

1                   A bill to be entitled  
2           An act relating to affordable housing; amending s.  
3           163.3177, F.S.; revising elements of local government  
4           comprehensive plans relating to future land use and  
5           housing; requiring certain counties to adopt a financially  
6           feasible plan for ensuring adequate workforce housing by a  
7           specified date; providing a definition; providing a  
8           penalty; amending s. 163.31771, F.S.; authorizing local  
9           governments to elect not to apply transportation  
10          concurrency and impact fee requirements on accessory units  
11          on certain accessory dwelling units; amending s. 163.3180,  
12          F.S.; authorizing local governments to grant an exception  
13          from the concurrency requirement for transportation  
14          facilities; authorizing local governments to exempt  
15          certain trips from the concurrency requirement; amending  
16          s. 163.3184, F.S.; authorizing certain local government  
17          comprehensive plan amendments to be expedited; providing  
18          requirements for amendment notices; requiring a public  
19          hearing; amending s. 163.3187, F.S.; authorizing certain  
20          local government comprehensive plan amendments to be  
21          adopted more than twice a year; creating s. 193.018, F.S.;  
22          creating the Affordable Housing Property Tax Relief  
23          Initiative; providing criteria to be used in assessing  
24          just valuation of certain affordable housing properties;  
25          providing assessment guidelines; authorizing certain  
26          agreements to be considered a land use regulation and a  
27          limitation on the highest and best use of the property;  
28          creating s. 193.0185, F.S.; providing a definition;

29 providing assessment criteria for improvements used for  
30 permanently affordable housing subject to a 99-year ground  
31 lease; amending s. 196.1978, F.S.; revising an affordable  
32 housing property exemption to require that the owner be a  
33 corporation not for profit or a Florida limited  
34 partnership the sole general partner of which is such a  
35 corporation; expanding the scope of the exemption;  
36 amending s. 380.06, F.S.; providing exemptions from  
37 transportation concurrency regulations for certain  
38 affordable workforce housing units; providing that certain  
39 additional trips do not reduce development of regional  
40 impact development order entitlements; amending s.  
41 420.504, F.S.; providing that the corporation is a state  
42 agency for purposes of the state allocation pool;  
43 authorizing the corporation to provide notice of internal  
44 review committee meetings by publication on an Internet  
45 website; providing that the corporation is not governed by  
46 certain provisions relating to corporations not for  
47 profit; providing that a designee may represent the  
48 Secretary of Community Affairs on the board of directors;  
49 amending s. 420.506, F.S.; deleting a provision relating  
50 to lease of certain state employees; amending s. 420.5061,  
51 F.S.; deleting obsolete provisions; removing a provision  
52 requiring all assets and liabilities and rights and  
53 obligations of the Florida Housing Finance Agency to be  
54 transferred to the corporation; providing that the  
55 corporation is the legal successor to the agency; removing  
56 a provision requiring the corporation to make transfers to

57 | certain trust funds; removing a provision requiring all  
58 | state property in use by the agency to be transferred to  
59 | and become the property of the corporation; amending s.  
60 | 420.507, F.S.; removing a requirement that the corporation  
61 | prepare and submit a budget request to the secretary of  
62 | the department; providing the corporation the power to  
63 | require that an agreement be recorded in the official  
64 | records of the county where the real property is located;  
65 | amending s. 420.5095, F.S.; requiring the corporation to  
66 | establish a review committee for the Community Workforce  
67 | Housing Innovation Pilot Program; providing for  
68 | membership; requiring the corporation to establish a  
69 | scoring system for evaluation and competitive ranking of  
70 | applications; providing powers and duties of the  
71 | committee; requiring the corporation's board of directors  
72 | to make the final ranking and program participant  
73 | decision; revising which projects may receive priority  
74 | consideration for funding; requiring the processing of  
75 | certain approvals of development orders or development  
76 | permits to be expedited; providing applicant requirements;  
77 | authorizing certain incentives to be offered by local  
78 | governments for program participants; creating s.  
79 | 420.5096, F.S.; creating the Florida Housing Preservation  
80 | Bridge Loan Program; providing legislative findings;  
81 | providing purpose; providing definitions; providing  
82 | eligibility criteria; providing agreement requirements;  
83 | providing reporting requirements; providing rulemaking  
84 | authority; authorizing use of funds for administration and

85 monitoring; amending s. 420.526, F.S.; increasing the  
 86 threshold that certain predevelopment loans may not  
 87 exceed; amending s. 420.606, F.S.; revising legislative  
 88 findings and purpose of the training and technical  
 89 assistance program; amending s. 420.9076, F.S.; increasing  
 90 affordable housing advisory committee membership;  
 91 providing membership criteria; authorizing the use of  
 92 fewer members under certain circumstances; revising and  
 93 providing duties of the advisory committee; amending s.  
 94 1001.64, F.S.; providing for certain properties owned by  
 95 community colleges to be used for affordable housing for  
 96 community college faculty or other college personnel;  
 97 providing an effective date.

98  
 99 Be It Enacted by the Legislature of the State of Florida:

100  
 101 Section 1. Paragraphs (a) and (f) of subsection (6) of  
 102 section 163.3177, Florida Statutes, are amended to read:

103 163.3177 Required and optional elements of comprehensive  
 104 plan; studies and surveys.--

105 (6) In addition to the requirements of subsections (1)-(5)  
 106 and (12), the comprehensive plan shall include the following  
 107 elements:

108 (a) A future land use plan element designating proposed  
 109 future general distribution, location, and extent of the uses of  
 110 land for residential uses, commercial uses, industry,  
 111 agriculture, recreation, conservation, education, public  
 112 buildings and grounds, other public facilities, and other

113 categories of the public and private uses of land. Counties are  
114 encouraged to designate rural land stewardship areas, pursuant  
115 to the provisions of paragraph (11)(d), as overlays on the  
116 future land use map. Each future land use category must be  
117 defined in terms of uses included, and must include standards to  
118 be followed in the control and distribution of population  
119 densities and building and structure intensities. The proposed  
120 distribution, location, and extent of the various categories of  
121 land use shall be shown on a land use map or map series which  
122 shall be supplemented by goals, policies, and measurable  
123 objectives. The future land use plan shall be based upon  
124 surveys, studies, and data regarding the area, including the  
125 amount of land required to accommodate anticipated growth; the  
126 projected population of the area; the character of undeveloped  
127 land; the availability of water supplies, public facilities, and  
128 services; the need for redevelopment, including the renewal of  
129 blighted areas and the elimination of nonconforming uses which  
130 are inconsistent with the character of the community; the  
131 compatibility of uses on lands adjacent to or closely proximate  
132 to military installations; the need for affordable housing  
133 adjacent to or closely proximate to employment centers; and, in  
134 rural communities, the need for job creation, capital  
135 investment, and economic development that will strengthen and  
136 diversify the community's economy. The future land use plan may  
137 designate areas for future planned development use involving  
138 combinations of types of uses for which special regulations may  
139 be necessary to ensure development in accord with the principles  
140 and standards of the comprehensive plan and this act. The future

141 land use plan element shall include criteria to be used to  
142 achieve the compatibility of adjacent or closely proximate lands  
143 with military installations. If the local government elects to  
144 provide transportation concurrency exceptions for trips  
145 associated with affordable housing, the future land use plan  
146 element shall include criteria used to determine how the local  
147 government will determine what qualifies as affordable housing  
148 adjacent to or closely proximate to employment centers. In  
149 addition, for rural communities, the amount of land designated  
150 for future planned industrial use shall be based upon surveys  
151 and studies that reflect the need for job creation, capital  
152 investment, and the necessity to strengthen and diversify the  
153 local economies, and shall not be limited solely by the  
154 projected population of the rural community. The future land use  
155 plan of a county may also designate areas for possible future  
156 municipal incorporation. The land use maps or map series shall  
157 generally identify and depict historic district boundaries and  
158 shall designate historically significant properties meriting  
159 protection. For coastal counties, the future land use element  
160 must include, without limitation, regulatory incentives and  
161 criteria that encourage the preservation of recreational and  
162 commercial working waterfronts as defined in s. 342.07. The  
163 future land use element must clearly identify the land use  
164 categories in which public schools are an allowable use. When  
165 delineating the land use categories in which public schools are  
166 an allowable use, a local government shall include in the  
167 categories sufficient land proximate to residential development  
168 to meet the projected needs for schools in coordination with

