

MONROE COUNTY
AFFORDABLE HOUSING ADVISORY COMMITTEE
MEETING IX SUMMARY/MINUTES
JUNE 17, 2016



Adopted Unanimously by the AHAC at the June 17, 2016 as revised



Robert Jones, Facilitator
Affordable Housing Advisory Committee
FCRC Consensus Center, Florida State University

TABLE OF CONTENTS

<i>Contents</i>	<i>2</i>
<i>Executive Summary</i>	<i>3</i>
AHAC MEETING SUMMARY	10
I. INTRODUCTION	10
A. Review of Agenda and March 2016 AHAC Meeting VII Summary	10
B. Review of Committee Work Plan and Consensus Guidelines	10
C. Workforce Housing Updates and Other Matters	11
II. REVIEWING, RATING AND REFINING THE AHAC DRAFT RECOMMENDATIONS	11
A. Overview of the AHAC Consensus Building Process	11
B. Reviewing, Rating and Refining Draft Recommendations to Address AHAC Tasks	11
Task 1 & 2. Workforce Housing Definitions and Need	12
Task 3. Qualifying and Monitoring Deed Restricted Affordable Housing Recommendations	12
Task 4. Rental Housing Solutions Draft Recommendations	12
Task 5 & 6. Incentives for Tier 3 Property and Strategies for Increasing Density Draft Recommendations	15
Task 7. Monroe County Land Authority Role in Workforce Housing	20
Task 8. Local Workforce Housing Funding Sources Draft Recommendations	21
Task 9. Workforce Housing Strategies to Amend State Statutes Draft Recommendations	26
Task 10. Rental Housing Solutions Draft Recommendations	28
Task 11. Incentives for Tier 3 Property Draft Recommendations	29
III. PUBLIC COMMENT	30
IV. ADOPTION OF THE AMENDATORY DRAFT FINAL RECOMMENDATIONS AND NEXT STEPS AND ASSIGNMENTS	30
<i>Appendices</i>	
1. AHAC Organizational Meeting Agenda	31
2. AHAC Members	32
3. Meeting Evaluation Summary	33
4. Overview of AHAC Charge	35
5. AHAC Draft Work Plan	36
6. Bill Hunter Handout on Linkage	37
7. Last Stand Written Comments to the AHAC June 17, 2016	38

MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE

MEETING IX, MAY 20, 2016

EXECUTIVE SUMMARY

Bob Jones, the Committee' facilitator, welcomed Affordable Housing Advisory Committee (AHAC) members as well as the public to the Committee's 10th meeting. He reviewed with the Committee the proposed meeting objectives and agenda with the Committee's focus on reviewing and rating draft recommendations reviewed at the April and May 2016 AHAC meetings. The Committee unanimously agreed to adopt the agenda as well as the Committee's draft April 22, 2016 summary/minutes. Prior to adoption of the April 2016 summary, the Committee provided an opportunity for public comment but no comments were offered.

The facilitator reviewed with the Committee the effort and outcomes for the first 10 meetings of the Committee. The facilitator then described the amendment process the AHAC had adopted in May 2016 to which called for the adoption of an amendatory text of final draft recommendations at the conclusion of the June meeting and submit any member amendments by July 8, 2016. These will be compiled and sent to the AHAC in advance of the July meeting. Each member amendment will be tested to determine if there is 75% or greater support for its inclusion and the meeting will conclude with a motion to adopt the final recommendations as amended to the BOCC.

As a regular agenda item, the Committee reviewed updates on matters related to workforce housing that had occurred since the May meeting. They included: The Marathon Workforce Housing Committee finalized its recommendations and presented them to City Council in a workshop; the City of Key West had a planning commission meeting on June 16, 2016 which reviewed draft land development regulation changes as well as a proposal to change BPAS units as all affordable housing; and the Tourist Development Council met to discuss the potential AHAC recommendations related to the bed tax.

Below are the recommendations reviewed, rated and refined at the meeting related to the AHAC Tasks as charged by the BOCC. For each recommendation there is the average ranking and an indication of whether it is included in the Amendatory Text of Draft Recommendations unanimously adopted by the AHAC at the conclusion of the meeting.

TASK # 1 & 2 WORKFORCE AND WORKFORCE HOUSING DEFINITIONS AND NEED

- *No changes*

TASK # 3 QUALIFYING & MONITORING DEED RESTRICTED AFFORDABLE HOUSING

OCTOBER 2015 AHAC CONSENSUS RECOMMENDATIONS

1. By October 2016, County staff should develop ~~most effective~~ proactive mechanisms including code requirements and fines based on HUD guidelines to enhance the monitoring of affordable housing including consideration of securing the services of the Monroe County Housing Authority, additional County staff or 3rd party monitoring services or some combination thereof. Funding estimates for

such a program should be developed and evaluated by staff and the Monroe County Housing Authority and should be considered in deciding how to develop the most cost effective monitoring and qualifying approach. (June 17, 2016 AHAC 5.0 acceptability rating) **(Included in Amendatory Text)**

TASK #4 DEVELOP SOLUTIONS FOR RENTAL WORKFORCE HOUSING (4 Recommendations included in the Amendatory Text)

