

1 eligibility requirements; authorizing a
2 property owner to defer payment of ad valorem
3 taxes and certain assessments; providing
4 circumstances in which taxes and assessments
5 may not be deferred; specifying the rate for
6 deferment; providing that the taxes,
7 assessments, and interest deferred constitute a
8 prior lien on the property; providing an
9 application process; providing notice
10 requirements for applications that are not
11 approved for deferment; providing an appeals
12 process; requiring applications for deferral to
13 contain a list of outstanding liens; providing
14 the date for calculating taxes due and payable;
15 requiring that a property owner furnish proof
16 of certain insurance coverage under certain
17 conditions; requiring the tax collector and the
18 property owner to notify the property appraiser
19 of parcels for which taxes and assessments have
20 been deferred; requiring the property appraiser
21 to notify the tax collector of changes in
22 ownership or use of tax-deferred properties;
23 providing requirements for tax certificates for
24 deferred payment; providing the rate of
25 interest; providing circumstances in which
26 deferrals cease; requiring the property
27 appraiser to notify the tax collector of
28 deferrals that have ceased; requiring the tax
29 collector to collect taxes, assessments and
30 interest due; requiring the tax collector to
31 notify the property owner of due taxes on

1 tax-deferred property under certain conditions;
2 requiring the tax collector to sell a tax
3 certificate under certain circumstances;
4 specifying persons who may pay deferred taxes,
5 assessments and accrued interest; requiring the
6 tax collector to maintain a record of payment
7 and to distribute payments; providing for
8 construction of provisions authorizing the
9 deferments; providing penalties; amending s.
10 380.06, F.S.; providing that all phase,
11 buildout, and expiration dates for projects
12 that are developments of regional impact and
13 under active construction on a specified date
14 are extended for 3 years; providing an
15 exemption from further
16 development-of-regional-impact review; amending
17 s. 420.504, F.S.; providing that the
18 corporation is a state agency for purposes of
19 the state allocation pool; authorizing the
20 corporation to provide notice of internal
21 review committee meetings by publication on an
22 Internet website; providing that the
23 corporation is not governed by certain
24 provisions relating to corporations not for
25 profit; amending s. 420.506, F.S.; deleting a
26 provision relating to lease of certain state
27 employees; amending s. 420.5061, F.S.; deleting
28 obsolete provisions; removing a provision
29 requiring all assets and liabilities and rights
30 and obligations of the Florida Housing Finance
31 Agency to be transferred to the corporation;

1 providing that the corporation is the legal
2 successor to the agency; removing a provision
3 requiring all state property in use by the
4 agency to be transferred to and become the
5 property of the corporation; amending s.
6 420.507, F.S.; requiring that an agreement
7 financing affordable housing be recorded in the
8 official records of the county where the real
9 property is located; providing that such
10 agreement is a state land use regulation;
11 amending s. 420.5087, F.S.; authorizing the
12 Florida Housing Finance Corporation to provide
13 partially forgivable loans to nonprofit
14 organizations that serve extremely-low-income
15 elderly tenants; providing criteria; amending
16 s. 420.5095, F.S.; specifying the content of
17 rules for reviewing loan applications for
18 workforce housing projects; requiring the
19 corporation to establish a committee for
20 reviewing loan applications; providing for
21 membership; providing powers and duties of the
22 committee; requiring the corporation's board of
23 directors to make the final decisions
24 concerning ranking and program participants;
25 specifying areas where local governments may
26 use program funds; expanding the types of
27 projects that may receive priority funding;
28 requiring that the processing of certain
29 approvals of development orders or development
30 permits be expedited; providing loan applicant
31 requirements; revising reporting requirements;

1 amending s. 420.511, F.S.; requiring that the
2 corporation's annual report include information
3 on the Community Workforce Housing Innovation
4 Pilot Program; amending s. 420.513, F.S.;
5 providing exemption from taxes for certain
6 instruments issued in connection with the
7 financing of certain housing; amending s.
8 420.526, F.S.; revising the cap on
9 predevelopment loans; amending s. 420.9076,
10 F.S.; increasing affordable housing advisory
11 committee membership; revising membership
12 criteria; authorizing the use of fewer members
13 under certain circumstances; revising and
14 providing duties of the advisory committee;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (f) of subsection (6) of section
20 163.3177, Florida Statutes, is amended to read:

21 163.3177 Required and optional elements of
22 comprehensive plan; studies and surveys.--

23 (6) In addition to the requirements of subsections
24 (1)-(5) and (12), the comprehensive plan shall include the
25 following elements:

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

28 a. The provision of housing for all current and
29 anticipated future residents of the jurisdiction.

30 b. The elimination of substandard dwelling conditions.
31

1 c. The structural and aesthetic improvement of
2 existing housing.

3 d. The provision of adequate sites for future housing,
4 including affordable workforce housing as defined in s.
5 380.0651(3)(j), housing for low-income, very low-income, and
6 moderate-income families, mobile homes, and group home
7 facilities and foster care facilities, with supporting
8 infrastructure and public facilities.

9 e. Provision for relocation housing and identification
10 of historically significant and other housing for purposes of
11 conservation, rehabilitation, or replacement.

12 f. The formulation of housing implementation programs.

13 g. The creation or preservation of affordable housing
14 to minimize the need for additional local services and avoid
15 the concentration of affordable housing units only in specific
16 areas of the jurisdiction.

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

29 i. Failure by a local government to comply with the
30 requirement in sub-subparagraph h. will result in the local
31 government being ineligible to receive any state housing

1 assistance grants until the requirement of sub-subparagraph h.
2 is met.

