



# Southwest Florida Regional Housing Action Plan

**Prepared by the Florida Housing Coalition  
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Actionable strategies centered around regional housing data  
to address Southwest Florida's affordable housing needs



**Home Coalition**

## ACKNOWLEDGEMENTS



### Home Coalition

The Coalition applauds the Home Coalition's leadership on advocating for housing solutions that make Southwest Florida a more affordable place to live.

We'd like to give a very special thanks to all of the housing professionals and advocates in Southwest Florida that responded to our survey questions and spoke with us individually about the housing ecosystem of the five-county study area. Your insights were invaluable to the production of this action plan. We hope this action plan can drive systemic change and produce fruitful collaborations to build and preserve affordable housing in Southwest Florida.

# TABLE OF CONTENTS

<b>SOUTHWEST FLORIDA REGIONAL HOUSING ACTION PLAN: 5-PART BLUEPRINT FOR SUCCESS</b>	Page 1
<b>1. DEPLOY ALL POSSIBLE FUNDING SOURCES FOR AFFORDABLE HOUSING NEEDS</b>	Page 2
<b>2. REVIEW &amp; REFORM ZONING AND LAND USE REGULATIONS TO UNLOCK DEVELOPABLE LAND</b>	Page 8
<b>3. DEDICATE PUBLIC AND PRIVATE LAND TOWARDS THE REGION'S AFFORDABLE HOUSING GOALS</b>	Page 12
<b>4. FORM AND SUSTAIN STRATEGIC PARTNERSHIPS THAT GENERATE RESULTS</b>	Page 17
<b>5. SUPPORT THE PEOPLE IN THE COMMUNITY THIS ACTION PLAN AIMS TO SERVE</b>	Page 22
<b>END NOTES</b>	Page 25

**“ This Regional Housing Action Plan is the result of a collaborative effort between the Florida Housing Coalition, the Home Coalition, and the region’s housing professionals and housing advocates. ”**

# Southwest Florida Regional Housing Action Plan: 5-Part Blueprint for Success

The Southwest Florida Regional Housing Action Plan provides a tailored approach towards shaping smart and reasoned public policy in the area of affordable housing. Taking regional data on housing affordability, economic trends and needs, and starting with the existing local housing policies within the region, this Action Plan addresses the core components of how the public and private sector can deliver safe, sustainable, and resilient housing that is affordable to all people that wish to make Southwest Florida their home.

These actions are organized into five distinct categories to focus advocacy and policy direction. These actions, when taken together, form a total regional approach towards building and preserving affordable housing in Southwest Florida. The implementation of each of these strategies will need to be locally tailored to reflect local policies, capacity, and political realities.

## Southwest Florida Regional Housing Action Plan

### 1. Deploy all possible funding sources for affordable housing needs.

- Create and sustain local affordable housing trust funds.
- Unlock and support all possible public funding mechanisms.
- Ensure subsidy programs meet high priority needs.
- Explore local fee relief and property tax incentives.
- Garner support from regional financial institutions, philanthropy, major employers, and other capital.

### 2. Review and reform zoning & land use regulations to unlock developable land.

- Support a broad range of housing types by-right.
- Reform lot design regulations to unlock available land.
- Facilitate mixed-use development to promote walkability and lessen transportation burdens.
- Design incentive zoning programs.
- Promote repurposing of properties for housing.
- Facilitate factory-built housing growth.

### 3. Dedicate public and private land towards the region's affordable housing goals.

- Capitalize on all publicly owned resources that are appropriate for affordable housing.
- Prioritize community resiliency.
- Fund land acquisition for affordable housing with public and private capital.
- Support community land trusts (CLTs) and other permanent affordability models.
- Identify buildable vacant, abandoned, and underutilized properties.

### 4. Form and sustain strategic partnerships that generate results.

- Engage major employers, philanthropy, school boards universities, religious institutions, and other community groups.
- Support capacity building efforts for nonprofit developers.
- Sustain affordable housing development cohorts.
- Form interlocal partnerships.

### 5. Support the people in the community this Action Plan aims to serve.

- Engage with the community, specifically those with the greatest needs for affordable housing.
- Support legal aid, homeless service providers, and community-based nonprofits on the front lines.
- Enact additional local fair housing protections, support fair housing enforcement, and bolster tenant protections where allowed.
- Provide or expand homeowner education and financial literacy.
- Track affordable housing results.

# 1. Deploy All Possible Funding Sources for Affordable Housing Needs

Affordable housing developers, public sector staff, continuums of care, and other affordable housing stakeholders in Southwest Florida consistently cited the lack of available funding as a significant barrier to the region's affordable housing goals. To this end, Southwest Florida's affordable housing ecosystem of public and private sector organizations can pledge more funding for affordable housing efforts and target its funding sources to the provision of housing that meets the region's most pressing housing needs.

## Create and sustain local affordable housing trust funds

Current funding from federal and state affordable housing sources is not enough to meet the region's affordable housing needs. Each local government in the region can supplement existing housing resources by dedicating local funding towards a local (or regional) affordable housing trust fund. These local funds can be targeted to meet affordable housing needs that are not met by existing programs.

Local affordable housing trust funds can support a broad range of affordable housing activities such as construction subsidies, gap financing, revolving loan programs, land acquisition, down payment assistance, rental assistance, home repairs, and more.

Here are some key local funding sources that can support a local affordable housing trust fund:

- **General Revenue.** Each local government could consider devoting an annual amount or percentage of local general revenue towards an affordable housing trust fund.
- **Proceeds from the sale of publicly owned property.** Local governments can dedicate the proceeds from the sale of publicly owned property towards a local affordable housing trust fund. A local government can do this by adopting a policy that provides a specific percentage of eligible sales proceeds that will go to the fund or by dedicating a portion of sale proceeds on a case-by-case basis. Fort Myers and Lee County have both committed to using a portion of proceeds from public property sales towards affordable housing efforts.

- **In-lieu payments through a density bonus or other incentive program.** Affordable housing incentive programs may offer developers the opportunity to pay a fee in-lieu of providing affordable housing units on-site in exchange for favorable land use entitlements. For example, if a jurisdiction provides density bonuses in exchange for affordable housing, it could allow a developer to pay a fee into the city or county's affordable housing trust fund and still receive the density bonus. When setting an in-lieu fee, it is important to establish a payment that reflects the jurisdiction's goals regarding immediate on-site affordable housing development versus generating revenue for the affordable housing trust fund. A fee that is set too low will not only encourage the private sector to opt for paying the fee instead of on-site production of affordable housing but may also not be enough to meaningfully support the local affordable housing trust fund. Examples of in-lieu fees in Florida include Miami-Dade County, Davie, St. Petersburg, and Coral Springs.
- **Community Redevelopment Agency funding.** Pursuant to legal parameters, a local government could deploy funding from its Community Redevelopment Agency (CRA) towards its local affordable housing trust fund. Broward County and Fort Myers both have policies that allow this type of funding.
- **Linkage Fee.** A linkage fee is a local government tool to raise revenue for affordable workforce housing. Linkage fees, also called housing impact fees, are typically charged on a square footage basis on new non-residential development and "link" new job-producing development with the workforce housing needs generated by the new development. This type of fee is directed by local ordinance, typically in response to a local linkage fee nexus study, and is a recognition that employers may pay below a living wage needed to afford housing in the community. Cities such as Jupiter, Winter Park, and Coconut Creek have implemented linkage fees in Florida and other jurisdictions such as Broward County, Daytona Beach, and St. Petersburg have commissioned linkage fee nexus studies as a step closer to implementation.

- **Private donations and contributions.** It is rare for a local government to receive donations to an affordable housing trust fund. However, donations to a local government for its affordable housing trust fund may be considered charitable contributions and thus tax deductible for the donor.

### Examples:

**Fort Myers** has a model affordable housing trust fund that can be replicated by other local governments in the region. As of this writing, Fort Myers’s trust fund has been supported by an initial contribution in 2022 of \$1.5 million of General Revenue, an annual commitment \$750,000 in ad valorem tax revenue, and proceeds from city property sales. As of March 2024, the trust fund had \$4.2 million that can support the uses listed in its trust fund ordinance which includes property acquisition, construction costs, down payment assistance, rental assistance, and a revolving home construction program. Fort Myers’s affordable housing trust fund can assist the provisions of homes for households up to 100% AMI although at least 65% of the funds must be used to assist households at or below 80% AMI. The trust fund ordinance lists several revenue sources that can seed the fund including an affordable housing fee, linkage fee, sale of city-owned property, ad valorem revenue, TIF revenue, and an inclusionary housing fee.

In 2019, **Hillsborough County** established the Hillsborough County Local Affordable Housing Fund Program through its HOPE Affordable Housing Act. Sec. 40-118 of the Hillsborough County Code states that the County’s Budget Officer “shall insure that each [budget] includes an allocation of at least \$10,000,000.00 in new Countywide General Fund monies for the Program and the inclusion in the Fund.” The local fund can be flexibly used on a variety of ownership and rental affordable housing activities including the production, acquisition, rehabilitation, and preservation of housing and is governed by a Local Affordable Housing Fund Biannual Plan adopted by the Board of County Commissioners every two years.

In 2020, **Orange County** created its own local affordable housing trust fund which can be found in Chapter 2, Article VIII, Division 2 of its Code of Ordinances. Orange County’s affordable housing

trust fund ordinance specifically states that the annual amount of general funds deployed to the trust fund “shall be identified as part of the county’s annual budgeting process.” For reference, Orange County deployed \$14,641,000 towards its affordable housing trust fund in FY 23-24, \$20,000,000 in FY 22-23, and \$12,100,00 in FY 21-22 which can be used to assist a variety of local affordable housing goals.