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169 public school boards and may establish differing criteria for  
170 schools of different type or size. Each local government shall  
171 include lands contiguous to existing school sites, to the  
172 maximum extent possible, within the land use categories in which  
173 public schools are an allowable use. The failure by a local  
174 government to comply with these school siting requirements will  
175 result in the prohibition of the local government's ability to  
176 amend the local comprehensive plan, except for plan amendments  
177 described in s. 163.3187(1)(b), until the school siting  
178 requirements are met. Amendments proposed by a local government  
179 for purposes of identifying the land use categories in which  
180 public schools are an allowable use are exempt from the  
181 limitation on the frequency of plan amendments contained in s.  
182 163.3187. The future land use element shall include criteria  
183 that encourage the location of schools proximate to urban  
184 residential areas to the extent possible and shall require that  
185 the local government seek to collocate public facilities, such  
186 as parks, libraries, and community centers, with schools to the  
187 extent possible and to encourage the use of elementary schools  
188 as focal points for neighborhoods. For schools serving  
189 predominantly rural counties, defined as a county with a  
190 population of 100,000 or fewer, an agricultural land use  
191 category shall be eligible for the location of public school  
192 facilities if the local comprehensive plan contains school  
193 siting criteria and the location is consistent with such  
194 criteria. Local governments required to update or amend their  
195 comprehensive plan to include criteria and address compatibility  
196 of adjacent or closely proximate lands with existing military

197 installations in their future land use plan element shall  
 198 transmit the update or amendment to the department by June 30,  
 199 2006.

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

202 a. The provision of housing for all current and  
 203 anticipated future residents of the jurisdiction.

204 b. The elimination of substandard dwelling conditions.

205 c. The structural and aesthetic improvement of existing  
 206 housing.

207 d. The provision of adequate sites for future housing,  
 208 including housing for low-income, very low-income, and moderate-  
 209 income families, mobile homes, and group home facilities and  
 210 foster care facilities, with supporting infrastructure and  
 211 public facilities.

212 e. The provision of ~~for~~ relocation housing and  
 213 identification of historically significant and other housing for  
 214 purposes of conservation, rehabilitation, or replacement.

215 f. The formulation of housing implementation programs.

216 g. The creation or preservation of affordable housing to  
 217 minimize the need for additional local services and avoid the  
 218 concentration of affordable housing units only in specific areas  
 219 of the jurisdiction.

220 h. The provision of housing adjacent to or closely  
 221 proximate to employment centers that reduce trip lengths and is  
 222 affordable to the employees and persons served by the employment  
 223 center.

224 i. By July 1, 2008, counties in which the difference



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225 between the buying power of a family of four and the median  
226 county home sale price exceeds \$150,000 as determined by the  
227 Florida Housing Finance Corporation, and that are not designated  
228 as an area of critical state concern, shall adopt a financially  
229 feasible plan for ensuring adequate affordable workforce  
230 housing, as defined in s. 380.0651(3)(j). At a minimum, the plan  
231 shall identify and provide adequate sites for such housing. For  
232 purposes of this sub-subparagraph, the term "workforce housing"  
233 means housing that is affordable to natural persons or families  
234 whose total household income does not exceed 140 percent of the  
235 area median income, adjusted for household size.

236 j. Failure by a local government to comply with the  
237 requirement of sub-subparagraph h. will result in the local  
238 government being ineligible to receive any state housing  
239 assistance grants until the requirement of that sub-subparagraph  
240 is met.

241  
242 The goals, objectives, and policies of the housing element must  
243 be based on the data and analysis prepared on housing needs,  
244 including the affordable housing needs assessment. State and  
245 federal housing plans prepared on behalf of the local government  
246 must be consistent with the goals, objectives, and policies of  
247 the housing element. Local governments are encouraged to utilize  
248 job training, job creation, and economic solutions to address a  
249 portion of their affordable housing concerns.

250 2. To assist local governments in housing data collection  
251 and analysis and assure uniform and consistent information  
252 regarding the state's housing needs, the state land planning

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253 agency shall conduct an affordable housing needs assessment for  
254 all local jurisdictions on a schedule that coordinates the  
255 implementation of the needs assessment with the evaluation and  
256 appraisal reports required by s. 163.3191. Each local government  
257 shall utilize the data and analysis from the needs assessment as  
258 one basis for the housing element of its local comprehensive  
259 plan. The agency shall allow a local government the option to  
260 perform its own needs assessment, if it uses the methodology  
261 established by the agency by rule.

262 3. The housing element shall contain goals and policies to  
263 guide the local government in facilitating private and public  
264 provision of affordable housing to serve the residents and  
265 workforce with consideration given to recommendations by the  
266 affordable housing advisory committee pursuant to s. 420.9076,  
267 if applicable.

268 Section 2. Subsection (5) of section 163.31771, Florida  
269 Statutes, is amended to read:

270 163.31771 Accessory dwelling units.--

271 (5) Each accessory dwelling unit allowed by an ordinance  
272 adopted under this section shall apply toward satisfying the  
273 affordable housing component of the housing element in the local  
274 government's comprehensive plan under s. 163.3177(6)(f). The  
275 local government may elect not to apply transportation  
276 concurrency and impact fee requirements on accessory units that  
277 are subject to a recorded land use restriction agreement  
278 restricting the unit's use to affordable housing.

279 Section 3. Subsection (5) of section 163.3180, Florida  
280 Statutes, is amended to read:

281 163.3180 Concurrency.--

282 (5) (a) The Legislature finds that under limited  
 283 circumstances dealing with transportation facilities,  
 284 countervailing planning and public policy goals may come into  
 285 conflict with the requirement that adequate public facilities  
 286 and services be available concurrent with the impacts of such  
 287 development. The Legislature further finds that often the  
 288 unintended result of the concurrency requirement for  
 289 transportation facilities is the discouragement of urban infill  
 290 development and redevelopment. Such unintended results directly  
 291 conflict with the goals and policies of the state comprehensive  
 292 plan and the intent of this part. Therefore, exceptions from the  
 293 concurrency requirement for transportation facilities may be  
 294 granted as provided by this subsection.

295 (b) A local government may grant an exception from the  
 296 concurrency requirement for transportation facilities if the  
 297 proposed development is otherwise consistent with the adopted  
 298 local government comprehensive plan and is a project that  
 299 promotes public transportation, provides affordable housing in  
 300 close proximity to employment centers, or is located within an  
 301 area designated in the comprehensive plan for:

- 302 1. Urban infill development,
- 303 2. Urban redevelopment,
- 304 3. Downtown revitalization, or
- 305 4. Urban infill and redevelopment under s. 163.2517.

306 (c) The Legislature also finds that developments located  
 307 within urban infill, urban redevelopment, existing urban  
 308 service, or downtown revitalization areas or areas designated as

309 urban infill and redevelopment areas under s. 163.2517 which  
310 pose only special part-time demands on the transportation system  
311 should be excepted from the concurrency requirement for  
312 transportation facilities. A special part-time demand is one  
313 that does not have more than 200 scheduled events during any  
314 calendar year and does not affect the 100 highest traffic volume  
315 hours.

316 (d) The Legislature finds that where residential units are  
317 placed in close proximity to places of employment to reduce the  
318 burden on transportation facilities, and where the units are  
319 developed in a manner to be affordable to the workforce of that  
320 employment center, local governments should consider the  
321 systemwide benefits to the transportation system and may exempt  
322 trips associated with the residential units from concurrency if  
323 locating additional residential units in specific areas will  
324 reduce long trip length burdens on the larger transportation  
325 system.

326 (e)~~(d)~~ A local government shall establish guidelines in  
327 the comprehensive plan for granting the exceptions authorized in  
328 paragraphs (b), and (c), and (d) and subsections (7) and (15)  
329 which must be consistent with and support a comprehensive  
330 strategy adopted in the plan to promote the purpose of the  
331 exceptions.