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

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

25 Section 2. Subsection (19) is added to section
26 163.3184, Florida Statutes, to read:

27 163.3184 Process for adoption of comprehensive plan or
28 plan amendment.--

29 (19) Any local government that identifies in its
30 comprehensive plan the types of housing developments and
31 conditions for which it will consider plan amendments that are

1 consistent with the local housing incentive strategies
2 identified in s. 420.9076 and authorized by the local
3 government, may expedite consideration of such plan
4 amendments. At least 30 days prior to adopting a plan
5 amendment pursuant to this subsection, the local government
6 shall notify the state land planning agency of its intent to
7 adopt such an amendment, and the notice shall include the
8 local government's evaluation of site suitability and
9 availability of facilities and services. A plan amendment
10 considered under this subsection shall require only a single
11 public hearing before the local governing body, which shall be
12 a plan amendment adoption hearing as described in subsection
13 (7). The public notice of the hearing required under
14 subparagraph (15)(b)2. must include a statement that the local
15 government intends to use the expedited adoption process
16 authorized under this subsection. The state land planning
17 agency shall issue its notice of intent required under
18 subsection (8) within 30 days after determining that the
19 amendment package is complete. Any further proceedings shall
20 be governed by subsections (9) through (16).

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

23 163.3187 Amendment of adopted comprehensive plan.--

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

27 (p) Any local government comprehensive plan amendment
28 that is consistent with the local housing incentive strategies
29 identified in s. 420.9076 and authorized by the local
30 government.

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1 Section 4. Subsection (14) is added to section
2 163.3191, Florida Statutes, to read:

3 163.3191 Evaluation and appraisal of comprehensive
4 plan.--

5 (14) The provision prohibiting a local government from
6 adopting amendments to its comprehensive plan until the update
7 amendments to the evaluation and appraisal report have been
8 adopted and transmitted to the state land planning agency as
9 set forth in subsection (10) does not apply to a proposed
10 comprehensive plan amendment adopted by a local government in
11 order to integrate a port master plan with the local
12 comprehensive plan pursuant to s. 163.3178(2) if the port
13 master plan and the proposed amendment to the comprehensive
14 plan do not cause or contribute to the local government's
15 failure to comply with the requirements of the evaluation or
16 appraisal report.

17 Section 5. Sections 197.307, 197.3071, 197.3072,
18 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078,
19 and 197.3079, Florida Statutes, are created to read:

20 197.307 Deferrals for ad valorem taxes and non-ad
21 valorem assessments on affordable rental housing property.--

22 (1) A board of county commissioners or the governing
23 authority of a municipality may adopt an ordinance to allow
24 for ad valorem tax deferrals on affordable rental housing if
25 the owners are engaging in the operation, rehabilitation, or
26 renovation of such properties in accordance with the
27 guidelines provided in part VI of chapter 420.

28 (2) The board of county commissioners or the governing
29 authority of a municipality may also, by ordinance, authorize
30 the deferral of non-ad valorem assessments, as defined in s.
31 197.3632, on affordable rental housing.

1 (3) The ordinance must designate the percentage or
2 amount of the deferral and the type and location of affordable
3 rental housing property for which a deferral may be granted.
4 The ordinance may also require the property to be located
5 within a particular geographic area or areas of the county or
6 municipality.

7 (4) The ordinance must specify that the deferral
8 applies only to taxes and assessments levied by the unit of
9 government granting the deferral. However, a deferral may not
10 be granted for taxes or non-ad valorem assessments levied for
11 the payment of bonds or for taxes authorized by a vote of the
12 electors pursuant to s. 9(b) or s. 12, Art. VII of the State
13 Constitution.

14 (5) The ordinance must specify that any deferral
15 granted remains in effect for the period for which it is
16 granted regardless of any change in the authority of the
17 county or municipality to grant the deferral. In order to
18 retain the deferral, however, the use and ownership of the
19 property as affordable rental housing must be maintained over
20 the period for which the deferral is granted.

21 (6) If an application for tax deferral is granted on
22 property that is located in a community redevelopment area as
23 defined in s. 163.340:

24 (a) The amount of taxes eligible for deferral must be
25 reduced, as provided for in paragraph (b), if:

26 1. The community redevelopment agency has previously
27 issued instruments of indebtedness which are secured by
28 increment revenues on deposit in the community redevelopment
29 trust fund; and

30 2. The instruments of indebtedness are associated with
31 the real property applying for the deferral.

1 (b) The tax deferral does not apply to an amount of
2 taxes equal to the amount that must be deposited into the
3 community redevelopment trust fund by the entity granting the
4 deferral based upon the taxable value of the property upon
5 which the deferral is being granted. Once all instruments of
6 indebtedness that existed at the time the deferral was
7 originally granted are no longer outstanding or have otherwise
8 been defeased, this paragraph no longer applies.

9 (c) If a portion of the taxes on a property are not
10 eligible for deferral as provided under paragraph (b), the
11 community redevelopment agency shall notify the property owner
12 and the tax collector 1 year before the debt instruments that
13 prevented such taxes from being deferred are no longer
14 outstanding or otherwise defeased.

15 (d) The tax collector shall notify a community
16 redevelopment agency of any tax deferral that has been granted
17 on property located within the agency's community
18 redevelopment area.

19 (e) Issuance of debt obligation after the date a
20 deferral has been granted does not reduce the amount of taxes
21 eligible for deferral.

