

From: Stacy Banach <sbanach@pddmetric.com>
Sent: Tuesday, August 14, 2018 12:17 PM
To: Marisa Button
Subject: Zoning & Site Plan Verification Forms

Marissa,

I have reviewed the zoning and site plan verification forms for this year and would like to offer my input...for what it's worth!

Site Plan Verification:

To begin, I agree with the discussions at the last workshop that the site plan verification form is not needed. Currently, the site plan form allows the local jurisdiction to select that they do not have a conceptual or preliminary review of plans. That means the applicant can just get the forms signed without any type of preliminary review.

The site plan verification also allows an option for review of a conceptual plan. Conceptual plans are good tools for developers to review options and ensure parameters are met during initial design. FHFC will allow applicants to change their concept plans during credit underwriting, so the requirement for a preliminary review doesn't really tie anyone down to what they submit to the local jurisdiction. The local jurisdictions know this, so they really just do a cursory review of plans knowing that the applicant will just come back later with "real" plans.

In conclusion, unless FHFC requires an actual site plan approval with civil plans, the site plan verification doesn't do anything except confuse the local jurisdictions and cause unneeded busy work (in my opinion).

Zoning Verification:

The zoning verification form in past years has been very disliked by local jurisdictions. They dislike this form because of the ambiguous language. I know because I have been personally responsible for obtaining signatures on this form. The inherent problems with the form is how the word "zoning designation" is used and the fact that no intended use is required to be disclosed.

For years the form has always stated: "To the best of my knowledge, there are no additional land use regulation hearings or approvals required to obtain the zoning classification or density described herein."

All this is stating is that no further approvals are needed for the zoning "designation", not the actual "zoning". So a property can have an expired zoning which requires land use hearings to bring the entitlements current, but still have a "zoning designation" tied to the property.

The form also asks the local jurisdiction to certify no land use hearings or approvals are needed for the "density herein". The form doesn't ask what the density is, so how are jurisdictions supposed to certify that?

Lastly, the words "land use regulation hearings or approvals" is very confusing to the everyone. This could mean that there are no land use hearings needed, but further approvals are needed (such as site plan). I know FHFC expects site plan approvals to still be needed, but some jurisdictions do not know this from the current language. Maybe change the language as follows:

"To the best of my knowledge, there are no public hearings or public approvals required for the applicant to develop the proposed number of units and intended use as described herein. "

I added an intended use (development type) criteria to be filled out which should be required to truly add meaning to the certification.

I have made the proposed changes to the zoning verification form and attached it to this email (pdf and word.doc).

Please let me know if I can provide any additional information or comments.
Thank you,

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FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION THAT DEVELOPMENT IS
CONSISTENT WITH ZONING AND LAND USE REGULATIONS

Name of Development: _____

Development Location: _____

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: _____

This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

Intended Use (Development Type): _____

Pick one of the following: Garden Apartments (a building comprised of 1, 2 or 3 stories), Townhouses, Duplexes, Quadraplexes, Mid-Rise (4-stories), Mid-rise (5 to 6 stories) or a High Rise (7 or more stories).

The undersigned service provider confirms that, as of the date that this form was signed, the above referenced Development's proposed number of units and intended use described herein are permitted in the following zoning designation: _____, or, if the Development consists of rehabilitation, the intended use is allowed as a legally nonconforming use.

To the best of my knowledge, there are no public hearings or public approvals required for the applicant to develop the proposed number of units and intended use as described herein. Assuming compliance with the applicable land use regulations, there are no known conditions that would preclude construction or rehabilitation of the referenced Development on the proposed site.

CERTIFICATION

I certify that the City/County of _____ has vested in me the authority to verify
(Name of City/County)

consistency with local land use and zoning regulations or, if the Development consists of rehabilitation, the intended use is allowed as a "legally non-conforming use" and I further certify that the foregoing information is true and correct. In addition, if the proposed Development site is in the Florida Keys Area as defined in Rule Chapter 67-48, F.A.C., I further certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

Signature

Print or Type Name

Date Signed

Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If there are alterations made to this form that change the meaning of the form will not be accepted.