



HOUSING NEWS

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Dr. James Nicholas, Professor Emeritus of Urban and Regional Planning at University of Florida.



Secretary Tom Pelham, Florida Department of Community Affairs.



The Honorable Alex Sink, Florida's Chief Financial Officer, keynote speaker.

THE ECONOMICS OF HOUSING

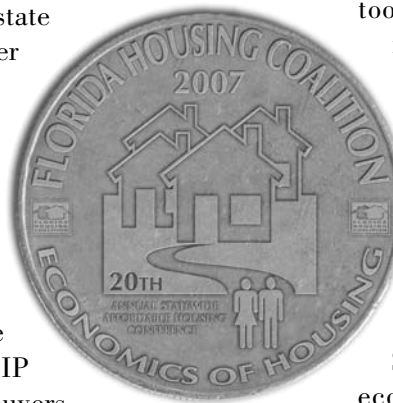
— it was our statewide annual conference theme, supported by our state's Chief Financial Officer in her keynote speech, and the Secretary of the Florida Department of Community Affairs in his state of the state address. And at the very time over 700 housing professionals were gathered in Orlando for the Florida Housing Coalition's statewide conference, Governor Crist announced a plan for fueling Florida's economy by appropriating \$75 million from the housing trust funds to provide more money to Florida's SHIP programs and assist more homebuyers using the state's loan programs. There was and continues to be a great deal of energy around the economics of housing from political leaders, national and statewide experts, and housing professionals.

National experts showed us that it costs the business community and private tax payers more to allow homelessness than to provide housing with services for the homeless population—that

if for no other reason than economics, we should be housing the homeless. See article page 23.

National experts showed us how to use tools such as linkage fees and inclusionary zoning in ways that improve the economy and less than a month later, the Village of Islamorada adopted an affordable housing ordinance to improve its economy which put those lessons into law. See article on page 20.

State experts addressed the economic issues that cause mobile home park closures and what Florida should be doing to address the loss of mobile home park housing. Most exciting on this front, was the announcement made at the conference by DCA Secretary Tom Pelham that the DCA would no longer find comprehensive plan amendments, which serve to close mobile home parks without alternative housing available, to be in compliance with growth management law. See articles on pages 3 - 5.





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The Florida Housing Coalition is a nonprofit, statewide membership organization whose mission is to act as a catalyst to bring together housing advocates and resources so that Floridians have a safe and affordable home and suitable living environment.

The Housing News Network is published by the Florida Housing Coalition as a service to its members and for housing professionals and others interested in affordable housing issues.

Jaimie Ross, Editor.

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The Economics of Preserving Mobile Home Parks conference workshop. Panelists, James Ayotte, Florida Manufactured Housing Association Executive Director (at podium); moderator, Florida Housing Coalition President, Jaimie Ross; panelist Janet Riley, Attorney at Law, Broward County Legal Aid. To the left of podium (not pictured) was panelist Dr. James Carras, Carras & Associates, consultant for Town of Davie.

Mobile Home Parks and Florida's Land Use Laws

BY JAIMIE ROSS

Secretary Pelham wowed the crowd of more than seven hundred housing professionals, with his strong, positive comments in support of enforcing the housing element requirements of Florida's comprehensive planning laws. He explained that comprehensive plan amendments to rezone mobile home parks when there is no alternative housing will be found "not in compliance" by the DCA. This is a wholly different course and position from that taken by the previous DCA Secretary at a time when record numbers of mobile home parks were rezoned out of existence.



The current position of the DCA is truly monumental to the cause of preserving mobile home parks for the residents who live there.*
What does

this mean to local governments in Florida? If a local government makes a determination that there is no alternative housing within its jurisdiction for its current mobile home

An analysis of manufactured home communities that closed due to a change in land use in Florida from July 2001- July 2006 reveals that more than 22,000 mobile home sites were lost. The data was compiled from databases kept by the Florida Mobile Home Owners and the Florida Manufactured Housing Association (although based primarily on newspaper articles and personal knowledge, so likely undercounted). Twenty nine of the mobile home parks had more than 200 homesites; 179 of the home sites were less than 200 units. Some of the largest losses were in: Broward County- lost 2,194 mobile home sites; Dade County- lost 1,862 home sites; Lee County- lost 902 home sites; Palm Beach County- lost 1,424 home sites; Pinellas- lost 4,864 home sites; Sarasota- lost 1,561 home sites.

park residents it must not rezone its existing parks. Only if there is alternative housing available within the jurisdiction can a mobile home park rezoning be in compliance with Florida's housing element law, which requires both adequate housing for the existing population and adequate sites for mobile homes.

Why is this so important? Because the statute that ostensibly provides the most protection for mobile home park residents, Section 723.083, Florida Statutes can and is circumvented regularly when mobile home park owners or the prospective buyers of the park hire "relocation experts" to coerce mobile home park residents into leaving the park. The relocation experts offer a small lump sum of money which decreases with each month or week they delay in accepting a few thousand dollars—money that can only keep the residents from homelessness for a short period of time, but which is more than they can reasonably anticipate receiving if they fail to accept. Once the mobile home park is empty, the provisions of Section 723.083 become moot because there are no residents to be displaced—they have already been displaced.

723.083 Governmental action affecting removal of mobile home owners.

No agency of municipal, local, county, or state government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners.

land use principles and in compliance with land use laws—one of those land use laws is the requirement that local government ensure the provision of adequate sites for affordable housing and for mobile homes.

If the local government is to comply with the requirements of the 1985 Growth Management Act, and most specifically with the housing element requirement to ensure adequate sites for mobile homes, and to ensure that its residents are not made homeless from government action, it becomes clear (albeit unconventional or perhaps even startling) that mobile home parks cannot be rezoned when there are no alternative sites for the population currently housed in the mobile home park.

THE LAND USE ISSUE.

The Housing Element requirements of the 1985 Growth Management Act include that every local government have adequate sites for affordable housing and provide for housing all its current residents. Florida provides broad local home rule powers. When faced with a request for a rezoning, the local government must balance the property rights of the land owner with the health, safety and welfare of the community.


Rezoning is a land development regulation that is granted by local government after engaging in this balancing of private property rights and the health, safety, and welfare of the community. Rezoning is not an unfettered right, even when consistent with the comprehensive plan. Rezoning is a quasi-judicial decision that can not be arbitrary or capricious—it is a decision that must be made in accordance with sound

THE FOLLOWING IS THE DEPARTMENT'S POSITION:

Local comprehensive plans are required to make provision for "adequate sites for future housing, including housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities" and "provision for relocation housing." Section 163.3177(6) (f) I.d. and e., Florida Statutes. This statutory requirement is reflected in Chapter 9J-5, Florida Administrative Code. See Rule 9J-5.010, F.A.C.

Therefore, if a local government amends its local comprehensive plan to provide for the conversion of existing mobile home parks to other uses, the local government must submit to the Department data and analysis which demonstrates that after the conversion there will still be adequate sites for mobile homes which will be available to persons displaced by the conversion. Further, if a mobile home park is going to be converted to nonresidential use or to housing for high income persons, the local government must demonstrate that there will still be an adequate supply of housing for low-income, very low-income, and moderate income families in the local jurisdiction. If the local government does not make this demonstration, the Department will find the plan amendment not in compliance.

Department of Community Affairs Secretary, Tom Pelham

What if the mobile home park owner empties the park by failing to renew leases? In this way, the owner can argue that no one is being displaced, that no alternative housing need to be found prior to rezoning. This might get the owner and the local government around the requirements of 723.083, Florida Statutes, but it does not change the comprehensive planning law that requires adequate sites for very low income households and for mobile homes. So long as there is a population in need of mobile home park land to have safe and adequate housing, the park should not be rezoned. 

**Although this is a new position for the DCA, it is completely consistent with the two Attorney General Opinions issued on this subject by Attorney General, Jim Smith in 1986 and Attorney General Charlie Crist in 2005.*



The Mobile Home Dilemma: Lessons Learned in the Town of Davie

BY: SHIRLEY TAYLOR-PRAKELT

I imagine a lovely 80 year-old widow on a fixed-social security income, who has lived in the same mobile home park for 25 years, and now faces homelessness due to the closure of her park. Imagine her friend and neighbor, a 71 year-old gentleman on social security, still working as a security guard to make ends meet, who also faces homelessness after 35 years of faithfully paying his lot-rent on time. Why? There is simply no comparably priced replacement housing that is affordable to them; and, since they occupy older-model mobiles which can not be relocated, they will lose their asset (the mobile home). I have had many sleepless nights thinking about how to rescue these Davie seniors who have contributed so richly to our community.



When we found them they were living in a garage using a 5-gallon bucket for their restroom, and showering with a garden hose. After our diligent and time-consuming intervention, they are now rehoused. I am still haunted by the faces of the distraught women and children being forced from their homes, as the bulldozers were demolishing the units around them. They were frightened, worried, and literally devastated.

As I drove back to my office from visiting the site, I wept, because the system had failed to protect them.

Chapter 723, Florida Statutes, is clearly antiquated and does not protect the rights of mobile home lot renters, especially those who own pre-1994 units which are not wind-storm rated. When the statutes were written, they did not contemplate:

- the fact that mobile homes would age-in-place and subsequently may no longer be moveable due to their deteriorating condition
- the new State-wide Building Code post Hurricane Wilma, which makes it nearly impossible for mobiles to be relocated
- if the mobile home must be abandoned, the asset is lost; and there is no compensation to the owner – thus no ability to replace it
- escalating land and housing costs unmatched by increases in wages and income
- the statutory compensation of \$3,000 for a single-wide or \$6,000 for a double-wide mobile *(continued)*

When the Stirling Road Mobile Home Park in Davie was sold for redevelopment, 65 families lost their homes. Since there was no comparable housing affordable to them, many families ended up living in sub-standard and/or over-crowded conditions, were forced to leave the South Florida area, or became homeless. Many are still paying mortgages on units they can no longer occupy, and are now “upside-down” economically. A couple in their late 60’s, who lived there for 17 years, had to “abandon” their home for \$1 since it was an older mobile which could not be moved. The statutory relocation benefit of \$1,375 (for a single-wide mobile) was matched by the new owner, so their total compensation was \$2,750. So, what happened to the elderly couple?