#4-a -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an affordable workforce housing overlay which can be applied to properties (through a map amendment) to provide additional density bonuses for affordable housing developments that offer only exclusively workforce housing rentals in perpetuity on Tier III designated lands. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#4-b – Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and recommend a ~~cost effective~~ proactive approach to enhance the enforcement ~~of~~ against illegal vacation rentals; tourist housing and vacation rentals of affordable housing units; including ~~the possibility of~~ additional code compliance staff to focus on short term ~~terms~~ rentals and continued partnership with the Monroe County Tax Collector. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#4-c -- Draft Recommendation:

The AHAC recommends the BOCC direct the Land Authority to evaluate and provide recommendations to the BOCC on utilizing Land Authority funds to buy back expiring deed restrictions in order to preserve rental affordable housing. The Land Authority should consider remaining deed restriction timeframes and make recommendations on potential monetary offers to provide for a range of additional deed restriction years, including a priority for perpetual deed restrictions in order to preserve existing affordable housing. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#4-d -- Draft Recommendation:

The AHAC recommends the BOCC direct ~~the~~ staff to evaluate and provide recommendations to the BOCC on strategies and best practices for engagement, outreach, public awareness and education ~~and~~ engagement to address the NIMBY (“Not in my backyard”) sentiment to workforce housing and collaborate with the developers, municipalities, the private and non- profit sectors. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

TASKS # 5 & 6 DEVELOP INCENTIVES FOR WORKFORCE HOUSING ON TIER 3 PROPERTIES INCLUDING STRATEGIES FOR INCREASING DENSITY (8 Recommendations in Amendatory Text)

#5/6-a -- Draft Recommendation:

The AHAC recommends the BOCC consider issuing requests for proposals (RFP) for the development of workforce housing on county-owned land as a key priority. The AHAC recommends the BOCC direct staff to ~~coordinate~~ collaborate with other public entities which own land in the county and recommend how best to increase and target incentives for leasing back the properties to workforce housing developers. The AHAC also recommends the BOCC direct the

Land Authority to prioritize the purchase of additional Tier 3 lands for the development of workforce housing. The BOCC may also consider future RFPs for the development of affordable housing. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#5/6-b -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and legislative issues and develop recommendations on the development of a property tax incentive for homeowners that rent a unit as affordable housing on tier 3 property a lawfully established existing market rate unit to a member of the workforce in any Tier within the very low, low and median affordable housing income limits and rental rates. (June 17, 2016 AHAC 4.6 acceptability rating as revised) **(Included in Amendatory Text)**

#5/6-c -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and legislative issues and develop recommendations on the creation of a 10-year tax incentive for the development of only workforce housing. The tax incentive which would stay with the property for 10 years. ((June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#5/6-d -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to maintain and update the inventory of County owned land that can be used for affordable housing development. (June 17, 2016 AHAC 5.0 acceptability rating) **(Included in Amendatory Text)**

#5/6-e -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to allow property owners of Tier 3 designated lands with an existing market rate dwelling unit to add an accessory workforce housing residential unit which will require the use of an affordable ROGO. Staff should evaluate residential zoning districts, density standards, income levels, maximum size of the accessory workforce housing residential unit and the minimum property size for the development of an accessory residential workforce housing unit. This can be a method to incentivize the development of smaller “starter units” for the workforce. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **(Included in Amendatory Text)**

#5/6-f --Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create a special approval process for the Planning Commission to recommend and Board of County Commissioners to approve an extra story for the development of an exclusive workforce housing project, up to maximum of 40 feet. (June 17, 2016 AHAC 4.4 of 5 acceptability rating as revised) **(Included in Amendatory Text)**

#5/6-g --Draft Recommendation:

The AHAC recommends the BOCC direct staff to revise existing Land Development Code Section 130-161.1 to provide another incentive for the preservation of affordable housing and the development of market rate housing on Improved Subdivision (IS), Tier III properties as follows:

ROGO exemptions transferred under this program may be transferred on a 1 for 1 basis ~~where the ROGO exemptions are to be transferred to Tier III, single-family residential lots or parcels within the Improved Subdivision (IS) land use district and the same ROGO planning subarea for the development of single family detached dwelling units. However, where transfers are to be made to commercial or recreational working waterfronts (as defined by Florida Statutes), or to multi-family projects in non-IS districts, the transfers shall~~

result in no fewer than two deed restricted affordable or workforce housing units remaining on an eligible sender site(s) for each market rate ROGO exemption transferred. (June 17, 2016 AHAC 5.0 acceptability rating) **Included in Amendatory Text**

5/6-h. - Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an additional workforce housing density bonus in the Mixed Use Zoning District to provide additional density only exclusively for the development of workforce rental housing (limited to efficiency and 1B units) in the median, low and very low income categories which is deed restricted in perpetuity and located on Tier 3 designated lands. (June 17, 2016 AHAC 5.0 acceptability rating as revised) **Included in Amendatory Text**

NEW-5/6 h (1): The AHAC recommends the BOCC direct staff to evaluate and develop land development code amendments to Section 138-24 to restructure the distribution of affordable ROGO allocations to 25% to each income category (current split of 50% moderate and 50% to median, low and very low). (June 17, 2016 AHAC 2.4 of 5 acceptability rating as revised) **Not Included in Amendatory Text**

#5/6- i. - Draft Recommendation:

