



LEE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE

**PUBLIC WORKS BUILDING
1500 MONROE STREET, FORT MYERS, FL 33901
FIRST FLOOR CONFERENCE ROOM 1B**

**Friday, October 24, 2025
2:00 PM**

AGENDA

1. Call to Order / Review of Affidavit of Publication
2. Approval of Minutes – November 21, 2024
3. 2024/2025 Incentive Report
4. Adjournment

To view a copy of the agenda, go to www.leegov.com/dcd/calendar. For more information, contact Tracy Toussaint at ttoussaint@leegov.com.

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**MINUTES REPORT
AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)
November 21, 2024**

MEMBERS PRESENT:

Ramie Hall, Chair
Jill Morrissey
Melisa Giovannelli
Carl Baxter, Jr.
Remegio (Terry) Serrata
Marion Briggs
Michael Schwartz

MEMBERS ABSENT

Henry Zuba-Vice Chair
Armando Jorge
Steve Woods
Claudia Perfect
Commissioner Ray Sandelli

STAFF PRESENT

Angela Dietrich, SHIP Coordinator
Tracy Toussaint, SHIP Technician

MEMBERS OF THE PUBLIC/INTERESTED PARTIES

Becky Lucas, Habitat for Humanity
Aldis Roig, Atlantic Pacific
Sandra Stone-LWV
Marcia Davis, HACFM
Natalie Monfiston- Blossom Construction

Agenda Item 1 – Call to Order/Affidavit of Publication

Ms. Ramie Hall brought the meeting to order at 2:15 p.m. in the Community Development – Public Works Building, 1500 Monroe Street, First Floor Conference Room 1B, Downtown, Fort Myers.

Angela stated that we had enough members for a quorum, and we had approval from the County Attorney’s Office that we were sufficient to proceed with the meeting.

Agenda Item 2 – Approval of Minutes – October 9, 2023

Ms. Ramie Hall made a motion to approve the minutes with a change to show that Marion Briggs was absent on October 9, 2023. The motion passed unanimously.

Agenda Item 3 – 2024/2025 Incentive Report

Angela introduced the Incentive Report, the annual report that needs to be submitted to the Florida Housing Finance Corporation by 12/31/2024. She stated that for the SHIP Housing statutes, Lee Affordable Housing Committee
November 21, 2024 - DRAFT

County has every incentive that we need in our report. We haven't made any changes sue to having all the incentives that we need. Angela stated that Staff recommends approval as is.

Jill Morrissey asked what was the difference between the Incentive Report and the LHAP?

Angela answered that the LHAP has to do with the SHIP money and the LHAP tells us how we are supposed to spend the SHIP Funds. The LHAP is voted on by the AHAC Committee every 3 years. The Incentive report is the incentives that Lee County offers to the Affordable Housing Builders to bring more Affordable Housing to Lee County, and this is voted on annually.

Ms. Marion Briggs made a motion to approve the 2024/2025 Incentive Report.

Ms. Melisa Giovannelli 2nd the motion. The motion passed unanimously.

Agenda Item 4– Adjournment

Mr. Carl Baxter made a motion to adjourn. Ms. Giovannelli 2nd the motion. The motion passed unanimously, and the meeting adjourned at 3:23pm.

A recording of this meeting is available. Please contact Tracy Toussaint at 239-533-8949 or ttoussaint@leegov.com to obtain a copy of the recording.

Lee County Affordable Housing Advisory Committee

Affordable Housing Incentive Review Report

SHIP Affordable Housing Incentive Strategies

AFFORDABLE HOUSING ADVISORY COMMITTEE REVIEW & PUBLIC HEARING

October 24, 2025

SUBMITTED TO: LEE COUNTY BOARD OF COUNTY COMMISSIONERS

DATE SUBMITTED: TBD

SUBMITTED TO: ROBERT DEARDUFF, FLORIDA HOUSING FINANCE CORPORATION

DATE SUBMITTED: TBD

BACKGROUND

As a recipient of State Housing Initiative Partnership (SHIP) funds, Lee County established an Affordable Housing Advisory Committee (AHAC) on April 15, 2008, as required by the Florida Statutes, Sec. 420.9076. The AHAC is responsible for reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of Lee County housing activities that impact the production of affordable housing. Further, the AHAC is required to consider and evaluate the implementation of the incentives provided in Florida Statutes, Sec. 420.9076 (4)(a)-(k).