### Unlock and support all possible public funding mechanisms

In addition to creating local affordable housing trust funds supported by dedicated revenue streams, public entities should unlock all possible funding mechanisms that can be used for affordable housing purposes. These are funding mechanisms that may not be able to be comingled with a city or county’s local affordable housing trust fund but are public sources that can be used for the region’s affordable housing goals.

Here are some key public funding mechanisms that can be deployed to assist in the production and preservation of affordable housing:

- **Community redevelopment agencies (CRAs).** CRAs are local government agencies created by a city or county to implement community redevelopment activities that are outlined in a community redevelopment plan. The provision of affordable housing to low- or moderate-income residents is a core “community development” activity that CRAs can undertake as CRAs can use their revenue on affordable housing efforts. Advocates can work to ensure that the 10 current CRAs in the region commit funding resources towards building and preserving affordable homes. New CRAs could also be created with their revenue aimed at housing goals.
- **Housing finance agencies (HFAs).** HFAs are governed by Chapter 159 of the Florida Statutes and can be created by counties to help finance the construction and preservation of affordable housing. HFAs can also purchase and use land for affordable housing purposes using surplus funds or through public-private partnerships. Only Lee County and Collier County have HFAs in the region.

- **Infrastructure surtax.** Florida law allows county governments to levy a discretionary sales surtax of 0.5 percent or 1 percent to raise revenue that must be expended to finance, plan, and construct eligible infrastructure projects, among other uses, if approved at a countywide wide voter referendum. This surtax, called the Local Government Infrastructure Surtax (IS), can fund the eligible uses listed at section 212.055(2)(d) of the Florida Statutes. IS revenue, by law, can be used to fund land acquisition for affordable housing and the IS can be a source of revenue for eligible infrastructure improvements that facilitate affordable housing development. Each county in the region could place an IS to a general referendum, if the county doesn't already have one, and deploy funds for affordable housing land acquisition. Collier County is a statewide leader in using IS revenue on land acquisition for affordable housing.
- **Small Cities Community Development Block Grant (CDBG).** Small cities in the region that do not receive state or federal funding can apply to Florida Department of Commerce under the state's Small Cities CDBG program. Pursuant to federal and state guidelines, small cities could use these funds for affordable housing-related activities, including infrastructure.
- **Bonding power.** Local governments can use their bonding authority to fund affordable housing development. In 2022, for example, voters in Palm Beach County approved a General Obligation Bond in an amount not to exceed \$200 million for the purpose of financing all or a portion of newly created workforce and affordable housing within Palm Beach County. Housing advocates in Southwest Florida could push to have similar efforts occur in the region.

### Ensure subsidy programs meet high priority needs

When local governments dedicate local revenue streams towards affordable housing, there is more flexibility in how those funds are used compared to state and federal funds. The region's affordable housing ecosystem can work to ensure that not only are local funds targeted to households in most in need of assistance but that existing affordable housing programs are meeting the highest needs as well.

The Coalition's review of the way in which entitlement jurisdictions deploy affordable housing funding shows that there is a need for more public funding for affordable rental housing and new construction overall. The majority of public funds for housing in the region, through state and federal programs such as SHIP, CDBG, and HOME, are spent on down payment assistance and owner-occupied rehabilitation – two affordable housing activities that serve homeownership efforts that do not involve subsidizing the production of new homes. Attention should be given to the construction of new housing, in addition to continued efforts to repair and rehabilitate existing housing, and particularly new rental housing. The region can do this through repurposing existing state and federal affordable housing funding sources towards those efforts and by deploying new local funding sources to fill the gaps. For example, a local government could create a new local affordable housing trust fund and primarily use it for new construction and rental housing assistance.

Additionally, advocacy can aim to ensure that existing and new housing programs serve a variety of housing types such as duplexes, triplexes, and small-scale rental housing. The Coalition's review found that most public funding efforts in the region are aimed at either detached, single-family homes or larger scale apartment buildings. Serving "missing middle" housing types with public subsidy could be a boon for the region's affordable housing approach.

Here is a summary of regional considerations that housing professionals and advocates can cover to ensure housing programs meet high priority needs:

- **Household incomes.** Regional housing data shows that households with incomes below 80% AMI are in the greatest need of housing assistance. However, due to rapidly rising home prices for purchase, households up to 120% AMI and above still struggle to afford to buy a home. Different funding sources can target different needs. For example, rental subsidy programs can target households at or below 80% AMI while down payment assistance programs could serve households at the higher range of the income scale. Additionally, housing programs can be designed to tier the amount of assistance provided based on income levels served. In this way, a household at 80% AMI could receive more in housing subsidy than a household at 120% AMI.



- **Supply-side versus demand-side subsidies.** Generally speaking, there are two types of affordable housing assistance— supply side subsidies and demand side subsidies. Supply side subsidies are generally aimed at the production or rehabilitation of affordable housing units whereas demand side subsidies are aimed at individual households in need of assistance. Assisting with construction costs and land acquisition are examples of supply-side subsidies; those actions are aimed at the production of new units. Down payment assistance and rental assistance are two examples of demand-side subsidies; they serve individual households as opposed to the construction or repair of a home. Housing programs can balance these types of subsidies when crafting an overall affordable housing approach.
- **Housing types.** Housing advocates can ensure that public funding efforts serve a variety of housing types such as attached single family homes, duplexes, triplexes, small-scale development, and manufactured housing. The Coalition’s review found that most jurisdictions limit housing subsidies to certain housing types and some prevent assistance to manufactured housing altogether.
- **Location.** Housing programs in the region can target high-priority locations for new affordable housing development. Proximity scoring can be utilized to ensure that limited public resources are serving new housing development near community amenities and quality of life elements such as parks, schools, grocery stores, transit, and more.
- **Rental housing.** There is a gap in the amount of public affordable housing funding deployed for affordable rental housing in the region. Subsidy programs can be designed to fund rental housing activities.
- Using more SHIP funds towards rental housing activities, especially program income. Unlike each jurisdiction’s annual allocation, of which at least 65% of it must be used for homeownership with no more than 25% on rental housing, program income is not subject to the SHIP homeownership set-aside or rental housing cap. A SHIP jurisdiction could use 100% of its program income on rental housing if it chooses.
- Expanding their Local Housing Assistance Plans (LHAPs) to include funding efforts for small-scale multifamily housing types such as duplexes, triplexes, and attached townhomes, as well as manufactured housing. Lee County’s LHAP is a model in this regard. Housing developers in the Southwest Florida region who were surveyed as part of this effort cited a high level of interest in these housing types.
- Increasing down-payment assistance awards to facilitate homeownership for households at or below 80% AMI.
- Consider using more SHIP funds towards new construction. Collier County and Lee County are great models of SHIP jurisdictions that deploy their funds for new construction.

### **Explore local fee relief and property tax incentives**

Local government fees and property taxes can be a major expense in developing affordable housing. By modifying or waiving local regulatory fees or by reducing property taxes, the overall cost of development can be reduced, and the savings can be passed on to a household in the form of lower rents or reduced sales prices. Reducing fees and property taxes can also result in the reduced need for other forms of public subsidy such as SHIP, HOME, or funding from a local affordable housing trust fund. Advocates can encourage local governments to adopt fee waiver and property tax policies that support the region’s affordable housing goals.

**Development Fee Relief.** Local governments in Southwest Florida can adopt fee relief policies for affordable housing. All local government fees such as impact fees, application fees, site plan review fees, inspections, rezoning fees, public hearing fees, and much more could be reduced or modified for affordable housing developments subject to legal parameters.

Housing professionals and advocates can work with entitlement jurisdictions within the region to optimize the region’s use of state and federal affordable housing funding. For the State Housing Initiatives Partnership (SHIP) program, for example, jurisdictions in the region could consider:

There are four main types of fee relief programs: 1) fee waivers; 2) fee modifications; 3) fee deferrals; and 4) using alternative sources to pay down a developer's fees. A fee waiver is a reduction or complete exemption of fees for an affordable housing development. A local government may decide to tier the amount of waiver based on the affordability provided. For example, the local government can reserve full fee waivers only for units that will be permanently affordable or for developments that set aside 100% of their units as affordable housing. A fee modification can refer to altering the process for how fees are assessed to begin with. An example of this is for a local government to modify their fee structure to charge fees based on square footage rather than unit type. Assessing fees on a square-footage basis can facilitate smaller-sized homes. Impact fees could be modified for affordable housing by restructuring the fee amount based on the type of unit. For example, a proposed housing development targeted to seniors might be eligible for a reduced impact fee for roads or school impact, along with other provisions such as reduced parking spaces. A fee deferral would postpone the payment of a fee until the units are occupied, sold, or at another pre-determined point. For example, a local government could defer the payment of a fee for a low-income homebuyer until that homebuyer sells the home. And finally, fee assistance programs can also focus on the use of other sources of revenue to help pay for the fees. A local government may use SHIP, General Revenue, surpluses in their fee accounts, or other sources to help pay down the fees for an affordable housing development.