The AHAC recommends the BOCC direct staff to examine the possibility of fractional ROGOs with the Department of Economic Opportunity, adjustments and re-runs of the hurricane evacuation modeling, and data that would be necessary to support the development of a fractional ROGO. Based on the results of the first step, the AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an additional workforce housing ROGOs by adopting a fractional ROGO equivalency (for example: 0.5 ROGO for a 600SF workforce housing unit). (June 17, 2016 AHAC 2.4 of 5 acceptability rating) **Not Included in Amendatory Text**

TASK 7

- No changes

TASK 8 LOCAL FUNDING SOURCES (6 recommendations in Amendatory Text)

#8-a -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish an annual fee on non primary residences that are not utilized as long-term rentals (6 month rentals or greater) to be dedicated to supporting and developing workforce housing. (June 17, 2016 AHAC 4.3 of 5 acceptability rating)~~

NEW 8a(1): The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish an annual fee on non-primary residences that are not utilized as long-term rentals (6 month rentals or greater) to be dedicated to supporting workforce housing and the enforcement of regulations. (June 17, 2016 AHAC 4.6 of 5 acceptability rating) **Included in Amendatory Text**

NEW 8a(2): The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and operational issues and make recommendations on whether and how to establish a property tax exemption for non-primary residences that rent their residence for not less than 6 months (long term) to a member of the

Monroe County workforce. Every property owner claiming the additional reduction in assessed value must annually file an application with the Monroe County Property Appraiser, including documentation and affidavit regarding the qualifying workforce housing occupant of the residence for the year in which the reduction is sought. (June 17, 2016 AHAC 4.6 of 5 acceptability rating) (Included in Amendatory Text)

#8-b -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legislative, economic and financial issues, and take the necessary steps to propose statutory amendments to revise the Tourist Impact Tax to provide additional dedicated funding for workforce housing in Monroe County; including consideration of amending the allocation of existing funds and the possible reallocation of funding for advertising and capital projects. (June 17, 2016 AHAC 4.4 of 5 acceptability rating)~~

#8-b.1 -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legislative, economic and financial issues, including and take the necessary steps to propose statutory amendments to revise increase by 1 penny the Tourist Impact Tax to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County and enforcement of regulations. Evaluate including a sunset date of 10 years; including consideration of amending the allocation of existing funds and the possible reallocation of funding for advertising and capital projects. (4-22-16 4.4 of 5 Acceptable") (Formerly 8-d) (June 17, 2016 AHAC 4.6 of 5 acceptability rating) (Included in Amendatory Text)~~

#8-c -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish a service tax on the purchase of alcohol and cigarettes or an annual fee on alcoholic beverage and tobacco licenses in order to provide additional dedicated funding for workforce housing in Monroe County. (June 17, 2016 AHAC 4.0 of 5 acceptability rating)~~

#8-c 1 -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and operational issues and make recommendations on whether and how to expand the 1% local option tax within Monroe County establish a service tax on the sale of food and beverage (not including hotels and motels) (reference 212.0306, F.S.) purchase of alcohol and cigarettes or an annual fee on alcoholic beverage and tobacco licenses in order to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County. Evaluate including a sunset date of 10 years. (June 17, 2016 AHAC 3.5 of 5 acceptability rating) (Not Included in Amendatory Text)~~

#8-d -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to engage with the Florida Keys Community Foundation (FKCF), municipalities, and the business and tourist sector in Monroe County to establish a community workforce housing fund administered by the FKCF that can provide additional dedicated funding for workforce housing in Monroe County and rental assistance loans. (June 17, 2016 AHAC 5.0 of 5 acceptability rating) (Included in Amendatory Text)~~

#8-e -- Draft Recommendation:

~~The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to increase the establish an additional ad valorem tax on non-~~

affordable residential/commercial properties and commercial properties in order to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County for workforce housing in Monroe County. (June 17, 2016 AHAC 4.9 of 5 acceptability rating) **Included in Amendatory Text**

NEW: #8-e(1): The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to create a tax incentive for ~~non-residential~~ commercial properties that include workforce housing on the same site. (June 17, 2016 AHAC 5.0 of 5 acceptability rating as revised) **Included in Amendatory Text**

NEW: 8f: The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and economic issues and make recommendations on whether to increase sales tax for the acquisition of land for workforce housing and construction of workforce housing in Monroe County. (June 17, 2016 AHAC 1.2 of 5 acceptability rating as revised) **Not Included in Amendatory Text**

TASK # 9 REVIEW AND RECOMMEND WORKFORCE HOUSING STRATEGIES AS AMENDMENTS TO STATE STATUTES (TASKS A-D) (2 Recommendations in the Amendatory Text)

#9-a -- Draft Recommendation:

The AHAC recommends the BOCC direct the Land Authority to evaluate and provide recommendations to the BOCC on utilizing Land Authority funds to buy back expiring deed restrictions in order to preserve rental workforce housing. The Land Authority should consider remaining deed restriction timeframes and make recommendations on potential monetary offers to provide for a range of additional deed restriction years, including a priority for perpetual deed restrictions in order to preserve existing workforce affordable housing. *Note: Land Authority staff has stated that statutory amendments would not be needed for draft recommendation.* (June 17, 2016 AHAC 5.0 of 5 acceptability rating as revised) **Included in Amendatory Text**

#9- b -- Draft Recommendation:

