



Draft: June 30, 2022

Affordable Housing Incentive Zoning Policy Procedures Manual

Town Council Adopted
_____, 2022

Town of Apex
Planning & Community Development
73 Hunter Street
Apex, NC 27502
919.249.3426 (Phone)

Contents

1	Overview	4
1.1	Introduction	4
1.2	Goals	4
1.3	Applicability	4
1.4	Alternatives to Policy Recommendations.....	5
1.5	Policy Organization	5
1.6	Authority.....	5
2	Affordable Housing Incentive Zoning Policy Process.....	6
2.1	Step 1: Pre-application Meeting	6
2.2	Step 2: Town Staff Meetings	6
2.3	Step 3: Affordable Housing Proposal Submittal	6
2.4	Step 4: Affordable Housing Zoning Condition	7
2.5	Step 5: Affordable Housing Restrictive Covenant	7
3	Affordable Housing Income Categories, Housing Tenure and AMI Percentages.....	8
3.1	Affordable Housing Ownership On-Site Percentage, Income Category and AMI Percentage.....	8
3.2	Affordable Housing Ownership On-Site Percentage Credit.....	9
3.3	Affordable Housing Ownership Housing Costs and Initial Sales Prices.....	9
3.4	Other Programs for Affordable Housing Ownership	9
3.5	Affordable Housing Rental On-Site Percentage, Income Category and AMI Percentage	10
3.6	Other Programs for Affordable Housing Rental.....	10
3.7	Affordable Housing Ownership and Rental On-Site Percentages, Income Categories and AMI Percentages	10
3.8	Affordable Housing Unit Fraction Calculations and Applicability.....	11
3.9	Terms of Affordability & Restrictive Covenant	11
3.10	Additional Restrictive Covenant.....	11
4	Town Incentives.....	13
4.1	Zoning-Based Incentives	13
4.1.1	Higher Density Zoning District – Zoning-Based.....	13
4.1.2	Density Bonus – Zoning-Based	13
4.1.3	Development Standards – Zoning-Based.....	13
4.1.4	Resource Conservation Area (RCA) Reduction – Zoning-Based.....	13
4.1.5	Parking Reductions – Zoning-Based	14
4.1.6	Sidewalk Reductions – Zoning-Based	14
4.2	Non-Financial Incentives.....	14
4.2.1	Expedited Processing – Non-Financial	14
4.3	Financial Incentives	14
4.3.1	Loan, Grants and Reimbursements – Financial	14

List of Tables

Table 1	– Minimum Policy Recommendation Applicability Standards	5
Table 2	– Affordable Housing Income Categories, Housing Tenure and AMI Percentages.....	8
Table 3	– Ownership On-Site Percentage, Income Category and AMI Percentage	8
Table 4	– Affordable Housing Ownership Unit Credit.....	9
Table 5	– Rental On-Site Percentage, Income Category and AMI Percentage	10

Table 6 – Ownership and Rental On-Site Percentages, Income Categories and AMI Percentages ... 11
 Table 7 – Affordable Housing Unit Fraction Applicability..... 11

List of Appendices

Appendix A – Procedures Manual Definitions.....16
 Appendix B – Affordable Housing Ownership Costs and Initial Sales Price.....20
 Assumptions and Examples20
 Appendix C – Affordable Housing Proposal Rental Development Template.....24
 Appendix D – Affordable Housing Proposal Ownership Development Template.....30

DRAFT

1 Overview

1.1 Introduction

Incentive zoning policies encourage applicants to provide a public service, such as residential affordable housing units or lots, in exchange for zoning-based, non-financial and financial incentives. By adopting the Town of Apex (Town) Affordable Housing Plan (Plan), Town Council provided direction to establish an Affordable Housing Incentive Zoning Policy (Policy) that would set forth clear minimum recommendation criteria, applicability standards, and a menu of zoning-based, non-financial and financial incentive options for applicants to consider in exchange for providing residential affordable housing units or lots within a development.

The Affordable Housing Incentive Zoning Policy Procedures Manual (Procedures Manual) details the Town's minimum recommendations and applicability standards for residential affordable housing units or lots generated through this Policy. The criteria in this Procedures Manual must be interpreted in conjunction with the Town's Unified Development Ordinance (UDO). A separate manual, called the Affordable Housing Incentive Zoning Policy Administration Manual (Administration Manual) details specific procedures for the on-going administration of residential affordable housing units or lots generated through this Policy.

1.2 Goals

The goals of this Policy are to:

- Provide a clear process and understanding of the Town's minimum recommendations and applicability standards for Town staff and prospective applicants who may consider utilizing this Policy;
- Add residential affordable housing units or lots to the Town's affordable housing portfolio;
- Generate residential affordable housing units that are reflective of the Town's highest priority needs;
- Create mixed-income communities, in which residential affordable housing units are integrated within residential and mixed-use market-rate developments; and
- Offset potential market-rate development revenue loss for constructing newly-created residential affordable housing units or lots through the use of zoning-based, non-financial and financial incentives.

1.3 Applicability

This Policy is applicable within zoning districts that allow residential and mixed-use development per Sec. 4.2.2 of the UDO. Applicants whose development meets the minimum Policy recommendations or submits an alternative proposal may apply (subject to Town Council approval) for zoning-based, non-financial and financial incentives through the rezoning and Planned Unit Development (PUD) approval process in exchange for providing residential affordable housing units or lots within a development. Table 1 below shows the minimum Policy recommendation applicability standards.

Table 1 – Minimum Policy Recommendation Applicability Standards

Minimum Development Unit Size Threshold	Minimum Affordable Housing Rental/Ownership On-Site Unit/Lot Percentage (%)	Maximum Affordable Housing Rental AMI Percentage (%) & Income Category	Maximum Affordable Housing Ownership AMI Percentage (%) & Income Category	Minimum Affordability Term
20+ Units/Lots	*5%	Up to 60% AMI Low-Income (Tier 1)	Up to 100% AMI Median-Income	20 Years

*See footnote below.¹

1.4 *Alternatives to Policy Recommendations*

Applicant proposals submitted to the Town that differ from the minimum Policy recommendations described in this Procedures Manual will be considered alternative proposals. If alternatives are proposed, the applicant should specify if the alternatives are less than, equivalent to, or greater than the minimum Policy recommendations in the Affordable Housing Proposal (AHP) described in this Policy. An applicant is not precluded from requesting one or more zoning-based, non-financial or financial incentives if proposing an alternative proposal (i.e. different on-site residential affordable housing unit or lot percentage, different Area Median Income (AMI) percentage category, different affordability term, etc.), that differs from the Town’s minimum Policy recommendation. The Town Council may approve, conditionally approve, or deny any proposal including an alternative proposal. The Town may retain the services of a consultant or outside legal counsel to review the reasonableness of the submitted proposal.

1.5 *Policy Organization*

Section 2 of this Policy describes the process applicants will undertake to work with Town staff to prepare an affordable housing zoning condition to present as part of a rezoning application to Planning Board and Town Council. Section 3 includes the minimum Policy recommendations associated with affordable housing for both ownership, rental, and combined proposals. Section 4 includes a menu of zoning-based, non-financial and financial incentives applicants may request (subject to Town Council approval) in exchange for providing residential affordable housing units or lots as a public service. Detailed definitions and procedures for calculating affordable housing ownership costs, initial sales prices and AHP rental and ownership templates are provided in Appendix A, B, C and D respectively.