332 (f)~~(e)~~ The local government shall adopt into the plan and  
333 implement strategies to support and fund mobility within the  
334 designated exception area, including alternative modes of  
335 transportation. The plan amendment shall also demonstrate how  
336 strategies will support the purpose of the exception and how

337 mobility within the designated exception area will be provided.  
338 In addition, the strategies must address urban design;  
339 appropriate land use mixes, including intensity and density; and  
340 network connectivity plans needed to promote urban infill,  
341 redevelopment, or downtown revitalization. The comprehensive  
342 plan amendment designating the concurrency exception area shall  
343 be accompanied by data and analysis justifying the size of the  
344 area.

345 (g)~~(f)~~ Prior to the designation of a concurrency exception  
346 area, the Department of Transportation shall be consulted by the  
347 local government to assess the impact that the proposed  
348 exception area is expected to have on the adopted level-of-  
349 service standards established for Strategic Intermodal System  
350 facilities, as defined in s. 339.64, and roadway facilities  
351 funded in accordance with s. 339.2819. Further, the local  
352 government shall, in cooperation with the Department of  
353 Transportation, develop a plan to mitigate any impacts to the  
354 Strategic Intermodal System, including, if appropriate, the  
355 development of a long-term concurrency management system  
356 pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions  
357 may be available only within the specific geographic area of the  
358 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
359 any affected person may challenge a plan amendment establishing  
360 these guidelines and the areas within which an exception could  
361 be granted.

362 (h)~~(g)~~ Transportation concurrency exception areas existing  
363 prior to July 1, 2005, shall meet, at a minimum, the provisions  
364 of this section by July 1, 2006, or at the time of the

365 comprehensive plan update pursuant to the evaluation and  
 366 appraisal report, whichever occurs last.

367 Section 4. Subsection (19) is added to section 163.3184,  
 368 Florida Statutes, to read:

369 163.3184 Process for adoption of comprehensive plan or  
 370 plan amendment.--

371 (19) Any local government that identifies in its  
 372 comprehensive plan the types of housing developments and  
 373 conditions for which it will consider plan amendments that are  
 374 consistent with the local housing incentive strategies  
 375 identified in s. 420.9076 and authorized by the local government  
 376 may expedite consideration of such plan amendments. At least 30  
 377 days prior to adopting a plan amendment pursuant to this  
 378 subsection, the local government shall provide notice to the  
 379 state land planning agency of its intent to adopt such an  
 380 amendment, and the notice shall include the local government's  
 381 evaluation related to site suitability and availability of  
 382 facilities and services. A plan amendment considered under this  
 383 subsection shall require only a single public hearing before the  
 384 local governmental body, which shall be a plan amendment  
 385 adoption hearing as described in subsection (7). The public  
 386 notice of the hearing required under subparagraph (15)(b)2.  
 387 shall include a statement that the local government intends to  
 388 utilize the expedited adoption process authorized by this  
 389 subsection. The state land planning agency shall issue its  
 390 notice of intent required under subsection (8) within 30 days  
 391 after determining that the amendment package is complete. Any  
 392 further proceedings shall be governed by subsections (9)-(16).

393 Section 5. Paragraph (p) is added to subsection (1) of  
 394 section 163.3187, Florida Statutes, to read:

395 163.3187 Amendment of adopted comprehensive plan.--

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

399 (p) Any local government comprehensive plan amendment that  
 400 is consistent with the local housing incentive strategies  
 401 identified in s. 420.9076 and is authorized by the local  
 402 government.

403 Section 6. Section 193.018, Florida Statutes, is created  
 404 to read:

405 193.018 Affordable Housing Property Tax Relief  
 406 Initiative.--

407 (1) For the purpose of assessing just valuation of  
 408 affordable housing properties that have a land use restriction  
 409 recorded with the clerk of the county that requires  
 410 affordability, as provided in this subsection, for a period of  
 411 at least 20 years, the actual rental income from rent-restricted  
 412 units in each property shall be recognized by the property  
 413 appraiser for assessment purposes, and a rental income approach  
 414 pursuant to s. 193.011(7) shall be used for assessment of the  
 415 following affordable housing properties:

416 (a) Properties that are funded and rent restricted by the  
 417 United States Department of Housing and Urban Development under  
 418 s. 8 of the United States Housing Act of 1937 that are used to  
 419 provide affordable housing serving eligible persons as defined  
 420 by s. 159.603(7) and elderly persons, extremely-low-income

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421 persons, and very-low-income persons as defined by s.  
422 420.0004(7), (8), and (15) and that has undergone financial  
423 restructuring as provided in s. 501, Title V, Subtitle A of the  
424 Multifamily Assisted Housing Reform and Affordability Act of  
425 1997;

426 (b) Multifamily, farmworker, or elderly rental properties  
427 that are funded and rent restricted by the Florida Housing  
428 Finance Corporation under ss. 420.5087, 420.5089, and 420.5095,  
429 the State Housing Initiatives Partnership Program under ss.  
430 420.9072 and 420.9075, and s. 42 of the Internal Revenue Code of  
431 1986, as amended; the HOME Investment Partnership Program under  
432 the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C.  
433 ss. 12741 et seq.; or the Federal Home Loan Banks' Affordable  
434 Housing Program established pursuant to the Financial  
435 Institutions Reform, Recovery and Enforcement Act of 1989, Pub.  
436 L. No. 101-73; or

437 (c) Multifamily residential rental properties of 10 or  
438 more units that are certified as being deed restricted by the  
439 local public housing agency as having 100 percent of its units  
440 providing affordable housing to extremely-low-income persons,  
441 low-income persons, moderate-income persons, and very-low-income  
442 persons, as defined by s. 420.0004(8), (10), (11), and (15).

443 (2) Properties used for affordable housing which have  
444 received a low-income housing tax credit from the Florida  
445 Housing Finance Corporation, as authorized by s. 420.5099, shall  
446 be assessed with the rental income approach under s. 193.011(7)  
447 and, consistent with s. 420.5099(5) and (6), pursuant to this  
448 section, the following assumptions shall apply:



449           (a) The tax credits granted and the financing generated by  
 450 the tax credits may not be considered as income to the property.

451           (b) The actual rental income from rent-restricted units in  
 452 each property shall be recognized by the property appraiser as  
 453 the real rents for assessing just value.

454           (c) Any costs paid for by tax credits and costs paid for  
 455 by additional financing proceeds received under chapter 420 may  
 456 not be included in the valuation of the property.

457           (3) If an extended low-income housing agreement is filed  
 458 in the official public records of the county in which an  
 459 affordable housing property serving extremely-low-income  
 460 persons, low-income persons, moderate-income persons, and very-  
 461 low-income persons, as defined in s. 420.0004(8), (10), (11),  
 462 and (15), is located, the agreement and any recorded amendment  
 463 or supplement thereto shall be considered a land use regulation  
 464 and a limitation on the highest and best use of the property  
 465 during the term of the agreement, amendment, or supplement.

466           Section 7. Section 193.0185, Florida Statutes, is created  
 467 to read:

468           193.0185 Assessment of improvements on lands used by a  
 469 community land trust to provide affordable housing.--

470           (1) As used in this section, the term "community land  
 471 trust" means a nonprofit entity that is qualified as charitable  
 472 under s. 501(c)(3) of the Internal Revenue Code and has as one  
 473 of its purposes the acquisition of land to be held in perpetuity  
 474 for the primary purpose of providing affordable homeownership  
 475 through the conveyance of structural improvements located on  
 476 such land, subject to a ground lease having a term of 99 years,

477 while retaining a preemptive option to purchase any structural  
 478 improvements on the land at a price determined by a formula that  
 479 is designed to ensure that the improvements remain affordable to  
 480 persons who meet the income limits in s. 420.0004(8), (10),  
 481 (11), or (15).

482 (2) In assessing property for ad valorem taxation under s.  
 483 193.011, an improvement used for affordable housing on land  
 484 owned by a community land trust and subject to such a ground  
 485 lease shall be assessed according to the following criteria:

486 (a) The amount a willing purchaser would pay a willing  
 487 seller shall be limited to the amount determined by the formula  
 488 in the ground lease.