In light of the workforce housing crisis in Monroe County, ~~and the historic donor inequity between the County's contributions and funding received under the Sadowski Trust Fund,~~ the AHAC recommends the BOCC ~~maintain~~ continue to support ~~of maintaining~~ the provision of Sadowski Trust funding and the dedicated tax credit project for the Florida Keys as a key legislative priority. (June 17, 2016 AHAC 4.2 of 5 acceptability rating as revised) **Included in Amendatory Text**

~~#9-c -- Draft Recommendation:~~

~~The AHAC recommends the BOCC direct staff to evaluate the legislative and financial issues and take the necessary steps to propose statutory amendments to increase the Tourist Impact Tax to provide additional dedicated funding for workforce housing in Monroe County. No rating- refer to 8b (1) above.~~

TASK # 10 DEVELOP STRATEGIES FOR DEVELOPING INCLUSIONARY HOUSING REQUIREMENTS FOR HOSPITALITY AND COMMERCIAL DEVELOPMENTS TO SUPPORT BUILDING WORKFORCE HOUSING.

“The AHAC recommends that the Board of County Commission support and fund a nexus study as the first step in considering the expansion of the current County residential inclusionary housing program to

cover transient and commercial development in the County.” January 2016 AHAC Resolution to the BOCC, Unanimously adopted.

NEW -10a: The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to amend the land development code to not allow inclusionary requirements to be satisfied through ‘linkage’ under Sec. 130-161 (c) with affordable housing units built with government land subsidies in proportion of the government investment. *(June 17, 2016 AHAC 4.1 of 5 acceptability rating as revised)* *(Not Included in Amendatory Text)*

NEW -10b: The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to amend land development code to not allow inclusionary requirements to be satisfied through ‘linkage’ under Sec. 130-161 (c) with affordable housing units already existing/built. *(June 17, 2016 AHAC 4.6 of 5 acceptability rating as revised)* *(Included in Amendatory Text)*

**TASK # 11 OPPORTUNITIES FOR INTERGOVERNMENTAL COOPERATION
ON WORKFORCE HOUSING** *(1 Recommendation)*

#11 a. Draft Recommendation:

Building on the February 2016 Workforce Housing Intergovernmental Roundtable and the continuing participation of municipal planning directors in the AHAC process, the AHAC recommends each jurisdiction pass a resolution to commit their respective Planning Director’s meet to discuss at least twice a year that the County and Municipal Planning Directors continue to meet on a quarterly basis to explore and implement consistent strategies for closer intergovernmental cooperation and collaboration on workforce housing. *(June 17, 2016 AHAC 5.0 of 5 acceptability rating as revised)* *(Included in Amendatory Text)*

An opportunity for public comment was offered mid morning during the Committee’s discussion of draft recommendations and in afternoon following the rating of draft recommendations. Deb Curlee, Last Stand, offered public comments after the mid-morning break and submitted written comments Dan Horton offered public comments prior to adoption of the Amendatory Text at the conclusion of the meeting complimenting the AHAC on their hard work on this critical issue and noted he was running as a candidate for State House District 128 and would strongly support workforce housing efforts emerging from the Committee and the BOCC if elected.

At the conclusion of the meeting a motion to adopt the recommendations as revised that received consensus support be included in an amendatory text of draft final recommendations to the BOCC. *(Randy Wall, 2nd Bill Wiatt)*. Prior to voting on the motion, the public was invited to offer comments, concerns or suggestions. The AHAC unanimously adopted the recommendations as revised 11-0. The facilitator reminded members they would receive a draft text, an amendment form and the June 17 draft Meeting Summary by June 24, 2016. He noted that liaisons will not be submitting any amendments but will participate in the July 22, 2016 review of member amendments. He noted that the deadline for member amendments to be sent electronically to Carol Schreck, is close of business July 8, 2016. Following that members will receive a table with all amendments submitted prior to the July 22, 2016 meeting for consideration as whether to accept as part of the final recommendations.

The meeting adjourned at 2:55 p.m.

MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE
MEETING X, JUNE 17, 2016
MEETING SUMMARY/MINUTES

AHAC Members in attendance: **Jim Cameron, Ed Davidson, Hana Eskra, Bill Hunter, Warren Leamard, Tim Root, Stephanie Scuderi, Ed Swift, Randy Wall, Jodi Weinhofer & Bill Wiatt**

AHAC Liaisons in attendance: **Heather Carruthers, Monroe County Commission Liaison, Sylvia Murphy, Monroe County Commission Liaison, Thaddeus Cohen, City of Key West Liaison,**

AHAC Members unable to attend: Kurt Lewin Ken Naylor & Jim Saunders

AHAC Liaisons unable to attend: George Garrett, City of Marathon Liaison, Cheryl Coffieri. Village of Islamorada

Staff: **Mayte Santamaria, Emily Schemper, Carol Schreck, Steve Williams, Kevin Bond, Peter Morris, & Tiffany Stankiewicz,**

Facilitator: **Bob Jones, FCRC Consensus Center, FSU**

I. INTRODUCTION

A. Review of Agenda and May 20, 2016 Meeting Summary/Minutes

Bob Jones, the Committee's facilitator, welcomed Affordable Housing Advisory Committee (AHAC) members as well as the public to the Committee's 10th meeting. He asked members present to introduce themselves and noted that several members had indicated they would be unable to participate in today's meeting but there was a quorum of members to proceed.