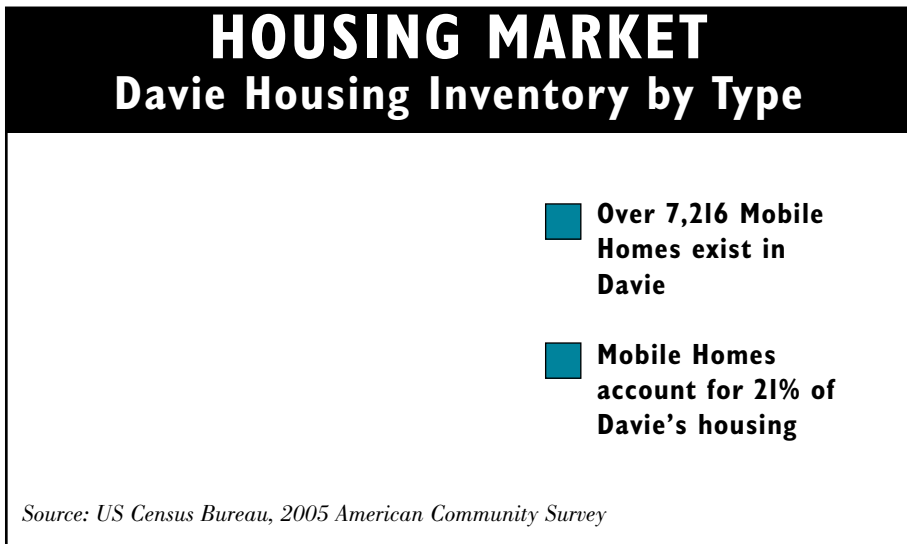
is clearly insufficient to permit the displaced family to be successfully rehoused in sustainable housing

- even if a pre-1994 model can physically be moved, the reality is no park will accept them, as they do not want the liability of non-windstorm rated units which could cause damage to their residents homes in a storm
- many owners of pre-1994 mobiles are still paying mortgages on the asset, and there is no requirement to make the displaced resident “whole” financially.

This is the plight of mobile home residents who are being torn from their communities, their churches, and their support group of friends and neighbors, who assist with life’s activities, such as grocery shopping and trips to the doctor. This problem is not unique to Davie, but it is of great importance to the Town, since 24% of Davie’s housing units are mobile homes, i.e., 7,400+ units in 31 parks, housing an estimated 23,000 residents. Located southwest of Fort Lauderdale in Broward County, Davie lies midway between Miami and Palm Beach, with an estimated population of 92,431 in 2006. As one elected official describes the town, “Davie is a diverse community ranging from mobiles to mansions.”

Mobile home living in Davie falls into two categories: 1) “housing of choice”, occupied primarily by seniors on fixed-incomes or middle-income families who enjoy the simple lifestyle; and, 2) “housing of last resort,” typically

occupied by Davie’s lower-income, working families, who can find no more economical type of housing. Regrettably, many families have poor credit histories making it difficult for them to obtain rental housing, since landlords now require a credit check and proof of a bank account; and, their income levels are insufficient to purchase site-built units.



As an affordable housing advocate for over 30 years, it was my goal to help lower-income mobile home occupants (especially those living in sub-standard units) to transition into affordable rental housing, then segue into the rental housing market, and finally become first-time homebuyers. We were having a modicum of success until Hurricane Wilma blew through town and 832 mobile homes were blown-to-bits, and 568 site-built units were rendered uninhabitable. My staff and I, working with FEMA, SERT, Broward County, and others, are still housing displaced families and individuals.

HOUSING MARKET	
Davie Median Market Rent Values	
Mobile Home Lot	\$457
Efficiency	\$730
One Bedroom	\$855
Two Bedroom	\$949
Three Bedroom	\$1,566
Four Bedroom	\$2,605

Source: Town of Davie, Department of Housing and Community Development

After the storm, a new disaster threatened to cause further displacement of Davie residents. As a result of increasing land values, mobile home parks become the “low-hanging fruit” for developers seeking to rezone their property for a higher use and a higher profit. Mobile home communities state-wide, are closing down and being rezoned causing the permanent and involuntary displacement of thousands of lower-income and at-risk residents, including the elderly. Since Davie has more mobile home parks



per capita than any other jurisdiction in South Florida, the pressures of redevelopment are far more acute.

In response to this growing crisis, on December 20, 2006 the Town declared an “affordable housing crisis” which was exacerbated by the closure of mobile home parks. On February 21, 2007, the Town of Davie adopted a One-Year Moratorium on the Redevelopment of Mobile Home Parks, and established a Mobile Home Task Force (MHTF) comprised equally of mobile home park owners, and mobile home occupants; A housing consultant was hired to develop solutions and take the MHTF through the process of achieving consensus. The Town Council recognized that: 1) Mobile Home Parks serve a critical role in providing affordable housing for those persons who live in and are employed in the Town; 2) the existing supply of attainable, affordable and workforce housing is insufficient to meet the current demand for affordable and workforce housing; 3) the Town was facing increasing pressure concerning the possible redevelopment of Mobile Home Parks which could result in the loss of critical workforce and affordable housing units in the Town; 4) the loss of affordable housing provided by the Town’s Mobile Home Parks has a detrimental impact on the existing inventory of affordable housing and its availability for those who work and live in the Town; 5) the Town recognized the need to develop comprehensive plans, policies, land development regulations and programs to preserve the existing stock of affordable housing and increase the availability of affordable housing for those who live in and are employed in the Town.

Those municipalities who look-the-other-way while their mobile home parks are being emptied out, and subsequently come in for rezoning as “vacant sites”, should carefully examine Section 723.083, Florida Statutes, which stipulates that:

“No agency of municipal, local, county, or state government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park, without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners”.

The Florida Attorney General has opined that the comparable replacement housing must be “affordable” to those displaced residents. Further, the Housing Element requirements of the 1985 Growth Management Act requires local governments to have adequate sites for affordable housing and provide for housing all its current residents. DCA Secretary Pelham recently stated that comprehensive plan amendments to rezone mobile home parks, when there is no alternative housing, will be found not in compliance by DCA. This will protect those parks over 10 acres, but what about the smaller parks? This is where the local counties and municipalities must step in with aggressive policies and local legislative action to protect their residents from becoming homeless.



Even if the mobile home dilemma is not viewed from a social humanitarian viewpoint, i.e., your residents becoming homeless, it must be viewed from an economic development standpoint. The growing housing affordability crisis, exacerbated by the closure of mobile home parks, and the subsequent permanent and involuntarily displacement of residents has serious consequences. First, the local economy is “at-risk,” as out of control housing costs make it difficult to fill jobs. You are not only losing your workforce, but, this discourages businesses from locating or expanding in your area. Further,



young college graduates will be forced to pursue jobs in other areas of the country, where the cost of living is lower. In addition, the affordable housing crisis appears to be causing a mass exodus of residents which is contributing to the unstable housing market and tax base.

Davie’s moratorium has provided a much needed redevelopment respite for better planning. We are nearing completion of the affordable housing study, and are preparing the “tools for the toolbox” to be presented to the Town Council in the near future. The items being contemplated include:

- establishing an affordable housing trust fund;
- linkage ordinances and employer-assisted housing programs
- inclusionary zoning
- assistance with mobile home park conversion to tenant-owned cooperatives
- assisting CDFI’s and not-for-profits for the purchase and rehabilitation of mobile home parks
- partnerships with community land trusts
- low interest loans to park owners to keep park values from depreciating
- working with the property appraiser to ensure that mobile home parks are taxed at current use or taxed based on rental income produced
- more flexible land uses and density bonuses
- requirements for longer notice for eviction; and mandatory exit plan which make the displaced whole economically, including satisfaction of mortgages if the unit is non-relocatable and must be abandoned

I did not start out to become the “mobile home maven” of South Florida; but, when I saw the inequities and the injustice associated with the involuntarily displacement of our residents, and the subsequent homelessness, I had no choice but to take up the cause. So, I challenge

my fellow colleagues across the state to “do the right thing” for your residents, and ensure that mobile home park owners and/or developers in your community do not cast them aside in their quest for the almighty dollar. Remember, zoning is a privilege not a right. Like Davie, you can have mobiles to mansions, and celebrate the diversity of your housing stock and the residents they accommodate. All people deserve to live with dignity and respect in housing they can afford.



SHIRLEY TAYLOR-PRAKELT, is the Housing and Community Development Director for the Town of Davie. Ms. Taylor-Prakelt has over 31 years experience at the local government level, implementing neighborhood revitalization and redevelopment programs in the South Florida area. She has also designed and implemented a myriad of housing programs and projects, resulting in the construction and/or rehabilitation of over 2,300 affordable rental-housing units, homeownership projects, and the restoration of historic apartments/hotels.

Ms. Taylor-Prakelt is the Past-President of the Florida Community Development Association (FCDA), and the first recipient of their statewide “James Huger Award” for outstanding service in the housing and community development arena. The Town’s Harmony Village Community Initiative which she conceived was recognized as a statewide “Best Practice” for collaborative partnerships in the development of affordable housing. In 2004, she received the prestigious FBI Directors national “Outstanding Leadership” Award.

Ms. Taylor-Prakelt serves on the board of the Broward Housing Partnership, Broward County Planning Council’s Affordable Housing Committee, the Broward Housing Task Force, the United Way’s Regional Advisory Committee, FBI Citizen Alumni Association, and serves on the Board of Directors of several not-for-profit entities involved in historic preservation, neighborhood revitalization, and community service.

She has worked diligently to remove discriminatory housing practices and further fair housing choices and initiatives. Her “holistic” approach to neighborhood revitalization in Davie, illustrates how municipalities can “partner” with all levels of government and the private sector (both for-profit and not-for profit), to revitalize low-income and blighted areas using a grassroots participatory process.



Better Subsidy Decisions Follow From Better Information

BY STAN FITTERMAN
FLORIDA HOUSING COALITION

The public policy response to the spike in housing prices from 2002-2005, especially in already high housing cost parts of the state, was to create the Community Workforce Housing Innovation Pilot Program where income limits go as high 140 percent, or, in certain high cost areas, 150 percent of area median income. The trend toward using public funds to serve the needs of households that earn well above average incomes was evident at a recent Florida Housing Finance Corporation board meeting, when a FHFC Board member proposed increasing the maximum income limit for the SHIP program statewide, from its current 120 percent of median to mirror the 140 percent, and 150 percent limits used in the CWHIP program.



tion of sales prices. While median prices may be high, we need to assess whether there is adequate unsubsidized housing stock affordable to families earning above 120 percent of median in a given community. With this information in hand, public policy makers can make better decisions about financing affordable housing.

PROPERTY APPRAISER WEB SITES TO THE RESCUE

Since the median sales price is just the price in the middle, how do we obtain data on the distribution of sales prices in a community? In many counties, property appraiser Web sites have developed search tools that allow the user to search for all homes sold below a certain price point, during a specific time frame. By calculating the mortgage amount for which a family earning a certain income can qualify, these Web sites can be used to determine the number of home sales affordable to that family, over a given time. It is this data that should be used when determining whether the private market is failing to meet the housing needs of families in a given income category.

SOME EXAMPLES

Table 1 shows the number and percentage of the single family sales affordable to families earning 150 percent of median, in six Florida counties January 1, 2007-June 30th, 2007. The same data can also be pulled for condominium sales. The Palm Beach County property appraiser's site did not appear to have a countywide search feature for sales, so this data is from 2006 property appraiser records via the Shimberg Center.