489 (b) If the ground lease and all amendments and supplements  
 490 to such lease, or a memorandum documenting how such lease and  
 491 amendments or supplements restrict the price at which the  
 492 improvements may be sold, is recorded and filed in the official  
 493 public records of the county in which the leased land is  
 494 located, the lease and any amendments or supplements shall be  
 495 deemed a land use regulation during the term of the lease as  
 496 amended or supplemented.

497 Section 8. Section 196.1978, Florida Statutes, is amended  
 498 to read:

499 196.1978 Affordable housing property exemption.--Property  
 500 used to provide affordable housing serving eligible persons as  
 501 defined by s. 159.603(7) and persons meeting income limits  
 502 specified in s. 420.0004(8), (10), (11), and (15), which  
 503 property is owned entirely by a nonprofit entity that is a  
 504 corporation not for profit pursuant to chapter 617 or a Florida

505 limited partnership, the sole general partner of which is a  
 506 corporation not for profit pursuant to chapter 617, that ~~which~~  
 507 is qualified as charitable under s. 501(c)(3) of the Internal  
 508 Revenue Code, and that ~~and which~~ complies with Rev. Proc. 96-32,  
 509 1996-1 C.B. 717, shall be considered property owned by an exempt  
 510 entity and used for a charitable purpose, and those portions of  
 511 the affordable housing property which provide housing to  
 512 individuals with incomes as defined in s. 420.0004(10) and (15)  
 513 shall be exempt from ad valorem taxation to the extent  
 514 authorized in s. 196.196. All property identified in this  
 515 section shall comply with the criteria for determination of  
 516 exempt status to be applied by property appraisers on an annual  
 517 basis as defined in s. 196.195. The Legislature intends that any  
 518 property owned by a limited liability company or limited  
 519 partnership which is disregarded as an entity for federal income  
 520 tax purposes pursuant to Treasury Regulation 301.7701-  
 521 3(b)(1)(ii) shall be treated as owned by its sole member.

522 Section 9. Paragraph (i) of subsection (19) of section  
 523 380.06, Florida Statutes, is amended to read:

524 380.06 Developments of regional impact.--

525 (19) SUBSTANTIAL DEVIATIONS.--

526 (i) An increase in the number of residential dwelling  
 527 units shall not constitute a substantial deviation and shall not  
 528 be subject to development-of-regional-impact review for  
 529 additional impacts, provided that all the residential dwelling  
 530 units are dedicated to affordable workforce housing and the  
 531 total number of new residential units does not exceed 200  
 532 percent of the substantial deviation threshold. The affordable

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533 workforce housing shall be subject to a recorded land use  
534 restriction that shall be for a period of not less than 20 years  
535 and that includes resale provisions to ensure long-term  
536 affordability for income-eligible homeowners and renters. For  
537 purposes of this paragraph, the term "affordable workforce  
538 housing" means housing that is affordable to a person who earns  
539 less than 120 percent of the area median income, or less than  
540 140 percent of the area median income if located in a county in  
541 which the median purchase price for a single-family existing  
542 home exceeds the statewide median purchase price of a single-  
543 family existing home. For purposes of this paragraph, the term  
544 "statewide median purchase price of a single-family existing  
545 home" means the statewide purchase price as determined in the  
546 Florida Sales Report, Single-Family Existing Homes, released  
547 each January by the Florida Association of Realtors and the  
548 University of Florida Real Estate Research Center. The  
549 affordable workforce housing units developed in accordance with  
550 these provisions which are in close proximity to employment  
551 centers, as determined by the local government in accordance  
552 with s. 163.3177(6)(a), shall be exempt from transportation  
553 concurrency regulations of s. 163.3180 and shall not reduce any  
554 transportation trip generation entitlements of the approved  
555 development-of-regional-impact development order.

556 Section 10. Subsections (2) and (3) of section 420.504,  
557 Florida Statutes, are amended to read:

558 420.504 Public corporation; creation, membership, terms,  
559 expenses.--

560 (2) The corporation is constituted as a public

561 instrumentality, and the exercise by the corporation of the  
562 power conferred by this act is considered to be the performance  
563 of an essential public function. The corporation is ~~shall~~  
564 ~~constitute~~ an agency for the purposes of s. 120.52. The  
565 corporation is a state agency for purposes of s. 159.807(4)(a).  
566 The corporation is subject to chapter 119, subject to exceptions  
567 applicable to the corporation, and to the provisions of chapter  
568 286; however, the corporation shall be entitled to provide  
569 notice of internal review committee meetings for competitive  
570 proposals or procurement to applicants by mail, ~~or~~ facsimile, or  
571 publication on an Internet website, rather than by means of  
572 publication. The corporation is not governed by chapter 607 or  
573 chapter 617, but by the provisions of this part. If for any  
574 reason the establishment of the corporation is deemed in  
575 violation of law, such provision is severable and the remainder  
576 of this act remains in full force and effect.

577 (3) The corporation is a separate budget entity and is not  
578 subject to control, supervision, or direction by the Department  
579 of Community Affairs in any manner, including, but not limited  
580 to, personnel, purchasing, transactions involving real or  
581 personal property, and budgetary matters. The corporation shall  
582 consist of a board of directors composed of the Secretary of  
583 Community Affairs, or the secretary's designee, as an ex officio  
584 and voting member and eight members appointed by the Governor  
585 subject to confirmation by the Senate from the following:

586 (a) One citizen actively engaged in the residential home  
587 building industry.

588 (b) One citizen actively engaged in the banking or

589 mortgage banking industry.

590 (c) One citizen who is a representative of those areas of  
591 labor engaged in home building.

592 (d) One citizen with experience in housing development who  
593 is an advocate for low-income persons.

594 (e) One citizen actively engaged in the commercial  
595 building industry.

596 (f) One citizen who is a former local government elected  
597 official.

598 (g) Two citizens of the state who are not principally  
599 employed as members or representatives of any of the groups  
600 specified in paragraphs (a) - (f).

601 Section 11. Section 420.506, Florida Statutes, is amended  
602 to read:

603 420.506 Executive director; agents and employees.--The  
604 appointment and removal of an executive director shall be by the  
605 Secretary of Community Affairs, with the advice and consent of  
606 the corporation's board of directors. The executive director  
607 shall employ legal and technical experts and such other agents  
608 and employees, permanent and temporary, as the corporation may  
609 require, and shall communicate with and provide information to  
610 the Legislature with respect to the corporation's activities.  
611 The board is authorized, notwithstanding the provisions of s.  
612 216.262, to develop and implement rules regarding the employment  
613 of employees of the corporation and service providers, including  
614 legal counsel. ~~The corporation is authorized to enter into a~~  
615 ~~lease agreement with the Department of Management Services or~~  
616 ~~the Department of Community Affairs for the lease of state~~

617 ~~employees from such entities, wherein an employee shall retain~~  
 618 ~~his or her status as a state employee but shall work under the~~  
 619 ~~direct supervision of the corporation, and shall retain the~~  
 620 ~~right to participate in the Florida Retirement System. The board~~  
 621 of directors of the corporation is entitled to establish travel  
 622 procedures and guidelines for employees of the corporation. The  
 623 executive director's office and the corporation's files and  
 624 records must be located in Leon County.