The facilitator reviewed with the Committee the proposed meeting objectives and agenda (*See Appendix #1*) with the Committee's focus on reviewing and rating draft recommendations based on the AHAC work at the April and May meetings. The Committee unanimously agreed to adopt the agenda as well as the Committee's draft May 20, 2016 summary/minutes with one change. Prior to adoption of the May 2016 summary, the Committee offered an opportunity for public comment but no comments were offered.

B. Review of the Committee Work Plan and Consensus Guidelines

The facilitator reviewed with the Committee the effort and outcomes for the first 10 meetings of the Committee. The facilitator then described the amendment process the AHAC had adopted in May 2016 to which called for the adoption of an amendatory text of final draft recommendations at the conclusion of the June meeting. The deadline for members submitting amendments is close of business on July 8, 2016. These will be compiled and sent to the AHAC in advance of the July meeting. That meeting will involve reviewing each amendment and determining if there is 75% or greater support for its inclusion and conclude with a motion to adopt the final recommendations as amended to the BOCC.

C. Workforce Housing Updates and Other Matters

As a regular agenda item, the Committee reviewed updates on matters related to workforce housing that had occurred since the April meeting. They included:

- The Marathon Workforce Housing Committee finalized its recommendations and presented them to City Council in a workshop. The Council accepted them and is beginning to prioritize the recommended actions.
- The City of Key West has a planning commission meeting on June 16, 2016 which reviewed draft land development regulation changes as well as a proposal to change BPAS units as all affordable housing. These will receive a public reading two times before the City Commission before a decision to adopt.
- The Tourist Development Council met to discuss the potential expansion of a bed tax or redirection of the 4th penny (2009) back to local impact or affordable housing. Based on their discussion the redirection of the 5th penny is a non-starter for them.

II. REVIEWING THE TASKS AND RATING ACCEPTABILITY OF DRAFT RECOMMENDATIONS

A. Overview of the AHAC Consensus Building Process

At the March 18, 2016 AHAC Meeting, the Committee and the county and municipal liaisons reviewed and rated the importance of potential initiatives, options and strategies to address each task assigned to the committee by the BOCC. Staff had identified over 50 ideas from AHAC discussions in previous meetings and from the Workforce Housing Intergovernmental Roundtable in February 2016. The participants used an importance scale where 1= not important and 5=very important and identified the most important among these options and began to discuss how to draft priority recommendations for each of the Tasks. The ideas and options reviewed in March were listed by Task in order of the average importance. From these options: 21 were judged to be “very important” receiving an average rating from 4.6 to 5.0; 9 options were considered “important” receiving a rating from 4.0-4.5; and 9 options were considered less important receiving a rating from 1.7 to 3.9. For some options the participants generally agreed on importance, whereas for other options there was a split in opinion on importance.

In the April and May AHAC meetings, the Committee members reviewed, rated the acceptability, and refined and added draft recommendations based on the options.

B. Reviewing, Rating and Refining Draft Recommendations to address AHAC Tasks

At the June 17 meeting the Committee members reviewed, rated the acceptability, refined and added to 34 draft recommendations addressing the 11 tasks assigned by the Board of County Commission. These are listed below using ~~striketrough~~ and underlined language indicating the suggested revisions to the recommendations by members and liaisons at the meeting prior to or after the Committee’s rating of each recommendation’s acceptability. All members participated in the discussions but only Committee members participating in the acceptability rating.

TASK # 1 & 2 WORKFORCE AND WORKFORCE HOUSING DEFINITIONS AND NEED

OCTOBER 2015 AHAC CONSENSUS RECOMMENDATIONS

1. The BOCC should review the Committee's recommended definitions for "Workforce" and "Workforce Housing." If the BOCC accepts the Committee's recommendation, it should direct staff to propose any Land Development Code amendments needed to incorporate them.
2. **Workforce** means individuals or families who are gainfully employed supplying goods and/or services to Monroe County residents or visitors.
3. **Workforce Housing** means dwelling units for those who derive at least 70% of their income as members of the Workforce in Monroe County and who meet the affordable housing income categories of the Monroe County Code.
4. Based on the current, available data, the Committee believes there is an unmet Workforce Housing need throughout Monroe County, specifically near employment centers. It recommends the BOCC recognize that Monroe County continues to experience a critical Workforce Housing need. The need and demand for Workforce Housing appears most critical for those households at the median, low and very low-income levels and is most severe in the middle and lower Keys.

TASK # 3 QUALIFYING & MONITORING DEED RESTRICTED AFFORDABLE HOUSING

OCTOBER 2015 AHAC UNANIMOUS CONSENSUS RECOMMENDATIONS

Strike-through/underline indicates changes at the June 17, 2016 AHAC meeting

The Committee recommends the BOCC take action to strengthen the County's ability to qualify and monitor deed restricted affordable housing in unincorporated Monroe County.

1. The BOCC should direct staff to continue to build its database of deed restricted units.
2. The Committee strongly recommends staff coordinate, collaborate and share information with the Monroe County Housing Authority, municipalities, nonprofit entities, and the real estate sector to create a dynamic countywide database inventory for existing affordable housing.
3. By October 2016, County staff should develop ~~cost effective~~ proactive mechanisms including code requirements and fines based on HUD guidelines to enhance the monitoring of affordable housing including consideration of securing the services of the Monroe County Housing Authority, additional County staff or 3rd party monitoring services or some combination thereof. Funding estimates for such a program should be developed and evaluated by staff and the Monroe County Housing Authority and should be considered in deciding how to develop the most cost effective monitoring and qualifying approach.