(continued)

Even with the downturn in the housing market, housing prices in Florida are still well above what is affordable to Florida's workforce. In many high cost communities, the median sales price for a home is out of reach for families earning well over the median income for their respective community. With median sales prices being higher than what a family earning 130 or even 140 percent of median can afford, increasing the income limits appears to be a reasonable response. But before public policy changes the way scarce subsidies are allocated in Florida's housing programs, a more careful assessment of median sales price is in order.

DISTINGUISHING MEDIAN FROM DISTRIBUTION OF SALES PRICES

The median is only a measure of central tendency. It is the sales price at which one-half of the sales in a community are equal to or higher than, and one half are equal to or less than. It does not show us the distribu-

TABLE 1

COUNTY	Median Income	150% of median	Max mortgage for family @ 150% of median ¹	Total Number of SF sales 01/01/07-06/30/07	# of Total SF sales affordable to HH earning 150% of median	% of Total SF sales affordable to HH earning 150% median
Alachua	\$54,200	\$81,300	\$250,683	1,253	885	71%
Escambia	\$52,500	\$78,750	\$243,000	2,574	2250	87%
Hillsborough	\$53,900	\$80,850	\$249,326	6,344	3450	54%
Palm Beach*	\$61,200	\$91,800	\$282,375	11,470	3547	31%
Pinellas**	\$51,300	\$76,950	\$237,500	19,254	11039	57%
St. Lucie	\$52,800	\$79,200	\$244,345	2,452	1613	66%

*Data for Palm Beach County is for Jan 1, 2006 - Dec 31, 2006 ** Data for Pinellas County is Through October 22, 2007
 30 year term, 7 percent interest rate, 33/45 front and back ratios, \$1,000 down payment, \$450 per month in non-mortgage monthly debt.

In every one of the counties selected, except for Palm Beach, more than half of all home sales were affordable to a family earning 150 percent of median. In Escambia County, nearly 90 percent of all single family sales were affordable to a family earning 150 percent of median. While less than one-third of single family sales in Palm Beach County were affordable to a family earning 150 percent of median, Palm Beach County has a very strong condominium market. In 2006, while there were 11,470 single family sales in Palm Beach County, there were 25,334 condominium sales. Of these condominium sales, 13,427, or nearly 53 percent were affordable to families earning 150 percent of median. This data shows that in these counties, families earning 150 percent of median already have a large percentage of the housing market available to them. This raises the question of the need for public subsidy to assist these buyers.

Table 2 shows the number and percentage of the single family sales affordable to families earning 130 percent of median, in the same six Florida counties as above, January 1, 2007-June 30th, 2007, with the Palm Beach county numbers again being from 2006.

TABLE 2

COUNTY	Median Income	130% of median	Max mortgage for family @ 130% of median ¹	# of Total SF sales affordable to HH earning 130% of median	% of Total SF sales affordable to HH earning 130%
Alachua	\$54,200	\$70,460	\$217,966	711	57%
Escambia	\$52,500	\$68,250	\$211,300	2089	81%
Hillsborough	\$53,900	\$70,070	\$216,790	2558	40%
Palm Beach*	\$61,200	\$79,560	\$245,432	2342	20%
Pinellas**	\$51,300	\$66,690	\$206,600	8980	47%
St. Lucie	\$52,800	\$68,640	\$212,473	1252	51%

*Data for Palm Beach County is for Jan 1, 2006 - Dec 31, 2006
 ** Data for Pinellas County is Through October 22, 2007
 30 year term, 7 percent interest rate, 33/45 front and back ratios, \$1,000 down payment, \$450 per month in non-mortgage monthly debt.

Even with the lower sales price, five of the six counties still had close to 50 percent of their single family sales affordable

to families earning 130 percent of median. While only 20 percent of the single family home sales in Palm Beach County were affordable to a family earning 130 percent of median, 10,657, or 42 percent of all condominium sales were affordable to families earning 130 percent of median. With nearly 50 percent of home sales affordable to families earning 130 percent of median, this data also brings into question whether families in this income category in these counties need public subsidy to purchase housing.

Table 3 shows the number and percentage of the single family sales affordable to families earning 70 percent of median, in the same six Florida counties as above, January 1, 2007-June 30th, 2007, with the Palm Beach county numbers again being from 2006. Hillsborough, Palm Beach and Pinellas Counties all had less than 5 percent of their single family sales affordable to families earning 70 percent of median. The condominium market in Palm Beach County was also not very friendly toward these families – only 1,907 units, or 7.5 percent of all condo sales were affordable to a family earning 70 percent of median. This data shows a continued need for subsidy for families at this end of the market.

FURTHER REFINING THE DATA

The number of sales below a certain price point only tells a portion of the story. It doesn't tell us the location, age or size of the units. Many property appraiser Web sites allow users to search by the age, size, and location of the structure. For example, of the 820 homes sold for less than \$103,700 in Pinellas County this year, 387 (or 47%) were built prior to 1960. The search also gives the location of each home sold, allowing someone familiar with the community to determine the neighborhoods in which these lower priced homes are located.

As property appraiser's Web sites have evolved, housing administrators have more housing market information at their finger tips than ever before. This information enables the housing professional to determine whether the private housing market is meeting the needs of families at various incomes. Local and state housing programs should be targeted to income levels at which the private housing market fails. When the private market is meeting the housing needs of a certain income level, there is no need for public subsidy. The monthly payment calculator

COUNTY	Median Income	70% of median	Max mortgage for family @ 70% of median ¹	# of Total SF sales affordable to HH earning 70%	% of Total SF sales affordable to HH earning 70%
Alachua	\$54,200	\$37,940	\$112,065	126	10%
Escambia	\$52,500	\$36,750	\$107,168	945	37%
Hillsborough	\$53,900	\$37,730	\$111,200	172	3%
Palm Beach*	\$61,200	\$42,840	\$132,232	178	2%
Pinellas**	\$51,300	\$35,910	\$103,700	820	4%
St. Lucie	\$52,800	\$36,960	\$108,032	319	13%

***Data for Palm Beach County is for Jan 1, 2006 - Dec 31, 2006**
**** Data for Pinellas County is Through October 22, 2007**
 30 year term, 7 percent interest rate, 33/45 front and back ratios, \$1,000 down payment, \$450 per month in non-mortgage monthly debt.

developed by the Florida Housing Coalition can be used to calculate the mortgage amount a family can afford. The property appraiser data and the methodology outlined above can be used to determine the percentage of community's housing market that is affordable to families earning certain incomes. This type of analysis should be done prior to increasing the income limits for a purchase assistance program.



STAN FITTERMAN is a Senior Technical Advisor with the Florida Housing Coalition. He is currently the program manager for delivering technical assistance under numerous contracts, including the state of Florida's Affordable Housing Catalyst program. He is recognized throughout the state as one of the foremost authorities on Florida's State Housing Initiatives Partnership (SHIP) program. Stan holds a masters degree in city planning from Georgia Tech. He provided research for the Pulitzer Prize winning newspaper series The Color of Money, and co-authored a chapter in the book From Redlining to Reinvestment.



EDITOR'S NOTE:

The Legislature has a decidedly large appetite for directing local governments to do a better job planning for affordable housing. In 2006, the legislature directed all local governments to inventory their public lands by July 2007 and make those that are appropriate available for the production of affordable housing. In the 2007 session, the Florida legislature prescribed additional planning efforts for affordable housing in certain high cost counties. Richard Gentry, who formerly served for twenty three years as Legislative Counsel for the Florida Home Builders Association, is the lobbyist who was instrumental in passing this new planning requirement for affordable housing.

Planning For Workforce Housing in High Cost Counties

BY RICHARD GENTRY

When the 2007 legislature passed the affordable housing bill (HB 1375), included therein were two paragraphs that will likely have a major effect on a limited number of counties in relation to their planning (or lack thereof) for the provision of affordable workforce housing. Workforce housing is defined by subparagraph 380.0651(3)(j)FS and for the purposes of this bill is used to identify housing which is "... affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size."



Gentry

Those two paragraphs are aimed at those counties where a gap exists between the buying power of a family of four and the median county home sale price exceeding \$170,000, as determined by the Florida Housing Finance Corporation. When passed, that definition included Miami Dade, Palm Beach, Collier, Martin and Walton counties; by excluding counties not designated an Area of Critical State Concern under section 380.05, Florida Statutes, Monroe County was removed as it was thought that compliance was unlikely under any circumstances, given the limited land available as well as their Rate Of Growth Ordinance, or ROGO.

Now, the crux of the matter; those counties meeting the above criteria must identify "adequate sites for such housing" in their comprehensive plan, and failing to do so, will be "ineligible to receive any state housing assistance grants" until the requirement of the provision is met.

So there it is - the state has finally said no more lip service to the provision of adequate affordable housing sites, counties - identify SITES, or lose all state housing assistance grants! Now comes the interesting part - will the Department of Community Affairs be aggressive in its enforcement through the comprehensive planning process? What exactly is meant by "state housing assistance grants?" To have teeth, the provision surely must mean SHIP dollars, and if so, then more is at stake for these counties than a desire to maintain Home Rule.

Each and every stakeholder at the local level, as well as potential recipients should be weighing in on the issue. If local providers of affordable housing aren't engaged, would counties with such an exhibited deficit to begin with really take the initiative without the prodding of those truly committed to providing affordable housing in their community? Stay tuned - to DCA, and the legislature - for local government to ignore this provision will likely only embolden a legislature not overly happy with local government to begin with - to "reiterate" that it wanted action!



RICHARD GENTRY is a lawyer and lobbyist in Tallahassee representing largely business clients, several of whom have interests in affordable housing programs around the state. Prior to establishing Gentry and Associates, LLC as a lobbying organization, he served for 23 years as the Legislative Counsel for the Florida Home Builders Association.



Local Governments Get Creative to Support Affordable Housing

The Economics of Local Government Support for Affordable Housing was a workshop at the Florida Housing Coalition’s statewide annual conference. The panelists were George Romagnoli, (left) Community Development Manager for Pasco County, Wight Greger, (right) Director of the Neighborhood and Housing Department for the City of Jacksonville, and Joe Gray, (middle) Executive Director of the Delray Beach CLT.

Local governments in Florida have become more creative in recent years with their affordable housing programs to meet the changing demands of their communities. They have reached beyond the traditional purchase assistance and rehabilitations programs to both identify their residents’ needs and to develop programs to meet those needs. The following interviews with George Romagnoli, Joe Gray, and Wight Greger, reflect the variety of programs that have been implemented in communities across the state.

assistance. We have had several different programs through the years that met that need. In 2006, Pasco County was a different place. We had become the sinkhole capital of Florida and insurance costs were going through the roof. People needed help to stay in the homes that they were in. Also, the Community Development Division had become the lead agency for the Coalition for the Homeless, so our eyes were opened up to the need of those at the bottom of the income scale.