625 Section 12. Section 420.5061, Florida Statutes, is amended  
 626 to read:

627 420.5061 Transfer of agency assets and  
 628 liabilities. ~~Effective January 1, 1998, all assets and~~  
 629 ~~liabilities and rights and obligations, including any~~  
 630 ~~outstanding contractual obligations, of the agency shall be~~  
 631 ~~transferred to~~ The corporation is the as legal successor in all  
 632 respects to the agency, ~~and~~ the corporation is ~~shall thereupon~~  
 633 become obligated to the same extent as the agency under any  
 634 ~~existing~~ agreements existing on December 31, 1997, and is be  
 635 entitled to any rights and remedies previously afforded the  
 636 agency by law or contract, including specifically the rights of  
 637 the agency under chapter 201 and part VI of chapter 159. ~~The~~  
 638 ~~corporation is a state agency for purposes of s. 159.807(4)(a).~~  
 639 Effective January 1, 1998, all references under Florida law to  
 640 the agency are deemed to mean the corporation. ~~The corporation~~  
 641 ~~shall transfer to the General Revenue Fund an amount which~~  
 642 ~~otherwise would have been deducted as a service charge pursuant~~  
 643 ~~to s. 215.20(1) if the Florida Housing Finance Corporation Fund~~  
 644 ~~established by s. 420.508(5), the State Apartment Incentive Loan~~

645 ~~Fund established by s. 420.5087(7), the Florida Homeownership~~  
 646 ~~Assistance Fund established by s. 420.5088(4), the HOME~~  
 647 ~~Investment Partnership Fund established by s. 420.5089(1), and~~  
 648 ~~the Housing Predevelopment Loan Fund established by s.~~  
 649 ~~420.525(1) were each trust funds. For purposes of s. 112.313,~~  
 650 the corporation is deemed to be a continuation of the agency,  
 651 and the provisions thereof are deemed to apply as if the same  
 652 entity remained in place. Any employees of the agency and agency  
 653 board members covered by s. 112.313(9)(a)6. shall continue to be  
 654 entitled to the exemption in that subparagraph, notwithstanding  
 655 being hired by the corporation or appointed as board members of  
 656 the corporation. ~~Effective January 1, 1998, all state property~~  
 657 ~~in use by the agency shall be transferred to and become the~~  
 658 ~~property of the corporation.~~

659 Section 13. Subsection (30) of section 420.507, Florida  
 660 Statutes, is amended, and subsection (46) is added to that  
 661 section, to read:

662 420.507 Powers of the corporation.--The corporation shall  
 663 have all the powers necessary or convenient to carry out and  
 664 effectuate the purposes and provisions of this part, including  
 665 the following powers which are in addition to all other powers  
 666 granted by other provisions of this part:

667 (30) To prepare and submit to the Executive Office of the  
 668 Governor, the President of the Senate, and the Speaker of the  
 669 House of Representatives ~~secretary of the department~~ a budget  
 670 request for purposes of the corporation, which request shall,  
 671 notwithstanding the provisions of chapter 216 and in accordance  
 672 with s. 216.351, contain a request for operational expenditures



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673 and ~~separate requests for other~~ authorized corporation programs.  
674 The request shall not be required to contain information on the  
675 number of employees, salaries, or any classification thereof,  
676 and the approved operating budget therefor need not comply with  
677 s. 216.181(8) - (10). ~~The secretary is authorized to include~~  
678 ~~within the department's budget request the corporation's budget~~  
679 ~~request in the form as authorized by this section.~~

680 (46) To require, as a condition of financing a multifamily  
681 rental project, that an agreement be recorded in the official  
682 records of the county where the real property is located, which  
683 requires that the project be used for housing defined as  
684 affordable in s. 420.0004(3) by persons defined in 420.0004(8),  
685 (10), (11), and (15). Such an agreement is a state land use  
686 regulation that limits the highest and best use of the property  
687 within the meaning of s. 193.011(2).

688 Section 14. Section 420.5095, Florida Statutes, is amended  
689 to read:

690 420.5095 Community Workforce Housing Innovation Pilot  
691 Program.--

692 (1) The Legislature finds and declares that recent rapid  
693 increases in the median purchase price of a home and the cost of  
694 rental housing have far outstripped the increases in median  
695 income in the state, preventing essential services personnel  
696 from living in the communities where they serve and thereby  
697 creating the need for innovative solutions for the provision of  
698 housing opportunities for essential services personnel.

699 (2) The Community Workforce Housing Innovation Pilot  
700 Program is created to provide affordable rental and home

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701 ownership community workforce housing for essential services  
702 personnel affected by the high cost of housing, using regulatory  
703 incentives and state and local funds to promote local public-  
704 private partnerships and leverage government and private  
705 resources.

706 (3) For purposes of this section, the following  
707 definitions apply:

708 (a) "Workforce housing" means housing affordable to  
709 natural persons or families whose total annual household income  
710 does not exceed 140 percent of the area median income, adjusted  
711 for household size, or 150 percent of area median income,  
712 adjusted for household size, in areas of critical state concern  
713 designated under s. 380.05, for which the Legislature has  
714 declared its intent to provide affordable housing, and areas  
715 that were designated as areas of critical state concern for at  
716 least 20 consecutive years prior to removal of the designation.

717 (b) "Essential services personnel" means persons in need  
718 of affordable housing who are employed in occupations or  
719 professions in which they are considered essential services  
720 personnel, as defined by each county and eligible municipality  
721 within its respective local housing assistance plan pursuant to  
722 s. 420.9075(3)(a).

723 (c) "Public-private partnership" means any form of  
724 business entity that includes substantial involvement of at  
725 least one county, one municipality, or one public sector entity,  
726 such as a school district or other unit of local government in  
727 which the project is to be located, and at least one private  
728 sector for-profit or not-for-profit business or charitable

729 entity, and may be any form of business entity, including a  
730 joint venture or contractual agreement.

731 (4) The Florida Housing Finance Corporation is authorized  
732 to provide Community Workforce Housing Innovation Pilot Program  
733 loans to an applicant for new construction or rehabilitation of  
734 workforce housing in eligible areas. The corporation shall  
735 establish a funding process and selection criteria by rule or  
736 request for proposals. This funding is intended to be used with  
737 other public and private sector resources.

738 (5) (a) The corporation shall provide by rule for the  
739 establishment of a review committee composed of corporation  
740 staff and, in addition, may include three private citizens  
741 representing the areas of housing or real estate development,  
742 banking, community planning, or other areas related to the  
743 development or financing of workforce affordable housing. The  
744 review and selection process shall include a process for curing  
745 minor errors in the applications. The corporation shall  
746 establish by rule a scoring system for evaluation and  
747 competitive ranking of applications submitted in this program,  
748 including, but not limited to, the following criteria:

749 1. Private and public sector entities' involvement as  
750 partners in the project.

751 2. The sponsor's agreement to reserve at least 50 percent  
752 of the units in the project for essential services personnel.

753 3. Projects requiring the most effective use of the  
754 community workforce housing loan.

755 4. Contributions to the project.

756           5. Local government comprehensive planning, zoning,  
757 permitting, and other regulatory and financial incentives that  
758 promote workforce housing or commitment to be innovative with  
759 existing regulatory incentive structures to promote workforce  
760 housing.

761           6. Proximity to employment centers and transportation  
762 facilities.

763           7. Project feasibility.

764           8. Economic viability of the project.

765           9. Commitment of first mortgage financing.

766           10. The sponsor's prior affordable housing development and  
767 management experience.

768           11. The sponsor's ability to proceed with construction.

769           (b) The corporation may reject any and all applications.

770           (c) The corporation may approve and reject applications  
771 for the purpose of achieving geographic and demographic  
772 targeting.

773           (d) The review committee established pursuant to this  
774 subsection shall make recommendations to the board of directors  
775 of the corporation regarding program participation under the  
776 Community Workforce Housing Innovation Pilot Program.

777           (e) The corporation's board of directors shall make the  
778 final ranking and the decisions regarding which applicants shall  
779 become program participants based on the scores received in the  
780 competitive ranking, further review of applications, and the  
781 recommendations of the review committee. The board shall approve  
782 or reject applications for loans and shall determine the  
783 tentative loan amount available to each applicant selected for

784 participation in the program. The maximum loan amount shall be  
 785 determined pursuant to rule adopted by the corporation.

786 (6)(5) The corporation shall provide incentives for local  
 787 governments in eligible areas to use local affordable housing  
 788 funds, such as those from the State Housing Initiatives  
 789 Partnership Program, to assist in meeting the affordable housing  
 790 needs of persons eligible under this program. For workforce  
 791 housing projects funded under this program, local governments  
 792 are authorized to utilize State Housing Initiatives Partnership  
 793 Program funds for persons or families with incomes up to 140  
 794 percent of the area median income and, in areas of critical  
 795 state concern designated under s. 380.05, for which the  
 796 Legislature has declared its intent to provide affordable  
 797 housing, and in areas that were designated as areas of critical  
 798 state concern for at least 20 consecutive years prior to removal  
 799 of the designation, 150 percent of the area median income.