The AHAC reviewed, considered, and evaluated the affordable housing incentives provided in Florida Statutes, Sec. 420.9076(4) and makes these recommendations to the Board of County Commissioners:

A. **420.9076(4)(a): The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s.163.3177(6)(f)3.**

1. Incentive Description:

- a. **Expedited Permitting.** The Planning Section of the Lee County Department of Community Development provides procedural and technical assistance to developers of Affordable Housing Developments (AHDs). Developers of AHDs in unincorporated Lee County may request an expedited permit processing from the Planning section. The approval for expedited processing is routed with each county permit for the AHDs to ensure that the processing of approvals for the construction of the AHDs will be expedited to a greater degree than other projects.
- b. **Live Local Legislation.** In addition to the County's expedited permitting process, the state's Live Local legislation, FS 125.01055, has enabled affordable housing developers to avoid the public hearing process for affordable housing projects on all properties with Commercial, Industrial, or Mixed-Use zoning. This legislation requires affordable housing developments to be administratively approved in these zoning districts at the highest standard density allowed by right in the county and the highest building height within one (1) mile of the site. The county's planning section has held official pre-application meetings for eight (8) affordable housing developments interested in developing under this legislation, which would yield approximately 1400 new rental units for incomes up to 120% AMI.

Two of those projects are under construction, and another has been issued a Development Order for approximately 360 new affordable units.

2. Adopting Ordinance or Resolution Number or identify local policy:

Expedited Permitting

- 2023/2024 - 2025/2026 Local Housing Assistance Plan – Page 22 - 23
- Lee County Comprehensive Plan (Lee Plan)
 - Policy 135.1.5
 - Policy 135.4.13

3. Implementation Schedule (Date): Ongoing

4. 2024 Staff Recommendation: Continue Strategy

5. 2024 AHAC Recommendation: Continue Strategy

6. 2025 Staff Recommendation: Continue Strategy

7. 2025 AHAC Recommendation:

B. 420.9076(4)(b): All allowable fee waivers provided for the development or construction of affordable housing.

1. Incentive Description: MODIFICATION OF IMPACT FEES

- a. **Impact Fee Reimbursement Program** - Reimbursement of up to half (50%) of the amount paid for school impact fees for new construction of affordable residential single-family or multi-family homes to be occupied by income-eligible households. These funds are available above and beyond any other assistance awarded.

This program is available for housing units built anywhere in Lee County where school impact fees have been paid within the past calendar year. The maximum purchase price of a home is the maximum established for the SHIP Program. Income limits apply to families purchasing the unit.

To encourage broad participation, there is a ceiling on the cumulative total of reimbursement distributed to any single builder per County fiscal year (10/1 – 9/30).

- b. **Impact Fee Exemption Program** - Exemptions for payment of Road, Regional Park, Community Park, Fire Protection, and Emergency Medical Services Impact Fees are provided for residential building permits in Harlem Heights, Charleston Park, and the Fort Myers/Lee County Enterprise Zone.

Dwellings in subdivisions, mobile home or manufactured housing parks, and multi-family dwellings that are age-restricted to prohibit persons under 18 from residing within the dwellings as a permanent resident are exempt from payment of School Impact Fees.

- c. **Utility Connection Fees Deferral Program** - Deferral of Lee County Utilities connection fees for very low- and low-income housing developed by non-profit organizations until the time of building permit application. Without the deferral, regulations require that 50% of the connection fees be paid at the time the County is asked to commit to the capacity availability, and the remaining 50% at final acceptance of the infrastructure. The program provides non-profits with more cash flow as an incentive to construct housing for the most needy.
- d. **Building Permit Fee Waivers** - The Florida Housing Finance Corporation's State Apartment Incentive Loan Program (SAIL) provides low-interest loans on a competitive basis as gap financing to leverage mortgage revenue bonds and Low-Income Housing Tax Credit resources. This allows developers to obtain the full financing needed to construct or rehabilitate affordable rental units. The application for this program enables Lee County to commit to multiple projects, with a minimum commitment amount of \$75,000. The local government contribution for projects awarded SAIL financing is provided as building permit fee waivers.