It is key that a fee relief program for affordable housing actually results in a lower purchase price or rent for the income-eligible household. Keep in mind that the overarching intent of providing fee relief is to lower cost barriers for the development of affordable housing in a community, and that the local government has discretion to structure fee relief according to what is a best fit. Policy considerations for structuring a fee relief program include income eligibility, term of affordability, required set-asides, housing types and size of development, location, prioritizing nonprofit organizations, demonstrated need, and compliance monitoring. **Collier County** and **Lee County** have

longstanding impact fee waiver policies. **Charlotte County's** "Charlotte HOME" program also provides impact fee waivers, coupled with other regulatory incentives, for housing that is affordable to households below 80% AMI where the total of fee waivers provided is based on a scoring matrix developed by the county. There are a number of good examples from across the state including Manatee County, Broward County, Palm Beach County, Orlando, Daytona Beach, and others.

**Local Option Property Tax Exemption.** Southwest Florida's affordable housing ecosystem can advocate for local governments across the region to adopt the Local Option Property Tax Exemption that was enacted as part of Florida's Live Local Act. Codified at section 196.1979 of the Florida Statutes, cities and counties can enact this local option to provide property tax relief to developments of 50 units or more that set aside at least 20% of the units as affordable housing to households at or below 60% AMI. At the time of this writing, Jacksonville, St. Petersburg, and St. Lucie County have enacted this exemption.

**Paying Property Taxes for Eligible Households or Developments.** Some jurisdictions across Florida have considered using SHIP funds, for example, to assist low-income households with property tax payments. The public and private sectors can consider devoting funding towards assisting households in need with property taxes.

### **Garner support from regional financial institutions, philanthropy, major employers, and other capital**

Public sector funding alone will not solve the region's affordable housing issues. Private sector dollars are vital to support the construction of affordable housing. The region should garner support from financial institutions, philanthropy, major employers, and other regional organizations that have access to capital and can commit financial resources towards the region's affordable housing goals. While one option is for the private sector to donate funds directly to local government housing trust funds (which is an activity eligible for a charitable contribution tax donation), regional or local private sector funds dedicated to affordable housing can be a key strategy.

Community foundations, Community Development Financial Institutions (CDFIs), and similar types of organizations with a community-driven focus can be key players in financing and supporting affordable housing. These entities can create their own revolving loan funds using charitable contributions and other funding sources to support affordable development. Fundraising efforts can target major employers and civic minded organizations that understand the value of what a sufficient stock of workforce housing means for the resiliency of a community. For example, the **Collier Community Foundation** has an established **Collier Housing Impact Investment Fund**<sup>1</sup> to provide loans for affordable housing development.

Private sector entities generally can work together in the Southwest Florida region to create regional or local revolving loan funds to support affordable housing development and preservation. One type of public-private partnership for innovative affordable housing funding is a below-market debt fund.<sup>2</sup> Established in places such as New York City, Los Angeles, San Francisco, Denver, and Chicago, through a below-market debt fund, private and public funds can be blended in the form of grants or low-interest loans to developers to carry out a wide range of affordable housing activities. Typically originated directly or through CDFIs, this blend of private and public money acts as a credit enhancement, “enabling loan products that can support higher-risk activities and more advantageous terms to the borrowers.” This sort of partnership requires upfront capital, continuous collaboration, and startup time

and costs. The **New Generation Fund** established as a partnership between the City of Los Angeles, local foundations, and private lending institutions, has deployed \$69 million to create or preserve 1,355 units in 14 developments as of 2023. Los Angeles also has a fund called the **Supportive Housing Loan Fund** in a partnership with the Corporation for Supportive Housing as a revolving loan fund for supportive housing projects. Per the City’s website<sup>3</sup> this fund has invested over \$125 million for over 3,900 units of supportive housing.

An example of a community foundation supporting affordable housing financing is **The Community Foundation of Northeast Florida**. This organization created a Local Capital Pool funded by the community foundation’s donors to fund a variety of community growth goals including affordable housing. In 2024, for example, this Local Capital Pool provided a \$500,000 low-coast loan to Ability Housing, an affordable housing developer based in Northeast Florida, to redevelop an elementary school into affordable, multi-family housing.

Charlotte, NC<sup>4</sup> is a great model for public-private collaboration for affordable housing funding. In 2018, Charlotte voters approved a voter referendum to sell \$50 million in municipal bonds towards Charlotte’s local housing trust fund. This \$50 million was then matched dollar for dollar by the **Foundation for the Carolinas** which sparked an additional \$70 million-plus dollar commitment from three major companies to provide below-market loans, land donations for affordable housing, and grants.

**“ Public sector funding alone will not solve the region’s affordable housing issues. Private sector dollars are vital to support the construction of affordable housing. ”**

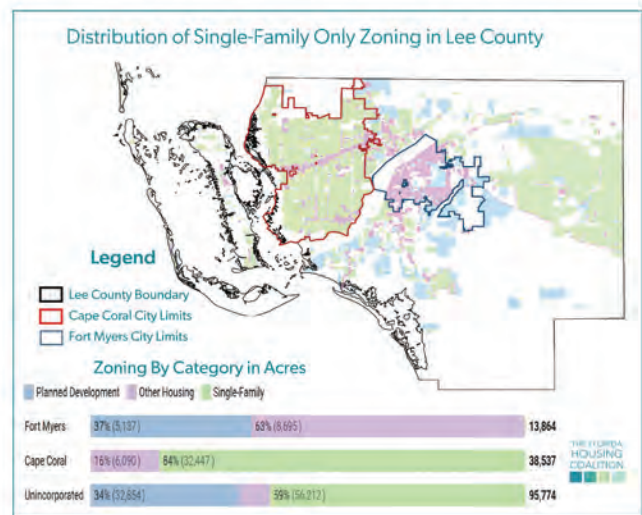
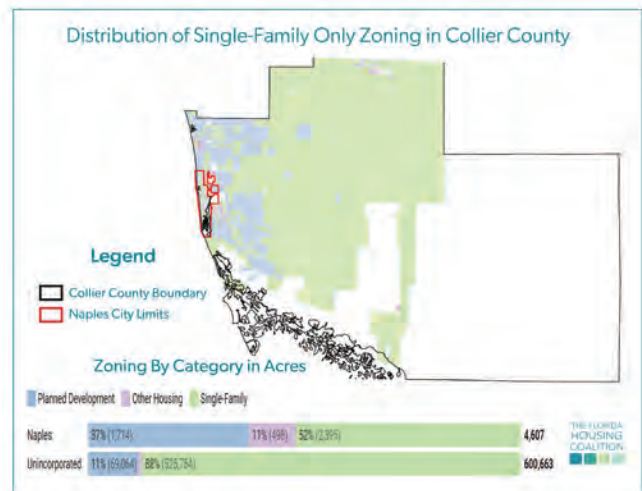
## 2. Review and reform zoning and land use regulations to unlock developable land

Southwest Florida’s affordable housing issues will not be solved by funding alone. Local land development regulations must support and facilitate the production of affordable housing of all shapes, sizes, and price points. Stakeholders in the region consistently stated that land use and zoning regulations in the region are a significant barrier to housing production. Regulations such as housing type allowances, density limits, parking and setback requirements, public hearing processes, and others can be reformed to meet the region’s housing needs. This section of the Housing Action Plan discusses how policymakers can review and improve land use policies to unlock developable land. Many of the examples in this section highlight standard zoning policies, but these strategies can also be incorporated into negotiated Planned Development zoning.

### Support a broad range of housing types by-right

The most basic regulatory reform to permit more housing is to ensure that a variety of housing types are explicitly allowed in a locality’s land development regulations. Currently, the region’s residential zoning policies predominately only allow for single-family detached housing – a housing type that may be more expensive than single-family attached and multifamily homes and one that may not maximize the efficiency of available land. By allowing more housing types by-right in more parts of the region, such as townhomes, duplexes, and multifamily buildings in general, zoning regulations will be less of a barrier to increasing the housing supply needed in the region.

The broadest allowance for housing types is a general residential allowance that does not regulate allowances by specific types, such as the **Fort Myers** Urban and Midtown zoning districts based on a SmartCode (form-based code) that permits “Residential (including flexhouse or live-work unit).” The **Punta Gorda** Traditional Punta Gorda zoning district illustrates a more restrictive but still fairly permissive approach that includes explicit types of housing with allowances depending on sub-area. Likewise, the **Charlotte County** Mixed-use zoning district explicitly allows for attached single-family housing, duplexes, triplexes, and multi-family housing types. In both cases, single-family detached homes are also in part or wholly prohibited.



More pared back examples of expanded housing type allowances are those of attached housing types and accessory dwelling units (ADUs), which can be a more incremental initial step in increased housing type allowances. **Fort Myers** has effectively avoided exclusively single-family detached zoning in its residential districts outside planned developments due to widespread zero lot line and/or attached housing allowances. **Glades and Lee counties** have some of the least restrictive allowances for rentable ADUs in the Southwest Florida region as far as residential zones where these homes are permitted by right.

### **Reform lot design regulations to unlock available land**

Housing type allowances are a basic step in expanding permitted housing, but it is certainly not the only piece to consider. Other applicable regulations, such as density, setback requirements, parking, open space, impervious lot coverage, and other standards that govern site design can limit the number and size of homes in a de facto way even when housing types are explicitly permitted. It is important to ensure that these other regulations are calibrated to facilitate the production of housing.