1.6 *Authority*

The Town Manager or designee is authorized to sign all documents on behalf of the Town that implement this Policy.

¹ An affordable housing on-site unit percentage analysis was performed utilizing the following data: (1) Town rezoning applications from 2018 to 2021, (2) regional jurisdictions Affordable Housing, Density Bonus and Inclusionary Housing Ordinances within and outside of Wake County. As a result, the empirical data showed that a minimum Policy recommendation of five percent (5%) on-site for affordable housing units or lots was supported for recommendation.

2 Affordable Housing Incentive Zoning Policy Process

This Policy provides a menu of zoning-based, non-financial and financial incentive options for applicants to request (subject to Town Council approval) in exchange for providing residential affordable housing units or lots on-site within a development through the rezoning and PUD approval process. A summary of the review process and schedules for Rezoning and PUD applications can be found at <http://www.apexnc.org/215/Applications-Schedules>.

2.1 Step 1: Pre-application Meeting

This is the first step of the rezoning and PUD process, as the applicant will have an opportunity to meet with the Town's Technical Review Committee (TRC) and receive feedback regarding all aspects of the proposed development. In addition, this will be an opportunity for the TRC to inform the developer about the Town's minimum Policy recommendations.

2.2 Step 2: Town Staff Meetings

The applicant will have an opportunity to schedule one or more meetings with Town staff to go over the Policy incentives and applicability standards in more detail for the proposed development. A Town planning staff member and housing staff member will be assigned to each project as this will provide the applicant with additional technical assistance to determine how the proposed Policy incentives and applicability standards might be applied to the proposed development. This step will also assist the applicant with the information needed for drafting and submitting the AHP concurrently with the rezoning application for Town staff to review and comment.

2.3 Step 3: Affordable Housing Proposal Submittal

At this next stage of the process, the applicant will submit an AHP concurrently with the rezoning application. The AHP will detail the applicant's affordable housing proposal (i.e. incentives requested, number of affordable units, AMI %'s, tenure, affordability period, etc.) to the Town and describe how the applicant proposes to address the affordable housing component for the proposed development. See Appendix C and Appendix D, which provides a template of the AHP for both a rental and ownership development.

In addition, the AHP may address the following affordable housing unit design and location recommendations:

- a. Residential affordable housing units should be comparable to market-rate units in terms of unit type, consistency in building materials, overall quality of construction, and consistent with current building code standards for new construction housing.
- b. Residential affordable housing lot sizes, number of bedrooms and number of garages may be less than the market-rate housing units.
- c. Residential affordable housing units should be disbursed through the development as evenly as possible based on project location, project size, proximity to transit, number of buildings and number of phases.

Town staff will review the AHP and provide comments to the applicant, if necessary in order to revise the AHP. This process will continue until the applicant's AHP have been finalized.

2.4 *Step 4: Affordable Housing Zoning Condition*

Once the AHP has been finalized, the applicant will have the necessary information needed to draft the affordable housing zoning condition. Town staff will review the applicant's proposed affordable housing zoning condition and work with the applicant to revise the condition, if necessary. This process will continue with the goal that the applicant's affordable housing zoning condition can be recommended for approval by Town staff as part of the rezoning application. The next step is to take the rezoning application, which will include the proposed affordable housing zoning condition, before the Planning Board and Town Council for consideration.

2.5 *Step 5: Affordable Housing Restrictive Covenant*

Once the rezoning application which includes the affordable housing zoning condition has been approved by Town Council, the applicant and Town staff will work with the Town's Legal Department to execute and record a restrictive covenant (i.e. affordable housing agreement) to memorialize the affordable housing terms and conditions of the approved zoning condition against the property and/or individual lots designated for the residential affordable housing units. For rental developments, the restrictive covenant should be recorded against the property prior to the issuance of the first Certificate of Occupancy. For ownership developments, the restrictive covenant should be recorded against the individual lots designated for the residential affordable housing ownership units prior to the issuance of a building permit for such lots. The individual lots designated for the residential affordable housing ownership units should also be identified on the Master Subdivision Final Plat, which may be amended from time to time. The Town may retain the services of a consultant or outside legal counsel to review the restrictive covenant prior to recordation.

3 Affordable Housing Income Categories, Housing Tenure and AMI Percentages

This Policy is applicable to the affordable housing income categories and maximum AMI percentages per housing tenure type for both residential affordable housing ownership and rental units as shown in Table 2.

Table 2 – Affordable Housing Income Categories, Housing Tenure and AMI Percentages

*Maximum Affordable AMI Percentages (%’s)	Affordable Housing Income Categories	Housing Tenure Type
Up to 60% AMI	Low-Income (Tier 1)	Rental
+Up to 100% AMI	Median-Income	Ownership

*Based on U.S. Department of Housing and Urban Development (HUD) Raleigh, NC Metropolitan Statistical Area (MSA) Area Median Income (AMI) published income limits and North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) published income limits for the Wake County Metropolitan area, see footnote below.²

+Affordable housing income category and AMI percentage not eligible with Policy financial incentives.

3.1 Affordable Housing Ownership On-Site Percentage, Income Category and AMI Percentage

When an applicant proposes residential affordable housing ownership units or lots within a development, the minimum recommended on-site percentage, income category and maximum AMI percentage is shown in Table 3.

Table 3 – Ownership On-Site Percentage, Income Category and AMI Percentage

Minimum Affordable Housing Ownership On-Site Unit/Lot Percentage (%)	Maximum Affordable AMI Percentage (%) And Income Category
5%	Up to 100% AMI Median-Income

² The Town is considered a high cost area, as the Town’s market-rate rents and median home sales prices are higher than most jurisdictions within Wake County. An affordable housing rental and ownership AMI analysis was performed utilizing the following: (1) regional jurisdictions Affordable Housing, Density Bonus and Inclusionary Housing Ordinances within and outside of Wake County, (2) HUD industry standards, (3) non-profit affordable housing providers, (4) market-rate-income analysis, (5) market-rate rent analysis and (6) market-rate ownership analysis. As a result, the empirical data showed that up to sixty percent (60%) AMI for affordable housing rental units and up to one-hundred percent (100%) AMI for affordable housing ownership units was supported for recommendation.

3.2 *Affordable Housing Ownership On-Site Percentage Credit*

If an applicant is proposing to construct the residential affordable housing ownership units in-house, rather than partnering, selling, donating or transferring the lots to another entity or program (i.e. Habitat for Humanity, community land trust, etc.), in order for the applicant to receive credit toward the minimum Policy recommendation of five percent (5%) on-site for residential affordable housing ownership units within a development, the affordable housing ownership initial sales price (includes unit and lot price) must be at least ten percent (10%) below the market-rate initial sales price/appraised value (includes unit and lot price) for the specific residential affordable housing ownership units based on bedroom size and affordable AMI percentage category (up to 80% AMI – Low-Income (Tier 3), up to 100% AMI – Median-Income). The residential market-rate units should be reflective of a similar floor plan as the residential affordable housing ownership units within the development. Table 4 shows examples of different scenarios of when an applicant will or will not receive credit toward the minimum Policy recommendation of five percent (5%) on-site for residential affordable housing ownership units. This threshold does not apply when an applicant is proposing to partner, sell, donate or transfer the lots to another entity or program (i.e. Habitat for Humanity, community land trust, etc.) who will in turn construct the residential affordable housing ownership units at an affordable initial sales price.