George Romagnoli
Community Development Manager
Pasco County Community Development



WHAT CHANGES HAVE YOU SEEN IN THE PAST TWO DECADES?

In 2006, Pasco County had to write its new Local Housing Assistance Plan (LHAP) for the SHIP Program. When the first plan was written in 1993, we saw the greatest need was homebuyers who needed help with down payment

WHAT PROGRAMS DID YOU CREATE TO MEET THESE CHANGING NEEDS?

To meet those challenges, we set up several new programs. We had previously, through the Emergency Services Grant, funded our Social Service Division to help with eviction protection, utility payments, and getting very low income families into rental units. We gave them about \$30,000 a year. Every year, they would run out of money in the first few months of the fiscal year, and many people were unassisted, and many became homeless. In the new LHAP, we increased funding for this program six-fold. We funded a position in Social Services so the program can be operated.

Continued on pg 6

To meet the needs of those with insurance problems, we developed a program to pay for taxes and insurance, brilliantly named the Tax and Insurance Payment Program (TIPP). We limited the program to very low-income seniors and those that were disabled with modest homes. We gave them 0% loans that are not due for at least ten years. We assisted about 25 homeowners in the first round of awards, and are now in our second round.

You may ask, “What about next year? If they can’t afford insurance now, how will they afford it next year?” Well, the answer is probably yes. And you know, that is not all bad. For less than a few thousand dollars a year, a very low-income homeowner who is a senior or disabled stays in their home. That is a good deal.

Foreclosure Prevention is a program we have done for almost 10 years, but this is the year it has really kicked up. All the adjustable rate loans, stated income loans, and teaser rates are now coming back to haunt people that cannot afford the homes that they are in. We have completed over 124 loans in the last 36 months.

DO YOU HAVE OTHER PROGRAMS THAT ARE NOT TRADITIONALLY SEEN IN LHAP’S?

We have committed funding a different rehabilitation project with the public housing authority every year. We want to do a project with aged out foster kids, possibly renting out a foreclosed home to a non-profit that works with that group. We will rebuild a group home for developmentally disabled adults. Lots of different programs can come from SHIP funding. We do not want to fall into the down payment assistance only – housing rehab only trap, but aim to meet the needs of our county.



Joe Gray
Executive Director
Delray Beach CLT

WHY WAS THE DELRAY BEACH CLT ESTABLISHED?

The Delray Beach CLT is the result of the process begun in the late 1990s to create the City of Delray Beach's Downtown Master Plan. The Master Plan housing goals emphasize the City's commitment to cultural and economic diversity, diversity of housing stock and costs,

and to providing affordable housing in neighborhoods throughout the community. In the many meetings that occurred during the master planning process, residents expressed increasing concern about the lack of affordable housing and the need for new strategies to implement the City's housing goals. In 2000, the City, the Delray Beach Community Reinvestment Agency and other key community stakeholders commissioned the SW/NW Neighborhood Redevelopment Plan to develop strategies to improve housing, economic development, and general livability conditions in the City's core neighborhoods. Creation of a community land trust was a key recommendation of the SW/NW Neighborhood Redevelopment plan adopted by the City Commission.

HOW HAS THE CRA AND CITY SUPPORTED THE DELRAY BEACH COMMUNITY LAND TRUST (DBCLT)?

The Community Land Trust has received a lot of support from the CRA. Utilizing its TIF funds, the CRA provides operating support for the DBCLT, loans for the acquisition of the land as well as construction loans to build the houses. When a house is sold to a qualified buyer, the construction loan is repaid to the CRA but the loan to purchase the land is granted to the DBCLT. In addition, the City provides purchase assistance money with its SHIP funds for the buyers of the houses and both the City and CRA donate land and buildings to the Community Land Trust. For instance, the DBCLT is currently renovating the former France Hotel into 14 rental units for low-income seniors. This property was donated to the DBCLT.

This year was the first full year of operations for DBCLT. So far, we have sold 10 houses, have seven houses that will close by the end of November, and 11 units under construction.

WHAT ARE YOUR FUTURE GOALS FOR THE DELRAY BEACH CLT?

We hope to produce 100 units a year. We are currently enhancing our homebuyer counseling program and are using developer fees to pay for this program. Our plan is to have enough qualified homebuyers to reach our 100 units per year goal. We are also trying to cut back on using the TIF funds for operations and development costs. Within the next two years, we expect to be self-supporting and will no longer need assistance from the CRA.



Wight Greger

Director

City of Jacksonville

WHAT HAS THE CITY OF JACKSONVILLE DONE TO PROMOTE AFFORDABLE HOUSING?

In April 2006, then City Council President Kevin Hyde appointed a City Council Task Force on Affordable and Workforce Housing. The Task Force consisted of all elected officials and focused on three specific policy areas:

1. Leveraging the availability of City-owned land to spur affordable housing production
2. Furthering existing and establishing new City partnerships with both not-for-profit and for-profit developers to bring affordable housing to the market, and
3. Identifying and making recommendations about legislative and regulatory barriers to the development of affordable housing.

The Task Force held public meetings and discussions from May until December, inviting housing experts, non-profit and for-profit developers, city staff, and key stakeholders to participate and to provide information. Out of this process, the Report of Affordable and Workforce Housing Task Force was created. This Report outlines 38 policy options for Jacksonville, including suggested improvements to current City programs as well as creative and innovative new programs.

CAN YOU HIGHLIGHT A PROGRAM THAT YOU HAVE IMPLEMENTED AS A RESULT OF THE TASK FORCE RECOMMENDATIONS?

The City has created the Office of Affordable Housing Development within the Housing and Neighborhoods Department. This Office is responsible for working with affordable housing developers in the planning and permitting of developments targeted for affordable and workforce developments. The Office provides technical assistance to facilitate the progress of these developments through the necessary permitting procedures by walking the developer through the City's processes, including identifying available incentives such as expedited permitting. The office is in close contact with every City department involved in the development of affordable and workforce housing to

expedite required approvals. The idea is to streamline and coordinate the approval and permitting process by creating a one-stop shop for developers to utilize in the development process. This office is also tasked with identifying zoning and land use barriers to affordable housing in Jacksonville and while the office only started in August, staff is already working with the zoning department to re-write a specific zoning code that currently discourages the development of affordable housing.

AS A RESULT OF THE TASK FORCE RECOMMENDATIONS, WHAT HAS THE CITY OF JACKSONVILLE DONE TO ENCOURAGE AFFORDABLE HOUSING DEVELOPMENT ON CITY-OWNED PROPERTY?

The City's Housing Division staff currently reviews the surplus land list for suitability for use as affordable housing, and actively works with community-based developers to develop appropriate sites. The City of Jacksonville has an ordinance in place that allows parcels on the surplus land list to be transferred free and clear to a non-profit developer without City Council approval. This ordinance provides for the quick transfer of these properties.

In addition, with the assistance of the Shimberg Center for Affordable Housing at the University of Florida, Housing and Neighborhoods Department staff has identified 607 city owned parcels out of 37,000 parcels that are suitable for affordable housing development. Staff determined a set of criteria to identify which of the 37,000 parcels can be developed as affordable housing and used the criteria to narrow the list. This criteria included size of the parcel, proximity to infrastructure and schools, and access to streets or roads. The City is currently working on a disposition process for these properties which will need approval of the City Council.

For larger parcels, the City is planning to coordinate the due diligence on these parcels such as the environmental reports, surveys, title work and zoning before the disposition process as an additional incentive for the selected developers. This procedure was implemented for a city owned parcel on Mayport Road in Jacksonville which was just awarded through and RFP process to a developer. It ensured that the land was ready to build on and will shorten the development time needed for the project, allowing the units to be built and occupied by low-income families sooner.





Florida Hometown Democracy: Should a Comprehensive Plan Amendment for Affordable Housing be Subject to Referendum?

BY CHARLES PATTISON AND MATTHEW DAVIS

Florida Hometown Democracy wants to make it more difficult for developers to obtain comprehensive plan amendments. Hometown Democracy is currently circulating a petition to have a proposed constitutional amendment added to the ballot for the 2008 election. If passed the constitutional amendment would alter the way comprehensive plan amendments are adopted. Proposed comprehensive plan amendments would still be heard by county or city officials, however, if they are approved by those officials, they are then subject to a vote of the electors of the local government by referendum.

HOMETOWN DEMOCRACY BACKGROUND

As the population in Florida continues to grow, many of the State's citizens are concerned about the manner in which local governments are handling the growth. Each county and municipality in Florida uses a comprehensive plan as a way to plan for and manage future growth. The comprehensive plan's Future Land Use Map designates the allowable land uses and intensities for future growth. When a developer wants to build a project that is not allowed by the comprehensive plan he or she must ask the local officials for a comprehensive plan amendment which would then put the proposed project in compliance with the comprehensive plan.

The Florida Hometown Democracy movement comes from a concern that these comprehensive plan amendments are granted too frequently, are not scrutinized enough to ensure the area can handle the growth, and are resulting in irresponsible growth across the state, which leads to a shortage in public facilities, increased traffic, and is an overall aesthetic eyesore. All of which leads to a lower quality of life for Florida's citizens.



Pattison



Davis

Proponents of Hometown Democracy claim the local government officials that approve comprehensive plan amendments are in the pockets of large developers. They rightly state that the government officials are not supposed to grant a land use change unless the public interest is improved; however they claim that the public interest has been redefined to mean keeping the development machine humming at full throttle. Lesley Blackner, the founder of Hometown Democracy, states that commissioners are "handing [comprehensive] plan amendments out like candy¹." Essentially, proponents of Hometown Democracy believe that the amendment will put citizens back in charge of the places where they live.

CRITICISM OF FLORIDA HOMETOWN DEMOCRACY

Hometown Democracy has drawn fierce criticism from local governments, chambers of commerce from around the state, and, of course, developers. The Florida Chamber of Commerce, the group heading the anti-Hometown Democracy campaign, labels Hometown Democracy's approach "irresponsible and reckless." The Florida

Homebuilders Association claims the costs of the Hometown Democracy amendment, if passed, would be “astronomical” and that it “could kill growth in the state of Florida.” Lee Wetherington, a southwest Florida developer, offered a less radical suggestion that Hometown Democracy’s amendment would “add to the cost of construction tremendously because in order to get a [comprehensive] plan amendment, we’ll have to hold an election and run a campaign that costs money.” Wetherington went on to add that many of those costs will be added to new homes and developments, and thus passed on to buyers. Secretary Tom Pelham, head of the Department of Community Affairs (the state agency charged with overseeing the implementation of the Growth Management Act) labeled Hometown Democracy’s amendment as an “extreme, draconian approach that would create very real problems. But we cannot ignore what’s driving this. Plan amendments should be rare, not willy-nilly.”