The **Fort Myers** Urban and Midtown districts and the **Traditional Punta Gorda zoning district** illustrate this point in that in addition to the expanded housing allowances mentioned, they also include heightened maximum densities (up to 70 units per acre depending on subdistrict in the case of Fort Myers and up to 30 units per acre for “missing middle” housing types in the case of Punta Gorda, with additional higher maximums conditioned on mitigation measures). They also include more flexible standards for other site development regulations, particularly in “Core” subdistricts. For example, these sub-districts include lower minimum parking requirements (1.5 spaces per unit with additional guest parking in the case of Fort Myers) than elsewhere, aside from affordable and workforce parking requirements in Punta Gorda. The **Charlotte County** Mixed-use district ranges up to 65 units per acre in maximum densities depending on the subdistrict, along with minimum density requirements. **Lee County** has a Mixed Use Overlay in the Lee Plan (Comprehensive Plan) that has accompanying flexible development regulations.

### **Facilitate mixed-use development to promote walkability and lessen transportation burdens**

Allowing a mix of uses, along with development regulations and transportation connections and design, can promote access between homes and non-residential uses and walkability. These factors set the stage for increased transportation options and potential for reduced transportation costs. The **Fort Myers** Urban and Midtown Districts, **Punta Gorda** Traditional Punta Gorda district, and **Charlotte County** Mixed-use district discussed all allow for mixed residential and non-residential uses. **Cape Coral** also allows for mixed-use buildings in Commercial Corridor and Neighborhood Commercial zoning districts with minimum and maximum densities conditioned on the site acreage, along with other mixed-use districts two of which have allowed densities up to 125 units per acre.

### **Design incentive zoning programs**

In addition to by-right allowances and flexibility in the code that enable housing in general, local governments can craft zoning incentives specifically in exchange for deed-restricted affordable housing units or related contributions. A density bonus program is a common approach, offering additional density in exchange for affordable homes. **Charlotte, Collier, Glades, and Lee counties** have some form of codified density bonus program, in some cases multiple types, incentivizing affordable housing. **Naples** also has an affordable housing density bonus program, and community contribution fees collected from **Fort Myers’** bonus program can be used to fund workforce/affordable housing. Bonus programs typically need to be regularly calibrated to the context both to provide an enticing incentive for developers in the local market and meet affordability needs. Best practice is to avoid conditioning the bonus on additional more stringent site design requirements to not undermine the incentive. A bonus program focused specifically on affordable housing or that highly prioritizes affordable housing among other contributions to qualify for the bonus is also best practice so that this vital community benefit is not competing with other ways of obtaining the bonus.

Local governments can also provide incentives via other specific zoning regulations. **Punta Gorda** offers reduction in parking minimum requirements outside the Traditional Punta Gorda zoning district of 1 to 1.5 spaces per unit as opposed to 2 spaces per unit for other residential units. **Collier County** allows Town and Village development in its Rural Land Stewardship Area through transfer of credits for entitlements from sending to receiving areas. Terms of the program include the following requirements and incentives:

- Towns and Villages are required to reserve land for affordable housing.
- Affordable housing does not count towards consumption of credits.
- Fiscal neutrality requirements in receiving areas are waived for affordable housing.

### Promote repurposing of properties for housing

Zoning policies can also help facilitate the repurposing of underused non-residential properties and structures for housing. Recent state laws offer certain avenues for this strategy. The Live Local Act passed in 2023 and amended in 2024 permits eligible affordable housing projects meeting certain conditions in areas zoned for commercial, industrial, and mixed uses, without a zoning or land use amendment, among other additional allowances and entitlements. The law also amended language originally passed via HB 1339 (2020). The amended provision currently permits local governments to approve eligible affordable housing developments in commercial and industrial areas without a zoning or land use change.

Local governments can also develop their own local regulations to provide flexibility of use of lands for housing and/or specifically affordable housing that were not originally zoned for those residential uses. For example, the **Collier County** Commercial Mixed Use by Right Subdistrict allows for residential uses in C-1 through C-3 commercial zoning districts, commercial Planned Unit Developments (PUDs) and commercial components of mixed-use PUDs that have uses comparable to those in C-1 through C-3 districts, and certain C-4 and C-5 properties. Among other requirements, density exceeding three units per acre in C-1 through C-3 districts and PUDs must be affordable. All units in C-4 and C-5 districts must

be affordable. The County's Commercial Conversion by Right Subdistrict also allows for residential-only development on certain properties in C-1 through C-3 commercial zones if all the units are affordable.

### Facilitate factory-built housing growth

Report 2 of this study found that median sales prices for mobile and manufactured housing had less regional variation than other housing types and that these housing types were generally less expensive than other housing types. Local governments can take the following steps to facilitate these less expensive housing options in the region:

- Clearly define “mobile”, “manufactured”, and “modular” housing types where mentioned for the purposes of land use and zoning allowances in the land development code. Definitions, particularly for manufactured housing, can vary as to whether the term refers to a unit built to federal or state building code standards and whether the term refers to defining physical characteristics of the housing type. Ensure building code standards are clarified for terms used. Factory-built units meeting state building code standards should not be distinguished as distinct uses for the purposes of land use and zoning allowances (but there may be regulations needed for other aspects of land development with these uses). For example, **Glades County** land development regulations clearly define each of these housing types with reference to applicable building codes. Many of the local governments in the region are also following best practice in not regulating differently site-built and factory-built housing that meets the state building code when it comes to zoning and land use allowances.
- Local governments should consider with their building officials the latest federal code for manufactured housing to determine where allowances for units meeting these federal standards can be expanded, including infill options outside of designated parks, to support affordable housing options while addressing environmental resiliency considerations, such as resiliency to storm impacts. These distinctions should be based on legitimate considerations such as safety and not aesthetic or arbitrary considerations.

- In reviewing local codes for additional allowances of factory-built housing meeting federal building standards, local governments should also explicitly name these housing types as permitted uses. When a housing type is explicitly distinguished and listed as permitted in one district, such as districts designated for mobile and manufactured home parks, without systematically being listed in other districts where permitted in practice, a potential implication is that the code does not allow these uses in the other districts where they are not explicitly listed.
- While outside the scope of the review for this report, local governments should also review any architectural design standards in place to ensure they do not pose a barrier to factory-built housing. These design standards can require a level of customization unattainable by factory-built housing options that are more standardized, which is key part to their streamlined process and affordability.

**“ Local governments can also develop their own local regulations to provide flexibility of use of lands for housing and/or specifically affordable housing that were not originally zoned for those residential uses. ”**



### 3. Dedicate public and private land towards the region’s affordable housing goals

Land is a valuable resource for housing production that is vital when pursuing regional solutions to achieve short-term and long-term housing goals. The importance of land availability, or having the ability to acquire suitable land, is reflected by the 40 percent of surveyed housing developers in the region who reported the challenge of acquiring suitable land as being an “extreme barrier” to developing affordable housing in Southwest Florida.

Land is also a limited resource. This becomes apparent when filtering out land that is not suitable for housing development based on locational and physical characteristics. As the populations of Southwest Florida’s communities continue to grow and bring new activity, it is increasingly important that regional stakeholders make efforts now to identify and dedicate available lands that make sense for affordable housing.

This section of the Housing Action Plan outlines recommended policy approaches that the public, private, and non-profit sectors of the region may pursue to maximize available land as a resource to produce safe, connected, and affordable housing options to better serve the growing population.

#### **Capitalize on all publicly owned resources that are appropriate for affordable housing**

The use of publicly owned land is one of the most valuable tools the public sector has to develop affordable housing. The contexts of different public entities, including local governments, will vary in some respects, such as the amounts of land available, but all should adopt clear local policies that facilitate the creation of new housing opportunities where feasible. This can be done by ensuring that best practices are included when evaluating land for its potential use and deploying the land for affordable housing purposes, which will be detailed further within this section.

Local governments in Florida are legally required to identify publicly owned parcels that are “appropriate for use as affordable housing.” This subsection briefly covers what is required of local governments in Florida before providing local policy recommendations related to both land identification and land disposition practices.

Here are the primary components for local governments to follow to meet state land inventory requirements, coupled with recommended best practices for each. Advocates and community partners can promote these best practices to local governments in the Southwest Florida region.

- **The inventory must be done at least once every three years.** While the legal requirement is that a local government only conducts this analysis once every three years, it is recommended that local governments analyze properties at least once a year or more frequently.
- **Each city and county must analyze all real property that it owns in fee simple, or its dependent special districts own, within its jurisdiction’s boundary.** Local governments must analyze all real property within its respective boundaries that it owns in fee simple – not just real property that is “surplus.”
- **Each city and county must identify publicly owned parcels that are “appropriate for use as affordable housing.”** It is recommended that the methodologies used by local governments to evaluate public lands’ appropriateness for affordable housing development be standardized and made publicly available, in addition to the inventory list. The discussion of what constitutes whether a parcel is “appropriate” for affordable housing will be included within this section.
- **Each city and county must place identified parcels on an inventory list with the address, legal description, and whether the property is vacant or improved. This inventory list must be publicly posted online.** A local government can include more descriptors on its inventory list,



but these are the only elements that are required. Ideas for additional information to include on an inventory list include acreage, whether the property is eligible for a place-based affordable housing program, whether the parcel is in an environmentally sensitive area that requires additional mitigation as defined by the local government, and current zoning designation.

- **Each city and county must adopt a resolution at a public hearing that includes the inventory list.** Each local government can enact additional requirements to the process by which this resolution is adopted. This could include the local government implementing a policy or ordinance with clear directives on what makes a parcel “appropriate” for affordable housing and requiring the local government to explicitly state why excluded parcels were left off the inventory list.
- **Each city and county must post the inventory list on the city or county’s website.** A local government should strive to be thorough and transparent by including as much additional information on its website about identified parcels as feasible to encourage potential development. This could include a map of identified parcels, links or descriptions of the disposition process, and contact information.