800 (7)(6) Funding shall be targeted to innovative projects in  
 801 areas where:

802 (a) The disparity between the area median income and the  
 803 median sales price for a single-family home is greatest; ~~and~~  
 804 ~~for projects in areas where~~

805 (b) The population growth as a percentage rate of increase  
 806 is greatest; and

807 (c) There is a demonstrated need for workforce housing for  
 808 essential services personnel and. ~~The corporation may also fund~~  
 809 ~~projects in areas where~~ innovative regulatory and financial  
 810 incentives are made available or committed by the local  
 811 government or private sector.

812  
813 The corporation shall fund at least one eligible project in as  
814 many counties and regions of the state as is practicable,  
815 consistent with program goals ~~as possible~~.

816 (8)~~(7)~~ Projects shall receive priority consideration for  
817 funding where:

818 (a) The local jurisdiction has adopted, or is committed to  
819 adopting or providing, ~~adopts~~ appropriate regulatory incentives,  
820 local contributions or financial strategies, or other funding  
821 sources to promote the development and ongoing financial  
822 viability of such projects. Local incentives include such  
823 actions as expediting review of development orders and permits,  
824 supporting development near transportation hubs and major  
825 employment centers, and adopting land development regulations  
826 designed to allow flexibility in densities, use of accessory  
827 units, mixed-use developments, and flexible lot configurations.  
828 Financial strategies include such actions as promoting employer-  
829 assisted housing programs, providing tax increment financing,  
830 and providing land.

831 (b) Projects are innovative and include new construction  
832 or rehabilitation, mixed-income housing, or commercial and  
833 housing mixed-use elements and those that promote homeownership.  
834 The program funding shall not exceed the costs attributable to  
835 the portion of the project that is set aside to provide housing  
836 for the targeted population.

837 (c) Projects that set aside at least 80 percent of units  
838 for workforce housing and at least 50 percent for essential  
839 services personnel and for projects that require the least

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840 amount of program funding compared to the overall housing costs  
841 for the project.

842 (d) Projects that utilize innovative design and techniques  
843 in order to reduce the future costs to the homeowner related to  
844 maintenance, utilities, or insurance.

845 (9)-(8) Notwithstanding ~~the provisions of~~ s. 163.3184(3) -  
846 (6), any local government comprehensive plan amendment to  
847 implement a Community Workforce Housing Innovation Pilot Program  
848 project found consistent with the provisions of this section  
849 shall be expedited as provided in this subsection. At least 30  
850 days prior to adopting a plan amendment pursuant to this  
851 subsection, the local government shall notify the state land  
852 planning agency of its intent to adopt such an amendment, and  
853 the notice shall include its evaluation related to site  
854 suitability and availability of facilities and services. The  
855 public notice of the hearing required by s. 163.3184(15)(b)2.  
856 ~~163.3184(15)(e)~~ shall include a statement that the local  
857 government intends to utilize the expedited adoption process  
858 authorized by this subsection. Such amendments shall require  
859 only a single public hearing before the governing board, which  
860 shall be an adoption hearing as described in s. 163.3184(7), and  
861 the state land planning agency shall issue its notice of intent  
862 pursuant to s. 163.3184(8) within 30 days after determining that  
863 the amendment package is complete. Any further proceedings shall  
864 be governed by ss. 163.3184(9)-(16). Amendments proposed under  
865 this section are not subject to the restriction of s.  
866 163.3187(1) limiting the adoption of a comprehensive plan  
867 amendment to no more than two times during any calendar year.

868           (10) The processing of approvals of development orders or  
 869 development permits, as defined in s. 163.3164(7) and (8), for  
 870 affordable housing projects shall be expedited.

871           ~~(11)(9)~~ The corporation shall award loans with interest  
 872 rates set at 1 to 3 percent, which may be made forgivable when  
 873 long-term affordability is provided and when at least 80 percent  
 874 of the units are set aside for workforce housing and at least 50  
 875 percent of the units are set aside for essential services  
 876 personnel.

877           ~~(12)(10)~~ All eligible applications shall:

878           (a) For home ownership, limit the sales price of a  
 879 detached unit, townhome, or condominium unit to not more than 90  
 880 ~~80~~ percent of the median sales price for that type of unit in  
 881 that county, or the statewide median sales price for that type  
 882 of unit, whichever is higher, and require that all eligible  
 883 purchasers of home ownership units occupy the homes as their  
 884 primary residence.

885           (b) For rental units, restrict rents for all workforce  
 886 housing serving those with incomes at or below 120 percent of  
 887 area median income at the appropriate income level using the  
 888 restricted rents for the federal low-income housing tax credit  
 889 program and, for workforce housing units serving those with  
 890 incomes above 120 percent of area median income, restrict rents  
 891 to those established by the corporation, not to exceed 30  
 892 percent of the maximum household income adjusted to unit size.

893           (c) Demonstrate that the applicant is a public-private  
 894 partnership in an agreement, contract, partnership agreement,



895 memorandum of understanding, or other written instrument signed  
 896 by all the project partners.

897 (d) Have grants, donations of land, or contributions from  
 898 the public-private partnership or other sources collectively  
 899 totaling at least 10 ~~15~~ percent of the total development cost or  
 900 \$2 million, whichever is less. Such grants, donations of land,  
 901 or contributions must be evidenced by a letter of commitment, an  
 902 agreement, contract, deed, memorandum of understanding, or other  
 903 written instrument ~~only~~ at the time of application. Grants,  
 904 donations of land, or contributions in excess of 10 ~~15~~ percent  
 905 of the development cost shall increase the application score.

906 (e) Demonstrate how the applicant will use the regulatory  
 907 incentives and financial strategies outlined in paragraph (7)(a)  
 908 and subsection (13) from the local jurisdiction in which the  
 909 proposed project is to be located. The corporation may consult  
 910 with the Department of Community Affairs in evaluating the use  
 911 of regulatory incentives by applicants.

912 (f) Demonstrate that the applicant possesses title to or  
 913 site control of land and evidences availability of required  
 914 infrastructure.

915 ~~(g) Demonstrate the applicant's affordable housing~~  
 916 ~~development and management experience.~~

917 ~~(h) Provide any research or facts available supporting the~~  
 918 ~~demand and need for rental or home ownership workforce housing~~  
 919 ~~for eligible persons in the market in which the project is~~  
 920 ~~proposed.~~

921 (13) Local governments are authorized to make available to  
 922 approved Community Workforce Housing Innovation Pilot Program

923 projects workforce housing incentives to promote the financial  
 924 viability, successful development, and ongoing maintenance of  
 925 these housing developments, including, but not limited to:

926 (a) Impact fees may be reduced, may be waived entirely, or  
 927 may be deferred by the local government, or an applicant may be  
 928 provided with an alternative method of fee payment.

929 (b) Increased density levels or higher density per acre  
 930 may be allowed.

931 (c) The infrastructure capacity in the local comprehensive  
 932 plan for affordable housing may be reserved for these  
 933 communities.

934 (d) Additional affordable residential units in residential  
 935 zoning districts may be allowed.

936 (e) Open space and setback requirements for affordable  
 937 housing may be reduced by 50 percent.

938 (f) Zero-lot-line configurations may be allowed.

939 (g) Trips associated with affordable housing in close  
 940 proximity of employment centers may be exempt from  
 941 transportation concurrency pursuant to s. 163.3180(5)(d).

942 (h) Local transportation infrastructure funding may be  
 943 prioritized by local metropolitan planning organizations.

944 (i) Local State Housing Initiatives Partnership program  
 945 funds may be used to support construction of workforce housing  
 946 projects and down payment assistance for residents with incomes  
 947 that do not exceed 140 percent of the area median income  
 948 residing in such projects.

949 (j) Tax increment financing may be made available to  
 950 workforce housing projects to assist in maintaining long-term

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951 affordability of the units.