22 (7) The tax collector shall notify:

23 (a) The taxpayer of each parcel appearing on the real
24 property assessment roll of the law allowing the deferral of
25 taxes, non-ad valorem assessments, and interest under ss.
26 197.307-197.3079. Such notice shall be printed on the back of
27 envelopes used to mail the notice of taxes as provided under
28 s. 197.322(3). Such notice shall read:

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30 NOTICE TO TAXPAYERS OWNING
31 AFFORDABLE RENTAL HOUSING PROPERTY

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If your property meets certain conditions you may qualify for a deferred tax payment plan on your affordable rental housing property. An application to determine your eligibility is available in the county tax collector's office.

(b) On or before November 1 of each year, each taxpayer for whom a tax deferral has been previously granted of the accumulated sum of deferred taxes, non-ad valorem assessments, and interest outstanding.

197.3071 Eligibility for tax deferral.--The tax deferral authorized by this section is applicable only on a prorata basis to the ad valorem taxes levied on residential units within a property which meet the following conditions:

(1) Units for which the monthly rent along with taxes, insurance, and utilities does not exceed 30 percent of the median adjusted gross annual income as defined in s. 420.0004 for the households described in subsection (2).

(2) Units that are occupied by extremely-low-income persons, very-low-income persons, low-income persons, or moderate-income persons as these terms are defined in s. 420.0004.

197.3072 Deferral for affordable rental housing properties.--

(1) Any property owner in a jurisdiction that has adopted an ad valorem tax-deferral ordinance or a deferral of non-ad valorem assessments ordinance pursuant to s. 197.307 and who owns an eligible affordable rental housing property as described in s. 197.3071 may apply for a deferral of payment by filing an annual application for deferral with the county

1 tax collector on or before January 31 following the year in
2 which the taxes and non-ad valorem assessments are assessed.
3 The property owner has the burden to affirmatively demonstrate
4 compliance with the requirements of this section.

5 (2) Approval by the tax collector defers that portion
6 of the combined total of ad valorem taxes and any non-ad
7 valorem assessments plus interest that are authorized to be
8 deferred by an ordinance enacted pursuant to s. 197.307.

9 (3) Deferral may not be granted if:

10 (a) The total amount of deferred taxes, non-ad valorem
11 assessments, and interest plus the total amount of all other
12 unsatisfied liens on the property exceeds 85 percent of the
13 assessed value of the property; or

14 (b) The primary financing on the affordable rental
15 housing property is for an amount that exceeds 70 percent of
16 the assessed value of the property.

17 (4) The amount of taxes deferred, non-ad valorem
18 assessments, and interest shall accrue interest at a rate
19 equal to the annually compounded rate of 3 percent plus the
20 Consumer Price Index for All Urban Consumers; however, the
21 interest rate may not exceed 9.5 percent.

22 (5) The deferred taxes, non-ad valorem assessments,
23 and interest constitute a prior lien on the affordable rental
24 housing property and shall attach as of the date and in the
25 same manner and be collected as other liens for taxes as
26 provided for under this chapter, but such deferred taxes,
27 non-ad valorem assessments, and interest are due, payable, and
28 delinquent as provided in ss. 197.307-197.3079.

29 197.3073 Deferral application.--

30 (1) The application for a deferral of ad valorem taxes
31 and non-ad valorem assessments must be made annually upon a

1 form prescribed by the department and furnished by the county
2 tax collector. The application form must be signed under oath
3 by the property owner applying for the deferral before an
4 officer authorized by the state to administer oaths. The
5 application form must provide notice to the property owner of
6 the manner in which interest is computed. The application form
7 must contain an explanation of the conditions to be met for
8 approval of the deferral and the conditions under which
9 deferred taxes, non-ad valorem assessments, and interest
10 become due, payable, and delinquent. Each application must
11 clearly state that all deferrals pursuant to this section
12 constitute a lien on the property for which the deferral is
13 granted. The tax collector may require the property owner to
14 submit any other evidence and documentation considered
15 necessary by the tax collector in reviewing the application.

16 (2) The tax collector shall consider and render his or
17 her findings, determinations, and decision on each annual
18 application for a deferral for affordable rental housing
19 within 45 days after the date the application is filed. The
20 tax collector shall exercise reasonable discretion based upon
21 applicable information available under this section. The
22 determinations and findings of the tax collector are not quasi
23 judicial and are subject exclusively to review by the value
24 adjustment board as provided by this section. A tax collector
25 who finds that a property owner is entitled to the deferral
26 shall approve the application and file the application in the
27 permanent records.

28 (a) A tax collector who finds that a property owner is
29 not entitled to the deferral shall send a notice of
30 disapproval within 45 days after the date the application is
31 filed, giving reasons for the disapproval. The notice must be

1 sent by personal delivery or registered mail to the mailing
2 address given by the property owner in the manner in which the
3 original notice was served upon the property owner and must be
4 filed among the permanent records of the tax collector's
5 office. The original notice of disapproval sent to the
6 property owner shall advise the property owner of the right to
7 appeal the decision of the tax collector to the value
8 adjustment board and provide the procedures for filing an
9 appeal.

10 (b) An appeal by the property owner of the decision of
11 the tax collector to deny the deferral must be submitted to
12 the value adjustment board on a form prescribed by the
13 department and furnished by the tax collector. The appeal must
14 be filed with the value adjustment board within 20 days after
15 the applicant's receipt of the notice of disapproval, and the
16 board must approve or disapprove the appeal within 30 days
17 after receipt of the appeal. The value adjustment board shall
18 review the application and the evidence presented to the tax
19 collector upon which the property owner based a claim for
20 deferral and, at the election of the property owner, shall
21 hear the property owner in person, or by agent on the property
22 owner's behalf, concerning his or her right to the deferral.
23 The value adjustment board shall reverse the decision of the
24 tax collector and grant a deferral to the property owner if,
25 in its judgment, the property owner is entitled to the
26 deferral or shall affirm the decision of the tax collector.
27 Action by the value adjustment board is final unless the
28 property owner or tax collector or other lienholder, within 15
29 days after the date of disapproval of the application by the
30 board, files for a de novo proceeding for a declaratory
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1 judgment or other appropriate proceeding in the circuit court
2 of the county in which the property is located.