Beyond these minimum requirements in state law for local governments to follow related to the oversight of public land inventories for affordable housing, using public lands for affordable housing entails two core activities: land identification and land disposition.

**Land identification.** All local governments in the region should have clear policies in place to evaluate public land and identify land that could be acquired for affordable housing purposes. Specifically, what does it mean for a parcel of land to be “appropriate for affordable housing”? This language gives local governments considerable discretion in determining what lands they would like to see be used for affordable housing. It also presents an opportunity to encourage the creation of new housing in locations that are compatible with local growth strategies. Note that this will often require cross-departmental coordination and can also benefit from intergovernmental coordination.

To this end, here are some recommended elements for public entities in the Southwest Florida region to consider when evaluating land for potential use as affordable housing:

- **Access to infrastructure.** Having access to necessary forms of public infrastructure will be a major determinant of whether land is developable or appropriate for affordable housing. Not only can the costs associated with building and connecting new infrastructure to a property affect the financial feasibility of a future affordable housing project, but the verification of access to public infrastructure is often a requirement for affordable housing developments to benefit from federal and state funding programs that could unlock greater community impacts. It is recommended that local governments in Southwest Florida evaluate the following forms of public infrastructure in a local process to identify public lands for affordable housing:

Access to roads & transportation	Potable water
Electricity	Stormwater management capacity
Sewer capacity treatment or septic	Broadband

- **Physical dimensions (size and shape).** The physical dimensions of a given parcel will largely determine what forms of housing may be developed on site. Not all lands in a jurisdiction’s inventory will be large or contiguous enough to develop a larger-scale multifamily development, or any residential development at all. However, it is recommended that local governments not rule out smaller or irregularly shaped parcels of land that may make sense for affordable residential housing. Such land could make sense for affordable single-family or “missing middle” development such as townhomes, duplexes, and quadraplexes. Currently, a regional example of a local government effectively utilizing such parcels is the new **City of Fort Myers’ Affordable Home Build Program** which is building price-capped single-family homes on smaller, publicly owned infill lots, in partnership with local builders and with sale proceeds being redirected back into the local affordable housing trust fund.

- **Proximity to community-based resources.** A site's proximity to community-based services and resources such as public transportation, grocery stores, medical facilities, schools, pharmacies, employment, and retail options should be considered when evaluating public lands.
- **Lot design.** Referring to local regulations on lot design aspects such as setbacks, parking, concurrency, and minimum lot coverage can also be included in a local land identification process. This will likely require some degree of interdepartmental coordination.

**Land disposition.** Local policy dictating how public lands may be used for affordable housing is a critical next step following the land identification process. It also presents an opportunity for public entities to choose an approach that can facilitate more housing in their communities while aligning with specific local housing needs and growth strategies.

Here are some guiding principles and concepts for the public entities in the 5-county area to consider when establishing or revisiting land disposition programs and practices. These may be used in combination:

- **Maintaining affordability.** Regardless of the type(s) of housing being provided, local land disposition programs in the region should feature mechanisms to ensure that housing being built on public lands maintain a continued period of affordability. There are many examples statewide of local governments using legal and regulatory tools to do this. One example is Collier County. As part of its one-cent local infrastructure surtax approved via voter referendum in 2018, it dedicated proceeds from the surtax to purchase land which it is leasing to a developer subject to a 99-year affordability commitment. There are several primary legal instruments that can be used to maintain affordability on public land including long-term ground leasing, land use restriction agreements, and deed restrictions with affordability controls.
- **Seeking long-term affordability.** Public lands are public investments. The Florida Housing Coalition recommends that public lands be used for affordable housing in perpetuity as a starting point for discussion. Local land disposition for affordable housing should seek to provide

longer terms of dedicated affordable housing when possible. This applies to both single-family and multifamily construction. An effective and prominent example of a long-term affordability approach is the Community Land Trust (CLT) model, which stewards affordable housing in perpetuity and is currently being used in **Charlotte County** through **Peace River Community Housing Partners (PORCH)**.

### **Prioritize community resiliency**

Given the region's vulnerability to extreme weather events, local governments and landowning organizations in Southwest Florida should be mindful of community resiliency when determining where to invest in affordable housing. There are environmental and resiliency elements that can be factored into the decision-making process that will allow public entities and landowning organizations in the region to evaluate where development should be avoided to reduce risk in both the short and long-term.

Here are some environmental and resiliency factors that can be referenced when looking where to dedicate land for affordable housing in the Southwest Florida region. Reviewing these factors in practice may require internal or external coordination:

- **Flood zones.** Organizations can determine local areas that are at-risk of flooding by referencing FEMA-designated flood zones. FEMA provides publicly accessible information to determine if a property falls within a FEMA-designated flood zone. This can be referenced in practice via FEMA's Flood Insurance Rate Maps (FIRMs). Flood zones fall under certain categories based on the level of flood risk. For example, areas at greatest risk of flooding are designated as Special Flood Hazard Areas, and properties within a Special Flood Hazard Area are labeled 'A' or 'V,' while low-to-moderate flood zones are labeled B, C, X, or D.
- **Coastal High Hazard Areas.** The term Coastal High Hazard Area indicates heightened vulnerability to coastal flooding from storm events. There are two separate applications of the term. It may be used in the context of 1.) The National Flood Insurance Program and Florida Building Code; or 2.) Chapter 163, Florida Statutes. Both applications are worth referencing when determining where to develop affordable housing. *Note: Section 163.3177(6)(g),*

*Florida Statutes, requires that local governments abutting the Gulf of Mexico or Atlantic Ocean, or are contiguous to certain waters where marine species of vegetation as defined in s. 373.4211 constitute the dominant plant community, limit public expenditures that subsidize development in Coastal High Hazard Areas, in addition to requiring that these local governments designate Coastal High Hazard Areas on their future land use map series.*

- **Elevation of the property.** A land evaluation process to plan for affordable housing development can factor a property's elevation by referencing the Florida Department of Emergency Management (FDEM) property-specific data. This works by entering a property address to determine if an elevation certificate is available for the property.
- **Storm surge and evacuation zones.** Planning for both affordable housing and community resiliency should be mindful of storm surge and evacuation zones. Public entities in the region should conduct state, regional, and local information to ensure that proposed affordable housing development is compatible with these zones. Other landowning organizations should reference the FDEM online mapping tool for storm surge and evacuation zones, in addition to working with local government staff.
- **Current and future sea level rise.** The Florida Department of Environmental Protection (FDEP) awards grants to local governments for conducting vulnerability assessments for flood risk to storm surge and projections for future impacts to sea level rise for 2040 and 2070 under different scenarios. These assessments feature publicly available data layers and mapping tools that can be analyzed to gauge future risk for a given property related to sea level rise.
- **Stormwater infrastructure.** Like other forms of infrastructure, the absence of stormwater infrastructure can be cost prohibitive when seeking to make an affordable housing development financially feasible.
- **Parcel risk based on property type.** Note that different types of housing development can accommodate different levels of risk depending on the construction practices being used.

## **Fund land acquisition for affordable housing with public and private capital**

Supporting land acquisition through dedicated sources of revenue by local governments is worth exploring for all local governments in the focus counties of Charlotte, Collier, Glades, Hendry, and Lee. Policy approaches in this vein can be creative and can also be tailored to the contexts of the community, particularly related to housing needs and political will. There are several primary public sources of capital that may be used to acquire land for affordable housing purposes, some of which have already been utilized in the region:

- **General Revenue.** Using general revenue to serve as a foundation for an affordable housing land acquisition program requires up-front public investment and therefore requires buy-in from public staff, locally elected officials, and residents. However, an agreed upon strategic approach can use general revenue as an effective form of seed funding to kickstart targeted land acquisitions for affordable housing. For example, a one-time portion of general revenue can be used to acquire suitable land which can then be donated, or sold at a discounted rate, to an affordable housing developer through a Request for Proposals (RFP) process to establish requirements for the developer to follow. Proceeds from future sales of the land could then be redirected or recycled to continue acquiring land for affordable housing in the future. This can create an evergreen land acquisition program.
- **Proceeds from sales of public properties.** Local governments in Southwest Florida may also use proceeds from sales of their public properties to fund land acquisitions for affordable housing development. This can be established via local ordinance or codification in proportions that are locally favorable. There are several current examples of this approach within the Southwest Florida region and throughout the state, such as the **City of Fort Myers'** local code which provides that 3 percent of revenue generated from the sale of city-owned property be redirected to the City's affordable housing trust fund. Community partners can advocate for this approach and help to determine the level of investment that is favorable for the jurisdiction.

- **Local Government Infrastructure Surtax.** This approach has already seen recent successes in the 5-county region through the previously mentioned **Collier County** infrastructure surtax.

As discussed in a previous section on the role of private capital in affordable housing financing efforts, private institutions can also support land acquisition efforts to achieve the region’s housing goals.

### **Support Community Land Trusts (CLTs) and other permanent affordability models**

Community Land Trusts (CLTs) are a viable and increasingly popular approach to support the provision of permanent and long-term affordability on land dedicated for housing. A Community Land Trust typically operates as a non-profit organization that can be created for the purposes of acquiring land, separating ownership of improvements from the land, and offering permanent or long-term affordable rentable and homeownership opportunities to low and moderate-income families. CLTs support these functions through certain activities such as:

- In the context of single-family homeownership, instituting resale price restrictions to ensure continued affordability, allowing for greater predictability and wealth building for low and moderate-income homebuyers.
- In the context of affordable rental development, providing a Right of First Refusal (ROFR) for tenants to purchase units if the original owner wants to sell in the future.
- Applying and overseeing requirements for tenants and homebuyers to meet income-eligibility requirements.
- Removing land cost from the purchase price to allow continued affordability for future generations.