Table 4 – Affordable Housing Ownership Unit Credit

Bedroom Size	Maximum Affordable AMI Percentages (%'s)	Market-Rate Initial Sales Price (Unit & Lot)	Affordable Housing Initial Sales Price (Unit & Lot)	Affordable Housing Initial Sales Price Percentage (%) Below Market-Rate Initial Sales Price (Min. 10%)	Affordable Housing Unit Credit
3	80% AMI Low-Income (Tier 2)	\$325,000	\$308,750 Similar Floor Plan	5%	No
3	+100% AMI Median-Income	\$350,000	\$308,000 Similar Floor Plan	12%	Yes

+Not eligible with Town financial incentives.

3.3 *Affordable Housing Ownership Housing Costs and Initial Sales Prices*

Instructions and examples for calculating the maximum monthly affordable housing ownership costs and maximum initial sales prices are provided in Appendix B.

3.4 *Other Programs for Affordable Housing Ownership*

An applicant may include residential affordable housing ownership units on-site through other state, federal or local affordable housing programs or construction partnerships (i.e. Habitat for Humanity,

community land trust, etc.). When residential affordable housing ownership units are proposed to be included through other state, federal or local affordable housing programs or construction partnerships (i.e. Habitat for Humanity, community land trust, etc.), the Town will work with all entities involved on the specific regulatory requirements of those programs or partnerships for the residential affordable housing ownership units within the development. If an applicant is proposing to satisfy the minimum Policy recommendation of five percent (5%) on-site for the residential affordable housing ownership units through other affordable housing programs or construction partnerships, a formal written agreement (i.e. MOU, development agreement, etc.) should be in place between the entities involved. The specifics of the proposal should also be included in the applicant’s AHP.

3.5 Affordable Housing Rental On-Site Percentage, Income Category and AMI Percentage

When an applicant proposes residential affordable housing rental units within a development, the minimum recommended on-site percentage, income category and maximum AMI percentage is shown in Table 5.

Table 5 – Rental On-Site Percentage, Income Category and AMI Percentage

Minimum Affordable Housing Rental On-Site Unit Percentage (%)	Maximum Affordable AMI Percentage (%) and Income Category
5%	Up to 60% AMI Low-Income (Tier 1)

3.6 Other Programs for Affordable Housing Rental

An applicant may include residential affordable housing rental units through other state, federal or local affordable housing programs (i.e. Section 8 Housing Choice Voucher Program, Low-Income Housing Tax Credit (LIHTC) Program, etc.) or other construction partnerships. When residential affordable housing rental units are proposed to be included through other state, federal or local affordable housing programs or construction partnerships, the Town will work with all entities involved on the specific regulatory requirements of those programs or partnerships for the residential affordable housing rental units within the development. If an applicant is proposing to satisfy the minimum Policy recommendation of five percent (5%) on-site for the residential affordable housing rental units through other affordable housing programs or construction partnerships, a formal written agreement (i.e. MOU, development agreement, etc.) should be in place between the entities involved. The specifics of the proposal should also be included in the applicant’s AHP as part of the rezoning application process.

3.7 Affordable Housing Ownership and Rental On-Site Percentages, Income Categories and AMI Percentages

When an applicant proposes a combination of on-site residential affordable housing ownership units or lots and rental housing units within the same development, the minimum recommended residential affordable housing on-site unit or lot percentages, income categories and maximum AMI percentages are shown in Table 6.

Table 6 – Ownership and Rental On-Site Percentages, Income Categories and AMI Percentages

<p align="center">Minimum Affordable Housing On-Site Unit/Lot Percentage (5%)</p>	<p align="center">Maximum Affordable AMI Percentages (%) and Income Categories</p>
<p align="center">5%</p>	<p align="center">Any Combination Up to 60% AMI - Rental Low-Income (Tier 1) Up to 100% AMI - Ownership Median-Income</p>

3.8 Affordable Housing Unit Fraction Calculations and Applicability

When computations for the number of on-site residential affordable housing units or lots result in a fraction, the applicability shall be as shown in Table 7.

Table 7 – Affordable Housing Unit Fraction Applicability

<p align="center">Fraction</p>	<p align="center">Applicability</p>
<p align="center">0.00 – 0.49</p>	<p align="center">No Additional Affordable Housing Unit or Lot</p>
<p align="center">0.50 – 0.99</p>	<p align="center">Round Up & Provide Additional Affordable Housing Unit or Lot</p>

3.9 Terms of Affordability & Restrictive Covenant

The minimum recommended affordability term is twenty (20) years for both residential affordable ownership units or lots and rental housing units. Residential affordable housing ownership units or lots and rental housing units will be subject to a recorded restrictive covenant (i.e. affordable housing agreement) as stated in Section 2.5 that will be executed between the Town and applicant. Final affordability terms and conditions will be included in the following: (1) zoning condition as approved by Town Council, and (2) memorialized in a recorded restrictive covenant against the property and/or lots.

3.10 Additional Restrictive Covenant

Residential affordable housing ownership units may be subject to an additional recorded restrictive covenant (i.e. resale deed restriction agreement, shared appreciation agreement, etc.) recorded against the property between one of the following; (1) the applicant and Town, (2) the applicant and individual purchasers, (3) third party entity and individual purchasers or (4) Town and individual purchasers that is above and beyond what is stated in Section 2.5 that restricts the affordable initial

sales price and resale price during the period of affordability at the agreed upon affordable income category and maximum AMI percentage. There might be some instances in which certain residential primary and/or secondary mortgage loan or grant program regulations may prohibit a recorded restrictive covenant (i.e. resale deed restriction agreement, shared appreciation agreement, etc.) to be recorded against the property. As a result, the additional recorded restrictive covenant (i.e. resale deed restriction agreement, shared appreciation agreement, etc.) will be recorded against the property with permitted residential primary and/or secondary mortgage loan or grant programs. Recorded restrictive covenants shall run with the land and will remain in effect for subsequent buyers and owners. Final affordability terms and conditions will be included in the following: (1) zoning condition as approved by Town Council, and (2) memorialized in a recorded restrictive covenant against the property or lots.

DRAFT

4 Town Incentives

An applicant may request (subject to Town Council approval) one or more of the zoning-based, non-financial and financial incentives listed in this section through the rezoning application process per development. An applicant is not precluded from requesting one or more zoning-based, non-financial or financial incentives if proposing an alternative proposal (i.e. different on-site residential affordable housing unit or lot percentage, different AMI percentage category, different affordability term, etc.), that differs from the Town's minimum Policy recommendations. All zoning-based, non-financial and financial incentives requested by the applicant are not considered to be automatically approved and are subject to Town Council consideration and approval.

4.1 *Zoning-Based Incentives*

Below is a list of zoning-based incentives that an applicant may request through this Policy.

4.1.1 *Higher Density Zoning District – Zoning-Based*

An applicant may apply for a zoning district that allows more housing types and density than otherwise indicated in the 2045 Land Use Map in an attempt to increase overall project density in order to support the provision of affordable housing.