952 ~~(14)-(11)~~ Projects may include manufactured housing  
953 constructed after June 1994 and installed in accordance with  
954 mobile home installation standards of the Department of Highway  
955 Safety and Motor Vehicles.

956 ~~(15)-(12)~~ The corporation may adopt rules pursuant to ss.  
957 120.536(1) and 120.54 to implement the provisions of this  
958 section.

959 ~~(16)-(13)~~ The corporation may use a maximum of 2 percent of  
960 the annual program appropriation for administration and  
961 compliance monitoring.

962 ~~(17)-(14)~~ The corporation shall review the success of the  
963 Community Workforce Housing Innovation Pilot Program to  
964 ascertain whether the projects financed by the program are  
965 useful in meeting the housing needs of eligible areas. The  
966 corporation shall submit its report and any recommendations  
967 regarding the program to the Governor, the Speaker of the House  
968 of Representatives, and the President of the Senate not later  
969 than 2 months after the end of the corporation's fiscal year.

970 Section 15. Section 420.5096, Florida Statutes, is created  
971 to read:

972 420.5096 The Florida Housing Preservation Bridge Loan  
973 Program.--

974 (1) The Legislature finds and declares that preserving  
975 affordable multifamily rental and mobile home park housing for  
976 low-income families is essential to Florida's economy and the  
977 well-being of all of its citizens; that the state lacks  
978 sufficient resources to preserve substantial numbers of

979 multifamily rental properties and mobile home parks that  
980 currently provide affordable housing to thousands of Floridians;  
981 and that there are state and national community development  
982 financial institutions with established experience in securing  
983 and deploying public, private, and philanthropic capital to  
984 preserve affordable housing; therefore, the Legislature finds a  
985 need to use state funds to leverage public, private, and  
986 philanthropic capital to preserve affordable rental housing and  
987 mobile home parks.

988 (2) There is created the Florida Housing Preservation  
989 Bridge Loan Program for the purpose of establishing a revolving  
990 bridge loan program to preserve mobile home parks and affordable  
991 multifamily rental housing for low-income persons and families.

992 (3) For purposes of this section, the following  
993 definitions apply:

994 (a) "Bridge loan" means short-term financing of up to 3  
995 years for acquisition, rehabilitation, or predevelopment costs  
996 necessary to stabilize or position a property for permanent  
997 financing.

998 (b) "Eligible project" means an expiring use property,  
999 mobile home park, or other nonregulated affordable multifamily  
1000 property.

1001 (c) "Expiring use property" means a property that has  
1002 income restrictions on its use to benefit low-income persons and  
1003 families, which restrictions will terminate within 2 years of  
1004 the application for funding.

1005 (4) To be eligible to receive funds under this program, an  
1006 entity shall:

- 1007        (a) Be certified by the United States Department of the
- 1008 Treasury as a community development financial institution.
- 1009        (b) Be a qualified s. 501(c)(3) organization under the
- 1010 Internal Revenue Code.
- 1011        (c) Possess a demonstrated record and ability to
- 1012 effectively deploy financing for community development purposes.
- 1013        (d) Demonstrate knowledge and experience in lending to
- 1014 acquire, develop, and rehabilitate affordable housing.
- 1015        (e) Demonstrate knowledge and experience in raising
- 1016 matching capital from private, public, and philanthropic
- 1017 sources.
- 1018        (f) Have statewide lending operations.
- 1019        (g) Demonstrate experience and capacity to provide,
- 1020 directly or through contracts with other entities, technical
- 1021 assistance to developers.
- 1022        (h) Document established and proven underwriting policies,
- 1023 risk management ratings, portfolio management, and servicing
- 1024 systems.
- 1025        (i) Have an independent financial audit for prior years.
- 1026        (j) Meet requirements established by rule.
- 1027        (5) A community development financial institution that
- 1028 receives state funds under this program shall create a revolving
- 1029 affordable housing preservation bridge loan fund to make loans
- 1030 to eligible projects. Multifamily rental properties that are
- 1031 affordable to low-income persons and families without rental
- 1032 restrictions, but which will institute rental restrictions as a
- 1033 condition of this funding, may be funded after expiring use
- 1034 properties and mobile home park projects are funded.

1035       (6) The corporation shall establish a funding process and  
1036 selection criteria by rule or by issuing a request for proposals  
1037 to select entities for funding.

1038       (a) The corporation may reject any and all applicants.

1039       (b) The corporation may establish a review committee by  
1040 rule and shall make recommendations to the board regarding  
1041 program participation selection. The board shall determine the  
1042 final ranking for participation based on the scores received in  
1043 the ranking, further review of the applications, and the  
1044 recommendations of the review committee. The board shall approve  
1045 or reject applicants and shall determine the tentative funding  
1046 amount available to each applicant. The final funding amount  
1047 shall be determined by rule.

1048       (7) Prior to providing any assistance, the corporation and  
1049 the participant shall execute an agreement that requires the  
1050 participant to comply with all other terms and conditions of  
1051 assistance.

1052       (8) In the event of fraud, mismanagement, or noncompliance  
1053 with the applicable statutes, rules, or terms and conditions of  
1054 the agreement on the part of the participant, the corporation  
1055 may:

1056       (a) Require changes in the agreement;

1057       (b) Reduce or terminate funding;

1058       (c) Require repayment of any funding that has been  
1059 distributed;

1060       (d) Revoke the participation in the program; or

1061       (e) Take such other actions as the corporation deems  
1062 appropriate.

1063           (9) A participant shall submit such financial and activity  
 1064 reports and data at such times and in such forms as required by  
 1065 the corporation to ensure compliance and to evaluate the  
 1066 participant's performance in this program.

1067           (10) The corporation may adopt rules pursuant to ss.  
 1068 120.536(1) and 120.54 to implement the provisions of this  
 1069 section.

1070           (11) The corporation may use a maximum of 2 percent of the  
 1071 annual program appropriation for administration and compliance  
 1072 monitoring.

1073           Section 16. Paragraph (b) of subsection (7) of section  
 1074 420.526, Florida Statutes, is amended to read:

1075           420.526 Predevelopment Loan Program; loans and grants  
 1076 authorized; activities eligible for support.--

1077           (7) No predevelopment loan made under this section shall  
 1078 exceed the lesser of:

1079           (b) Seven hundred and fifty ~~Five hundred~~ thousand dollars.

1080           Section 17. Subsections (1) and (2) of section 420.606,  
 1081 Florida Statutes, are amended to read:

1082           420.606 Training and technical assistance program.--

1083           (1) LEGISLATIVE FINDINGS.--In addition to the legislative  
 1084 findings set forth in s. 420.6015, the Legislature finds and  
 1085 declares that:

1086           (a) Housing in economically declining or distressed areas  
 1087 is frequently substandard and is often unaffordable to very-low-  
 1088 income persons and low-income persons.†

1089           (b) Recent rapid increases in the median purchase price of  
 1090 homes and the cost of rental housing have far outstripped the

1091 increases in median income in the state, preventing essential  
 1092 services personnel from living in the communities where they  
 1093 serve and thereby creating the need for innovative solutions for  
 1094 the provision of housing opportunities for essential services  
 1095 personnel.

1096 (c) ~~(b)~~ Community-based organizations often have limited  
 1097 experience in development of quality housing for very-low-income  
 1098 persons and low-income persons in economically declining or  
 1099 distressed areas. ~~and~~

1100 (d) The private market should be encouraged to provide  
 1101 affordable rental and home ownership housing for essential  
 1102 services personnel affected by the high cost of housing.  
 1103 Technical assistance should address development costs through  
 1104 promoting local public-private partnerships that leverage  
 1105 government and private resources.

1106 (e) ~~(e)~~ The staffs and board members of community-based  
 1107 organizations need additional training in housing development as  
 1108 well as technical support to assist them in gaining the  
 1109 experience they need to better serve their communities.

1110 (f) ~~(d)~~ The staffs of state and regional agencies and local  
 1111 governments, whether directly involved in the production of  
 1112 affordable housing or acting in a supportive role, can better  
 1113 serve the goals of state and local governments if their  
 1114 expertise in housing development is expanded.