3 (3) Each application for deferral must contain a list
4 of, and the current value of, all outstanding liens on the
5 property for which a deferral is requested.

6 (4) For approved applications, the date the deferral
7 application is received by the tax collector shall be the date
8 used in calculating taxes due and payable at the expiration of
9 the tax deferral net of discounts for early payment.

10 (5) If proof has not been furnished with a prior
11 application, each property owner shall furnish proof of fire
12 and extended coverage insurance in an amount that is in excess
13 of the sum of all outstanding liens including a lien for the
14 deferred taxes, non-ad valorem assessments, and interest with
15 a loss payable clause to the county tax collector.

16 (6) The tax collector shall notify the property
17 appraiser in writing of those parcels for which taxes or
18 assessments have been deferred.

19 (7) The property appraiser shall promptly notify the
20 tax collector of changes in ownership or use of properties
21 that have been granted a deferral.

22 (8) The property owner shall promptly notify the tax
23 collector of changes in ownership or use of properties that
24 have been granted tax deferrals.

25 197.3074 Deferred payment tax certificates.--

26 (1) The tax collector shall notify each local
27 governing body of the amount of taxes and non-ad valorem
28 assessments deferred which would otherwise have been collected
29 for the governing body. The tax collector shall, at the time
30 of the tax certificate sale held under s. 197.432 strike each
31 certificate off to the county. Certificates issued under this

1 section are exempt from the public sale of tax certificates
2 held pursuant to s. 197.432.

3 (2) The certificates held by the county shall bear
4 interest at a rate equal to the annually compounded rate of 3
5 percent plus the Consumer Price Index for All Urban Consumers;
6 however, the interest rate may not exceed 9.5 percent.

7 197.3075 Change in use or ownership of property.--

8 (1) If there is a change in use or ownership of the
9 property that has been granted an ad valorem tax or non-ad
10 valorem assessment deferral such that the property owner is no
11 longer entitled to claim the property as an affordable rental
12 housing property, or if there is a change in the legal or
13 beneficial ownership of the property, or if the owner fails to
14 maintain the required fire and extended insurance coverage,
15 the total amount of deferred taxes, non-ad valorem
16 assessments, and interest for all previous years becomes due
17 and payable November 1 of the year in which the change in use
18 or ownership occurs or on the date failure to maintain
19 insurance occurs, and is delinquent on April 1 of the year
20 following the year in which the change in use or ownership or
21 failure to maintain insurance occurs.

22 (2) Whenever the property appraiser discovers that
23 there has been a change in the use or ownership of the
24 property that has been granted a deferral, the property
25 appraiser shall notify the tax collector in writing of the
26 date such change occurs, and the tax collector shall collect
27 any taxes, non-ad valorem assessments, and interest due or
28 delinquent.

29 (3) During any year in which the total amount of
30 deferred taxes, non-ad valorem assessments, interest, and all
31 other unsatisfied liens on the property exceeds 85 percent of

1 the assessed value of the property, the tax collector shall
2 immediately notify the property owner that the portion of
3 taxes, non-ad valorem assessments, and interest which exceeds
4 85 percent of the assessed value of the property is due and
5 payable within 30 days after receipt of the notice. Failure to
6 pay the amount due shall cause the total amount of deferred
7 taxes, non-ad valorem assessments, and interest to become
8 delinquent.

9 (4) If on or before June 1 following the date the
10 taxes deferred under this subsection become delinquent, the
11 tax collector shall sell a tax certificate for the delinquent
12 taxes and interest in the manner provided by s. 197.432.

13 197.3076 Prepayment of deferred taxes and non-ad
14 valorem assessments.--

15 (1) All or part of the deferred taxes, non-ad valorem
16 assessments, and accrued interest may at any time be paid to
17 the tax collector by:

18 (a) The property owner; or

19 (b) The property owner's next of kin, heir, child, or
20 any person having or claiming a legal or equitable interest in
21 the property, if an objection is not made by the owner within
22 30 days after the tax collector notifies the property owner of
23 the fact that such payment has been tendered.

24 (2) Any partial payment made pursuant to this section
25 shall be applied first to accrued interest.

26 197.3077 Distribution of payments.--When any deferred
27 tax, non-ad valorem assessment, or interest is collected, the
28 tax collector shall maintain a record of the payment, setting
29 forth a description of the property and the amount of taxes or
30 interest collected for the property. The tax collector shall
31 distribute payments received in accordance with the procedures

1 for distributing ad valorem taxes, non-ad valorem assessments,
2 or redemption moneys as prescribed in this chapter.

3 197.3078 Construction.--This section does not prevent
4 the collection of personal property taxes that become a lien
5 against tax-deferred property, or defer payment of special
6 assessments to benefited property other than those
7 specifically allowed to be deferred, or affect any provision
8 of any mortgage or other instrument relating to property
9 requiring a person to pay ad valorem taxes or non-ad valorem
10 assessments.