LEGAL UNCERTAINTIES SURROUNDING THE IMPLEMENTATION OF THE HOMETOWN DEMOCRACY AMENDMENT

A problem frequently raised by opponents of Hometown Democracy is the uncertainty surrounding the legal implementation of the amendment. By law, local comprehensive plans are required to include a capital improvements element designed to consider the need for and the location of public facilities. The capital improvements element outlines the needs for construction, extension, or increase in capacity of public facilities as well as any construction necessary to correct existing public facility deficiencies. These components must cover at least a five year period. The capital improvements element must be reviewed on an annual basis, and an amendment is required to update the comprehensive plan. These

amendments must be implemented by December 1, 2008 and every year thereafter. If a local government has not implemented the capital improvements amendment by that time, they can not amend its future land use map until they do so.



FLORIDA’S POPULATION AND DEVELOPED LAND ARE PROJECTED TO DOUBLE OVER THE NEXT 50 YEARS, AND THE STATE FACES MANY UNCERTAINTIES DUE TO THE IMPACTS OF RAMPANT SPRAWL, THE LOSS OF URBAN LANDS, AND CLIMATE CHANGE. NOW, MORE THAN EVER, FLORIDA NEEDS A VISIONARY AND WORKABLE PLANNING PROCESS. THE KEY TO BETTER GROWTH MANAGEMENT IS MORE ACTIVE AND EFFECTIVE CITIZEN INVOLVEMENT IN THE PROCESS. WHILE WE APPRECIATE THE SINCERITY AND DEDICATION OF THOSE INVOLVED WITH THE FLORIDA HOMETOWN DEMOCRACY AMENDMENT, IT WILL PRODUCE RESULTS WITH MANY UNINTENDED CONSEQUENCES TO THE DETRIMENT OF A SUSTAINABLE QUALITY OF LIFE WE ALL SEEK.

The obvious problem: what happens if the voters reject a capital improvements element? This could easily happen in the following manner. The capital improvements element could call for a highway to be widened through an area of town that does not want the increased traffic; or it could call for new roads to be built in an undeveloped area of the county. The opponents to these projects could mount a campaign against the amendment. Another way it could happen is if some anti-growth advocates catch on to this rule, and realize if the capital improvements amendment is shot down, then no other amendments can legally be passed, thereby eliminating the need for them to mount a campaign to every comprehensive plan amendment.

How to carry out the referendum process is another legal problem that would arise from the Hometown Democracy amendment. The actual amendment is vague; stating in essence that before a local government may amend a comprehensive plan, the proposed amendment shall be subject to vote by referendum, following preparation by the local planning agency and consideration by the governing body. Currently, local governments submit packages of multiple amendments to the Department of Community Affairs as part of twice yearly amendment cycles. This raises the question of whether each amendment would be subject to a separate vote, or whether the entire package could be voted on as one. Proponents of the amendment claim that each government could choose how to package the amendments for referendum; however the amendment text literally reads that each comprehensive plan amendment shall be subject to a vote.

Packaging the comprehensive plan amendments together raises even more concerns. Section 101.161, is the Florida Statutes that governs the content of a ballot. According to the law, each public measure shall be summarized on the ballot by an explanatory statement, not more than 75 words in length. This would be enough a problem trying to explain one complex land use issue in 75 words or less and even more complicated if many comprehensive plan amendments are packaged together and voted on as a single referendum. Furthermore, it is almost a sure thing that developers will try to ‘slip’ highly controversial comprehensive plan amendments by packaging them together with more benign comprehensive plan amendments. The issue of whether the plan amendments can be packaged together will likely be resolved through costly litigation.

Another issue that will arise should the constitutional amendment pass, regardless of whether or not the plan amendments are packaged together, is when in the comprehensive plan amendment process the referendum will take place. Under current laws, the local government submits a proposed comprehensive plan amendment to the Department of Community Affairs (DCA), which issues objections, recommendations and comments. The local government may or may not alter the proposed amendment in light of the DCA’s suggestions, and it then adopts the plan amendment. The DCA then reviews the adopted amendment, and determines whether it is “in compliance.” If the DCA finds the amendment to be “in compliance” it may be challenged by an affected person before the Division of Administrative Hearings (DOAH). Alternatively, if the DCA finds the amendment to not be “in compliance” then the matter will automatically be heard before an Administrative Law Judge at DOAH. Regardless of whether the DCA finds the plan amendment to be “in compliance” or not, citizens may intervene in the proceedings at DOAH.

If the Administrative Law Judge finds the amendment to be “in compliance” then DCA will issue a Final Order approving the project, which may be appealed by opponents to the District Court of Appeal. On the other hand, if the administrative Law Judge finds that the amendment is not “in compliance” then the DCA forwards the case to the Governor and Cabinet for a final order. The issue that arises out of this process is where does the referendum fit in? If the referendum takes place before the DCA reviews the plan amendment and is passed; then opponents will have another shot at defeating the amendment during the administrative process. Furthermore, if the DCA

determines that the plan amendment needed to be tweaked, it would have to be voted on again. However, if the referendum takes place after the DCA review, then proponents of the amendment will be facing a long and extremely uncertain approval process. If the public votes against a plan amendment that has already been approved by the administrative process, then all of that time and money would have been wasted.

1000 FRIENDS OF FLORIDA’S CONCLUSION

After careful deliberation, 1000 Friends of Florida can not support the proposed Hometown Democracy constitutional ballot amendment. As this state’s growth management watchdog, 1000 Friends of Florida has spent considerable time evaluating the merits of the proposed amendment. We applaud the leaders of this sincere effort to bring about change, and recognize the need to improve growth management and development decisions in Florida. But for the following reasons, we can not support Florida Hometown Democracy:

High-Priced Media Campaigns— Debates on controversial comprehensive plan amendments would likely turn into high-priced media campaigns, favoring deep pocket large developers over homeowner associations and grassroots groups.

NIMBYism or “Not In My Back Yard”— Local governments would find it much more difficult to adopt amendments related to often controversial but much needed community projects such as affordable housing, schools, transit systems, landfills, and other public facilities, leading local governments to pursue either more costly or less desirable alternatives.

Piecemeal Planning— Hometown Democracy would remove the “comprehensive” from the comprehensive planning approach, resulting in a series of uncoordinated, piecemeal decisions driven by popularity rather than necessity.

Sprawl— Hometown Democracy could limit responsible new development in more populated, urbanized areas, forcing development out into rural areas which have fewer people to oppose the proposed plan amendment. It could also limit efforts to pass plan amendments intended to lessen sprawling patterns of development.

Legal Gridlock— A series of legal challenges will likely be necessary because of the vague wording of the proposed amendment. Questions include: Will plan amendments be voted on individually or in a bundled package of many amendments? Will the amendments be considered at regular elections or will special elections be required? Who will pay for the new and increased costs associated with these elections? What happens if voters approve an amendment found “not in compliance” by the Florida Department of Community Affairs? What happens if changes required during the mandated 7-year update of the comprehensive plan are not approved by the voters?

Legislative Backlash— To avoid such legal challenges, the Florida Legislature could change the plan amendment process for the worse, reduce the ability of citizens to challenge plan amendments, or undertake other similarly drastic and counter-productive alternatives that would render Florida Hometown Democracy—and Florida’s growth management process--moot.

WE THINK A BETTER APPROACH IS:

Mandated Citizen Participation Plan— Developers must prepare a citizen participation plan, including a process to notify impacted property owners and neighborhood associations, and conduct developer workshops with citizens to identify all issues of concern prior to any public hearing. The developer must present to the commission a list of all issues raised, and indicate if and how they were resolved. Unresolved issues then become the focus of discussion, rather than an afterthought discussed in two or three minutes of public testimony.

Neighborhood Participation— Each local government must compile a list of all neighborhood associations (with contact person) operating within the jurisdiction, and within 10 days of the filing of any applications or proposals filed for plan amendments or land development regulations the local government shall notify potentially impacted neighborhood associations.


Seven Day “Cooling Off” Period— Plan amendments cannot be changed in the seven days prior to the advertised public hearing. This will allow the citizens, commissioners, and others to fairly evaluate the document and not be subject to an endless “shell game” of last minute changes. If the plan amendment is revised within that period, the hearing will be postponed unless all affected parties agree otherwise.

“Super Majority” Vote— It shall be easier to require a “super majority” vote for many types of plan amendments that directly impact growth and development decisions.

Protection from SLAPP Suits— In order to promote more active involvement, private citizens and organizations shall be shielded from any developer-initiated SLAPP suits.

Improved Ability for Citizens to Challenge Local Government Decisions— Current citizen standing and legal review standards shall be improved to make the process more equitable, quicker and less costly.

“No Free Density”— The judicious conversion of rural land to urban density--in the form of compact, walkable, mixed use communities in appropriate locations--shall only be undertaken in fair trade for significant public benefit. This shall include the permanent preservation of natural and agricultural lands and open spaces.

Florida’s population and developed land are projected to double over the next 50 years, and the state faces many uncertainties due to the impacts of rampant sprawl, the loss of urban lands, and climate change. Now, more than ever, Florida needs a visionary and workable planning process. The key to better growth management is more active and effective citizen involvement in the process. While we appreciate the sincerity and dedication of those involved with the Florida Hometown Democracy amendment, we do not see it providing this better role we all desire for the public at large. In our judgment, it will produce results with many unintended consequences to the detriment of a sustainable quality of life we all seek. 

1. Amendments pit builders against anti-growth activists. Sara Kam 27 July 2007 Palm Beach Post- Capital Bureau
2. Growth showdown bound for ballot? Nicholas Azzara 29 July 2007 Bradenton Herald
3. Bradenton Herald
4. Developing a middle ground. St. Pete Times Editorial, August 1, 2007

CHARLES PATTISON is the Executive Director of 1000 Friends of Florida, a statewide nonprofit growth management advocacy organization. Previously, he was the Director for the Division of Resource Planning and Management at the Department of Community Affairs. He received his Masters in Regional Planning from the University of North Carolina. Mr. Pattison was recently appointed to the Century Commission for a Sustainable Florida, the Florida Energy Commission’s Climate Change Subcommittee, and the Governor’s Climate Action Team.

MATTHEW DAVIS is a Juris Doctorate candidate at Florida State University College of Law, Class of 2008 and served as an extern for 1000 Friends of Florida in 2007.



Left to right: Diane Spaulding, Executive Director of NPH; Judith Bell, President of PolicyLink, David Rusk, author, founding board member of Innovative Housing Institute, and consultant to Ford Foundation.



Center: Angela Glover Blackwell, Executive Director of PolicyLink keynote speaker at 2007 NIHC. Ms. Blackwell was the keynote speaker for the Florida Housing Coalition's 2003 Conference.



Left to right: NIHC Conference Planners and Presenters, Adam Gross, Business and Professional People for the Public Interest and Jaimie Ross, 1000 Friends of Florida.