1115 (2) PURPOSE.--The purpose of this section is to provide  
 1116 community-based organizations and staff of state and local  
 1117 governments with the necessary training and technical assistance  
 1118 to meet the needs of very-low-income persons, low-income



1119 persons, and moderate-income persons for standard, affordable  
 1120 housing and for workforce housing in those areas where housing  
 1121 costs have severely limited housing affordability.

1122 Section 18. Subsections (2), (4), (5), and (6) of section  
 1123 420.9076, Florida Statutes, are amended, and subsection (8) is  
 1124 added to that section, to read:

1125 420.9076 Adoption of affordable housing incentive  
 1126 strategies; committees.--

1127 (2) The governing board of a county or municipality shall  
 1128 appoint the members of the affordable housing advisory committee  
 1129 by resolution. Pursuant to the terms of any interlocal  
 1130 agreement, a county and municipality may create and jointly  
 1131 appoint an advisory committee to prepare a joint plan. The  
 1132 ordinance adopted pursuant to s. 420.9072 which creates the  
 1133 advisory committee or the resolution appointing the advisory  
 1134 committee members must provide for 11 ~~nine~~ committee members and  
 1135 their terms. The committee must include:

1136 (a) One citizen who is actively engaged in the residential  
 1137 home building industry in connection with affordable housing.

1138 (b) One citizen who is actively engaged in the banking or  
 1139 mortgage banking industry in connection with affordable housing.

1140 (c) One citizen who is a representative of those areas of  
 1141 labor actively engaged in home building in connection with  
 1142 affordable housing.

1143 (d) One citizen who is actively engaged as an advocate for  
 1144 low-income persons in connection with affordable housing.

1145 (e) One citizen who is actively engaged as a for-profit  
 1146 provider of affordable housing.

1147 (f) One citizen who is actively engaged as a not-for-  
 1148 profit provider of affordable housing.

1149 (g) One citizen who is actively engaged as a real estate  
 1150 professional in connection with affordable housing.

1151 (h) One citizen who actively serves on the local planning  
 1152 agency pursuant to s. 163.3174.

1153 (i) One citizen who resides within the jurisdiction of the  
 1154 local governing body making the appointments.

1155 (j) One citizen who represents employers within the  
 1156 jurisdiction.

1157 (k) One citizen who represents essential services  
 1158 personnel, as defined in the local housing assistance plan.

1159  
 1160 If a county or eligible municipality whether due to its small  
 1161 size, the presence of a conflict of interest by prospective  
 1162 appointees, or other reasonable factor, is unable to appoint a  
 1163 citizen actively engaged in these activities in connection with  
 1164 affordable housing, a citizen engaged in the activity without  
 1165 regard to affordable housing may be appointed. Local governments  
 1166 that receive the minimum allocation under the State Housing  
 1167 Initiatives Partnership Program may elect to appoint an  
 1168 affordable housing advisory committee with fewer than 11  
 1169 representatives if they are unable to find representatives that  
 1170 meet the criteria of paragraphs (a)-(k).

1171 (4) Biennially, the advisory committee shall review the  
 1172 established policies and procedures, ordinances, land  
 1173 development regulations, and adopted local government  
 1174 comprehensive plan of the appointing local government and shall

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1175 recommend specific actions or initiatives to encourage or  
1176 facilitate affordable housing while protecting the ability of  
1177 the property to appreciate in value. Such recommendations may  
1178 include the modification or repeal of existing policies,  
1179 procedures, ordinances, regulations, or plan provisions; the  
1180 creation of exceptions applicable to affordable housing; or the  
1181 adoption of new policies, procedures, regulations, ordinances,  
1182 or plan provisions. At a minimum, each advisory committee shall  
1183 submit a report to the local governing body that includes ~~make~~  
1184 recommendations on, and every 2 years thereafter evaluates the  
1185 implementation of, affordable housing incentives in the  
1186 following areas:

1187 (a) The processing of approvals of development orders or  
1188 permits, as defined in s. 163.3164(7) and (8), for affordable  
1189 housing projects is expedited to a greater degree than other  
1190 projects.

1191 (b) The modification of impact-fee requirements, including  
1192 reduction or waiver of fees and alternative methods of fee  
1193 payment for affordable housing.

1194 (c) The allowance of flexibility in densities ~~increased~~  
1195 ~~density levels~~ for affordable housing.

1196 (d) The reservation of infrastructure capacity for housing  
1197 for very-low-income persons, ~~and~~ low-income persons, and  
1198 moderate income persons.

1199 (e) The allowance of affordable accessory residential  
1200 units in residential zoning districts.

1201 (f) The reduction of parking and setback requirements for  
1202 affordable housing.

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1203 (g) The allowance of flexible lot configurations,  
1204 including zero-lot-line configurations for affordable housing.

1205 (h) The modification of street requirements for affordable  
1206 housing.

1207 (i) The establishment of a process by which a local  
1208 government considers, before adoption, policies, procedures,  
1209 ordinances, regulations, or plan provisions that increase the  
1210 cost of housing.

1211 (j) The preparation of a printed inventory of locally  
1212 owned public lands suitable for affordable housing.

1213 (k) The support of development near transportation hubs  
1214 and major employment centers and mixed-use developments.

1215

1216 The advisory committee recommendations may ~~must~~ also include  
1217 other affordable housing incentives identified by the advisory  
1218 committee. Local governments that receive the minimum allocation  
1219 under the State Housing Initiatives Partnership Program shall  
1220 perform the initial review, but may elect to not perform the  
1221 biennial review.

1222 (5) The approval by the advisory committee of its local  
1223 housing incentive strategies recommendations and its review of  
1224 local government implementation of previously recommended  
1225 strategies must be made by affirmative vote of a majority of the  
1226 membership of the advisory committee taken at a public hearing.  
1227 Notice of the time, date, and place of the public hearing of the  
1228 advisory committee to adopt final local housing incentive  
1229 strategies recommendations must be published in a newspaper of  
1230 general paid circulation in the county. Such notice must contain

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1231 a short and concise summary of the local housing incentives  
 1232 strategies recommendations to be considered by the advisory  
 1233 committee. The notice must state the public place where a copy  
 1234 of the tentative advisory committee recommendations can be  
 1235 obtained by interested persons.

1236 (6) Within 90 days after the date of receipt of the local  
 1237 housing incentive strategies recommendations from the advisory  
 1238 committee, the governing body of the appointing local government  
 1239 shall adopt an amendment to its local housing assistance plan to  
 1240 incorporate the local housing incentive strategies it will  
 1241 implement within its jurisdiction. The amendment must include,  
 1242 at a minimum, the local housing incentive strategies required in  
 1243 s. 420.9071(16). The local government must consider the  
 1244 strategies specified in paragraphs (4) (a) - (k) as recommended by  
 1245 the advisory committee ~~(4) (a) - (j)~~.

1246 (8) The advisory committee may perform other  
 1247 responsibilities at the request of the local government,  
 1248 including:

1249 (a) The provision of mentoring services to affordable  
 1250 housing partners, including developers, banking institutions,  
 1251 employers, and others to identify available incentives, assist  
 1252 with applications for funding requests, and develop partnerships  
 1253 between various parties.

1254 (b) The creation of best practices for development of  
 1255 affordable housing in the community.

1256 Section 19. Subsections (38) through (46) of section  
 1257 1001.64, Florida Statutes, are renumbered as subsections (39)  
 1258 through (47), respectively, and a new subsection (38) is added

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1259 | to that section, to read:

1260 |       1001.64 Community college boards of trustees; powers and  
1261 | duties.--

1262 |       (38) Each board of trustees may use portions of property  
1263 | sites purchased within the guidelines of the State Requirements  
1264 | for Educational Facilities, land deemed not usable for  
1265 | educational purposes because of location or other factors, or  
1266 | land declared surplus by the board to provide sites for  
1267 | affordable housing for community college faculty or other  
1268 | college personnel independently or in conjunction with local  
1269 | governments and planning authorities. Each board of trustees may  
1270 | enter into lease-purchase arrangements with private or not-for-  
1271 | profit entities or corporations to accomplish this objective.

1272 |       Section 20. This act shall take effect July 1, 2007.