4.1.2 *Density Bonus – Zoning-Based*

A density bonus encourages the production of affordable housing by allowing applicants to build more units or lots within the development than would otherwise be allowed by the proposed zoning district. If rezoning to the High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ), an applicant may propose a zoning condition that increases the allowed density above the 14 dwelling units per acre that the HDMF zoning district permits. An increase to at least 16 dwelling units per acre would be supported by this incentive.

4.1.3 *Development Standards – Zoning-Based*

Zoning conditions to provide adjustments to the development standards listed below may be requested in order to support the provision of affordable housing. In all cases, the type and amount of incentives proposed will be reviewed in conjunction with the 2045 Land Use Plan, including the Context Areas Map, and the character of the surrounding area. The incentives listed below in (A), (B) and (C) are applicable in any Conditional Zoning (CZ) district, without the need to rezone to a Planned Unit Development-Conditional Zoning (PUD-CZ) district.

- A. Increased maximum building height
- B. Reduced building setbacks
- C. Reduced lot widths

4.1.4 *Resource Conservation Area (RCA) Reduction – Zoning-Based*

Reduction in Resource Conservation Area (RCA): The maximum reduction that may be requested is 10%. This incentive is applicable in any Conditional Zoning (CZ) district, without the need to rezone to a Planned Unit Development-Conditional Zoning (PUD-CZ) district. The amount of reduction that

may be supported by staff will depend upon the percent of units or lots provided as affordable housing and the amount of RCA required for the property.

4.1.5 Parking Reductions – Zoning-Based

A reduction in the required amount of parking may be requested for developments that are pedestrian-oriented mixed-use and/or within .25-mile of an existing or planned bus stop. This incentive is applicable in any Conditional Zoning (CZ) district, without the need to rezone to a Planned Unit Development-Conditional Zoning (PUD-CZ) district.

4.1.6 Sidewalk Reductions – Zoning-Based

For Planned Unit Development-Conditional Zoning applications located in the Rural Context Area as depicted on the Town of Apex Context Areas Map, the Town may choose to waive the requirement in Section 2.3.4.F.1.a.iv of the UDO requiring construction of sidewalks on both sides of residential streets. In these cases, sidewalks must be provided on at least one side of all residential streets. Section 7.5.4.C of the UDO, requiring pedestrian facilities on both sides of all collector streets and thoroughfares, would not be waived.

4.2 Non-Financial Incentives

Below is a list of non-financial incentives that an applicant may request through this Policy.

4.2.1 Expedited Processing – Non-Financial

The Town, wherever possible, would consider expediting the processing of site plan and master subdivision plan applications where at least 20% of the residential units or lots are set aside for affordable housing.

4.3 Financial Incentives

Below is a list of financial incentives that an applicant may request through this Policy.

4.3.1 Loan, Grants and Reimbursements – Financial

The Town may choose to provide financial assistance in the form of a grant for reimbursement of certain development fees in order to help offset some of the total development costs for providing residential affordable housing units or lots within a development. The Town may also choose to provide financial assistance in the form of a loan or grant within a development to assist with the creation of residential affordable housing units or lots. This incentive is subject to Town funding availability. In addition, this incentive is also subject to the requirements set forth by the North Carolina General Statutes as listed below.

North Carolina General Statute § 157-3

- (a) If the Town chooses to provide financial assistance, at least twenty-percent (20%) of the total housing units within the development (ownership or rental) must be set-aside as affordable housing units for the exclusive use of persons of low-income earning no more than sixty-percent (60%) of AMI.
- (b) Specifically, for ownership developments, once the first twenty-percent (20%) set-aside for the exclusive use of persons of low-income earning no more than sixty-percent (60%) of AMI has

been satisfied, then any additional affordable housing ownership units must be set aside for the exclusive use of persons of moderate-income earning no more than eighty-percent (80%) of AMI.

- (c) Any and all financial assistance provided by the Town must be shown to flow directly to low-income and moderate-income persons and not diverted for other uses. For example, if \$10,000 of financial assistance is provided by the Town, then the entire amount must flow directly to low-income and moderate-income persons to offset their housing costs, not to the applicant (i.e. developer/builder) and not to any market-rate units that might accompany the income-restricted units.

North Carolina General Statute § 157-9.4. Multi-family Rental Housing Projects

- (a) If the Town owns, operates, or provides financial assistance to a multi-family rental housing project, at least twenty percent (20%) of the total housing units in the development shall be set aside for the exclusive use of persons of low-income earning no more than sixty percent (60%) of AMI. A single developer may group projects being developed concurrently in order to meet the requirement of this subsection.
- (b) If an authority provides financial assistance to a multi-family rental housing project, the authority shall establish, as a condition of the assistance, requirements and procedures that insure that all units initially set aside for the exclusive use of persons of low-income earning no more than sixty percent (60%) of AMI continue to be so used for at least fifteen (15) years after the initial date on which at least fifty percent (50%) of the units in the project are occupied.
- (c) Any and all financial assistance provided by the Town must be shown to flow directly to low-income persons and not diverted for other uses. For example, if \$10,000 of financial assistance is provided by the Town, then the entire amount must flow directly to low-income persons to offset their housing costs, not to the applicant (i.e. developer/builder) and not to any market-rate units that might accompany the income-restricted units.

Appendix A – Procedures Manual Definitions

“Affordable Housing” means housing on which the occupant is paying no more than thirty percent (30%) of gross monthly household income for housing costs, including utilities.

Affordable Housing Rent and Income Limit Definitions:

“Affordable Housing Extremely Low-Income Rent Income Limit” means those households whose annual income does not exceed thirty percent (30%) of the Area Median Income (AMI), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD) or as stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area.

“Affordable Housing Very Low-Income Rent Income Limit” means those households whose annual income, does not exceed fifty percent (50%) of the Area Median Income (AMI), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD) or as stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area.

“Affordable Housing Low-Income Rent Income Limit – Tier 1” means those households whose annual income, does not exceed sixty percent (60%) of the Area Median Income (AMI), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD) or as stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area.

“Affordable Housing Extremely Low-Income Rent Limit” means the affordable housing rent limits as most recently published by the U.S. Department of Housing and Urban Development (HUD) and stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area not to exceed the thirty percent (30%) Area Median Income (AMI) category based on efficiency/bedroom size. Should the NCHFA LIHTC MTSP rent limits no longer be published in the future, the Town will determine an acceptable rent limit and data source.

“Affordable Housing Very Low-Income Rent Limit” means the affordable housing rent limits as most recently published by the U.S. Department of Housing and Urban Development (HUD) and stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area not to exceed the fifty percent (50%) Area Median Income (AMI) category based on efficiency/bedroom size. Should the NCHFA LIHTC MTSP rent limits no longer be published in the future, the Town will determine an acceptable rent limit and data source.

“Affordable Housing Low-Income Rent Limit – Tier 1” means the affordable housing rent limits as most recently published by the U.S. Department of Housing and Urban Development

(HUD) and stipulated by the North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) for the Wake County Metropolitan Area not to exceed the sixty percent (60%) Area Median Income (AMI) category based on efficiency/bedroom size. Should the NCHFA LIHTC MTSP rent limits no longer be published in the future, the Town will determine an acceptable rent limit and data source.