Inclusionary Housing: What's Happening Nationally and Right Here at Home

BY JAIMIE ROSS

The National Inclusionary Housing Conference was held October 30 - November 1, 2007 in San Francisco. I had the privilege of planning and participating in this conference as a board member of the Innovative Housing Institute, a national nonprofit that promotes mixed income communities. Housing professionals, planners, lawyers, and advocates gathered from around the country, as well as a delegation from South Africa, to share the latest in best practices for creating economically integrated communities.

At the Florida Housing Coalition's statewide conference held September 5-7, 2007 in Orlando, "The Economics of Housing" included one workshop on linkage fees, featuring Dr. James Nicholas and another on inclusionary housing, featuring Bernie Tretault.

Just weeks after the conference, but more than two years in the making, the Village of Islamorada in Monroe County adopted an ordinance which is both linkage fee and inclusionary housing and applies to both residential and nonresidential development. This is the first of its kind in Florida but may become more widely used as an increasing number of communities face the economic consequences from the gap between worker salaries and housing costs, even with a downturn in the housing market.

This article covers the most recent and comprehensive research on inclusionary housing, best practices for crafting an inclusionary zoning ordinance, and our latest example of a progressive response to the economic consequences of housing market failure from Islamorada, Florida.



AN AMBITIOUS EFFORT TO EXAMINE THE IMPACT OF INCLUSIONARY HOUSING

A recent report from the Nonprofit Housing Association of Northern California (NPH) "Affordable By Choice: Trends in California Inclusionary Housing Programs,*" looked at housing produced through inclusionary programs from January 1999 through June, 2006. The key findings of the study are*:

- 1. One Hundred Seventy Jurisdictions in California have Inclusionary Housing Programs.** This represents nearly one-third of all California jurisdictions.
- 2. More than 80,000 Californians have Housing Through Inclusionary Programs.** Since 1999 inclusionary programs have created an estimated 30,000 units statewide.
- 3. Most Inclusionary Housing is Integrated Within Market-Rate Developments.** The housing is built



David Rusk, author of Inside Outside Game, also keynote speaker at Florida Housing Coalition's 2001 Conference



Dr. Jim Nicholas, economist, presenter at Florida Housing Coalition's 2007 Conference



Bernie Tretault, founder and president of Innovative Housing Institute speaking (above left) at 2007 National Inclusionary Housing Conference and (above right) at Florida Housing Coalition's 2007 Conference.



along with and indistinguishable from market rate units, creating socially and economically integrated communities affordable to a wider range of families. As a result, teachers shop at the same grocery stores as the parents of their students, and the elderly are finding safe apartments close to their children and grandchildren.


4. Inclusionary Housing Provides Shelter for Those Most in Need. Nearly three-quarters of the housing produced through inclusionary program is affordable to people with some of the lowest incomes. These findings shed new light on the popular perception that inclusionary policies create ownership units mostly for moderate- income families.


5. Lower-Income Households are Best Served Through Partnerships. When market-rate developers work with affordable housing developers to meet their inclusionary requirement, the units are more likely to serve lower-income households. Joint ventures play a particularly important role in developing units for households most in need. One- third of all the housing built through inclusionary programs resulted from partnerships between market rate and affordable developers.


*To order a copy of the full report, Affordable by Choice: *Trends in California Inclusionary Housing Programs* contact NPH at www.nonprofithousing.org and click on what's new.


BEST PRACTICES FOR CRAFTING AN INCLUSIONARY HOUSING ORDINANCE.

An inclusionary housing ordinance must be tailored at the local level to reflect the development patterns, market conditions, and affordable housing needs in a particular jurisdiction. But all inclusionary zoning ordinances will have certain common elements. The following are best practices for addressing those common elements.

 **A threshold number of market rate units that activates the inclusionary requirement.** The best way to choose that threshold is to look at the historical and anticipated development patterns in your jurisdiction. If most site plan approvals are for 25 unit developments, a threshold of 35 units would be too low. In every jurisdiction in Florida, an inclusionary housing requirement should apply to large scale developments so that the creation of planned unit developments or new urbanism towns never excludes affordable housing. Therefore, an ordinance with a high threshold, such as 100 or 200 residential units would be appropriate in every jurisdiction, especially those areas that anticipate substantial future growth.

 **A requirement that the affordable units are comparable in quality and aesthetics to the market rate units.** Even if they are smaller or of a different type (e.g. town home rather than single family home), the inclusionary housing should blend into the community. Some ordinances require that the inclusionary units be the same size as the market rate units. There may be legitimate concern that the inclusionary units not be sub-standard, but the ordinance must balance the goal of unit production and the need to keep the development economically feasible. The key to comparability is the external, not the internal, features.

 **Timing.** The inclusionary units must be built prior to or concurrently with the market rate units. This avoids any potential NIMBY problems for the developer and any potential compliance problems for the local jurisdiction, should the developer build and sell the market rate units and fail to undertake the affordable units.

 **Benefits or incentives to assist the private sector in providing the affordable units, such as density bonuses.** An increase in density allows the developer to

produce additional units that could not have been built but for the inclusionary housing requirement. This makes the density bonus the most valuable government incentive- adding substantial economic value through land use regulation. The density bonus must be “of right” and not subject the developer to delays from additional approvals.

Flexibility. Flexible options for meeting the inclusionary requirement should not be seen as a weak ordinance. Providing an array of options for the developer to use in meeting the inclusionary requirement, such as off-site development and land donation, will create a better partnership between the private and public sector and better outcomes when the market rate site is not appropriate for the development of affordable units.

A provision for payment in-lieu. If the purpose of the ordinance is to have affordable housing built within market rate developments this provision may not be a good option. It is also not appropriate for large scale residential development because its application is when the nature of the development makes it practically infeasible to include affordable units. If the inclusionary program is intended to mitigate for housing impacts and is supported by a nexus study, an in lieu fee maybe appropriately apply in that instance, akin to an impact fee. The amount of in-lieu fee must be sufficient to support the development of the affordable units which would have been built under the ordinance. If the in-lieu fee is too low, the market rate developer will likely opt to pay the fee and not build the units. There must be a local housing trust fund as the depository for the payments in-lieu and a mechanism for using those dollars to promote inclusionary housing.

An affordability period. One of the most critical elements in an inclusionary housing ordinance is long term affordability. When an affordable product is included in an otherwise unaffordable area, appreciation inflates at a substantially greater rate. Once a local government has adopted and implemented an inclusionary housing ordinance, it is imperative that a long term period of affordability accompany the development of the unit.

Program Administration. Policies for administration of the program. Adopting an inclusionary ordinance is just the beginning. It is a complicated program to imple-

ment and requires significant staff time. Local jurisdictions adopting inclusionary requirements need to budget for staff time and or partner with a local nonprofit, such as a community land trust to manage the resale of the units.



VILLAGE OF ISLAMORADA ADOPTS INCLUSIONARY/LINKAGE FEE ORDINANCE

The Islamorada ordinance was adopted on September 27, 2007. It requires residential and commercial property owners to provide workforce housing needed due to expanding existing buildings or building new market-rate construction. The ordinance is couched in terms of a mitigation plan based on the findings in a nexus study. Generally, it requires that 30% of the affordable workforce housing be provided, but the mitigation plan includes substantial flexibility in how that need may be met, including on site, off site, land donation, in lieu fees and a combination of all the above.

CONCLUSION

Inclusionary zoning is an effective tool for producing mixed income communities and for responding to the shortage of housing for the local workforce. The need to provide housing that is affordable to a community’s workforce, coupled with Florida’s housing element requirements; make inclusionary programs an obvious choice. But an inclusionary housing ordinance is typically met with substantial resistance from the market-rate development sector. The housing ordinance

Continued on page 30



The Economics of Homelessness

Marc Trotz, Director of Housing & Urban Health at the San Francisco Department of Public Health presented on the Economics of Housing at the Florida Housing Coalition’s annual statewide conference. He shared his experiences from San Francisco, where the health department and city and county governments put millions of dollars per year into permanent housing for the homeless. One of the examples he showcased was Mission Creek Senior Community developed by nonprofit Mercy Housing California. Mission Creek provides 139 units of affordable housing; fifty-one apartments are designated for formerly homeless and frail disabled seniors. The rents for the units are subsidized by the San Francisco Department of Public Health.



Mission Creek Senior Community provides 139 units of affordable supportive housing to very low income seniors, with 51 units for the formerly homeless, frail elders and disabled. According to Tanya Boykin, Regional President for Resident Services at Mercy Housing, “these are not the homeless who were living in cars or with family members...these were the homeless that were sleeping by the dumpsters.”

All are one-bedroom (500-600 sq ft), units. It is a mixed use project which includes a 6,000 square foot adult day health center (which is also open to seniors living nearby), an on-site manager, a parking garage, 3,100 square feet of ground floor retail space, and a community room. Once a week, a food bank is set up inside the community room. The development also includes a 7,500 square foot branch of the San Francisco public library. It is located in the heart of a redevelopment area, close to public transportation, shopping, medical services, a pharmacy, and recreational space.

who are “clean and sober.” In cities like Seattle, Denver, and San Francisco, the providers and their local government partners recognize that it is to the public’s benefit as well as to the benefit of chronic inebriates and drug addicts that they be permanently housed with supportive services. Unfortunately, too many people argue against such programs because they believe the homeless with substance abuse problems or mental illness are not deserving of public assistance. Something worth considering is that the homeless population will continue to grow as more veterans return from Iraq. Right now, veterans are 25 percent of the homeless people in the United States, though they are only 11 percent of the general adult population, according to a report released in November, 2007 by the Alliance to End Homelessness, a national public education nonprofit.

Mr. Trotz strongly believes that housing is a healthcare issue: the purpose of providing permanent housing for the homeless is to improve the health and well-being of a frail and vulnerable population, end the widespread phenomenon of people sleeping on the streets, and reduce costly over-utilization of emergency services.

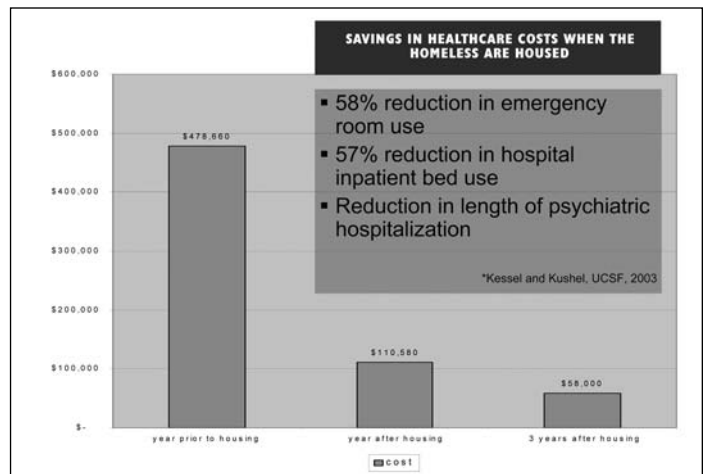


Marc Trotz

Most housing advocates want the homeless housed because they believe it is immoral and inhumane to allow human beings to live and die on the streets of our communities. But housing the homeless is the right thing to do irrespective of any issues of morality; it is the right thing to do for our local economies.

The chronically homeless need permanent supportive housing. In Florida, we still find that the limited amount of supportive housing being built is restricted to housing those

Unfortunate, because keeping the homeless on the streets is bad for the homeless, and bad for the rest of us, both morally and economically.

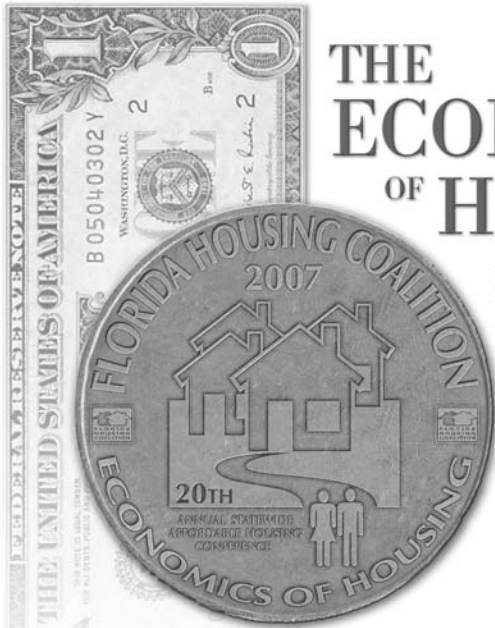


THE FLORIDA HOUSING COALITION'S



THE ECONOMICS OF HOUSING

20TH ANNUAL STATEWIDE AFFORDABLE HOUSING CONFERENCE



This year the Coalition was honored to have the Honorable Alex Sink, Florida's Chief Financial Officer, serve as our keynote speaker. She mingled with the crowd after her speech and greeted eager listeners.



Workshop sessions were filled to capacity.



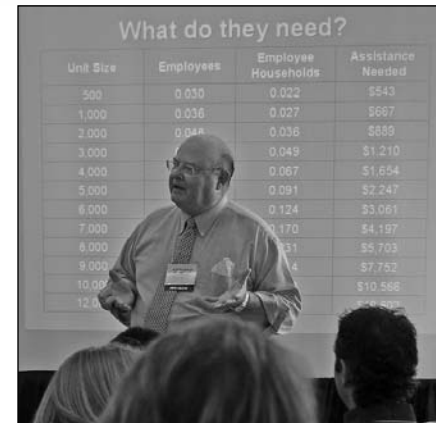
DCA Secretary Tom Pelham, spoke to a full house at the Opening Plenary and again at the Public Policy Plenary, on the Economics of Housing.



The Developmental Disabilities Council Stakeholders Meeting covered issues such as housing needs for people with developmental disabilities like spina bifida, autism, cerebral palsy, and mental retardation.



From left to right: FHC Chairperson Jeff Bagwell (left), Florida Chief Financial Officer Alex Sink (middle), FHC President Jaimie Ross (right).



Dr. James Nicholas, Professor Emeritus of Urban and Regional Planning at University of Florida, gave an informative presentation on the Economics of Linkage Fees/Mitigation Policies.

The Florida Housing Coalition would like to recognize **Bank of America, Citibank, National City, Wachovia and Washington Mutual**, for their partnership, leadership and support as our **Platinum Sponsors**. We are deeply appreciative.

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SunTrust hosted the Community Land Trust Institute Networking Caucus. It allowed participants to discuss issues that relate to CLTs such as homebuyer counseling, assessment, internal operations, ground lease formulas, etc.

Affordable Housing Study Commission Director Odetta MacLeish-White (right), shared her thoughts about the current work of the Commission during the Affordable Housing Study Commission Stakeholders Breakfast sponsored by the FHFC. Helen Hough Feinberg, (below), Chairperson of the AHSC, led a discussion that generated ideas for the 2007-2008 Study Topic.



This year's conference broke all previous records with over 700 participants!



Conference participants enjoyed the reception to the fullest: great food, music, and new friends.



Jaimie Ross, FHC President, thanks the Partners for Better Housing during the Opening Plenary.



With over 20 exhibitors and ample space to socialize, the Expo Hall was the ideal place to network, relax with friends, and learn about the financial services of the various companies that were exhibiting.

Mark Your Calendar

21st ANNUAL STATEWIDE AFFORDABLE HOUSING CONFERENCE

September 15, 16, 17, 2008

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Frequently Asked SHIP Questions

CHANGES TO RECORD RETENTION REQUIREMENTS FOR THE SHIP PROGRAM

The file/record retention requirements are guided by The General Records Schedule for State and Local Government Agencies. The recent changes are below:

1. Record series consisting of *Housing Applications: Non-participating/inactive* (Item #273 of the General Records Schedule for State and Local Government Agencies-GSI-SL) must be retained as follows:
 - (a) Record copy – 4 fiscal years provided applicable audits have been released and
 - (b) Duplicates – retained until obsolete, superseded or administrative value is lost.
2. Record series consisting of *records documenting housing finance assistance to low-to moderate-income households* (General Records Schedule for State and Local Government agencies-GSI-SL - Item #274 must be retained as follows:
 - (a) Record copy - 5 fiscal years after funds expended and accounted for and/or satisfaction of loans, whichever is later, provided applicable audits have been released.
 - (b) Duplicates - retained until obsolete, superseded, or administrative value is lost.

RECENT CHANGES TO HUD HANDBOOK 4350.3

Several revisions have been made to HUD Handbook 4350.3. Given that the HUD handbook is the SHIP guidance set forth by the Florida Housing Finance Corporation these revisions affect the SHIP program. The changes are outlined in the HUD transmittal memo for Handbook No.:4350.3 REV-1., Change- 2 “Occupancy Requirements of Subsidized Multifamily Housing Programs”. The changes became effective on June 29, 2007. Several are highlighted below:

Q: *What is the proper way to dispose of files that have been retained as required?*

A: HUD Handbook 4350-3 Chapter 4-22(f) states that the owner must dispose of applicant and tenant files and records in a manner that will prevent any unauthorized access to personal information, e.g., burn, pulverize, shred, etc.

Q: *What is the change related to dependents that are away at college?*

A: HUD Handbook 4350.3, Paragraph 3-23 E(c) states that the owner may count children who are away at school and

who live at home during recesses. However, children who are away at school who have established residency at another address or location as evidenced by a lease agreement should not be counted. The new address or location is considered the student’s principle place of residence.

Q: *What is the update for pension funds related to payment of a federal pension fund paid to a former spouse?*

A: HUD Handbook 4350.3, Paragraph 5-6 K (4) states that Federal government pension funds paid directly to an applicant’s/tenant’s former spouse pursuant to the terms of a court decree

of divorce, annulment, or legal separation are not counted as annual income. The state court has, in the settlement of the parties’ marital assets, determined the extent to which each party shares in the ownership of the pension. That portion of the pension that is ordered by the court and authorized by the Office of Personnel Management (OPM), to be paid to the applicant’s/tenant’s former spouse is no longer an “asset” of the applicant/tenant and therefore is not counted as income. However, any pension funds authorized by OPM pursuant to a court order to be paid to the former spouse of a Federal government employee, is counted as “income”. Therefore such amount is only counted as “income” and the term “asset” no longer applies.

Have you got a question about the SHIP program? Free telephone technical assistance is available to help you successfully implement your SHIP funded work. Call the Florida Housing Coalition's SHIP telephone line at (800) 677-4548.



Lydia Beltrán

Q: *What is an acceptable time-frame in verifying information when all attempts to obtain Verification Forms have been exhausted?*

A: HUD Handbook 4350.3 Paragraph 5-13 C (1)(b) states that when third-party verification is delayed and is not received within two weeks of its request, owners may consider original documents submitted by the tenant. However, adherence Paragraph 5-19 E specifies items to be documented when third-party verification is not

available. These items include (1) A written note to the file explaining why third-party verification is not possible; or a copy of the date-stamped original request that was sent to the third party; (2) Written notes or documentation indicating follow-up efforts to reach the third party to obtain verification; and (3) A written note to the file indicating that the request has been outstanding without a response from the third party.

Q: *An applicant has withdrawn \$10,000 from his retirement account and placed the*

money in his checking account. Should we now count the \$10,000 as income, or is it still an asset?

A: You will count the \$10,000 as an asset. All that has happened at this point is that the applicant has moved the money from the retirement account to his checking account. However, the money is still considered an asset--just like all money in a checking account is considered an asset.



The participants in the HO250: Housing Counseling Certification: Principles, Practices and Techniques (pictured above) completed the five day class which was jointly provided through the Florida Housing Coalition and Neighborworks Center for Homeownership Education and Counseling. The certification process will also include completion of a Foreclosure course and an on line exam. The training/presenters were provided by Cora Fulmore and Michael Chaney and included participation from non-profits, jurisdictions, lenders and realtors.



Fulmore



Chaney

The class included lecture and group participation related to credit, mortgage financing and insurance counseling, home purchase process and record keeping to name a few.





COALITION NEWS

The Florida Housing Coalition is excited to announce the addition of Michelle Braun, Sandra Seals, and Earl Pfeiffer to the Board, and David Christian and Runa Saunders to the Financial Services Committee, Evelyn Rusciolelli and Danielle Wright to our staff.



Braun



Pfeiffer



Seals



Christian



Saunders



Rusciolelli



Wright

MICHELLE BRAUN is the new Community Relations Executive for Florida at Wachovia. In this position, Michelle directs Wachovia's philanthropic and employee volunteerism programs, community development, Community Reinvestment Act compliance and statewide and local community partnerships. Michelle received a Bachelors degree in Business Administration/Philosophy from Notre Dame and a Masters degree in Nonprofit Management from The Weatherhead School of Management, Case Western Reserve University.

EARL PFEIFFER has served as Executive Director of Homes for Hillsborough since 1997. Earl, who is a state-licensed residential homebuilder and a Realtor, has been very active in affordable housing in the Tampa Bay area since 1988. As general manager of Pfeiffer Affordable Homes, he was a private-sector partner with The City of Tampa's Challenge Fund housing program for nine years before coming to Homes for Hillsborough. Earl's vision is to build 100 affordable homes every year; and further, that each home built should not look like affordable housing, but be indistinguishable from market rate homes.

SANDRA SEALS is Vice-President of Community Development at Reliance Housing Foundation, Inc., a non-profit affordable housing development organization based in Fort Lauderdale, Florida. At Reliance she is responsible for forging rela-

tionships with local and state government entities to encourage development and financing opportunities for affordable housing development. Ms. Seals has a wealth of experience in the affordable housing industry which encompasses both the private and public sector. Her past experience includes working with Lennar Homes as a Redevelopment Manager in South Florida, serving as Deputy Director of Housing for the City of Boston, and working as a Program Officer for a national funding intermediary called LISC (Local Initiatives Support Corporation). Prior to LISC, Ms. Seals worked with Coalition for a Better Acre, a Community Development Corporation in Lowell, Massachusetts. Ms. Seals received a Bachelor's Degree in Political Science from UMASS/Boston and a Master's Degree in City Planning from the Massachusetts Institute of Technology (MIT).