2. Adopting Ordinance or Resolution Number or identify local policy:

Impact Fee Reimbursement Program

- 2023/2024 - 2025/2026 Local Housing Assistance Plan – Page 23 - 24
- Lee County Administrative Code
 - 13-4 Administrative Procedures Governing Reimbursement of Lee County School Impact Fees
- Lee County Comprehensive Plan (Lee Plan)
 - Policy 135.1.5

Impact Fee Exemption Program

- Lee County Land Development Code
- Chapter 2, Article VI, Division 2. Road Impact Fee – Section 2-274 Exemptions

- Chapter 2, Article VI, Division 3. Regional Parks Impact Fee – Section 2-312 Exemptions
- Chapter 2, Article VI, Division 4. Community Parks Impact Fee – Section 2-352 Exemptions
- Chapter 2, Article VI, Division 5. Fire Protection and Emergency Medical Services Impact Fee – Section 2-394 Exemptions

3. Implementation Schedule: Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

C. 420.9076(4)(c): The allowance of flexibility in densities for affordable housing.

1. Incentive Description: FLEXIBLE DENSITIES

The Lee County Comprehensive Plan provides increased densities for affordable housing to very low-, low-, moderate-, and workforce-income families. The program provides both a construction option (affordable units must be constructed) and a cash option (market-priced units may be constructed in exchange for a cash contribution to the Affordable Housing Trust Fund).

2. Adopting Ordinance or Resolution Number or identify local policy:

- Lee County Administrative Code
 - AC13-5
- 2023/2024 - 2025/2026 Local Housing Assistance Plan – Page 24
- Lee County Comprehensive Plan (Lee Plan)
 - Policy 135.1.4
 - Policy 135.4.14
- Lee County Land Development Code
 - Chapter 2, Article IV, Section 2-146 and 2-147

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

D. 420.9076(4)(d): The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

1. Incentive Description: RESERVATION OF INFRASTRUCTURE CAPACITY

There are currently no restrictions on the availability of infrastructure capacity. Therefore, the reservation of capacity for very low-, low-, and moderate-income households is not necessary.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 24

3. Implementation Schedule (Date): Not Applicable

4. Staff Recommendation: No change

5. 2025 AHAC Committee Recommendation:

E. 420.9076(4)(e): Affordable accessory residential units.

1. Incentive Description: AFFORDABLE ACCESSORY RESIDENTIAL UNITS

The Lee County Land Development Code allows accessory apartments by right in certain areas, regardless of density provisions, which provides opportunities for additional affordable housing units. The purpose of allowing accessory residential units is to facilitate the provision of affordable housing, strengthen the family unit, and increase opportunities for housing the elderly and persons with special needs.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 24 – Page 25
- Lee County Land Development Code
 - Chapter 34, Article VII, Section 34-1177

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

F. 420.9076(4)(f): The reduction of parking and setback requirements for affordable housing.

1. Incentive Description: PARKING AND SETBACK REQUIREMENTS

The Land Development Code provides several avenues for relief in parking and setbacks:

- Developments within the Mixed Use Overlay (MUO) may utilize reduced parking, setbacks, open space, and landscaping standards.
- Parking and setback requirements may be reduced through the planned development rezoning process by requesting deviations from the property development regulations.
- Similar to the deviation process, variances may be requested in conventional zoning districts to reduce parking and setback requirements when the hardship criteria are met.
- Reduced parking requirements are provided for Assisted Living Facilities, Continuing Care Facilities, and Independent living facilities, including group quarters, health care, social services, and similar uses.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 25
- Lee County Comprehensive Plan
 - Objective 11.2
- Lee County Land Development Code
 - Chapter 10, Article II, Division 2, Subdivision II, Section 10-104
 - Chapter 34, Article IV, Division 2, Section 34-373
 - Chapter 34, Article IV, Division 3, Section 34-411
 - Chapter 34, Article VII, Division 26, Section 34-2020

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

G. 420.9076(4)(g): The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

1. Incentive Description: FLEXIBLE LOT CONFIGURATIONS

The Land Development Code provides options for allowing flexible lot configurations, including zero-lot-line configurations.