Affordable Housing Rental Housing Cost Definitions:

“Affordable Housing Extremely Low-Income Rent Housing Costs” means a monthly rent, including utilities in the form of a utility allowance which does not exceed thirty percent (30%) times (x’s) thirty percent (30%) times (x’s) the annual median-income limit (100% AMI Category), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD). Area Median Income (AMI) shall be adjusted for assumed household size based on unit size as follows: one person in a studio unit, two persons in a one-bedroom unit, three persons in a two-bedroom unit, four persons in a three-bedroom unit, five persons in a four-bedroom unit and six persons in a five-bedroom unit.

“Affordable Housing Very Low-Income Rent Housing Costs” means a monthly rent, including utilities in the form of a utility allowance which does not exceed thirty percent (30%) times (x’s) fifty percent (50%) times (x’s) the annual median-income limit (100% AMI Category), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD). Area Median Income (AMI) shall be adjusted for assumed household size based on unit size as follows: one person in a studio unit, two persons in a one-bedroom unit, three persons in a two-bedroom unit, four persons in a three-bedroom unit, five persons in a four-bedroom unit and six persons in a five-bedroom unit.

“Affordable Housing Low-Income Rent Housing Costs – Tier 1” means a monthly rent, including utilities in the form of a utility allowance which does not exceed thirty percent (30%) times (x’s) sixty percent (60%) times (x’s) the annual median-income limit (100% AMI Category), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD). Area Median Income (AMI) shall be adjusted for assumed household size based on unit size as follows: one person in a studio unit, two persons in a one-bedroom unit, three persons in a two-bedroom unit, four persons in a three-bedroom unit, five persons in a four-bedroom unit and six persons in a five-bedroom unit.

Affordable Housing Ownership Income Limits

“Affordable Housing Low-Income Ownership Income Limits – Tier 2” means those households whose annual income, does not exceed eighty percent (80%) of the Area Median Income (AMI), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD).

“Affordable Housing Median-Income Ownership Income Limits” means those households whose annual income does not exceed one-hundred percent (100%) of the Area Median Income (AMI), adjusted for family size, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD).

Affordable Housing Ownership Housing Costs

“Affordable Housing Low-Income Ownership Housing Costs – Tier 2” means a reasonable down payment and monthly housing costs expected during the first calendar year of occupancy, including utilities or utility allowances, mortgage loan principal and interest, mortgage insurance, property taxes, homeowner’s insurance, homeowner’s association dues, if any, and all other property assessments, dues and fees assessed as a condition of property ownership, which does not exceed thirty percent (30%) times (x’s) eighty percent (80%) times (x’s) the annual median-income limit (100% AMI Category), based on a family size that is equal to the actual number of bedrooms as the affordable housing low-income ownership unit, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD).

“Affordable Housing Median-Income Ownership Housing Costs” means a reasonable down payment and monthly housing costs expected during the first calendar year of occupancy, including utilities or utility allowances, mortgage loan principal and interest, mortgage insurance, property taxes, homeowner’s insurance, homeowner’s association dues, if any, and all other property assessments, dues and fees assessed as a condition of property ownership, which does not exceed thirty percent (30%) times (x’s) one-hundred percent (100%) times (x’s) the annual median-income limit (100% AMI Category), based on a family size that is equal to the actual number of bedrooms as the affordable housing median-income ownership unit, applicable to the Raleigh, NC Metropolitan Statistical Area (MSA) as most recently published by the U.S. Department of Housing and Urban Development (HUD).

“Affordable Housing Incentive Zoning Policy” means a set of minimum Town recommendations, applicability standards and incentive options for applicants to consider in exchange for providing residential affordable housing units or lots within a development as part of the rezoning and Planned Unit Development (PUD) approval process.

“Affordable Housing Incentive Zoning Policy Administration Manual” means a manual which details policies and procedures for the on-going administration of residential affordable housing units or lots generated through the Affordable Housing Incentive Zoning Policy.

“Affordable Housing Proposal” means a document submitted by an applicant as part of the rezoning application for the development which stipulates the affordable housing criteria as specified in the Affordable Housing Incentive Zoning Policy Procedures Manual for the residential affordable housing units or lots in order to assure compliance with the Affordable Housing Incentive Zoning Policy.

“Affordable Housing Incentive Zoning Policy Procedures Manual” means a manual which details applicability standards and procedures for residential affordable housing units or lots generated through the Affordable Housing Incentive Zoning Policy.

“Affordable Housing Unit” means a residential dwelling unit or lot that meets the definition of a residential affordable housing unit or lot as detailed in the Affordable Housing Incentive Zoning Policy Procedures Manual and Affordable Housing Incentive Zoning Policy Administration Manual through the Affordable Housing Incentive Zoning Policy.

“Area Median Income” means the annual median family income for the Raleigh, NC Metropolitan Statistical Area (MSA), adjusted for family size, as most recently published and defined by the U.S. Department of Housing and Urban Development (HUD).

“For-Sale Residential Development” means any residential development or portion of a residential development that involves the creation of one or more additional dwelling units or lots that may be lawfully sold individually.

“HUD” means the U.S. Department of Housing and Urban Development.

“Period of Affordability” means the time specified in the recorded restrictive covenant for which the required number or percentage of residential affordable housing units or lots must be preserved.

“Persons of Low-Income” as defined in North Carolina General Statute § 157-3 (15a) means persons in households the annual income of which, adjusted for family size, is not more than sixty percent (60%) of the local area median family income as defined by the most recent figures published by the U.S. Department of Housing and Urban Development.

“Persons of Moderate Income” as defined in North Carolina General Statute § 157-3 (15b) means persons deemed by the authority to require the assistance made available pursuant to this Chapter on account of insufficient personal or family income taking into consideration, without limitation, (i) the amount of the total income of such persons and families available for housing needs, (ii) the size of the person's family, (iii) the cost and condition of housing facilities available, and (iv) the eligibility of such persons and families for federal housing assistance of any type predicated upon a moderate or low and moderate income basis.

“Planned Unit Development” means the zoning district established in Sec. 3.3.3.C of the UDO. This district allows for variations in development standards in order to provide a type of development that is not possible through strict application of the Ordinance.

“Maximum Allowable Affordable Housing Ownership Sales Price” means the highest dollar amount at which a residential affordable housing ownership unit may be sold.

“Maximum Allowable Affordable Housing Rent Limit” means the highest dollar amount at which a residential affordable housing rental unit may be rented including utilities or utility allowances.

“Mixed-Use Residential Development” means any development that contains both residential and non-residential uses.

“Rental Residential Development” means any residential development or portion of a residential development that creates one or more dwelling units that cannot lawfully be sold individually.

“Restrictive Covenant” means a legal document imposing a restriction on the use of land so that the affordability terms and conditions are memorialized for the residential affordable housing units or lots.

“Utility Allowance” means maintenance and utilities costs as most recently published by the U.S. Department of Veterans Affairs (VA) for affordable ownership housing and utility allowance schedule as most recently published by either the Housing Authority of the County of Wake or the Raleigh Housing Authority, NC for affordable rental housing.

“VA” means the U.S. Department of Veterans Affairs.

Appendix B – Affordable Housing Ownership Costs and Initial Sales Price Assumptions and Examples

Step 1:

Maximum Affordable Housing Ownership Housing Costs

The first step is to determine the maximum affordable housing ownership housing costs per affordable housing AMI percentage income category (i.e. 80% AMI – Low-Income (Tier 2) or 100% AMI – Median Income). The maximum affordable housing ownership housing costs determines how much a household can spend toward their total ownership housing expenses (i.e. principal and interest loan payment, property taxes, homeowner’s insurance, mortgage insurance, utilities, HOA and property assessments). The following steps below outline how the maximum affordable housing ownership housing costs are calculated.