AHAC Discussion Points

- In May the AHAC changed the due date to October 2016
- Recommendation 3- change "cost effective" to proactive and add "including code requirements and fines." (11-0 in support of change)

4. The Committee strongly recommends staff coordinate and share information with the municipalities in developing these options, with a goal of developing a countywide monitoring mechanism program.
5. The Committee strongly recommends that the County identify and fund an enhanced enforcement program as an essential element for maintaining affordable workforce housing in the County. This program should address compliance and enforcement of deed restricted property to maintain our available housing stock.
 - o Authorize Code Compliance and/or the Monroe County Tax Collector’s Office to more aggressively pursue illegal rentals.
 - o Require that owner-occupied units be homesteaded.

TASK #4 DEVELOP SOLUTIONS FOR RENTAL WORKFORCE HOUSING

Below are recommendations that were reviewed, rated and refined at the April 22, May 20 and June 17 2016 AHAC meetings. Strike-through/ underline indicates changes at the June 17, 2016 AHAC meeting.

#4-a -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an affordable workforce housing overlay which can be applied to properties (through a map amendment) to provide additional density bonuses for affordable housing developments that offer only exclusively workforce housing rentals in perpetuity on Tier III designated lands.

(“Strong Support”- 4.8 of 5) (Formerly 4.a)

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	0	1	1	0	11	4.6
<i>May 20 Rating</i>	0	0	1	0	10	4.8
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- Two references to affordable housing and 1 to workforce. AHAC agrees to substitute workforce housing for affordable housing.

#4-b – Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and recommend a ~~cost effective~~ proactive approach to enhance the enforcement ~~of~~ against illegal vacation rentals; tourist housing and vacation rentals of affordable housing units; including ~~the possibility of~~ additional code compliance staff to focus on short term ~~terms~~ rentals and continued partnership with the Monroe County Tax Collector. *(“Strong Support”- 4.9 of 5) (Formerly 4-b)*

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	0	0	1	3	12	4.7
<i>May 20 Rating</i>	0	0	1	2	8	4.6
<i>May 20 2nd Rating as Revised</i>	0	0	0	0	11	5.0
<i>June 17 As revised</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- Remove “the possibility of”
- Substitute “proactive” for “cost effective”
- Enforcement “against” vs. “of”

#4-c -- Draft Recommendation:

The AHAC recommends the BOCC direct the Land Authority to evaluate and provide recommendations to the BOCC on utilizing Land Authority funds to buy back expiring deed restrictions in order to preserve rental affordable housing. The Land Authority should consider remaining deed restriction timeframes and make recommendations on potential monetary offers to provide for a range of additional deed restriction years, including a priority for perpetual deed restrictions in order to preserve existing affordable housing. (“Unanimous Support”- 5.0 of 5 Add this language to Task 9a, Recommendation) (Formerly 4-i

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>May 20 Rating</i>	0	0	0	0	11	5.0
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- None

#4-d -- Draft Recommendation:

The AHAC recommends the BOCC direct ~~the~~ staff to evaluate and provide recommendations to the BOCC on strategies and best practices for engagement, outreach, public awareness and education and engagement to address the NIMBY (“Not in my backyard”) sentiment to workforce housing and collaborate with the developers, municipalities, the private and non- profit sectors. (“Unanimous Support”- 5.0 of 5) (Formerly 4-g)

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>May 20 Rating</i>	0	0	0	0	11	5.0
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- Outreach and engagement are critical. Need to face others in community person-to-person to explain the importance of workforce housing. Putting on paper will not be sufficient. Person to person.
- Call on this committee to help with outreach and engage the private and non profit sectors.
- NIMBYs are a project by project phenomenon.
- With NIMBY’s we should focus on developers as well, as how it is handled matters.
- 50-60% of the public doesn’t believe we have a workforce housing problem. Changing this perception may be as important as securing funding.

TASKS #5 & #6

DEVELOP INCENTIVES FOR WORKFORCE HOUSING ON TIER 3 PROPERTIES, INCLUDING STRATEGIES FOR INCREASING DENSITY.

[#6 DEVELOP STRATEGIES FOR INCREASING DENSITY TO ENCOURAGE WORKFORCE HOUSING DEVELOPMENT, SUCH AS MICRO HOUSING AND DORMITORIES]

#5/6-a -- Draft Recommendation:

The AHAC recommends the BOCC consider issuing requests for proposals (RFP) for the development of workforce housing on county-owned land as a key priority. The AHAC recommends the BOCC direct staff to ~~coordinate~~ collaborate with other public entities which own land in the county and recommend how best to increase and target incentives for leasing back the properties to workforce housing developers. The AHAC also recommends the BOCC direct the Land Authority to prioritize the purchase of additional Tier 3 lands for the development of workforce housing. The BOCC may also consider future RFPs for the development of affordable housing. (5-20-15 Unanimous Support with changes, 4-22-16 "Unanimous Support"- 5.0 of 5) (Formerly 5-c)

Acceptability Ratings Support	Unacceptable	Serious Reservations	Minor Reservations	Acceptable	Strong	Avg.
	1	2	3	4	5	
April 22 Rating	0	0	0	0	14	5.0
May 20 1 st Rating	10	0	0	0	1	1.4
May 20 2 nd Rating	1	0	0	0	10	4.6
May 20 final rating	0	0	0	0	11	5.0
June 17 Rating as revised	0	0	0	0	11	5.0

AHAC Discussion Points

- The clearer we make it in terms of an iron clad commitment to preserving this housing in perpetuity, the easier it will be to deal with densities. If there is a chance of workforce housing migrating toward market rate, it will be disastrous.