11 197.3079 Penalties.--

12 (1) The following penalties shall be imposed on any
13 person who willfully files information required under this
14 section which is incorrect:

15 (a) The person shall pay the total amount of deferred
16 taxes, non-ad valorem assessments, and interest which shall
17 immediately become due;

18 (b) The person shall be disqualified from filing a
19 tax-deferral application for the next 3 years; and

20 (c) The person shall pay a penalty of 25 percent of
21 the total amount of taxes, non-ad valorem assessments, and
22 interest deferred.

23 (2) Any person against whom penalties have been
24 imposed may appeal to the value adjustment board within 30
25 days after the date the penalties were imposed.

26 Section 6. Paragraph (c) of subsection (19) of section
27 380.06, Florida Statutes, is amended to read:

28 380.06 Developments of regional impact.--

29 (19) SUBSTANTIAL DEVIATIONS.--

30 (c) An extension of the date of buildout of a
31 development, or any phase thereof, by more than 7 years shall

1 | be presumed to create a substantial deviation subject to
2 | further development-of-regional-impact review. An extension of
3 | the date of buildout, or any phase thereof, of more than 5
4 | years but not more than 7 years shall be presumed not to
5 | create a substantial deviation. The extension of the date of
6 | buildout of an areawide development of regional impact by more
7 | than 5 years but less than 10 years is presumed not to create
8 | a substantial deviation. These presumptions may be rebutted by
9 | clear and convincing evidence at the public hearing held by
10 | the local government. An extension of 5 years or less is not a
11 | substantial deviation. For the purpose of calculating when a
12 | buildout or phase date has been exceeded, the time shall be
13 | tolled during the pendency of administrative or judicial
14 | proceedings relating to development permits. Any extension of
15 | the buildout date of a project or a phase thereof shall
16 | automatically extend the commencement date of the project, the
17 | termination date of the development order, the expiration date
18 | of the development of regional impact, and the phases thereof
19 | if applicable by a like period of time. In recognition of the
20 | 2007 real estate market conditions, all phase, buildout, and
21 | expiration dates for projects that are developments of
22 | regional impact and under active construction on July 1, 2007,
23 | are extended for 3 years regardless of any prior extension.
24 | The 3-year extension is not a substantial deviation, is not
25 | subject to further development-of-regional-impact review, and
26 | must not be considered when determining whether a subsequent
27 | extension is a substantial deviation under this subsection.

28 | Section 7. Subsection (2) of section 420.504, Florida
29 | Statutes, is amended to read:

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

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

18 Section 8. Section 420.506, Florida Statutes, is
19 amended to read:

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

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

12 Section 9. Section 420.5061, Florida Statutes, is
13 amended to read:

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

1 | 420.508(5), the State Apartment Incentive Loan Fund
2 | established by s. 420.5087(7), the Florida Homeownership
3 | Assistance Fund established by s. 420.5088(4), the HOME
4 | Investment Partnership Fund established by s. 420.5089(1), and
5 | the Housing Predevelopment Loan Fund established by s.
6 | 420.525(1) were each trust funds. For purposes of s. 112.313,
7 | the corporation is deemed to be a continuation of the agency,
8 | and the provisions thereof are deemed to apply as if the same
9 | entity remained in place. Any employees of the agency and
10 | agency board members covered by s. 112.313(9)(a)6. shall
11 | continue to be entitled to the exemption in that subparagraph,
12 | notwithstanding being hired by the corporation or appointed as
13 | board members of the corporation. ~~Effective January 1, 1998,~~
14 | ~~all state property in use by the agency shall be transferred~~
15 | ~~to and become the property of the corporation.~~

16 | Section 10. Subsection (46) is added to section
17 | 420.507, Florida Statutes, to read:

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

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

31 |

1 Section 11. Subsection (3) of section 420.5087,
2 Florida Statutes, is amended to read:

3 420.5087 State Apartment Incentive Loan
4 Program.--There is hereby created the State Apartment
5 Incentive Loan Program for the purpose of providing first,
6 second, or other subordinated mortgage loans or loan
7 guarantees to sponsors, including for-profit, nonprofit, and
8 public entities, to provide housing affordable to
9 very-low-income persons.

10 (3) During the first 6 months of loan or loan
11 guarantee availability, program funds shall be reserved for
12 use by sponsors who provide the housing set-aside required in
13 subsection (2) for the tenant groups designated in this
14 subsection. The reservation of funds to each of these groups
15 shall be determined using the most recent statewide
16 very-low-income rental housing market study available at the
17 time of publication of each notice of fund availability
18 required by paragraph (6)(b). The reservation of funds within
19 each notice of fund availability to the tenant groups in
20 paragraphs (a), (b), and (d) may not be less than 10 percent
21 of the funds available at that time. Any increase in funding
22 required to reach the 10-percent minimum must ~~shall~~ be taken
23 from the tenant group that has the largest reservation. The
24 reservation of funds within each notice of fund availability
25 to the tenant group in paragraph (c) may not be less than 5
26 percent of the funds available at that time. The tenant groups
27 are:

- 28 (a) Commercial fishing workers and farmworkers;
- 29 (b) Families;
- 30 (c) Persons who are homeless; and