DAVID A. CHRISTIAN is currently a Senior Vice President and Regional Manager for Community Affairs at Regions Financial Corporation. His responsibilities include the management of the Bank's community development initiatives, reputation risk and corporate community affairs programs for the State of Florida. Previously, David held the position of Senior Vice President and Community Development Lending Manager for Florida at Bank of America.

Christian serves on the Boards of Neighborhood Lending Partners, Florida

Community Partners and the Non-Profit Leadership Center of Tampa Bay. He is a past Chairman of Leadership Tampa and formerly served in leadership positions on the Tampa Museum of Art, Museum of Science and Industry and The Greater Tampa Chamber of Commerce.

RUNA SAUNDERS is Vice President, Community Reinvestment Act (CRA) Officer for National City. Headquartered in Ft. Pierce, Runa covers the northeast and central Florida regions for National City. She began her career in banking in 1980 with Harbor Federal Savings Bank, which recently merged with Ohio-based National City Bank. Runa's background includes Financial Reporting, Retail Banking and Community Reinvestment. She is involved with many local lending consortiums and non-profit organizations and works with down payment assistance programs for affordable housing.

EVELYN RUSCIOLELLI has over 16 years of experience and training in affordable housing and community development in Marion County. Her experience includes the implementation and administration of various state and federal housing programs including CDBG entitlement and small cities, HOME and SHIP. She has assembled an effective consortium of lenders, builders and realtors to assist with the execution and activities of the county's SHIP Program and has worked with local nonprofit organizations to provide special needs housing including an emergency

shelter for teens. She has served on many community boards and worked on the CFCC Public Policy Institute's Affordable Housing Study. Evelyn's background also includes audit management experience with the Illinois Auditor General. She has a Bachelors Degree from the University of Illinois, Springfield in Accounting.

DANIELLE WRIGHT is the Office Manager for the Florida Housing Coalition. Her duties include assisting the Executive Director with day-to-day operations in the Tallahassee office, conference planning, recruiting members and partners for better housing, assisting with the Housing News Network Journal and acting as a liaison with the Coalition's Board of Directors. Danielle joined the staff in June 2007 after earning her Master of Arts in Arts Administration from Florida State University. As part of her Gubernatorial Fellowship, she previously served as Volunteer and Public Outreach Coordinator for Mission San Luis, a national historic landmark in Tallahassee. She has also served as Assistant Conference Coordinator for Florida Learn and Serve, an Office Manager at Florida A&M University, Media Coordinator and Graphic Designer for the Irene C. Edmonds Youth Theatre and Editor in Chief for *The Famuan* newspaper.



The new Executive Committee of the Board of Directors was approved at the 20th Annual Statewide Affordable Housing Conference in Orlando. Our new Executive Committee is as follows:



Jeff Bagwell, Chairperson, is the President of Keystone Challenge Fund Inc. in Lakeland.



Gregg Schwartz, Treasurer, is the President of the Tampa Bay CDC in Clearwater.



Jaimie Ross, President, is the Affordable Housing Director of 1000 Friends of Florida in Tallahassee.



Mark Hendrickson, At Large, is the President of The Hendrickson Company in Tallahassee.



Annetta Jenkins, Vice Chairperson, is Executive Director of South Florida LISC in West Palm Beach.



Sophia Sorolis, Secretary, is the Economic Development Manager for the City of St. Petersburg.



Melvin Philpot, Past Chair, is the Program Development Coordinator for Progress Energy Florida in St. Petersburg.



Robert Von, At Large, is the Vice President of Realvest Appraisal Services in Maitland.

UPCOMING COALITION WORKSHOPS

The Catalyst workshop series is sponsored by the Florida Housing Finance Corporation. There is no cost for attending these workshops, but space is limited. To register go to www.flhousing.org and click on "Workshops, Training and Technical Assistance – ONLINE REGISTRATION" on the top menu bar.

Developing Housing for Extremely Low Income Households	January 9, 2008	Miami
Planning, Financing and Developing Affordable Housing For Ownership	January 15, 2008	Gainesville
Homebuyer Counseling and Training	February 5, 2008	Boca Raton
Enhancing Your Housing Strategies	February 13, 2008	Miami
Income Compliance and Program Management	March 11, 2008	Jacksonville
Development Process	March 19, 2008	Orlando
Understanding the Income Qualification Process	April 8, 2008	Jacksonville
A Quantitative Analysis of the SHIP Program	April 16-17, 2008	Boca Raton
Pre-Development Process	April 29-30, 2008	W. Palm Beach
Get SHIP Shape for Your Monitoring Visit	May 6, 2008	Orlando
Planning, Financing and Developing Affordable Housing for Ownership Year 15	May 14, 2008	Miami
Planning, Financing and Developing Affordable Rental Housing	May 29, 2008	Boca Raton
Planning, Financing and Developing Affordable Rental Housing	June 11-12, 2008	Orlando
Creating and Sustaining Affordable Housing for Long-Term Affordability	June 24, 2008	W. Palm Beach

OUR NEW CHAIRPERSON



Jeff Bagwell was inducted as Chairperson at the 20th Annual Statewide Affordable Housing Conference. He replaced Melvin Philpot who continues to serve on our Board.

THE PREAMBLE TO THE ORDINANCE PROVIDES OPTIMUM INSIGHT INTO THE FOUNDATION FOR A LOCAL INCLUSIONARY POLICY:

WHEREAS, pursuant to the Local Comprehensive Planning and Land Development Regulation Act (the “Growth Management Act”) Islamorada, Village of Islands (the “Village”) has provided a housing element in its Comprehensive Plan, which includes provisions related to the current and future housing needs of residents within the Village; and

WHEREAS, the Village has prepared and adopted The Islamorada, Village of Islands, Workforce Housing Support Study (hereinafter Workforce Housing Study), dated September 2007, attached as “Exhibit A” and incorporated herein by reference, that identifies there is a housing affordability problem in the Village; and

WHEREAS, as the Workforce Housing Study demonstrates, beginning in 2000, a significant second home and tourist market emerged in the Village for vacationers and other persons with substantially higher incomes than local workers. That the housing demand created by these persons with substantially higher incomes have contributed to a dramatic increase in land and construction costs, and a rise in the price of all housing in the community. That rise in housing prices has made private housing unaffordable to most all working residents within the Village, and forced a number of residents to move elsewhere, including outside of Monroe County; and

WHEREAS, the Workforce Housing Study demonstrates the jobs that are expected to be created by much of the new development and redevelopment in the Village is expected to pay wages that make market rate housing in the Village unaffordable; and

WHEREAS, the Workforce Housing Study also demonstrates that the development and redevelopment of both residential and nonresidential development creates additional need for affordable housing in the Village; and

WHEREAS, if these present trends continue, an essential component of the Village’s community character will be damaged since

most of the workforce and their families will no longer reside in the community, attend schools in the community, participate in local civic organizations, worship in the community, act as emergency services volunteers, or express their ideas at the ballot box; and

WHEREAS, to address this serious community problem and to maintain the long-term sustainability of the Village’s economy and the character of the community, the Village Council has established the goal of providing housing in the Village to serve 30% of the generated local workforce and their families, at prices they can afford; and

WHEREAS, in part to accomplish these objectives, the Village Council adopts these Affordable Housing Standards contained within this Ordinance; and

WHEREAS, the Workforce Housing Study supports the Affordable Housing Standards adopted in this Ordinance; and

WHEREAS, pursuant to Section 166.04151, Florida Statutes, the Village may set forth any law, ordinance, rule, or any other measure adopted for the purpose of increasing the supply of affordable housing, including land use mechanisms such as affordable housing mitigation requirements; and

WHEREAS, the “Principles for Guiding Development” set forth in Section 380.0552 (7), Florida Statutes, requires the Village to undertake programs which make adequate affordable housing available for all sectors of its population; and

WHEREAS, Objective 3-1.1 of the Housing Goals, Objectives, and Policies of the Future Land Use Element of the Village Comprehensive Plan provides for the establishment of regulatory mechanisms and incentives to encourage the construction of affordable housing; and

WHEREAS, there is a reasonable relationship and rational nexus between the development and redevelopment of both residential units and nonresidential development and the need for affordable housing; and

or inclusionary program should therefore be crafted carefully, incorporating best practices derived from the experiences of jurisdictions that have tread these waters, and with the assistance of professionals including economists and lawyers.



JAIMIE ROSS is the Affordable Housing Director at 1000 Friends of Florida, a statewide nonprofit growth management organization. Prior to her tenure at 1000 Friends of Florida beginning in 1991, Ms. Ross was a land use and real property lawyer representing for profit and nonprofit

developers and financial institutions. Jaimie initiated and continues to facilitate the Sadowski/Workforce Housing Coalition. She is the author of books, articles, and other tools for producing and preserving affordable housing and creating balanced residential communities, including a CD on best practices for inclusionary housing policies, funded by the Rockefeller Foundation. Ms. Ross directs the Florida Community Land Trust Institute and chairs the Affordable Housing Committee of the Real Property Probate & Trust Law Section of the Florida Bar. Nationally, she serves on the Editorial Advisory Board of Affordable Housing Finance Magazine and the Board of the Innovative Housing Institute. She is the President of the Florida Housing Coalition. Email: jaimieross@aol.com.



MEMBERSHIP APPLICATION

PARTNERS FOR BETTER HOUSING MEMBERSHIP

Partners for Better Housing Membership is for those who wish to support the work of the Florida Housing Coalition by making a tax deductible donation of \$500 or more. Partners for Better Housing members receive subscriptions to *Housing News Network*, free job vacancy posting service on the Coalition's web page and unlimited membership rates for registration at the conference. Partners at the Patron Level or higher receive one or more complimentary conference registrations (comp, indicated below). Partners also receive recognition at the conference, in all conference-related publications, the Coalition's Web page and in each quarterly issue of *Housing News Network*.

- | | | | |
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| <input type="checkbox"/> \$20,000 | Platinum Sponsor (20 comps) | <input type="checkbox"/> \$2,500 | Co-Sponsor (3 comps) |
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BASIC MEMBERSHIP

Basic membership is for those who wish to subscribe to *Housing News Network*, post job vacancy announcements free of charge on the Coalition's Web page and receive membership rate registrations at the annual conference. An individual member receives one subscription and one member rate registration. Organizational members receive up to five subscriptions and five member rate registrations. All memberships are on a unified membership cycle and are due on August 1st, and expire on July 31st of each year. (Please indicate additional names, addresses and phone numbers on an attached sheet.) Each membership is entitled to be represented by one voting member at the annual meeting as designated below.

- | | |
|-------------------------|--|
| Student | <input type="checkbox"/> \$25 |
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