#5/6-b -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and legislative issues and develop recommendations on the development of a property tax incentive for homeowners that rent ~~a unit as affordable housing on tier 3 property~~ a lawfully established existing market rate unit to a member of the workforce in any Tier within the very low, low and median affordable housing income limits and rental rates. (4-22-16, 4.9 of 5, "Strong Support") (Formerly 5 k(b))

Acceptability Ratings Support	Unacceptable	Serious Reservations	Minor Reservations	Acceptable	Strong	Avg.
	1	2	3	4	5	
April 22 Rating	0	0	0	1	11	4.9
May 20 1 st Rating	-	-	-	-	-	-
June 17 Rating	1	0	0	0	10	4.6

AHAC Discussion Points

- Is this limited to tier 3? A: No “any tier”
- Should moderate be in mix here? Everyone is moderate – somewhere we have to quickly get results for very low. Low and median.

#5/6-c -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and legislative issues and develop recommendations on the creation of a 10-year tax incentive for the development of only workforce housing. ~~The tax incentive which would stay with the property for 10 years.~~ (4-22-16, 4.8 of 5, Strong Support) (Formerly 5-k(a))

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	0	0	1	0	10	4.8
<i>May 20 Rating</i>	-	-	-	-	-	-
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- What ends in 10 years? A: the tax incentive for workforce housing development
- We should clarify this recommendation- “develop a 10 year tax incentive”

#5/6-d -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to maintain and update the inventory of County owned land that can be used for affordable housing development. (4.9 of 5, “Strong Support”) (Formerly 5-i)

Acceptability Ratings	<i>Unacceptable</i>	<i>Less Important</i>	<i>Somewhat Important</i>	<i>Important</i>	<i>Very</i>	<i>Avg.</i>
<i>Important</i>	1	2	3	4	5	
<i>April 22 Rating</i>	0	0	0	1	11	4.9
<i>May 20 Rating</i>	0	0	0	0	11	5.0
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- None

#5/6-e -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to allow property owners of Tier 3 designated lands with an existing market rate dwelling unit to add an accessory workforce housing residential unit which will require the use of an affordable ROGO. Staff should evaluate residential zoning districts, density standards, income levels, maximum size of the accessory workforce housing residential unit and the minimum property size for the development of an accessory residential workforce housing unit. This can be a method to incentivize the development of smaller “starter units” for the workforce. (April 22, 4.4 of 5, “Acceptable”, May 20 5.0 of 5 “Unanimous Support”) (Formerly 5-b & 6-b)

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
<i>Support</i>						

	1	2	3	4	5	
<i>April 22 Rating</i>	0	1	1	1	8	4.4
<i>May 20 Rating as revised</i>	0	0	0	0	11	5.0
<i>June 17 Rating as revised</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- I support this with the understanding we are going to enforce it.
- Will the County be able to provide effective enforcement? A: With more budget the County could enforce this.
- Use fines and penalties
- Why can't we extend this to 3A and 2 tier properties? A: *Based on comprehensive plan, we can only put workforce housing on tier 3 lots. Tier 3a and 2 still have habitat.*

#5/6-f –Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create a special approval process for the Planning Commission to recommend and Board of County Commissioners to approve an extra story for the development of an exclusive workforce housing project, up to maximum of 40 feet. (5-20-16 4.6 of 5, “Strong Support”) (Formerly 5-m)

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
<i>Support</i>	1	2	3	4	5	
<i>May 20 Rating</i>	0	1	0	1	9	4.6
<i>June 17 Rating as revised</i>	0	2	0	0	9	4.4

AHAC Discussion Points

- The Committee heard public comment in the morning from Last Stand (See .
- Hana Eskra participated in a recent HUD conference on resilience included the experience of building in the Keys and conducted more research on the impact of flood insurance on affordable housing. When this is remapped, how is it going to affect affordable housing? A: *We as staff have been working on a new height for up to 38’ for all new residential structures (including affordable housing) to elevate above flood plain.*
- Rated this a (2). Bear in mind that density and height are the most sensitive citizen issues in the Keys over the past 30 years. Now we have to look at sea level rise.
- Rated this a (2) because this should focus on employment centers. Unincorporated county may have more land than we know what to do with. When you pack height and density together, it means some serious building. These are very real concerns that we need to address as county, not specifically for AH. Support 38’ to affordable housing and residential development.