Maximum Affordable Housing Ownership Housing Costs

The following steps below outline how the maximum affordable housing ownership housing costs are calculated.

- a. Obtain the maximum annual affordable housing ownership housing costs by multiplying the following:
 - 80% AMI - Low-Income (Tier 2) = Thirty percent (30%) times (x’s) eighty percent (80%) times (x’s) the annual median-income limit (100% AMI category) based on a household size that is equal to the actual number of bedrooms as the affordable housing low-income ownership unit, or
 - 100% AMI - Median-Income = Thirty percent (30%) times (x’s) one-hundred percent (100%) times (x’s) the annual median-income limit (100% AMI category) based on a household size that is equal to the actual number of bedrooms as the affordable housing median-income ownership unit, or

The table below provides an example of how to calculate the maximum affordable housing ownership housing costs for the different affordable housing AMI percentage income categories (i.e. 80% AMI – Low-Income (Tier 2) and 100% AMI – Median Income) based on a four (4) bedroom affordable housing unit.

Maximum Affordable Housing Ownership Housing Costs

Affordable AMI Percentages (%’s)	Unit Bedroom Size	Household Size	Annual Median-Income Limit (100% AMI) per Household Size of 4	Calculation	Maximum Monthly Affordable Housing Costs
80% AMI Low-Income (Tier 2)	4	4	\$110,100	$0.3 \times 0.8 \times \$110,100$ $= \$26,424/\text{yr.}$ divided by 12 = $\$2,202/\text{mo.}$	\$2,202

100% AMI Median-Income	4	4	\$110,100	0.3 x 1.0 x \$110,100 = \$33,030/yr. divided by 12 = \$2,753/mo.	\$2,753
---------------------------	---	---	-----------	---	---------

Step 2:

Affordable Housing Initial Sales Price Housing Costs Assumptions

After the maximum affordable housing ownership housing costs have been calculated per Step 1 above, Step 2 is to plug in the affordable housing initial sales price housing costs assumptions below in order to determine the maximum affordable housing ownership initial sales price. The maximum affordable housing ownership initial sales price housing costs (i.e. principal and interest loan payment, property taxes, homeowner's insurance, mortgage insurance, utilities, HOA and property assessments), shall not exceed the household's maximum affordable housing ownership housing costs per the applicable affordable housing income category (i.e. 80% AMI – Low-Income (Tier 2) or 100% AMI – Median Income) and bedroom size of the affordable housing unit. In order to determine the maximum affordable housing ownership initial sales price, certain housing costs assumptions must be considered. The following affordable housing ownership housing costs are assumed when calculating the maximum affordable housing ownership initial sales prices.

Affordable Housing Initial Sales Price Housing Costs Assumptions

Item	Assumption
Down Payment	3.00% of Initial Sales Price
Loan Amount	97.00% Loan-To-Value (LTV) of Initial Sales Price
Loan Term	30 Year Loan Term, Fully Amortized Principal and Interest (P&I)
Interest Rate	Fannie Mae, Single Family 30 Year Fixed, 60 Day Rate Lock
Private Mortgage Insurance (PMI)	0.50% of 1 st Mortgage Loan Amount
Property Taxes	1.00% of Initial Sales Price
Homeowners Insurance	0.25% of Initial Sales Price
Utilities or Utility Allowance	VA Maintenance & Utility Standard
Homeowners Association (HOA) Fee	Project Specific (If Applicable)
Other Property Assessments	Project Specific (If Applicable)

Step 3:

Maximum Affordable Housing Initial Sales Prices

Once Steps 1 and 2 above have been performed, Step 3 will produce the maximum affordable housing initial sales price per the affordable housing income category (i.e. 80% AMI Low-Income (Tier 2) or 100% AMI – Median Income) based on the bedroom size of the affordable housing unit. The tables below illustrate an example of a maximum affordable housing initial sales price for a three (3) bedroom 80% AMI – Low-Income (Tier 2) and three (3) bedroom 100% AMI – Median-Income affordable housing ownership unit.

Example
3 Bedroom Maximum Low-Income (80% AMI) Affordable Housing Initial Sales Price

Maximum Affordable Housing Initial Sales Price	\$256,200.00
Down Payment (3.0%)	\$7,686.00
1 st Mtg. Loan Amount (97.0%) Loan-To-Value (LTV)	\$248,514.00
1 st Mtg. Interest Rate	4.50%
1 st Mtg. Principal & Interest (P&I) Loan Payment	\$1,259.18/mo.
Property Taxes (1.0%)	\$213.50/mo.
HOA Dues (Estimated)	\$100.00/mo.
Other Property Assessments (If Applicable)	\$0.00/mo.
Homeowner’s Insurance (0.25%)	\$53.38/mo.
Utilities – VA Standard @ 0.14 cents/sq. ft Based on 1,800 sq. ft. Unit Size	\$252.00/mo.
Private Mortgage Insurance (0.50%)	\$103.55/mo.
Total Housing Cost	\$1,981.61/mo.
30% Maximum Housing Costs	\$1,982.00/mo.
Affordable Initial Sales Price Housing Costs	\$1,981.61/mo.
Dollar Difference	\$0.39/mo.

Note: The maximum affordable housing initial sales price calculation in the table above is used only for illustration and educational purposes and does not reflect any project-specific data.

Example
3 Bedroom Maximum Median-Income (100% AMI) Affordable Housing Initial Sales Price

Maximum Affordable Housing Initial Sales Price	\$334,200.00
Down Payment (3.0%)	\$10,026.00
1 st Mtg. Loan Amount (97.0%) Loan-To-Value (LTV)	\$324,174.00
1 st Mtg. Interest Rate	4.50%
1 st Mtg. Principal & Interest (P&I) Loan Payment	\$1,642.54/mo.
Property Taxes (1.0%)	\$278.50/mo.
HOA Dues (If Applicable)	\$100.00/mo.
Other Property Assessments (If Applicable)	\$0.00/mo.
Homeowner's Insurance (0.25%)	\$69.63/mo.
Utilities – VA Standard @ 0.14 cents/sq. ft Based on 1,800 sq. ft. Unit Size	\$252.00/mo.
Private Mortgage Insurance (0.50%)	\$134.07/mo.
Total Housing Cost	\$2,477.74/mo.
30% Maximum Housing Costs	\$2,478.00/mo.
Affordable Initial Sales Price Housing Costs	\$2,477.74/mo.
Dollar Difference	\$0.26/mo.

Note: The maximum affordable housing initial sales price calculation in the table above is used only for illustration and educational purposes and does not reflect any project-specific data.

Appendix C – Affordable Housing Proposal Rental Development Template

Submittal Date: _____

Submittal No.: _____

Applicant/Project Information:

Rezoning Case #: _____

Name of Applicant: _____

Applicant Representative Contact Information (Name, Phone and E-mail Address):

Name of Development: _____

Name of Market-Rate Builder/Developer: _____

Name of Affordable Housing Builder/Developer: _____

Site Address: _____

Policy Incentives (See Policy Procedures Manual For Full Incentive Descriptions):

Please check the Policy incentives being requested for the development from the list below and provide a description of the request.