An added benefit of the CLT model is that its goals will often align with the housing goals of local governments such as protecting public investment and providing sustainable housing options for the community that can also support wealth-building. This makes CLTs a prime opportunity to form public-private and non-profit partnerships. In this context, although it is a separate organization, a CLT can perform like an extension or a function of the local government. The following CLTs are already operating in the Southwest Florida region:

- **The Collier County CLT, Collier County**
- **Community Housing and Resources, Sanibel**
- **Peace River Community Housing Partners (PORCH), Charlotte County**

### **Identify buildable vacant, abandoned, and underutilized properties**

The value of vacant, abandoned, and underutilized properties for affordable housing purposes can be better realized through layered mapping exercises. This is true for both publicly and privately owned land. To pinpoint certain buildable vacant, abandoned, and underutilized properties that would be most impactful for housing creation and economic development, there are a range of criteria that can be baked into a mapping exercise to make such determinations.

The importance of infrastructure connection to housing viability cannot be overstated. Connecting existing infrastructure, or building new infrastructure, can impose costs that derail an otherwise feasible affordable housing concept. When analyzing these properties for potential housing investment, it is recommended that mapping and other land identification methods verify if properties are connected to sources of public infrastructure including roads, electricity, water and sewer, stormwater, and broadband internet.

A process to evaluate underutilized properties for affordable housing can also review a site’s proximity to community-based resources such as public transit, grocery stores, medical facilities, pharmacies, public schools, universities, employment opportunities, and retail options. Not only does proximity to these resources improve the quality of life for future residents, but these resources affect the likelihood that a given site may support an affordable housing development that can secure highly competitive state and local funding resources such as LIHTC, SAIL, and HOME. This is because HFAs evaluate proposed development sites’ proximity to these resources to make funding awards for these limited and competitive resources.

By evaluating these locational factors through mapping exercises, public and private efforts to secure underutilized land for housing can make educated selections of properties with the greatest likelihood to be both viable and impactful.

## 4. Form and sustain strategic partnerships that generate results

During stakeholder engagement, the regional professionals who were surveyed and interviewed repeatedly cited a desire to see more strategic partnerships being pursued in Southwest Florida among non-profits, for-profits, and local governments to meet shared housing goals. The formation of new partnerships and the expansion of existing partnerships will be necessary to adequately meet the observed short- and long-term regional housing needs documented in this Housing Action Plan, as these partnerships allow for unique combinations of resources and professional expertise. Collaboratory, itself an example of strategic partnership in the region, can play an integral role in encouraging further buy-in from the public, private, and non-profit sectors to help forge these new partnerships and relationships. Here are some recommended paths to form and sustain strategic housing partnerships that provide results for Southwest Florida.

### **Engage major employers, philanthropy, school boards, universities, religious institutions, and other community groups**

Strategic partnerships to promote local and regional housing goals can take different forms and involve different players who may each bring valuable resources to the table. This section suggests several stakeholder groups that may be called upon when engaging local and regional networks to build frameworks for housing partnerships. These stakeholder groups may not typically be too involved or ‘in the know’ when it comes to the nuances of housing needs, programs, or policies, but they share a common interest in their communities having safe affordable housing options. These groups possess resources that go beyond public subsidies and can make any strategic partnership more impactful.

**Major employers.** Major employers in the region have a shared interest in the availability of affordable housing for the communities in which they operate and may be engaged when forming housing partnerships. Many employers recognize that a lack of convenient, affordable housing options can negatively affect efforts to attract and retain talent. There is a fair amount of flexibility in how major employers can provide housing assistance in the context of a local or regional partnership and this is evidenced by the number of diverse housing-related initiatives that have seen contributions from employers nationwide. Employer-assisted housing can come in the form of forgivable loans or direct grants to assist with downpayments, rent, or move-in costs.

To encourage more employers in the region to be actively engaged in pursuing housing solutions, community organizations or local governments can provide educational outreach to employers on the existence and benefits of investing in employer-assisted housing programs. The education can also incorporate information on available federal resources to both encourage employers to provide housing assistance and provide guidance on structure.

#### **Examples:**

**State and local realtors’ associations** have engaged in partnerships with local governments and **chambers of commerce** across the country to educate community leaders and employers on how employer-assisted housing can be used to benefit both their employees and their organizations.<sup>5</sup>

**Fannie Mae** works with interested employers on how to create a plan for employer-assisted housing and even connect recommended lenders and partners. More information on these available resources can be found on their webpage.<sup>6</sup>

**Philanthropy.** Philanthropic or charitable organizations can serve as worthwhile strategic partners for housing initiatives. Such organizations can benefit a local or regional housing partnership by assisting with a range of activities that may greatly expand reach and impact in addition to providing capital. For example, philanthropic organizations can assist with coalition building, raising awareness, and elevating the profiles of housing

partnerships throughout their communities. These activities can open new doors for financial support and reinforce the continued sustainability of strategic housing partnerships.

Philanthropy can also provide direct forms of financial support to bring results. This financial support can come as direct grants or can be prescriptive for a specific goal of a housing partnership, such as preserving existing affordable housing through the creation of an acquisition fund or supporting capacity building for non-profit housing developers. In addition to grants, philanthropic contributions can also come in the form of investments at below-market interest rates.

To create opportunities for obtaining charitable donations from philanthropic organizations, regional stakeholders can be called upon to exercise strategic outreach throughout their networks to find interested philanthropic organizations and individuals.

#### **Examples:**

The **Denver Regional Transit-Oriented Development Fund** is one example of a strategic philanthropic partnership to promote new affordable housing opportunities. Financially supported through contributions made local and national foundations and managed by the Enterprise Community Loan Fund, the Denver Regional Transit-Oriented Development Fund specifically exists to provide low-cost loans to developers who seek to provide affordable housing near major routes of transit.

**House ATL** is an expansive partnership of community groups and leaders throughout the Atlanta area. Funded through member donations and a Funder's Collective, House ATL has engaged in impactful work, including a partnership with the City of Atlanta to create a housing affordability action plan.

School boards. Local school boards are sensible partners for regional housing initiatives. There is a need for affordable and convenient housing options for school district employees, and the availability of affordable housing is integral for attracting and retaining staff. School boards can also offer highly valuable resources for the creation of affordable housing, especially in the form of land. An added benefit of school district land is that it is often already connected to local infrastructure,

further reducing development costs and encouraging infill residential development. Using lands owned by school districts for affordable housing is a concept that has gained traction both statewide and nationally at the time of this writing.

However, school boards may have little experience with the intricacies of affordable housing development and goalsetting for housing priorities. For this reason, housing initiatives from local school boards offer an immediate opportunity for advocates and other regional stakeholders to provide support. Areas of support can include decision-making on what school district land(s) may be best suited for housing, determining greatest areas of need, crafting an RFP and evaluating proposals, choosing methods to retain affordability, compliance monitoring, and development in general.

#### **Examples:**

One recent example from Florida, at the time of this writing, is **Pinellas County Schools** redeveloping an historical but defunct school into 225 units, with 113 workforce housing units being dedicated to school district employees. The school district issued a Request for Proposals (RFP) for a developer partnership and will retain ownership through a lease agreement. At the time of this writing, multiple school districts in the state are also publicly considering using land for housing, including Monroe County, Alachua County, Volusia County, and Manatee County.

Notably, there are ongoing efforts among school districts in the Southwest Florida region to use land for affordable housing purposes. In 2022, **Collier County Schools** initially announced plans to use 35 acres of school district land for housing for teachers as part of the Essential Housing Project. Since 2022, the Essential Housing Plan has gone through various stages including communication with county officials, a Request for Information, the postponement of the project, and the issuance of an RFP for which only one application was received. Most recently, an employee housing survey was conducted by the school board and its results are being considered before deciding next steps. This implementation timeline was made available for reference through a school board meeting in 2024.<sup>7</sup> Meanwhile, **Hendry County Schools** has also recently announced its issuance of an RFP to develop housing on multiple properties owned by the school district.

**Universities.** There are several public and private colleges and universities located within the geographies represented in this Action Plan. These include **Florida Gulf Coast University** (Fort Myers), **Florida Southwestern State College** (Fort Myers), and **Ave Maria University** (Collier County). Colleges and universities can be a natural fit for partnerships to support affordable housing initiatives as many of their students and staff are negatively impacted by high housing costs and lack of density.

**Examples:**

In 2018, the **University of Virginia (UVA)** became involved in the Central Virginia Regional Housing Partnership, which also included the surrounding local governments of the City of Charlottesville and Albemarle County. This partnership allowed for collaboration with local stakeholders and got all groups on the same page for what housing needs were being observed in the region. In 2020, as part of its Great and Good Plan to guide the university's future growth, UVA announced an initiative to develop 1,000-1,500 affordable units on UVA-owned properties throughout the city and county over ten years. These units would not be dedicated solely to students and staff but would instead be made available to residents with no university affiliation within the 60-80% AMI range to better meet the housing needs of the community surrounding the campus. In practice, UVA has been providing land to selected developers at no cost through a ground lease.