- Developments within the Mixed Use Overlay (MUO) are subject to reduced parking, setbacks, open space, and landscaping standards, which allow for flexible lot configurations, including zero-lot-line configurations for affordable housing.
- The planned development rezoning process allows for flexible lot configurations with approval of deviations from development design standards. Similar to the deviation process, variances may be requested in conventional zoning districts when the hardship criteria are met.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 25
- Lee County Comprehensive Plan
 - Policy 135.4.13
 - Objective 11.2
- Lee County Land Development Code
 - Chapter 10, Article II, Division 2, Subdivision II, Section 10-104
 - Chapter 34, Article IV, Division 2, Section 34-373
 - Chapter 34, Article IV, Division 3, Section 34-411

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

H. 420.9076(4)(h): The modification of street requirements for affordable housing.

1. Incentive Description: MODIFICATION OF STREET REQUIREMENTS

The Land Development Code allows for the modification of street requirements through the planned development rezoning process. Through this process, applicants may request their own property development regulations, such as lot configuration and setbacks, and seek deviations in roadway designs and parking. Variances are available for conventional zoning districts when the hardship criteria are met.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 25
- Lee County Comprehensive Plan
 - Policy 135.4.15
- Lee County Land Development Code
 - Chapter 10, Article II, Division 2, Section 10-291(3)
 - Chapter 10, Article II, Division 2, Section 10-296(d)(2)
 - Chapter 34, Article IV, Division 2, Section 34-373

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

- I. **420.9076(4)(i): The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.**

1. Incentive Description: PROCESS OF ONGOING REVIEW

Lee County created an Executive Regulatory Oversight Committee responsible for reviewing and considering the impact of development regulations being considered for adoption on the cost of development.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2020/2021 – 2022/2023 Local Housing Assistance Plan – Page 25
- Lee County Comprehensive Plan
 - Policy 135.1.3
- Lee County Administrative Code
 - AC-2-22 Executive Regulatory Oversight Committee (EROC)

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

J. 420.9076(4)(j): The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

1. Incentive Description: PUBLIC LAND INVENTORY

The Department of County Lands reviews County-owned, surplus real estate for possible disposal either by donation or sale, as the case may be, for disposition of governmentally owned real estate. The Department of County Lands regularly makes available its inventory of public lands for evaluation by government agencies and non-profit and for-profit affordable housing providers for the construction and development of affordable housing.

2. Adopting Ordinance or Resolution Number or identify local policy:

- **2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 26**
- Florida Statutes 125.35 and 125.38
- Lee County Ordinance 02-34 Lee County Surplus Lands

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation:

K. 420.9076(4)(k): The support of development near transportation hubs and major employment centers and mixed-use developments.

1. Incentive Description: SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

Contiguous and compact growth patterns are promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are bypassed in favor of development more distant from services and existing communities.

The Mixed Use Overlay (MUO) incentivizes redevelopment located within areas that have existing services and infrastructure. The MUO allows properties within the designated areas to develop under the conventional zoning district with reduced regulations. The required open space is reduced by 50%, buffer widths and setbacks are reduced, up to 60% of the parking space requirement is reduced, building height may be increased, and minimum lot size and maximum coverage requirements are eliminated.

2. Adopting Ordinance or Resolution Number or identify local policy:

- 2023/2024 – 2025/2026 Local Housing Assistance Plan – Page 26
- Lee County Comprehensive Plan (Lee Plan)
 - Goal 2
 - Objective 2.1
 - Policy 2.1.1
 - Objective 2.2
 - Policy 5.1.6
 - Policy 5.1.7
 - Policy 5.1.8
 - Objective 11.2
- Lee County Land Development Code
 - Chapter 2, Article II, Division 1, Section 2-41

3. Implementation Schedule (Date): Ongoing

4. Staff Recommendation: Continue Strategy

5. 2025 AHAC Committee Recommendation: