

Bill No. SB 780

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Proposed Committee Substitute by the Committee on Community
Affairs

1 A bill to be entitled

2 An act relating to affordable housing; amending

3 s. 163.3177, F.S.; requiring certain counties

4 to adopt a financially feasible plan for

5 ensuring adequate workforce housing by a

6 specified date; providing a definition;

7 providing a penalty; amending s. 163.3184,

8 F.S.; authorizing certain local government

9 comprehensive plan amendments to be expedited;

10 providing requirements for amendment notices;

11 requiring a public hearing; amending s.

12 163.3187, F.S.; authorizing certain local

13 government comprehensive plan amendments to be

14 adopted more than twice a year; amending s.

15 420.504, F.S.; providing that the corporation

16 is a state agency for purposes of the state

17 allocation pool; authorizing the corporation to

18 provide notice of internal review committee

19 meetings by publication on an Internet website;

20 providing that the corporation is not governed

21 by certain provisions relating to corporations

22 not for profit; amending s. 420.506, F.S.;

23 deleting a provision relating to lease of

24 certain state employees; amending s. 420.5061,

25 F.S.; deleting obsolete provisions; removing a

26 provision requiring all assets and liabilities

27 and rights and obligations of the Florida

28 Housing Finance Agency to be transferred to the

29 corporation; providing that the corporation is

30 the legal successor to the agency; removing a

31 provision requiring the corporation to make

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1 transfers to the General Revenue Fund; removing
2 a provision requiring all state property in use
3 by the agency to be transferred to and become
4 the property of the corporation; amending s.
5 420.507, F.S.; authorizing the corporation to
6 require that certain agreements be recorded in
7 the official records of the county where the
8 real property for an affordable housing project
9 is located; providing that such agreement is a
10 state land use regulation that limits the
11 highest and best use of the property; amending
12 s. 420.5095, F.S.; requiring the corporation to
13 establish by rule a loan application and review
14 process, a funding process, and a review
15 committee for the community workforce housing
16 innovative pilot program; providing for
17 membership; providing powers and duties of the
18 committee; requiring the corporation's board of
19 directors to make the final decisions
20 concerning ranking and program participants;
21 authorizing local governments to use state
22 housing initiative partnership funds for
23 workforce housing projects; revising criteria
24 for projects eligible to receive priority
25 funding; requiring an expedited permit process
26 for certain development orders or development
27 permits; providing loan applicant requirements;
28 revising reporting requirements; amending s.
29 420.511, F.S.; requiring that the corporation's
30 annual report include information on the
31 Community Workforce Housing Innovation Pilot

1 Program; amending s. 420.513, F.S.; providing
 2 exemption from taxes for certain instruments
 3 issued in connection with the financing of
 4 certain housing; amending s. 420.526, F.S.;
 5 revising the cap on predevelopment loans;
 6 amending s. 420.9076, F.S.; increasing
 7 affordable housing advisory committee
 8 membership; revising membership criteria;
 9 authorizing the use of fewer members under
 10 certain circumstances; revising and providing
 11 duties of the advisory committee; providing an
 12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (f) of subsection (6) of section
17 163.3177, Florida Statutes, is amended to read:

18 163.3177 Required and optional elements of
19 comprehensive plan; studies and surveys.--

20 (6) In addition to the requirements of subsections
21 (1)-(5) and (12), the comprehensive plan shall include the
22 following elements:

23 (f)1. A housing element consisting of standards,
24 plans, and principles to be followed in:

25 a. The provision of housing for all current and
26 anticipated future residents of the jurisdiction.

27 b. The elimination of substandard dwelling conditions.

28 c. The structural and aesthetic improvement of
29 existing housing.

30 d. The provision of adequate sites for future housing,
31 including housing for low-income, very low-income, and

1 moderate-income families, mobile homes, and group home
2 facilities and foster care facilities, with supporting
3 infrastructure and public facilities.

4 e. Provision for relocation housing and identification
5 of historically significant and other housing for purposes of
6 conservation, rehabilitation, or replacement.

7 f. The formulation of housing implementation programs.

8 g. The creation or preservation of affordable housing
9 to minimize the need for additional local services and avoid
10 the concentration of affordable housing units only in specific
11 areas of the jurisdiction.

12 h. By July 1, 2008, counties in which the gap between
13 the buying power of a family of four and the median county
14 home sale price exceeds \$150,000 as determined by the Florida
15 Housing Finance Corporation, and that are not designated as an
16 area of critical state concern, shall adopt a financially
17 feasible plan for ensuring adequate affordable workforce
18 housing, as defined in s. 380.0651(3)(j). At a minimum, the
19 plan shall identify and provide adequate sites for such
20 housing. For purposes of this sub-subparagraph, the term
21 "workforce housing" means housing that is affordable to
22 natural persons or families whose total household income does
23 not exceed 140 percent of the area median income, adjusted for
24 household size.

25 i. Failure by a local government to comply with the
26 requirement in s. 163.3177(6)(f)1.h. will result in the local
27 government being ineligible to receive any state housing
28 assistance grants until the requirement of s. 163.3177(6)1.h.
29 is met.

30
31 The goals, objectives, and policies of the housing element

1 must be based on the data and analysis prepared on housing
 2 needs, including the affordable housing needs assessment.
 3 State and federal housing plans prepared on behalf of the
 4 local government must be consistent with the goals,
 5 objectives, and policies of the housing element. Local
 6 governments are encouraged to utilize job training, job
 7 creation, and economic solutions to address a portion of their
 8 affordable housing concerns.

9 2. To assist local governments in housing data
 10 collection and analysis and assure uniform and consistent
 11 information regarding the state's housing needs, the state
 12 land planning agency shall conduct an affordable housing needs
 13 assessment for all local jurisdictions on a schedule that
 14 coordinates the implementation of the needs assessment with
 15 the evaluation and appraisal reports required by s. 163.3191.
 16 Each local government shall utilize the data and analysis from
 17 the needs assessment as one basis for the housing element of
 18 its local comprehensive plan. The agency shall allow a local
 19 government the option to perform its own needs assessment, if
 20 it uses the methodology established by the agency by rule.

21 Section 2. Subsection (19) is added to section
 22 163.3184, Florida Statutes, to read:

23 163.3184 Process for adoption of comprehensive plan or
 24 plan amendment.--

25 (19) Any local government that identifies in its
 26 comprehensive plan the types of housing developments and
 27 conditions for which it will consider plan amendments that are
 28 consistent with the local housing incentive strategies
 29 identified in s. 420.9076 and authorized by the local
 30 government, may expedite consideration of such plan
 31 amendments. At least 30 days prior to adopting a plan

1 amendment under this subsection, the local government shall
 2 notify the state land planning agency of its intent to adopt
 3 such an amendment, and the notice shall include the local
 4 government's evaluation of site suitability and availability
 5 of facilities and services. A plan amendment considered under
 6 this subsection shall require only a single public hearing
 7 before the local governing body, which shall be a plan
 8 amendment adoption hearing as described in subsection (7). The
 9 public notice of the hearing required under paragraph
 10 (15)(b)2. must include a statement that the local government
 11 intends to use the expedited adoption process authorized under
 12 this subsection. The state land planning agency shall issue
 13 its notice of intent required under subsection (8) within 30
 14 days after determining that the amendment package is complete.
 15 Any further proceedings shall be governed by subsections (9)
 16 through (16).

17 Section 3. Paragraph (p) is added to subsection (1) of
 18 section 163.3187, Florida Statutes, to read:

19 163.3187 Amendment of adopted comprehensive plan.--

20 (1) Amendments to comprehensive plans adopted pursuant
 21 to this part may be made not more than two times during any
 22 calendar year, except:

23 (p) Any local government comprehensive plan amendment
 24 that is consistent with the local housing incentive strategies
 25 identified in s. 420.9076 and authorized by the local
 26 government.

27 Section 4. Subsection (2) of section 420.504, Florida
 28 Statutes, is amended to read:

29 420.504 Public corporation; creation, membership,
 30 terms, expenses.--

31 (2) The corporation is constituted as a public

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1 instrumentality, and the exercise by the corporation of the
2 power conferred by this act is considered to be the
3 performance of an essential public function. The corporation
4 ~~is shall constitute~~ an agency for the purposes of s. 120.52
5 and is a state agency for purposes of s. 159.807(4). The
6 corporation is subject to chapter 119, subject to exceptions
7 applicable to the corporation, and to the provisions of
8 chapter 286; however, the corporation shall be entitled to
9 provide notice of internal review committee meetings for
10 competitive proposals or procurement to applicants by mail, ~~or~~
11 facsimile, or publication on an Internet website, rather than
12 by means of publication. The corporation is not governed by
13 chapter 607 or chapter 617, but by the provisions of this
14 part. If for any reason the establishment of the corporation
15 is deemed in violation of law, such provision is severable and
16 the remainder of this act remains in full force and effect.

17 Section 5. Section 420.506, Florida Statutes, is
18 amended to read:

19 420.506 Executive director; agents and employees.--The
20 appointment and removal of an executive director shall be by
21 the Secretary of Community Affairs, with the advice and
22 consent of the corporation's board of directors. The executive
23 director shall employ legal and technical experts and such
24 other agents and employees, permanent and temporary, as the
25 corporation may require, and shall communicate with and
26 provide information to the Legislature with respect to the
27 corporation's activities. The board is authorized,
28 notwithstanding the provisions of s. 216.262, to develop and
29 implement rules regarding the employment of employees of the
30 corporation and service providers, including legal counsel.

31 ~~The corporation is authorized to enter into a lease agreement~~

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1 ~~with the Department of Management Services or the Department~~
2 ~~of Community Affairs for the lease of state employees from~~
3 ~~such entities, wherein an employee shall retain his or her~~
4 ~~status as a state employee but shall work under the direct~~
5 ~~supervision of the corporation, and shall retain the right to~~
6 ~~participate in the Florida Retirement System.~~ The board of
7 directors of the corporation is entitled to establish travel
8 procedures and guidelines for employees of the corporation.
9 The executive director's office and the corporation's files
10 and records must be located in Leon County.

11 Section 6. Section 420.5061, Florida Statutes, is
12 amended to read:

13 420.5061 Transfer of agency assets and
14 liabilities.--~~Effective January 1, 1998, all assets and~~
15 ~~liabilities and rights and obligations, including any~~
16 ~~outstanding contractual obligations, of the agency shall be~~
17 ~~transferred to~~ The corporation is the ~~as~~ legal successor in
18 all respects to the agency, is. ~~the corporation shall~~
19 ~~thereupon become~~ obligated to the same extent as the agency
20 under any existing agreements existing on December 31, 1997,
21 and is ~~be~~ entitled to any rights and remedies previously
22 afforded the agency by law or contract, including specifically
23 the rights of the agency under chapter 201 and part VI of
24 chapter 159. ~~The corporation is a state agency for purposes of~~
25 ~~s. 159.807(4)(a).~~ Effective January 1, 1998, all references
26 under Florida law to the agency are deemed to mean the
27 corporation. ~~The corporation shall transfer to the General~~
28 ~~Revenue Fund an amount which otherwise would have been~~
29 ~~deducted as a service charge pursuant to s. 215.20(1) if the~~
30 ~~Florida Housing Finance Corporation Fund established by s.~~
31 ~~420.508(5), the State Apartment Incentive Loan Fund~~

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1 ~~established by s. 420.5087(7), the Florida Homeownership~~
2 ~~Assistance Fund established by s. 420.5088(4), the HOME~~
3 ~~Investment Partnership Fund established by s. 420.5089(1), and~~
4 ~~the Housing Predevelopment Loan Fund established by s.~~
5 ~~420.525(1) were each trust funds. For purposes of s. 112.313,~~
6 the corporation is deemed to be a continuation of the agency,
7 and the provisions thereof are deemed to apply as if the same
8 entity remained in place. Any employees of the agency and
9 agency board members covered by s. 112.313(9)(a)6. shall
10 continue to be entitled to the exemption in that subparagraph,
11 notwithstanding being hired by the corporation or appointed as
12 board members of the corporation. ~~Effective January 1, 1998,~~
13 ~~all state property in use by the agency shall be transferred~~
14 ~~to and become the property of the corporation.~~

15 Section 7. Subsection (46) is added to section
16 420.507, Florida Statutes, to read:

17 420.507 Powers of the corporation.--The corporation
18 shall have all the powers necessary or convenient to carry out
19 and effectuate the purposes and provisions of this part,
20 including the following powers which are in addition to all
21 other powers granted by other provisions of this part:

22 (46) To require, as a condition of financing a
23 multifamily rental project, that an agreement be recorded in
24 the official records of the county where the real property is
25 located, which requires that the project be used for housing
26 defined as affordable in s. 420.0004(3) by persons defined in
27 420.0004(8), (10), (11), and (15). Such an agreement is a
28 state land use regulation that limits the highest and best use
29 of the property within the meaning of s. 193.011(2).

30 Section 8. Section 420.5095, Florida Statutes, is
31 amended to read:

1 420.5095 Community Workforce Housing Innovation Pilot
2 Program.--

3 (1) The Legislature finds and declares that recent
4 rapid increases in the median purchase price of a home and the
5 cost of rental housing have far outstripped the increases in
6 median income in the state, preventing essential services
7 personnel from living in the communities where they serve and
8 thereby creating the need for innovative solutions for the
9 provision of housing opportunities for essential services
10 personnel.

11 (2) The Community Workforce Housing Innovation Pilot
12 Program is created to provide affordable rental and home
13 ownership community workforce housing for essential services
14 personnel affected by the high cost of housing, using
15 regulatory incentives and state and local funds to promote
16 local public-private partnerships and leverage government and
17 private resources.

18 (3) For purposes of this section, the following
19 definitions apply:

20 (a) "Workforce housing" means housing affordable to
21 natural persons or families whose total annual household
22 income does not exceed 140 percent of the area median income,
23 adjusted for household size, or 150 percent of area median
24 income, adjusted for household size, in areas of critical
25 state concern designated under s. 380.05, for which the
26 Legislature has declared its intent to provide affordable
27 housing, and areas that were designated as areas of critical
28 state concern for at least 20 consecutive years prior to
29 removal of the designation.

30 (b) "Essential services personnel" means persons in
31 need of affordable housing who are employed in occupations or

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1 professions in which they are considered essential services
2 personnel, as defined by each county and eligible municipality
3 within its respective local housing assistance plan pursuant
4 to s. 420.9075(3)(a).

5 (c) "Public-private partnership" means any form of
6 business entity that includes substantial involvement of at
7 least one county, one municipality, or one public sector
8 entity, such as a school district or other unit of local
9 government in which the project is to be located, and at least
10 one private sector for-profit or not-for-profit business or
11 charitable entity, and may be any form of business entity,
12 including a joint venture or contractual agreement.

13 (4) The Florida Housing Finance Corporation is
14 authorized to provide Community Workforce Housing Innovation
15 Pilot Program loans to an applicant for construction or
16 rehabilitation of workforce housing in eligible areas. ~~The~~
17 ~~corporation shall establish a funding process and selection~~
18 ~~criteria by rule or request for proposals.~~ This funding is
19 intended to be used with other public and private sector
20 resources.

21 (5) The corporation shall establish a loan application
22 process by rule which includes selection criteria, an
23 application review process, and a funding process. The
24 corporation shall also establish an application review
25 committee that may include up to three private citizens
26 representing the areas of housing or real estate development,
27 banking, community planning, or other areas related to the
28 development or financing of workforce and affordable housing.

29 (a) The selection criteria and application review
30 process must include a procedure for curing errors in the loan
31 applications which do not make a substantial change to the

1 proposed project.

2 (b) To achieve the goals of the pilot program, the
3 application review committee may approve or reject loan
4 applications or responses to questions raised during the
5 review of an application due to the insufficiency of
6 information provided.

7 (c) The application review committee shall make
8 recommendations concerning program participation and funding
9 to the corporation's board of directors.

10 (d) The board of directors shall approve or reject
11 loan applications, determine the tentative loan amount
12 available to each applicant, and rank all approved
13 applications.

14 (e) The board of directors shall decide which approved
15 applicants will become program participants and determine the
16 maximum loan amount for each program participant.

17 (6)(5) The corporation shall provide incentives for
18 local governments in eligible areas to use local affordable
19 housing funds, such as those from the State Housing
20 Initiatives Partnership Program, to assist in meeting the
21 affordable housing needs of persons eligible under this
22 program. Local governments are authorized to use State Housing
23 Initiative Partnership Program funds for persons or families
24 whose total annual household income does not exceed:

25 (a) One hundred and forty percent of the area median
26 income, adjusted for household size; or

27 (b) One hundred and fifty percent of the area median
28 income, adjusted for household size, in areas that were
29 designated as areas of critical state concern for at least 20
30 consecutive years prior to the removal of the designation and
31 in areas of critical state concern, designated under s.

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1 380.05, for which the Legislature has declared its intent to
2 provide affordable housing.

3 (7)(6) Funding shall be targeted to innovative
4 projects in areas where the disparity between the area median
5 income and the median sales price for a single-family home is
6 greatest, and ~~for projects in areas~~ where population growth as
7 a percentage rate of increase is greatest. The corporation may
8 also fund projects in areas where innovative regulatory and
9 financial incentives are made available. The corporation shall
10 fund at least one eligible project in as many counties and
11 regions of the state as is practicable, consistent with
12 program goals as possible.

13 (8)(7) Projects shall receive priority consideration
14 for funding where:

15 (a) The local jurisdiction has adopted, or is
16 committed to adopting or providing, ~~adopts~~ appropriate
17 regulatory incentives, local contributions or financial
18 strategies, or other funding sources to promote the
19 development and ongoing financial viability of such projects.
20 Local incentives include such actions as expediting review of
21 development orders and permits, supporting development near
22 transportation hubs and major employment centers, and adopting
23 land development regulations designed to allow flexibility in
24 densities, use of accessory units, mixed-use developments, and
25 flexible lot configurations. Financial strategies include such
26 actions as promoting employer-assisted housing programs,
27 providing tax increment financing, and providing land.

28 (b) Projects are innovative and include new
29 construction or rehabilitation; mixed-income housing; ~~or~~
30 commercial and housing mixed-use elements; innovative design,
31 green building principles; storm-resistant construction; or

1 other elements that reduce long-term costs relating to
 2 maintenance, utilities, or insurance and ~~those that~~ promote
 3 homeownership. The program funding may ~~shall~~ not exceed the
 4 costs attributable to the portion of the project that is set
 5 aside to provide housing for the targeted population.

6 (c) Projects that set aside at least 80 percent of
 7 units for workforce housing and at least 50 percent for
 8 essential services personnel and for projects that require the
 9 least amount of program funding compared to the overall
 10 housing costs for the project.

11 ~~(9)(8)~~ Notwithstanding ~~the provisions of~~ s.
 12 163.3184(3)-(6), any local government comprehensive plan
 13 amendment to implement a Community Workforce Housing
 14 Innovation Pilot Program project found consistent with the
 15 provisions of this section shall be expedited as provided in
 16 this subsection. At least 30 days prior to adopting a plan
 17 amendment under ~~pursuant to~~ this subsection, the local
 18 government shall notify the state land planning agency of its
 19 intent to adopt such an amendment, and the notice shall
 20 include its evaluation related to site suitability and
 21 availability of facilities and services. The public notice of
 22 the hearing required by s. 163.3184(15)(b)2. ~~(e)~~ shall include
 23 a statement that the local government intends to use ~~utilize~~
 24 the expedited adoption process authorized by this subsection.
 25 Such amendments shall require only a single public hearing
 26 before the governing board, which shall be an adoption hearing
 27 as described in s. 163.3184(7), and the state land planning
 28 agency shall issue its notice of intent pursuant to s.
 29 163.3184(8) within 30 days after determining that the
 30 amendment package is complete. Any further proceedings shall
 31 be governed by ss. 163.3184(9)-(16). Amendments proposed under

1 this section are not subject to s. 163.3187(1), which limits
 2 the adoption of a comprehensive plan amendment to no more than
 3 two times during any calendar year.

4 (10) The processing of approvals of development orders
 5 or development permits, as defined in s. 163.3164(7) and (8),
 6 for innovative community workforce housing projects shall be
 7 expedited.

8 ~~(11)(9)~~ The corporation shall award loans with
 9 interest rates set at 1 to 3 percent, which may be made
 10 forgivable when long-term affordability is provided and when
 11 at least 80 percent of the units are set aside for workforce
 12 housing and at least 50 percent of the units are set aside for
 13 essential services personnel.

14 ~~(12)(10)~~ All eligible applications shall:

15 (a) For home ownership, limit the sales price of a
 16 detached unit, townhome, or condominium unit to not more than
 17 90 ~~80~~ percent of the median sales price for that type of unit
 18 in that county, or the statewide median sales price for that
 19 type of unit, whichever is higher, and require that all
 20 eligible purchasers of home ownership units occupy the homes
 21 as their primary residence.

22 (b) For rental units, restrict rents for all workforce
 23 housing serving those with incomes at or below 120 percent of
 24 area median income at the appropriate income level using the
 25 restricted rents for the federal low-income housing tax credit
 26 program and, for workforce housing units serving those with
 27 incomes above 120 percent of area median income, restrict
 28 rents to those established by the corporation, not to exceed
 29 30 percent of the maximum household income adjusted to unit
 30 size.

31 (c) Demonstrate that the applicant is a public-private

1 partnership in an agreement, contract, partnership agreement,
 2 memorandum of understanding, or other written instrument
 3 signed by all the project partners.

4 (d) Have grants, donations of land, or contributions
 5 from the public-private partnership or other sources
 6 collectively totaling at least 15 percent of the total
 7 development cost. Such grants, donations of land, or
 8 contributions must be evidenced by a letter of commitment, an
 9 agreement, contract, deed, memorandum of understanding, or
 10 other written instrument ~~only~~ at the time of application.
 11 Grants, donations of land, or contributions in excess of 15
 12 percent of the development cost shall increase the application
 13 score.

14 (e) Demonstrate how the applicant will use the
 15 regulatory incentives and financial strategies outlined in
 16 subsection (8) ~~paragraph (7)(a)~~ from the local jurisdiction in
 17 which the proposed project is to be located. The corporation
 18 may consult with the Department of Community Affairs in
 19 evaluating the use of regulatory incentives by applicants.

20 (f) Demonstrate that the applicant possesses title to
 21 or site control of land and evidences availability of required
 22 infrastructure.

23 (g) Demonstrate the applicant's affordable housing
 24 development and management experience.

25 (h) Provide any research or facts available supporting
 26 the demand and need for rental or home ownership workforce
 27 housing for eligible persons in the market in which the
 28 project is proposed.

29 ~~(13)(11)~~ Projects may include manufactured housing
 30 constructed after June 1994 and installed in accordance with
 31 mobile home installation standards of the Department of

1 Highway Safety and Motor Vehicles.

2 ~~(14)(12)~~ The corporation may adopt rules pursuant to
3 ss. 120.536(1) and 120.54 to implement the provisions of this
4 section.

5 ~~(15)(13)~~ The corporation may use a maximum of 2
6 percent of the annual program appropriation for administration
7 and compliance monitoring.

8 ~~(16)(14)~~ The corporation shall review the success of
9 the Community Workforce Housing Innovation Pilot Program to
10 ascertain whether the projects financed by the program are
11 useful in meeting the housing needs of eligible areas and
12 shall include its findings in the annual report required under
13 s. 420.511(3). ~~The corporation shall submit its report and any~~
14 ~~recommendations regarding the program to the Governor, the~~
15 ~~Speaker of the House of Representatives, and the President of~~
16 ~~the Senate not later than 2 months after the end of the~~
17 ~~corporation's fiscal year.~~

18 Section 9. Subsection (3) of section 420.511, Florida
19 Statutes, is amended to read:

20 420.511 Business plan; strategic plan; annual
21 report.--

22 (3)(a) The corporation shall submit to the Governor
23 and the presiding officers of each house of the Legislature,
24 within 2 months after the end of its fiscal year, a complete
25 and detailed report setting forth:

26 1.~~(a)~~ Its operations and accomplishments;

27 2.~~(b)~~ Its receipts and expenditures during its fiscal
28 year in accordance with the categories or classifications
29 established by the corporation for its operating and capital
30 outlay purposes;

31 3.~~(c)~~ Its assets and liabilities at the end of its

1 fiscal year and the status of reserve, special, or other
 2 funds;

3 ~~4.(d)~~ A schedule of its bonds outstanding at the end
 4 of its fiscal year, together with a statement of the principal
 5 amounts of bonds issued and redeemed during the fiscal year;
 6 and

7 ~~5.(e)~~ Information relating to the corporation's
 8 activities in implementing the provisions of ss. 420.5087, ~~and~~
 9 420.5088, and 420.5095.

10 (b) The report ~~required by this subsection~~ shall
 11 include, but not be limited to:

12 1. The number of people served, delineated by income,
 13 age, family size, and racial characteristics.

14 2. The number of units produced under each program.

15 3. The average cost of producing units under each
 16 program.

17 4. The average sales price of single-family units
 18 financed under s. 420.5088.

19 5. The average amount of rent charged based on unit
 20 size on units financed under s. 420.5087.

21 6. The number of persons in rural communities served
 22 under each program.

23 7. The number of farmworkers served under each
 24 program.

25 8. The number of homeless persons served under each
 26 program.

27 9. The number of elderly persons served under each
 28 program.

29 10. The extent to which geographic distribution has
 30 been achieved in accordance with the provisions of s.
 31 420.5087.

1 11. The success of the Community Workforce Housing
 2 Innovation Pilot Program in meeting the housing needs of
 3 eligible areas.

4 ~~12.11.~~ Any other information the corporation deems
 5 appropriate.

6 Section 10. Subsection (1) of section 420.513, Florida
 7 Statutes, is amended to read:

8 420.513 Exemption from taxes and eligibility as
 9 investment.--

10 (1) The property of the corporation, the transactions
 11 and operations thereof, the income therefrom, and the bonds of
 12 the corporation issued under this act, together with all
 13 notes, mortgages, security agreements, letters of credit, or
 14 other instruments that arise out of or are given to secure the
 15 repayment of bonds issued in connection with the financing of
 16 any housing ~~development~~ under this part, and all notes,
 17 mortgages, security agreements, letters of credit, or other
 18 instruments that arise out of or are given to secure the
 19 repayment of loans made or originated by the corporation under
 20 this part, as well as the interest thereon and income
 21 therefrom, regardless of the status of any party thereto as a
 22 private party, shall be exempt from taxation by the state and
 23 its political subdivisions. The exemption granted by this
 24 subsection shall not apply to any tax imposed by chapter 220
 25 on interest, income, or profits on debt obligations owned by
 26 corporations.

27 Section 11. Subsection (7) of section 420.526, Florida
 28 Statutes, is amended to read:

29 420.526 Predevelopment Loan Program; loans and grants
 30 authorized; activities eligible for support.--

31 (7) No predevelopment loan made under this section

1 shall exceed the lesser of:

2 (a) The development and acquisition costs for the
3 project, as determined by rule of the corporation; or

4 (b) Seven hundred and fifty ~~Five hundred~~ thousand
5 dollars.

6 Section 12. Subsections (2), (4), (5), and (6) of
7 section 420.9076, Florida Statutes, are amended, and
8 subsection (8) is added to that section, to read:

9 420.9076 Adoption of affordable housing incentive
10 strategies; committees.--

11 (2) The governing board of a county or municipality
12 shall appoint the members of the affordable housing advisory
13 committee by resolution. Pursuant to the terms of any
14 interlocal agreement, a county and municipality may create and
15 jointly appoint an advisory committee to prepare a joint plan.
16 The ordinance adopted pursuant to s. 420.9072 which creates
17 the advisory committee or the resolution appointing the
18 advisory committee members must provide for eleven ~~nine~~
19 committee members and their terms. The committee must include:

20 (a) One citizen who is actively engaged in the
21 residential home building industry in connection with
22 affordable housing.

23 (b) One citizen who is actively engaged in the banking
24 or mortgage banking industry in connection with affordable
25 housing.

26 (c) One citizen who is a representative of those areas
27 of labor actively engaged in home building in connection with
28 affordable housing.

29 (d) One citizen who is actively engaged as an advocate
30 for low-income persons in connection with affordable housing.

31 (e) One citizen who is actively engaged as a

1 for-profit provider of affordable housing.

2 (f) One citizen who is actively engaged as a
3 not-for-profit provider of affordable housing.

4 (g) One citizen who is actively engaged as a real
5 estate professional in connection with affordable housing.

6 (h) One citizen who actively serves on the local
7 planning agency pursuant to s. 163.3174.

8 (i) One citizen who resides within the jurisdiction of
9 the local governing body making the appointments.

10 (j) One citizen who represents employers within the
11 jurisdiction.

12 (k) One citizen who represents essential services
13 personnel, as defined in the local housing assistance plan.