Another example is the partnership formed between the **University of California Davis (UC Davis)**, the City of Davis, and Yolo County. This partnership was formed from an interlocal conflict as UC Davis's student population continued to grow and put stress on a local housing market already constrained by agricultural preservation. As tensions grew between the university and local governments, the parties entered a memorandum of understanding (MOU) to address concerns and provide future remedies. In addition to requiring a continued strategic partnership through regular meetings, the MOU provided that UC Davis would provide the student housing necessary to cover student population growth on campus rather than holding master leases on city properties, while

also providing a joint transportation plan that would invest in bike and pedestrian infrastructure. The City and County also agreed to allow a new development to be constructed for students and faculty.

**Religious institutions.** Religious institutions can also be a valuable partner for affordable housing as their faith and community-based goals often recognize the importance of safe housing options, especially for the most vulnerable populations. Like school boards, the most prominent housing resource from religious institutions is land. With some exceptions, religious organizations tend to be 'land rich and cash poor', but the land they do own can often be in very desirable locations for new housing that may not otherwise be available.

Religious organizations entering partnerships to develop their lands into affordable housing has been successful both in Florida and nationally. Efforts have taken place around the country to utilize lands owned by religious organizations to build various forms of new housing. With many churches across the country seeing smaller congregation sizes and aging properties amid an ongoing housing crisis, these housing partnerships can be highly favorable.

**Examples:**

In 2018, the congregation of the Arlington Presbyterian Church in **Arlington, Virginia** elected to raze their former church building, sell the land where it stood for \$8.5 million, and use the sale proceeds to build a new church and construct a new affordable multifamily housing development. The church partnered with a local non-profit developer, the Arlington Partnership for Affordable Housing, to make the concept a reality. The partnership resulted in the development of Gilliam Place, a 73-unit affordable multifamily complex in the heart of Arlington.

In 2024, the Union Congregational United Church of Christ of **West Palm Beach** received approval from county commissioners to construct a 4-story, 104-unit affordable apartment complex for elderly residents to be known as Peace Village. The church formed a partnership with an experienced affordable housing developer and has navigated several roadblocks, such as seeking a rezoning and a density bonus approval,

both of which were granted by the county. All rents are to be at or below 80% AMI. The title to the land will remain under ownership of the church who is leasing the land to the developer for a period of 90 years.

An example of a strategic partnership that focuses on this concept is Impact Guild, a community development organization in **San Antonio, Texas** that operates a program known as Good Acres. The program provides consultation and technical support for San Antonio-area churches who are looking to utilize their properties for maximum community benefit. According to Impact Guild, it is working with land-owning churches who collectively own over 3,000 acres of property throughout the city.

### **Support capacity building efforts for nonprofit developers**

Supporting the growth of local and regional non-profit housing developers is a foundational investment for having continued community-focused building efforts to meet future housing needs. Non-profit housing developers will often have a strong knowledge of what forms of housing support are needed in certain communities and can be experienced in providing services for high needs populations. Because these organizations are in touch with what is happening in the communities they serve, they can conceptualize housing development solutions that are sensible and prescriptive. However, affordable housing development can be a difficult endeavor, especially for organizations who are inexperienced and may lack connections and resources. Intentionally growing a wider network of capable non-profit housing developers will allow more affordable housing development to happen throughout Southwest Florida at any given time, an effect which is needed as communities across Southwest Florida are facing housing shortages. Building the capacity of non-profit developers requires education and other supports that require investment, but that investment is worth it to allow more players to build the housing infrastructure that is necessary to sustain the region's current and future population growth.

#### **Examples:**

In 2024, the **Community Reinvestment Alliance of Florida** started the Non-Profit Capacity Building Project. Supported by Truist, this program allows non-profits to access up to \$20,000 for organizational capacity building. A resource page is also being developed to

connect non-profit developer organizations to potential partners. The stated intent of the program is to empower and enhance the impacts of non-profits. With several planned application periods for separate tranches, organizations must meet certain criteria to apply for support. These criteria include:

- The organization must be a member of the Community Reinvestment Housing Alliance
- Agencies based in Miami-Dade, Broward, or Palm Beach County may apply
- The organization must be an IRS-designated 501(C)(3) with a budget at or below \$500,000.
- The organization must be registered with the State of Florida and possess an EIN number.

Non-profit developer capacity building resources are also available at the federal level. For example, one purpose of the Home Investment Partnership Program (HOME) administered by HUD is to enhance the capacity of non-profit housing developer organizations. As part of the HOME program, non-profit housing developer organizations may apply to a Participating Jurisdiction to become certified as a Community Housing Development Organization (CHDO). For context, Participating Jurisdictions are state, local governments, or counties that have been designated by HUD to administer the HOME program. Organizations can verify their local Participating Jurisdiction by visiting the HUD Exchange webpage, selecting Florida as the location, and HOME Investment Partnerships as the program.

If an organization meets requirements and is certified as a CHDO, it is entitled to certain benefits such as having access to a 15% set-aside amount of the HOME Participating Jurisdiction allocation. CHDO staff can also benefit from HUD-sponsored capacity building and technical assistance support. As part of regional efforts to build the capacity of non-profit developers, such organizations can be referred to apply for CHDO certification to utilize these federal resources.

### **Sustain affordable housing development cohorts**

Establishing affordable housing cohorts is a method to expand regional education among similar organizations on shared housing-related issues while also developing goodwill and relationships. Cohorts allow for more frequent opportunities for idea-sharing and data-



sharing that can lead to a domino effect when it comes to identifying problems and exploring solutions. Cohorts can also be highly specific in their focus, allowing for nuanced and in-depth problem solving.

Building local and regional affordable housing cohorts is only part of the equation. Whether via formal partnerships or informal working groups, achieving meaningful results for housing in Southwest Florida will require sustainable cohorts that can build momentum and goodwill over time. Local governments, for-profits, and non-profits can all play a role in the development and support of affordable housing cohorts. Here are some examples of affordable housing cohorts from around the country.

### Examples:

In 2023, the Affordable Housing Implementation Pathway Cohort was undertaken among a collection of local governments, non-profits and for-profits in Connecticut. **Sustainable Connecticut**, a regional non-profit organization in Connecticut, developed a cohort that included planning and housing staff from 5 local governments in Connecticut (Avon, Bloomfield, Canton, Coventry, and Farmington). It was financially supported by the Hartford Foundation for Public Giving. The cohort engaged in monthly sessions to provide a safe space for peer sharing among staff members and also educate on a range of housing tools for local governments, including:

- Sustaining strategic affordable housing programs
- Tiny homes and Accessory Dwelling Units
- Housing trust funds
- Tax abatement versus assessment freeze

As part of the LA2050 initiative to utilize grants and other forms of philanthropy to support community-based organizations in the **County of Los Angeles**, a Stable Housing Cohort was established specifically to explore innovative affordable housing solutions for single parent students enrolled in college and their children.<sup>8</sup> In practice, the cohort works to provide points of contact and support staff to single parents enrolled at partnering community colleges.

### Form interlocal partnerships

During stakeholder engagement, local government staff expressed that while they were not sure if interlocal partnerships would be helpful for improving

housing program implementation, there is a high level of willingness to collaborate with other local governments on housing-related issues. This feedback may reflect dynamics that call for more consistent peer-to-peer collaboration rather than interlocal agreements for jointly administering state and federal housing programs.

In practice, interlocal partnerships do not need to be formalized to be effective. Instead, local governments in Southwest Florida can be encouraged to convene with agreed upon frequency to share information and ideas related to different aspects of affordable housing. For example, planning staff or housing programs staff from local governments in the region can agree to meet monthly, quarterly, or annually to delve into how they are approaching shared issues and any new trends they may be observing. According to stakeholder feedback, some level of information sharing does occur among local government peers in the region, but more frequent and expanded collaboration can provide a greater impact. Here are some methods for increased interlocal collaboration among local governments in Southwest Florida:

- **Promote data-sharing on housing needs, built homes, and regional goals.** Local government staff can exchange data and other relevant information to better inform decision-making across the board and encourage complementary initiatives.
- **Promote idea-sharing for housing program administration.** Local governments can share lessons learned from different approaches being taken.
- **Encourage the establishment of an affordable housing cohort for local governments.** Local governments can convene at agreed upon times and locations (or virtually) to provide affordable housing updates and navigate common issues.
- **Interlocal partnership to utilize 3rd party organizations to assist with certain housing activities.** Local governments may at times be overburdened by the responsibilities tied to affordable housing programmatic requirements and state regulations. It can be beneficial to explore how experienced, qualified, and vetted 3rd party organizations may contribute to accomplishing necessary activities such as compliance monitoring, land acquisition, and land disposition.

## 5. Support the people in the community this Action Plan aims to serve.

### **Engage with the community, specifically those with the greatest needs for affordable housing**

Community engagement is vital for prioritizing and allocating public resources for affordable housing. The goal of community-based planning is to be inclusive of all backgrounds that have a stake in building and preserving more affordable homes. It is particularly important to be inclusive of residents that are in the greatest needs for affordable housing solutions such as the low-wage workforce with high transit costs, single parent households, persons experiencing housing instability or homelessness, and aging adults living on fixed incomes. Local governments often rely on research and analysis from federal and state resources to provide a basis for determining community need. However, residents living and working in the community can often provide a more accurate picture of the community's social and economic environment and offer critical information that can supplement analytical data. Through community engagement, persons close to the cause can raise awareness, have their voices heard, inquire about current public spending, and provide suggestions for future projects that may result in affordable housing needs being met.