1 (d) Elderly persons. Ten percent of the amount
2 reserved for the elderly shall be reserved to provide loans to
3 sponsors of housing for the elderly for the purpose of making
4 building preservation, health, or sanitation repairs or
5 improvements which are required by federal, state, or local
6 regulation or code, or lifesafety or security-related repairs
7 or improvements to such housing. Such a loan may not exceed
8 \$750,000 per housing community for the elderly. In order to
9 receive the loan, the sponsor of the housing community must
10 make a commitment to match at least 5 percent of the loan
11 amount to pay the cost of such repair or improvement. The
12 corporation shall establish the rate of interest on the loan,
13 which may not exceed 3 percent, and the term of the loan,
14 which may not exceed 15 years; however, if the lien of the
15 corporation's encumbrance is subordinate to the lien of
16 another mortgagee, then the term may be made coterminous with
17 the longest term of the superior lien. The term of the loan
18 shall be based on ~~established on the basis of~~ a credit
19 analysis of the applicant. The corporation may forgive
20 indebtedness for a share of the loan attributable to the units
21 in a project reserved for extremely-low-income elderly by
22 nonprofit organizations, as defined in s. 420.0004(5), where
23 the project has provided affordable housing to the elderly for
24 15 years or more. The corporation shall establish, by rule,
25 the procedure and criteria for receiving, evaluating, and
26 competitively ranking all applications for loans under this
27 paragraph. A loan application must include evidence of the
28 first mortgagee's having reviewed and approved the sponsor's
29 intent to apply for a loan. A nonprofit organization or
30 sponsor may not use the proceeds of the loan to pay for
31

1 administrative costs, routine maintenance, or new
2 construction.

3 Section 12. Section 420.5095, Florida Statutes, is
4 amended to read:

5 420.5095 Community Workforce Housing Innovation Pilot
6 Program.--

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

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

22 (3) For purposes of this section, the term ~~following~~
23 ~~definitions apply:~~

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

1 state concern for at least 20 consecutive years prior to
2 removal of the designation.

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

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

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

25 (5) The corporation shall establish a loan application
26 process by rule which includes selection criteria, an
27 application review process, and a funding process. The
28 corporation shall also establish an application review
29 committee that may include up to three private citizens
30 representing the areas of housing or real estate development,
31

1 banking, community planning, or other areas related to the
2 development or financing of workforce and affordable housing.

3 (a) The selection criteria and application review
4 process must include a procedure for curing errors in the loan
5 applications which do not make a substantial change to the
6 proposed project.

7 (b) To achieve the goals of the pilot program, the
8 application review committee may approve or reject loan
9 applications or responses to questions raised during the
10 review of an application due to the insufficiency of
11 information provided.

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

15 (d) The board of directors shall approve or reject
16 loan applications, determine the tentative loan amount
17 available to each applicant, and rank all approved
18 applications.

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

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

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

1 **(b) One hundred and fifty percent of the area median**
2 **income, adjusted for household size, in areas that were**
3 **designated as areas of critical state concern for at least 20**
4 **consecutive years prior to the removal of the designation and**
5 **in areas of critical state concern, designated under s.**
6 **380.05, for which the Legislature has declared its intent to**
7 **provide affordable housing.**

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

18 **(8)(7)** Projects shall receive priority consideration
19 for funding where:

20 (a) The local jurisdiction **has adopted, or is**
21 **committed to adopting, adopts** appropriate regulatory
22 incentives, local contributions or financial strategies, or
23 other funding sources to promote the development and ongoing
24 financial viability of such projects. Local incentives include
25 such actions as expediting review of development orders and
26 permits, supporting development near transportation hubs and
27 major employment centers, and adopting land development
28 regulations designed to allow flexibility in densities, use of
29 accessory units, mixed-use developments, and flexible lot
30 configurations. Financial strategies include such actions as
31

1 promoting employer-assisted housing programs, providing tax
2 increment financing, and providing land.

3 (b) Projects are innovative and include new
4 construction or rehabilitation; ~~i,~~ mixed-income housing; ~~i,~~ ~~or~~
5 commercial and housing mixed-use elements; innovative design,
6 green building principles; storm-resistant construction; or
7 other elements that reduce long-term costs relating to
8 maintenance, utilities, or insurance and ~~those that~~ promote
9 homeownership. The program funding ~~may shall~~ not exceed the
10 costs attributable to the portion of the project that is set
11 aside to provide housing for the targeted population.

12 (c) Projects that set aside at least 80 percent of
13 units for workforce housing and at least 50 percent for
14 essential services personnel and for projects that require the
15 least amount of program funding compared to the overall
16 housing costs for the project.

17 ~~(9)(8)~~ Notwithstanding ~~the provisions of~~ s.
18 163.3184(3)-(6), any local government comprehensive plan
19 amendment to implement a Community Workforce Housing
20 Innovation Pilot Program project found consistent with the
21 provisions of this section shall be expedited as provided in
22 this subsection. At least 30 days prior to adopting a plan
23 amendment under ~~pursuant to~~ this subsection, the local
24 government shall notify the state land planning agency of its
25 intent to adopt such an amendment, and the notice shall
26 include its evaluation related to site suitability and
27 availability of facilities and services. The public notice of
28 the hearing required by s. 163.3184(15)(b)2. ~~s.~~
29 ~~163.3184(15)(c)~~ shall include a statement that the local
30 government intends to use ~~utilize~~ the expedited adoption
31 process authorized by this subsection. Such amendments shall

1 require only a single public hearing before the governing
2 board, which shall be an adoption hearing as described in s.
3 163.3184(7), ~~and~~ The state land planning agency shall issue
4 its notice of intent pursuant to s. 163.3184(8) within 30 days
5 after determining that the amendment package is complete. Any
6 further proceedings shall be governed by ss. 163.3184(9)-(16).
7 Amendments proposed under this section are not subject to s.
8 163.3187(1), which limits the adoption of a comprehensive plan
9 amendment to no more than two times during any calendar year.

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

14 ~~(11)(9)~~ The corporation shall award loans with
15 interest rates set at 1 to 3 percent, which may be made
16 forgivable when long-term affordability is provided and when
17 at least 80 percent of the units are set aside for workforce
18 housing and at least 50 percent of the units are set aside for
19 essential services personnel.

20 ~~(12)(10)~~ All eligible applications shall:

21 (a) For home ownership, limit the sales price of a
22 detached unit, townhome, or condominium unit to not more than
23 90 ~~80~~ percent of the median sales price for that type of unit
24 in that county, or the statewide median sales price for that
25 type of unit, whichever is higher, and require that all
26 eligible purchasers of home ownership units occupy the homes
27 as their primary residence.

28 (b) For rental units, restrict rents for all workforce
29 housing serving those with incomes at or below 120 percent of
30 area median income at the appropriate income level using the
31 restricted rents for the federal low-income housing tax credit

1 program and, for workforce housing units serving those with
2 incomes above 120 percent of area median income, restrict
3 rents to those established by the corporation, not to exceed
4 30 percent of the maximum household income adjusted to unit
5 size.

6 (c) Demonstrate that the applicant is a public-private
7 partnership in an agreement, contract, partnership agreement,
8 memorandum of understanding, or other written instrument
9 signed by all the project partners.

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

20 (e) Demonstrate how the applicant will use the
21 regulatory incentives and financial strategies outlined in
22 subsection (8) ~~paragraph (7)(a)~~ from the local jurisdiction in
23 which the proposed project is to be located. The corporation
24 may consult with the Department of Community Affairs in
25 evaluating the use of regulatory incentives by applicants.

26 (f) Demonstrate that the applicant possesses title to
27 or site control of land and evidences availability of required
28 infrastructure.

29 (g) Demonstrate the applicant's affordable housing
30 development and management experience.

31

1 (h) Provide any research or facts available supporting
2 the demand and need for rental or home ownership workforce
3 housing for eligible persons in the market in which the
4 project is proposed.

5 ~~(13)(11)~~ Projects may include manufactured housing
6 constructed after June 1994 and installed in accordance with
7 mobile home installation standards of the Department of
8 Highway Safety and Motor Vehicles.

9 ~~(14)(12)~~ The corporation may adopt rules pursuant to
10 ss. 120.536(1) and 120.54 to implement ~~the provisions of this~~
11 section.

12 ~~(15)(13)~~ The corporation may use a maximum of 2
13 percent of the annual program appropriation for administration
14 and compliance monitoring.

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

25 Section 13. Subsection (3) of section 420.511, Florida
26 Statutes, is amended to read:

27 420.511 Business plan; strategic plan; annual
28 report.--

29 (3)(a) The corporation shall submit to the Governor
30 and the presiding officers of each house of the Legislature,
31

1 within 2 months after the end of its fiscal year, a complete
2 and detailed report setting forth:
3 ~~1.(a)~~ Its operations and accomplishments;
4 ~~2.(b)~~ Its receipts and expenditures during its fiscal
5 year in accordance with the categories or classifications
6 established by the corporation for its operating and capital
7 outlay purposes;
8 ~~3.(c)~~ Its assets and liabilities at the end of its
9 fiscal year and the status of reserve, special, or other
10 funds;
11 ~~4.(d)~~ A schedule of its bonds outstanding at the end
12 of its fiscal year, together with a statement of the principal
13 amounts of bonds issued and redeemed during the fiscal year;
14 and
15 ~~5.(e)~~ Information relating to the corporation's
16 activities in implementing the provisions of ss. 420.5087, ~~and~~
17 420.5088, and 420.5095.
18 ~~(b)~~ The report ~~required by this subsection~~ shall
19 include, but not be limited to:
20 1. The number of people served, delineated by income,
21 age, family size, and racial characteristics.
22 2. The number of units produced under each program.
23 3. The average cost of producing units under each
24 program.
25 4. The average sales price of single-family units
26 financed under s. 420.5088.
27 5. The average amount of rent charged based on unit
28 size on units financed under s. 420.5087.
29 6. The number of persons in rural communities served
30 under each program.
31

1 7. The number of farmworkers served under each
2 program.

3 8. The number of homeless persons served under each
4 program.

5 9. The number of elderly persons served under each
6 program.

7 10. The extent to which geographic distribution has
8 been achieved in accordance with the provisions of s.
9 420.5087.

10 11. The success of the Community Workforce Housing
11 Innovation Pilot Program in meeting the housing needs of
12 eligible areas.

13 ~~12.11.~~ Any other information the corporation deems
14 appropriate.

15 Section 14. Subsection (1) of section 420.513, Florida
16 Statutes, is amended to read:

17 420.513 Exemption from taxes and eligibility as
18 investment.--

19 (1) The property of the corporation, the transactions
20 and operations thereof, the income therefrom, and the bonds of
21 the corporation issued under this act, together with all
22 notes, mortgages, security agreements, letters of credit, or
23 other instruments that arise out of or are given to secure the
24 repayment of bonds issued in connection with the financing of
25 any housing ~~development~~ under this part, and all notes,
26 mortgages, security agreements, letters of credit, or other
27 instruments that arise out of or are given to secure the
28 repayment of loans issued in connection with the financing of
29 any housing under this part, as well as the interest thereon
30 and income therefrom, regardless of the status of any party
31 thereto as a private party, shall be exempt from taxation by

1 | the state and its political subdivisions. The exemption
2 | granted by this subsection shall not apply to any tax imposed
3 | by chapter 220 on interest, income, or profits on debt
4 | obligations owned by corporations.

5 | Section 15. Subsection (7) of section 420.526, Florida
6 | Statutes, is amended to read:

7 | 420.526 Predevelopment Loan Program; loans and grants
8 | authorized; activities eligible for support.--

9 | (7) No predevelopment loan made under this section
10 | shall exceed the lesser of:

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

13 | (b) Seven hundred and fifty ~~Five hundred~~ thousand
14 | dollars.