1. Higher Density Zoning District (Zoning-Based)

Description of Request (i.e. Requesting rezoning from Rural Residential (RR) to Medium Density Residential (MD)): _____

2. Density Bonus High Density Multi-Family Residential (HDMF)-Conditional Zoning (CZ) (Zoning-Based)

Description of Request (i.e. Requesting a minimum of 16 du/ac): _____

3. Increased Maximum Building Height (Zoning-Based)

Description of Request (i.e. Requesting an additional xx feet): _____

4. Reduced Building Setbacks (Zoning-Based)

Description of Request (i.e. Requesting a reduction from xx feet to xx feet): _____

5. Reduced Lot Widths (Zoning-Based)

Description of Request (i.e. Requesting a reduction from xx feet to xx feet): _____

6. Resource Conversation Area (RCA) Reduction (Zoning-Based)

Description of Request (i.e. Requesting a reduction of xx percent): _____

7. Parking Reductions (Zoning-Based)

Description of Request (i.e. Requesting reduction of parking standards from xx spaces to xx spaces or xx spaces per unit to xx spaces per unit): _____

8. *Sidewalk Reductions (Zoning-Based)

Description of Request (i.e. Requesting to waive UDO requirement to construct sidewalks on both sides of residential streets): _____

**Note: Incentive is only available in Rural Context Area as depicted on the Town of Apex Context Area Maps.*

9. *Expedited Processing of Site Plan and Master Subdivision Plan Applications (Non-Financial)

Description of Request (i.e. Requesting expedited processing of Site Plan or Master Subdivision Plan): _____

**Note: Min. 20% of the residential units or lots to be set aside for affordable housing in order to qualify for this incentive.*

10. *Loans, Grants and Reimbursements (Financial)

Description of Request (i.e. Requesting a fee reimbursement in the amount of \$xx for the water capital reimbursement fee): _____

**Note: Min. 20% of the residential units or lots to be set aside for affordable housing and not to exceed 60% AMI in order to qualify for this incentive. Subject to North Carolina General Statutes § 157-3 and*

Affordable Housing Proposal Summary Information:

Rental Development		
Policy Item	Minimum Policy Recommendations	Applicant Proposal (If Not Proposing Minimum Policy Recommendations, The Proposal Is Considered An Alternative Proposal)
Min. Affordable Housing Rental On-Site Unit Percentage (%)	5.0%	
Maximum Affordable Rental AMI% and Income Category	60% AMI Low-Income (Tier 1)	
Minimum Affordability Term	20 Years	
Affordable Housing Rental Unit Administration (i.e. Property Management Functions)	Applicant or Applicant's Property Management Company	

Alternative Proposals:

If submitting an alternative proposal that is different than the minimum Policy recommendations (i.e. different on-site unit %, different maximum AMI %, different affordability term, etc.), please submit reason here:

Other Policy Unit/Design Recommendations:

- a. Residential affordable housing units should be comparable to market-rate units in terms of unit type, consistency in building materials, overall quality of construction, and consistent with current building code standards for new construction housing.
- b. Residential affordable housing lot sizes, number of bedrooms and number of garages may be less than the market-rate housing units.

- c. Residential affordable housing units should be disbursed through the development as evenly as possible based on project location, project size, proximity to transit, number of buildings and number of phases.

Market-Rate Development Information

Total Number of Market-Rate Rental Units Proposed: _____

Total Number of Residential Buildings: _____

Market-Rate Rental Unit Types (please check all that apply below):

- Single-Family Detached
- Single-Family Attached
- Townhouse Detached
- Townhouse Attached
- Apartments
- Other, Please Specify _____

Market-Rate Rental Unit Bedroom Sizes (please check all that apply below):

- Studio/SRO/Efficiency
- 1 Bedroom
- 2 Bedroom
- 3 Bedroom
- 4 Bedroom

Estimated Market-Rate Rental Unit Sizes (please check and insert all that apply below):

- Studio/SRO/Efficiency = _____ (sq./ft.)
- 1 Bedroom = _____ (sq./ft.)
- 2 Bedroom = _____ (sq./ft.)
- 3 Bedroom = _____ (sq./ft.)
- 4 Bedroom = _____ (sq./ft.)

*Estimated Market-Rate Monthly Rent Prices (please check and insert all that apply below):

- Studio/SRO/Efficiency = \$ _____ /mo.
- 1 Bedroom = \$ _____ /mo.
- 2 Bedroom = \$ _____ /mo.
- 3 Bedroom = \$ _____ /mo.

4 Bedroom = \$ _____ /mo.

**Market-Rate Monthly Rent Prices Subject to Change*

Affordable Housing Rental Summary Information

Total Number of Affordable Housing Rental Units Proposed: _____

Will Affordable Housing Rental Units Be Subsidized By Other Programs (i.e. Section 8 Housing Choice Voucher, Low-Income Housing Tax Credit (LIHTC), etc.)? If Yes, Please List Programs:

How Will You Notify Residents of Affordable Housing Rental Opportunities (i.e. interest list, waiting list, application period, etc.) For This Development?

Affordable Housing Rental Unit Types (please check all that apply below):

- Single-Family Detached
- Single-Family Attached
- Townhouse Detached
- Townhouse Attached
- Apartments
- Other, Please Specify _____

Affordable Housing Rental Unit Bedroom Sizes, Number of Affordable Units and Maximum Affordable AMI % (please check and insert all that apply below):

- Studio/SRO/Efficiency
of Affordable Units = _____ @ _____ AMI %
- 1 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 2 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 3 Bedroom,
of Affordable Units = _____ @ _____ AMI %
- 4 Bedroom
of Affordable Units = _____ @ _____ AMI %

Estimated Affordable Housing Rental Unit Sizes (please check and insert all that apply below):

- Studio/SRO/Efficiency = _____ (sq./ft.)
- 1 Bedroom = _____ (sq./ft.)
- 2 Bedroom = _____ (sq./ft.)
- 3 Bedroom = _____ (sq./ft.)
- 4 Bedroom = _____ (sq./ft.)

*Estimated Affordable Housing Maximum Monthly Rent Limits (Including Utilities) and Maximum Affordable AMI %:

Note: Town staff to provide this information to Applicant

- Studio/SRO/Efficiency = \$ _____ /mo. @ _____ AMI %
- 1 Bedroom = \$ _____ /mo. @ _____ AMI %
- 2 Bedroom = \$ _____ /mo. @ _____ AMI %
- 3 Bedroom = \$ _____ /mo. @ _____ AMI %
- 4 Bedroom = \$ _____ /mo. @ _____ AMI %

**Affordable Housing Maximum Monthly Rent Limits Subject to Change*

Applicant Authorized Representative:

Reviewed and Approved By:

Insert Name & Job Title

Insert Town Staff Name & Job Title

Appendix D – Affordable Housing Proposal Ownership Development Template

Submittal Date: _____

Submittal No.: _____

Applicant/Project Information:

Rezoning Case #: _____

Name of Applicant: _____

Applicant Representative Contact Information (Name, Phone and E-mail Address):

Name of Development: _____

Name of Market-Rate Builder/Developer: _____

Name of Affordable Housing Builder/Developer: _____

Site Address: _____

Policy Incentives (See Policy Procedures Manual For Full Incentive Descriptions):

Please check the Policy incentives being requested for the development from the list below and provide a description of the request.