A wide-reaching community engagement strategy can also decrease the likelihood of NIMBY (“Not in my Backyard”) opposition to affordable housing projects in the future as too often, the only proponents of an affordable housing development are the developers themselves. This Action Plan should be shared broadly throughout Southwest Florida and could be a tool to engage the business community, educational system, religious organizations, and other affordable housing allies so when the time comes for a City or County Commission to vote on a particular affordable housing project or funding plan, all allies will already have affordable housing at the forefront of their missions and be more likely to show up to public meetings or engage with their elected officials.

### **Support legal aid, homeless service providers, and community-based nonprofits on the front lines**

The affordable housing crisis is not a new phenomenon to the low-income population of Southwest Florida. Neither is it new to the community-based organizations that have worked on the front lines to solve the region's housing problems for decades. When discussing affordable housing needs and solutions, it is vital to include and support the organizations that have experience working with persons undergoing housing instability. These organizations are trusted partners of the community and should be front and center in affordable housing solutions. These organizations include homeless service providers, nonprofit affordable housing developers, legal aid attorneys, and other local groups with a track record of service. An entity like Collaboratory with its regional membership could create an active inventory of community-based organizations to include in affordable housing discussions.

### **Enact additional local fair housing protections, support fair housing enforcement, and bolster tenant protections where allowed**

In tandem with the production and preservation of affordable housing units, anti-discrimination laws must be enforced and additional local fair housing protections should be enacted to ensure that all persons have fair access to the home of their choosing. The region could build all the housing it needs to meet its goals, but if fair housing protections are not enforced and persons are allowed to be discriminated against based on a protected class, regional affordable housing efforts will fail to reach their potential.

Local governments within the region could consider enacting additional fair housing protections beyond those afforded under the federal and state Fair Housing Acts. Under federal and state law, housing providers cannot discriminate on the basis of race, color, national origin, religion, sex, familial status, or disability when making a variety of decisions that affect the provision

of housing. Local governments are allowed to enact protections that extend to additional protected classes such as age, veteran status, sexual orientation, pregnancy, and source of income. Source of income protections, for example, are ideal in tandem with robust public assistance programs. Protections against source of income discrimination make it illegal for housing providers to deny an applicant based on the applicant's use of housing vouchers or other public assistance, for example.

Fair housing and tenants' rights are only as good as they are enforced. The region can support legal aid providers, pro bono housing law enforcement, and local fair housing attorneys and connect them with persons in need of free legal assistance regarding anti-discrimination cases and landlord-tenant issues.

In 2023, the Florida Legislature preempted all local landlord-tenant laws to the state.<sup>9</sup> This includes local laws pertaining to a landlord's screening process, security deposits, rental agreement applications and fees, rights and responsibilities of a landlord, disclosures concerning a rental unit, and notice requirements. While the region's local governments cannot enact additional tenant protections in light of this state preemption, public entities could explore tying tenant protections to affordable housing subsidy. In exchange for receiving public funding to build affordable rental units, a local government could explore requiring certain tenant protections. Such policies could be based on the National Council of State Housing Agencies' (NCSHA) 2023 recommendations for tenant protections to include in housing program administration.<sup>10</sup> Tenant protections to consider include:

- Tenant selection plan guidelines that include procedural protections for tenant screening and admissions and that align with applicable federal guidance limiting the use of criminal records and prior eviction judgments;
- Rental agreements with tenant protections, including fair lease and occupancy rules, meaningful language access for tenants with limited English proficiency, good cause eviction requirements or comparable eviction prevention policies; and grievance procedures for resolving landlord/tenant disputes;

- Fair and transparent policies relating to any fees charged to tenants;
- A limitation of one rent increase per certification period per household;
- A minimum of 60 days' notice to tenants of any applicable rent increase;
- A minimum of 90 days' notice to tenants of any rent increase in excess of five percent of the existing rent, with a provision allowing tenants to terminate the lease with no penalty or fees in such circumstances; and
- A minimum of 12 months' notice to tenants of an expiring extended use period.

### **Provide or expand homeowner education and financial literacy**

Building homes for ownership is one thing; having buyer-ready residents in a community is another. Regional efforts can provide continued support to organizations that assist low-income residents with homeowner education and financial literacy. Services can also be provided to lower-income renters to educate them on landlord-tenant protections, ways to build wealth outside of homeownership, and job training.

Having homebuyer education and financial literacy resources available for low-income residents helps to bridge the gap between renting and homeownership for the residents of a community who wish to own a home, such as young professionals and families, but may lack knowledge of different opportunities that may be available to them. This can allow for new generations of residents to make their roots and have long-term stability. Additionally, these resources work to strengthen local affordable housing programs by spreading awareness of the existence of the programs and educating potential future users of the programs on responsible homeownership and borrowing.

An example of a local program is the **City of Tampa** which provides readily available homeownership and financial education services through its Housing and Community Development staff.<sup>11</sup> Their office provides free pre-purchase counseling sessions, homebuyer education classes, and post-purchase education classes. The city also has a Foreclosure Prevention

Assistance Program that provides funding assistance to households at high risk of foreclosure depending on applicant criteria and required terms.

Local governments and non-profits in Southwest Florida may also expand efforts to inform more residents about HUD-approved counseling agencies in the region who can also provide homebuyer education and financial literacy courses.<sup>12</sup>

### Track affordable housing results

Tracking the successes of regional affordable housing solutions is vitally important to their continued support by the public and private sector; seeing how the region's housing policies are directly impacting the lives of Southwest Floridians is a great way to create ongoing momentum for long-term solutions. Tracking results is also necessary to understand the overall impacts of housing policies to understand their pros, cons, and tweaks that may need to be made to achieve their goals.

A regional entity, for example, can have a webpage or similar interactive platform devoted to tracking the results from the policies contained in this Action Plan. This platform could also showcase affordable housing development generally in the region. Ideas for what tracking success could focus on:

- Public funding commitments towards affordable housing (organized by local jurisdiction)
- Recent groundbreaking for affordable housing projects in the region
- Recent local affordable housing legislation as models for the region
- Number of homes built as a result of an affordable housing policy (with interactive maps that have the location of affordable housing built)

- Incomes served with public resources (ex – number of homes for households at 120% AMI, 80% AMI, etc.)
- Use of state and federal dollars
- Number of homes built as a result of public-private partnerships

### Examples:

- **Volusia County** has a dashboard of affordable housing projects built starting on October 1, 2021.<sup>13</sup> The dashboard provides data on public funding expenses, total affordable units assisted by public subsidy (broken down by rental or ownership), income levels served, affordable units per census tract, and status of development.
- **Palm Beach County** has a Palm Beach County Progress Report Dashboard<sup>14</sup> that shows the number of affordable and workforce housing projects beginning in 2022. The Dashboard shows number of projects, total units, addresses, project status, a map of planned and approved projects, total amount of public subsidy per development, and commission district.
- **Leon County** has a Housing Services Affordable Housing Dashboard<sup>15</sup> that maps publicly assisted units by location. It also contains data on the age, race, incomes, household size, and familial status of the households in assisted units.
- **Forward Pinellas** hosts a dashboard specifically for projects that utilize the state's Live Local Act.<sup>16</sup> The dashboard covers total acreage, total number of units and affordable units, current zoning, project completion date, and household incomes served.

# Endnotes

1. <https://colliercf.org/donors/collier-housing-impact-investment-fund/>
2. For more information on below-market debt funds, see here <https://uli.org/wp-content/uploads/ULI-Documents/Preserving-Multifamily-Workforce-and-Affordable-Housing.pdf>
3. <https://housing2.lacity.org/partners/new-generation-fund>
4. <https://planning.org/home/engage/housingcharlotte/>
5. <https://realtorparty.realtor/wp-content/uploads/2017/08/EAH-Initiatives-Guide-1.pdf>
6. <https://selling-guide.fanniemae.com/sel/b3-4.3-08/employer-assistance>
7. [https://go.boarddocs.com/fl/collier/Board.nsf/files/D7HQFS68FC5C/\\$file/School%20Board%20Presentation%20on%20Employee%20Housing%20Survey.pdf](https://go.boarddocs.com/fl/collier/Board.nsf/files/D7HQFS68FC5C/$file/School%20Board%20Presentation%20on%20Employee%20Housing%20Survey.pdf)
8. <https://la2050.org/ideas/2024/rtb-la-stable-housing-cohort-2024>
9. See Fla. Stat., Section 83.425 (2024)
10. <https://www.ncsha.org/wp-content/uploads/2018/04/NCSHA-Recommended-Practices-in-Housing-Credit-Administration-October-2023-FINAL.pdf>
11. <https://www.tampa.gov/housing-and-community-development/programs/homebuyer-education>
12. [https://apps.hud.gov/offices/hsg/sfh/hcc/hcs\\_print.cfm?searchstate=fl&webListAction=search](https://apps.hud.gov/offices/hsg/sfh/hcc/hcs_print.cfm?searchstate=fl&webListAction=search)
13. <https://www.volusia.org/services/community-services/affordable-housing-initiative/affordable-housing-dashboard.stml>
14. <https://discover.pbcgov.org/HED/Pages/Countywide-Housing-Dashboard-.aspx>
15. <https://tlcgis.maps.arcgis.com/apps/dashboards/2122c1c12d4b45a18ec82be34516b61b>
16. <https://forwardpinellas.org/blog/introducing-the-live-local-affordable-housing-dashboard/attachment/affordable-housing-dashboard/>



IN PARTNERSHIP WITH  
THE HOME COALITION



**SOUTHWEST FLORIDA**  
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