15 | Section 16. Subsections (2), (4), (5), and (6) of
16 | section 420.9076, Florida Statutes, are amended, and
17 | subsections (8) and (9) are added to that section, to read:

18 | 420.9076 Adoption of affordable housing incentive
19 | strategies; committees.--

20 | (2) The governing board of a county or municipality
21 | shall appoint the members of the affordable housing advisory
22 | committee by resolution. Pursuant to the terms of any
23 | interlocal agreement, a county and municipality may create and
24 | jointly appoint an advisory committee to prepare a joint plan.

25 | The ordinance adopted pursuant to s. 420.9072 which creates
26 | the advisory committee or the resolution appointing the
27 | advisory committee members must provide for eleven ~~nine~~
28 | committee members and their terms. The committee must include:

29 | (a) One citizen who is actively engaged in the
30 | residential home building industry in connection with
31 | affordable housing.

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

4 (c) One citizen who is a representative of those areas
5 of labor actively engaged in home building in connection with
6 affordable housing.

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

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

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

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

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

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

19 (j) One citizen who represents employers within the
20 jurisdiction.

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

23
24 If a county or eligible municipality whether due to its small
25 size, the presence of a conflict of interest by prospective
26 appointees, or other reasonable factor, is unable to appoint a
27 citizen actively engaged in these activities in connection
28 with affordable housing, a citizen engaged in the activity
29 without regard to affordable housing may be appointed. Local
30 governments that receive the minimum allocation under the
31 State Housing Initiatives Partnership Program may elect to

1 appoint an affordable housing advisory committee with fewer
2 than eleven representatives if they are unable to find
3 representatives that meet the criteria of paragraphs (a)-(k).

4 (4) Triennially, the advisory committee shall review
5 the established policies and procedures, ordinances, land
6 development regulations, and adopted local government
7 comprehensive plan of the appointing local government and
8 shall recommend specific actions or initiatives to encourage
9 or facilitate affordable housing while protecting the ability
10 of the property to appreciate in value. ~~The Such~~
11 recommendations may include the modification or repeal of
12 existing policies, procedures, ordinances, regulations, or
13 plan provisions; the creation of exceptions applicable to
14 affordable housing; or the adoption of new policies,
15 procedures, regulations, ordinances, or plan provisions,
16 including recommendations to amend the local government
17 comprehensive plan and corresponding regulations, ordinances,
18 and other policies. At a minimum, each advisory committee
19 shall submit a report to the local governing body that
20 includes ~~make~~ recommendations on, and triennially thereafter
21 evaluates the implementation of, affordable housing incentives
22 in the following areas:

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

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

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

1 (d) The reservation of infrastructure capacity for
2 housing for very-low-income persons, ~~and~~ low-income persons,
3 and moderate-income persons.

4 (e) The allowance of affordable accessory residential
5 units in residential zoning districts.

6 (f) The reduction of parking and setback requirements
7 for affordable housing.

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

10 (h) The modification of street requirements for
11 affordable housing.

12 (i) The establishment of a process by which a local
13 government considers, before adoption, policies, procedures,
14 ordinances, regulations, or plan provisions that increase the
15 cost of housing.

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

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

20
21 The advisory committee recommendations ~~may~~ ~~must~~ also include
22 other affordable housing incentives identified by the advisory
23 committee. Local governments that receive the minimum
24 allocation under the State Housing Initiatives Partnership
25 Program shall perform the initial review, but may elect to not
26 perform the triennial review.

27 (5) The approval by the advisory committee of its
28 local housing incentive strategies recommendations and its
29 review of local government implementation of previously
30 recommended strategies must be made by affirmative vote of a
31 majority of the membership of the advisory committee taken at

1 a public hearing. Notice of the time, date, and place of the
2 public hearing of the advisory committee to adopt final local
3 housing incentive strategies recommendations must be published
4 in a newspaper of general paid circulation in the county. The
5 ~~Such~~ notice must contain a short and concise summary of the
6 local housing incentives strategies recommendations to be
7 considered by the advisory committee. The notice must state
8 the public place where a copy of the tentative advisory
9 committee recommendations can be obtained by interested
10 persons.

11 (6) Within 90 days after the date of receipt of the
12 local housing incentive strategies recommendations from the
13 advisory committee, the governing body of the appointing local
14 government shall adopt an amendment to its local housing
15 assistance plan to incorporate the local housing incentive
16 strategies it will implement within its jurisdiction. The
17 amendment must include, at a minimum, the local housing
18 incentive strategies required under s. 420.9071(16). The local
19 government must consider the strategies specified in
20 paragraphs(4)(a)-(k) as recommended by the advisory committee
21 ~~(4)(a)-(j).~~

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

24 (a) The provision of mentoring services to affordable
25 housing partners including developers, banking institutions,
26 employers, and others to identify available incentives, assist
27 with applications for funding requests, and develop
28 partnerships between various parties.

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

31

1 (9) The advisory committee shall be cooperatively
2 staffed by the local government department or division having
3 authority to administer local planning or housing programs to
4 ensure an integrated approach to the work of the advisory
5 committee.

6 Section 17. This act shall take effect July 1, 2007.

7
8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 CS/CS Senate Bill 780

11 The committee substitute continues existing statutory language
12 regarding the Service Charge to General Revenue assessment on
13 certain Florida Housing Finance Corporation programs and
14 allows a local government to adopt amendments to the local
15 comprehensive plan in order to integrate a port master plan
16 with the local comprehensive plan.
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