

## Workforce Housing Program: Exchange Builder Option Application Timeline

The Palm Beach County Workforce Housing Program (WHP) offers several options for a market-rate developer to meet a project's workforce housing obligation, including the option to engage an Exchange Builder to deliver the WHP units off-site.

In the Exchange Builder option, the market rate developer declares the choice at the time of project approval, as required by code, and then selects one of two alternatives prior to the issuance of the 1<sup>st</sup> residential building permit for the market rate development: 1) proceed with an Exchange Builder engaged, or 2) proceed without an Exchange Builder engaged, with the option to engage one prior to 25% of market rate building permits.

The table below outlines the Unified Land Development Code (ULDC) requirements under each alternative. Although these items are required prior to ISSUANCE of the first building permit, it is recommended that the required items be submitted prior to the APPLICATION for the 1<sup>st</sup> building permit, according to the timeframes provided in the table, to reduce delays during the building permit review process. At the option of the market rate developer, all items may instead be submitted together, provided that it is 4 weeks prior to the date of 1<sup>st</sup> building permit application. All items are to be submitted to the Planning Division, Workforce Housing Program.

Option Selected:	Submittal timeframe - no later than:	Item to be Submitted	ULDC Citation	
<b>Exchange Builder Engaged</b>	4 weeks prior to Application for 1 <sup>st</sup> Market Rate Building Permit	Evidence of control of the proposed exchange project site, through a recorded deed or title, or an executed purchase agreement or purchase option, for approval by the County Attorney for legal sufficiency and by the County Administrator or designee	5.G.1.C.4.b.2)c)(1)(c)	
		Pro forma financial statements demonstrating exchange project's financial viability	5.G.1.C.4.b.2)c)(1)(b)	
		Documentation evidencing availability of all sources of funding for the exchange project development budget, including documentation from financing source(s) providing a firm or conditional commitment to financing and identifying all financing terms and conditions	5.G.1.C.4.b.2)c)(1)(b)	
		Income restrictions from other funding sources, for BCC Approval	5.G.1.C.4.b.2)b)	
		Draft Restrictive Covenants for County Attorney review, for the exchange project site, and for the market rate development, using template from the Planning Division	5.G.1.C.4.b.2)c)(1)(d); 5.G.1.D.1.a.; 5.G.1.D.2.a.	
		Proof of municipal notification if applicable	5.G.1.C.4.b.	
		3 weeks prior to Application for 1 <sup>st</sup> Market Rate Building Permit	Guarantee acceptable to Palm Beach County for approval by the County Attorney's office, for an amount equal to 80% of the full in lieu fee. The guarantee shall be for a term not to exceed 39 months, and of a type described in Article 11.B.2.A.6.	5.G.1.C.4.b.2)c)(1)(e)
	Detailed description of the proposed exchange project, including Site location, Land use designation, Zoning, and Density bonus determination if applicable		5.G.1.C.4.b.2)c)(1)(b)	
	Total number of proposed units by Type, Size, and Income category		5.G.1.C.4.b.2)c)(1)(b)	
	Proposed exchange project layout including the number and type of buildings		5.G.1.C.4.b.2)c)(1)(b)	
	Proposed exchange project schedule		5.G.1.C.4.b.2)c)(1)(b)	
	Status of any development approvals		5.G.1.C.4.b.2)c)(1)(a)	
	2 weeks prior to Application for 1 <sup>st</sup> Market Rate Building Permit		For projects in municipalities or unincorporated projects of less than 10 units, affidavit of compliance with WHP requirement that WHP unit exteriors be compatible with market rate units in project (if any)	5.G.1.A.3.h.1)a)
		For projects in municipalities or unincorporated projects of less than 10 units, affidavit of compliance with WHP requirement for models (all units) and minimum appliances and number/sizes of bedrooms (for-sale units)	5.G.1.A.3.h.1)b), c) & 2)	
		Evidence of receipt of payment of the exchange price	5.G.1.C.4.b.2)c)(1)(a)	
		Recorded restrictive covenant for the exchange project site	5.G.1.C.4.b.2)c)(1)(d)	
		Recorded restrictive covenant for the market rate site	5.G.1.D.1.a.; 5.G.1.D.2.a.	
	<b>No Exchange Builder</b>	2 weeks prior to Application for 1 <sup>st</sup> Market Rate Building Permit	Guarantee acceptable to Palm Beach County and approved by the County Attorney's office, for an amount equal to 100% of the in lieu fee. The guarantee shall be for a term not to exceed 39 months, and of a type described in Article 11.B.2.A.6.	5.G.1.C.4.b.2)c)(2)

Please consult the Planning Division's [WHP webpage](#) and Article 5, Chapter G, Section 1 of the ULDC for full WHP program requirements, or contact the Planning Division at 561-233-5300. Key requirements include:

- For-sale market rate developments that opt to provide WHP units as off-site rentals have 1.5 times the obligation.
- Market-rate projects that opt for the Limited Incentive Option of the WHP are required to provide their WHP units in the lowest two income/rent categories of Low and Moderate 1.
- Exteriors of WHP units must be compatible with that of market rate units in the project; affidavit to be provided by licensed architect or other qualified design professional; models (all units) and minimum appliances and number/sizes of bedrooms (for-sale units)
- WHP models must be provided on site, at other projects in Palm Beach County, or in a market rate unit with differences delineated.