14
15 If a county or eligible municipality whether due to its small
16 size, the presence of a conflict of interest by prospective
17 appointees, or other reasonable factor, is unable to appoint a
18 citizen actively engaged in these activities in connection
19 with affordable housing, a citizen engaged in the activity
20 without regard to affordable housing may be appointed. Local
21 governments that receive the minimum allocation under the
22 State Housing Initiatives Partnership Program may elect to
23 appoint an affordable housing advisory committee with fewer
24 than eleven representatives if they are unable to find
25 representatives that meet the criteria of paragraphs (a)-(k).

26 (4) Triennially, the advisory committee shall review
27 the established policies and procedures, ordinances, land
28 development regulations, and adopted local government
29 comprehensive plan of the appointing local government and
30 shall recommend specific actions or initiatives to encourage
31 or facilitate affordable housing while protecting the ability

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1 of the property to appreciate in value. ~~The~~ ~~Such~~
2 recommendations may include the modification or repeal of
3 existing policies, procedures, ordinances, regulations, or
4 plan provisions; the creation of exceptions applicable to
5 affordable housing; or the adoption of new policies,
6 procedures, regulations, ordinances, or plan provisions. At a
7 minimum, each advisory committee shall submit a report to the
8 local governing body that includes ~~make~~ recommendations on,
9 and triennially thereafter evaluates the implementation of,
10 affordable housing incentives in the following areas:

11 (a) The processing of approvals of development orders
12 or permits, as defined in s. 163.3164(7) and (8), for
13 affordable housing projects is expedited to a greater degree
14 than other projects.

15 (b) The modification of impact-fee requirements,
16 including reduction or waiver of fees and alternative methods
17 of fee payment for affordable housing.

18 (c) The allowance of flexibility in densities
19 ~~increased density levels~~ for affordable housing.

20 (d) The reservation of infrastructure capacity for
21 housing for very-low-income persons, ~~and~~ low-income persons,
22 and moderate-income persons.

23 (e) The allowance of affordable accessory residential
24 units in residential zoning districts.

25 (f) The reduction of parking and setback requirements
26 for affordable housing.

27 (g) The allowance of flexible lot configurations,
28 including zero-lot-line configurations for affordable housing.

29 (h) The modification of street requirements for
30 affordable housing.

31 (i) The establishment of a process by which a local

1 government considers, before adoption, policies, procedures,
2 ordinances, regulations, or plan provisions that increase the
3 cost of housing.

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

6 (k) The support of development near transportation
7 hubs and major employment centers and mixed-use developments.

8
9 The advisory committee recommendations may ~~must~~ also include
10 other affordable housing incentives identified by the advisory
11 committee. Local governments that receive the minimum
12 allocation under the State Housing Initiatives Partnership
13 Program shall perform the initial review, but may elect to not
14 perform the triennial review.

15 (5) The approval by the advisory committee of its
16 local housing incentive strategies recommendations and its
17 review of local government implementation of previously
18 recommended strategies must be made by affirmative vote of a
19 majority of the membership of the advisory committee taken at
20 a public hearing. Notice of the time, date, and place of the
21 public hearing of the advisory committee to adopt final local
22 housing incentive strategies recommendations must be published
23 in a newspaper of general paid circulation in the county. The
24 ~~Such~~ notice must contain a short and concise summary of the
25 local housing incentives strategies recommendations to be
26 considered by the advisory committee. The notice must state
27 the public place where a copy of the tentative advisory
28 committee recommendations can be obtained by interested
29 persons.

30 (6) Within 90 days after the date of receipt of the
31 local housing incentive strategies recommendations from the

1 advisory committee, the governing body of the appointing local
 2 government shall adopt an amendment to its local housing
 3 assistance plan to incorporate the local housing incentive
 4 strategies it will implement within its jurisdiction. The
 5 amendment must include, at a minimum, the local housing
 6 incentive strategies required under s. 420.9071(16). The local
 7 government must consider the strategies specified in
 8 paragraphs(4)(a)-(k) as recommended by the advisory committee
 9 ~~(4)(a)-(j)~~.

10 (8) The advisory committee may perform other duties at
 11 the request of the local government, including:

12 (a) The provision of mentoring services to affordable
 13 housing partners including developers, banking institutions,
 14 employers, and others to identify available incentives, assist
 15 with applications for funding requests, and develop
 16 partnerships between various parties.

17 (b) The creation of best practices for the development
 18 of affordable housing in the community.

19 Section 13. This act shall take effect July 1, 2007.

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