at least some residential districts. The second way would be to link any density and/or height limit increase to the provision of affordable housing. In other words, the increase would not be by-right, it would be an incentive that would only be available to developments that legally commit themselves to providing affordable housing.

If the City implements this incentive, it should recognize a potential "loop-hole." That loop-hole is that this incentive only works if the access to the additional density is through the provision of affordable housing, not by-right. If property owners can obtain the additional by-right density by changing their zoning or comprehensive plan land use designations, then they have no reason (or incentive) to provide affordable housing.

**H. Reduction of parking and setback requirements for affordable housing.**

**Discussion**

Future Land Use Element Policy 1.2.4 of the City's Comprehensive Plan allows for reduced parking requirements, where appropriate. In instances where analysis demonstrates that a proposed use will generate less parking than the minimum required by City ordinances, a City process allows for the reduction of required parking spaces.

The City's current parking regulations require fewer parking spaces for low- and moderate-income



housing. City code currently requires one parking space per bedroom for market rate multiple-family housing.

In contrast, reducing setbacks currently requires a variance for individual lots or a Planned Development Approval for a subdivision. In both instances, the provision of affordable housing is not a criteria. For subdivisions, this is an instance, like additional density, where the City controls an item of value to some developers. For that reason, the City could adopt an incentive, essentially stating that reduced setbacks are available only when a certain amount of affordable housing is provided.

**AHAC Recommendation**

The City should continue reduced parking requirements for affordable housing. Additionally, the City should revise its land development code to make reduced setbacks for Planned Development Subdivisions available only if a certain amount of affordable housing is provided. Finally, the City should also consider allowing reduced setbacks for subdivisions that provide a certain amount of affordable housing (and perhaps meet certain other standards), without requiring those subdivisions to go through the entire Planned Development process.

I. **Allowance of flexible lot configurations, including zero lot line configurations, for affordable housing.**

**Discussion**

Zero lot line developments have no required setbacks on one or more sides. Consequently, they allow the use of a greater percentage of the lot. As a result, the allowance of zero lot line developments in appropriate locations can lower overall housing costs by reducing land costs.

In general, City regulations that control the creation of subdivisions have little flexibility in terms of lot configurations unless an applicant incurs the additional expense of going through the Planned Development process. Applicants, however, may request that some subdivision requirements be modified for certain reasons. Those reasons are described in the code and currently include factors such as unusually steep topography. The code does not include the provision of affordable housing as a criterion for modifying subdivision requirements.

Again, this is one of the few instances where the City has some leverage to offer something of value in exchange for affordable housing. For that reason, the City could revise its land development code to make the provision of a certain amount of affordable housing one of the justifications for modification of subdivision requirements.

**AHAC Recommendation**

The City should revise its land development code to make the provision of a certain amount of affordable housing one of the justifications for modification of subdivision requirements.

J. **Modification of Tree Mitigation Requirements**

**Discussion**

In 2017, the City formed a Tree Ordinance Stakeholder Committee which developed several short- and long-range recommendations. One of the short-range recommendations that ultimately was not adopted, was to modify Tree Mitigation Requirements for developments that contained a certain amount of affordable housing. Specifically, the recommendation was to allow developments that contained a certain amount of affordable housing to provide inch for inch tree replacement on site or equivalent mitigation fee for high-quality heritage trees, instead of assessing a tree mitigation fee based on Tree Appraised Value.

In summary, the proposal would have had the potential to save qualifying developments a significant amount of money for mitigation fees (i.e., several thousand dollars per tree for high-quality heritage trees). Additional savings would have occurred because inch for inch tree replacement on site can count toward other landscaping requirements contained in the City's land development regulations.

This proposal provides more economic support to projects on sites with many large trees than to projects on sites with fewer or smaller trees. For that reason, the proposal encourages affordable housing and mixed-income housing projects on previously undeveloped land, which are often places where affordable housing and mixed-income housing are most needed and least likely to be built, unless incentives are provided.

Some of the support for the recommendation was related to the success of the City's efforts to increase its tree canopy over the last 30-40 years. During that time period, aerial photographs show a significant increase in the City's tree canopy. Given that success, in contrast to the worsening problem of the lack of affordable housing, some would argue that the proposal would help solve a severe problem without an appreciable negative impact on the City's tree canopy.

**AHAC Recommendation**

The City should revise its land development code to allow developments that contain a certain amount of affordable housing to mitigate removal of high-quality heritage trees by providing inch for inch tree replacement on site or paying an equivalent mitigation fee, instead of paying a mitigation fee assessed by Tree Appraised Value.

## Section IV. EXHIBITS

### Required

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.

### Optional

- F. Ordinance: (If changed from the original creating ordinance).
- G. Interlocal Agreement.
- H. Other Documents Incorporated by Reference.