1. Higher Density Zoning District (Zoning-Based)

Description of Request (i.e. Requesting rezoning from Rural Residential (RR) to Medium Density Residential (MD)): _____

2. Density Bonus High Density Multi-Family Residential (HDMF)-Conditional Zoning (CZ) (Zoning-Based)

Description of Request (i.e. Requesting a minimum of 16 du/ac): _____

3. Increased Maximum Building Height (Zoning-Based)

Description of Request (i.e. Requesting an additional xx feet): _____

4. Reduced Building Setbacks (Zoning-Based)

Description of Request (i.e. Requesting a reduction from xx feet to xx feet): _____

5. Reduced Lot Widths (Zoning-Based)

Description of Request (i.e. Requesting a reduction from xx feet to xx feet): _____

6. Resource Conversation Area (RCA) Reduction (Zoning-Based)

Description of Request (i.e. Requesting a reduction of xx percent): _____

7. Parking Reductions (Zoning-Based)

Description of Request (i.e. Requesting reduction of parking standards from xx spaces to xx spaces or xx spaces per unit to xx spaces per unit): _____

8. *Sidewalk Reductions (Zoning-Based)

Description of Request (i.e. Requesting to waive UDO requirement to construct sidewalks on both sides of residential streets): _____

**Note: Incentive is only available in Rural Context Area as depicted on the Town of Apex Context Area Maps.*

9. *Expedited Processing of Site Plan and Master Subdivision Plan Applications (Non-Financial)

Description of Request (i.e. Requesting expedited processing of Site Plan or Master Subdivision Plan): _____

**Note: Min. 20% of the residential units or lots to be set aside for affordable housing in order to qualify for this incentive.*

10. *Loans, Grants and Reimbursements (Financial)

Description of Request (i.e. Requesting a fee reimbursement in the amount of \$xx for the water capital reimbursement fee): _____

**Note: Min. 20% of the residential units or lots to be set aside for affordable housing and not to exceed 60% AMI in order to qualify for this incentive. Subject to North Carolina General Statutes § 157-3 and*

Affordable Housing Proposal Summary Information:

Ownership Development		
Policy Item	Minimum Policy Recommendations	Applicant Proposal (If Not Proposing Minimum Policy Recommendations, The Proposal Is Considered An Alternative Proposal)
Min. Affordable Housing Ownership On-Site Unit/Lot Percentage (%)	5.0%	
Maximum Affordable Ownership AMI% and Income Category	100% AMI Median-Income	
Minimum Affordability Term	20 Years	
Affordable Housing Ownership Unit Administration (i.e. Resales, Refinances, Annual Occupancy Verifications, etc.)	See Options To Right	<p style="text-align: center;">Please Circle Option</p> <p style="text-align: center;">Option 1: Applicant (In-House)</p> <p style="text-align: center;">Option 2: Third-Party Administrator (i.e. Habitat for Humanity, Community Land Trust, etc.)</p> <p style="text-align: center;">Insert Third-Party Administrator Name:</p> <hr style="width: 20%; margin-left: auto; margin-right: auto;"/> <p style="text-align: center;">Option 3: Town of Apex</p>

Alternative Proposals:

If submitting an alternative proposal that is different than the minimum Policy recommendations (i.e. different on-site %, different AMI %, different affordability term, etc.), please submit reason here:

Other Policy Unit/Design Recommendations:

- a. Residential affordable housing units should be comparable to market-rate units in terms of unit type, consistency in building materials, overall quality of construction, and consistent with current building code standards for new construction housing.
- b. Residential affordable housing lot sizes, number of bedrooms and number of garages may be less than the market-rate housing units.
- c. Residential affordable housing units should be disbursed through the development as evenly as possible based on project location, project size, proximity to transit, number of buildings and number of phases.

Market-Rate Development Summary Information

Total Number of Market-Rate Ownership Units Proposed: _____

Total Number of Phases Proposed: _____

Estimated Monthly HOA Dollar Amount: \$ _____

Market-Rate Ownership Unit Types (please check all that apply below):

- Single-Family Detached
- Single-Family Attached
- Condominium
- Townhouse Detached
- Townhouse Attached
- Other, Please Specify _____

Market-Rate Ownership Unit Bedroom Sizes (please check all that apply below):

- 1 Bedroom
- 2 Bedroom
- 3 Bedroom
- 4 Bedroom
- 5 Bedroom

Estimated Market-Rate Ownership Unit Sizes (please check and insert all that apply below):

- 1 Bedroom = _____ (sq./ft.)
- 2 Bedroom = _____ (sq./ft.)
- 3 Bedroom = _____ (sq./ft.)
- 4 Bedroom = _____ (sq./ft.)
- 5 Bedroom = _____ (sq./ft.)

*Estimated Market-Rate Ownership Unit Initial Sales Prices (Unit Price + Lot Price) (please check and insert all that apply below):

- 1 Bedroom = \$ _____
- 2 Bedroom = \$ _____
- 3 Bedroom = \$ _____
- 4 Bedroom = \$ _____
- 5 Bedroom = \$ _____

**Market-Rate Ownership Initial Sales Prices Subject to Change*

Affordable Housing Ownership Summary Information

Total Number of Affordable Housing Ownership Units/Lots Proposed: _____

Will Affordable Housing Ownership Lot(s) Be Sold/Transferred To Another Entity (i.e. Habitat for Humanity, Community Land Trust, etc.)? _____

If Yes, To Question Above, Please Insert Name of Entity: _____

In Which Phase(s) Will Affordable Housing Ownership Units Be Constructed? _____

How Will You Notify Residents of Affordable Housing Ownership Opportunities (i.e. interest list, waiting list, application period, etc.) For This Development?

Affordable Housing Ownership Unit Types (please check all that apply below):

- Single-Family Detached
- Single-Family Attached
- Condominium
- Townhouse Detached
- Townhouse Attached
- Other, Please Specify _____

Affordable Housing Ownership Unit Bedroom Sizes, Number of Affordable Units and Maximum Affordable AMI % (please check and insert all that apply below):

- 1 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 2 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 3 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 4 Bedroom
of Affordable Units = _____ @ _____ AMI %
- 5 Bedroom
of Affordable Units = _____ @ _____ AMI %

Estimated Affordable Housing Ownership Unit Sizes (please check and insert all that apply below):

- 1 Bedroom = _____ (sq./ft.)
- 2 Bedroom = _____ (sq./ft.)
- 3 Bedroom = _____ (sq./ft.)
- 4 Bedroom = _____ (sq./ft.)
- 5 Bedroom = _____ (sq./ft.)

*Estimated Affordable Housing Ownership Unit Maximum Initial Sales Prices (Unit Price + Lot Price)

Note: Town staff to provide this information to Applicant

- 1 Bedroom = \$ _____ @ _____ AMI %
- 2 Bedroom = \$ _____ @ _____ AMI %
- 3 Bedroom = \$ _____ @ _____ AMI %
- 4 Bedroom = \$ _____ @ _____ AMI %
- 5 Bedroom = \$ _____ @ _____ AMI %

**Affordable Housing Ownership Maximum Initial Sales Prices Subject to Change*

Applicant Authorized Representative:

Reviewed and Approved By:

Insert Name & Job Title

Insert Town Staff Name & Job Title