#5/6-g –Draft Recommendation:

The AHAC recommends the BOCC direct staff to revise existing Land Development Code Section 130-161.1 to provide another incentive for the preservation of affordable housing and the development of market rate housing on Improved Subdivision (IS), Tier III properties as follows:

ROGO exemptions transferred under this program may be transferred on a 1 for 1 basis ~~where the ROGO exemptions are to be transferred to Tier III, single-family residential lots or parcels within the Improved Subdivision (IS) land use district and the same ROGO planning subarea for the development of single family detached dwelling units. However, where transfers are to be made to commercial or recreational working waterfronts (as defined by Florida Statutes), or to multi-family projects in non-IS districts, the transfers shall result in no fewer than two deed restricted affordable or workforce housing units remaining on an eligible sender site(s) for each market rate ROGO exemption transferred.~~
(5-20-16, 5.0 of 5, Unanimous Support) (Formerly 5-0)

Acceptability Ratings Support	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>May 20 Rating</i>	0	0	0	0	11	5.0
<i>June 17 Rating</i>	0	0	0	0	11	5.0
<i>June 17 Rating as revised</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- None

5/6-h. - Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an additional workforce housing density bonus in the Mixed Use Zoning District to provide additional density only exclusively for the development of workforce rental housing (~~limited to efficiency and 1B units~~) in the median, low and very low income categories which is deed restricted in perpetuity and located on Tier 3 designated lands.
(5.0 of 5, "Strong Support") (Formerly 5-a & 6-a)

Acceptability Ratings Support	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	0	0	0	0	11	5.0
<i>May 20 Rating</i>	0	1	2	3	5	4.09
<i>May 20 Rating as Revised</i>	0	1	0	3	7	4.45
<i>June 17 Rating as revised</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- This issue that is related to what we just voted on.

NEW -5/6 h (1): The AHAC recommends the BOCC direct staff to evaluate and develop land development code amendments to Section 138-24 to restructure the distribution of affordable ROGO allocations to 25% to each income category (current split of 50% moderate and 50% to median, low and very low).

Acceptability Ratings Support	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>June 17 Rating</i>	1	2	1	2	5	2.4

AHAC Discussion Points

- Bill Hunter presented some power point slides (see Appendix) to support a new recommendation to restructure the current distribution of affordable ROGO allocations (50% moderate and 50% median, low and very low) so that it would be allocated 25% to each of the four levels.
- Graphic of 2013 Comp Plan for the City of Key West shows percentages of need and moderate is excess of 27%. The point is: we are currently providing affordable housing but it is being provided disproportionately at the top end (moderate). These are the figures out of the current code for the allocation ROGOs.
- In Islander Village people are standing in line but in the moderate income category they make too much money. While we can't legislate this, we can tie bonuses to incentive including height and density if you build workforce housing.
- I agree we need an across income spectrum. People around this table are struggling regarding who are we going to help? If a moderate allocation is available, a developer would be a fool to ask for anything else. My point is: allocating for top income.
- You will only build moderate today because financially cannot build median income without financial subsidy. There is no median income subsidies and never has been. If you build moderate housing you can break even or make a little profit if given the land. If legislative, the housing will only get very low and low income levels.
- Asking for a 25/25/25/25 split of the affordable housing allocations among the four income levels. Not legislating. The current allocation flies in the face of all the recommendations for incentives that the AHAC has been developing.
- If we're going to fund the majority of this with hotelier impact tax, then we need to be supplying workforce housing to their employees. Their employees and low and very low and agree with Bill Hunter need to change ratio.
- The danger is that no affordable housing is going to get build in next 3 years
- Is county donating the land not considered an incentive?
- Building median will work as long as there remains a 50/50 split
- This is not about a particular project but about the AH ROGO allocations.
- Maybe it's time to redo the buckets. We are not allocating these to any project, and no legislation is required. When you come to county for ROGO there is an even share split among the income categories.. Why am I spending all my time for low income housing when it's 50/50 split?
- It's a math problem with subsidies. Not disagreeing but needs to come with big pot of money outside of tax credits. It's fine at moderate – can make math work.
- This recommendation only addresses the 700+ ROGO allocations and changing the current 50/50 distribution.
- This can only be changed by ordinance and text amendments to the land development code. This would have to happen via a code amendment.
- When we look at what is going on, we need low income workforce housing as moderate is not working for them. We need more for low and very low. Have to look at that problem and solve it.
- This characterization of low income housing applies to low paid jobs in the the tourism industry. Hotels can't hire minimum wage for front desk.

#5/6- i. - Draft Recommendation:

The AHAC recommends the BOCC direct staff to examine the possibility of fractional ROGOs with the Department of Economic Opportunity, adjustments and re-runs of the hurricane evacuation modeling, and data that would be necessary to support the development of a fractional ROGO. Based on the results of the first step, the AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an additional workforce housing ROGOs by adopting a fractional ROGO equivalency (for example: 0.5 ROGO for a 600SF workforce housing unit). (Formerly 6-d)

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable Strong Support</i>		<i>Ang.</i>
	1	2	3	4	5	
<i>May 20 Rating to Draft Recommendation</i>	1	0	0	0	10	4.63
<i>June 17 Rating as revised</i>	1	2	1	2	5	2.4

AHAC Discussion Points before the rating

- Staff was directed to draft this recommendation following a vote at the May AHAC meeting to review at the June AHAC meeting.
- No matter how you cut it, if DEO says I don't care this goes nowhere – if you have a car you have a ROGO.
- Key West secured this in the early 90's (.56 for 600 square feet units) because of the downtown density and ability to get around on a bike. To date, no other jurisdictions have been permitted a fractional ROGO. Following the last census DEO allowed Key West to retain a fractional ROGO but increased it to .78.
- Would this recommendation require that new census data and hurricane model would need to be rerun. Meaning all jurisdictions in Monroe County would need to rerun and budget for the funding. If successful a new MOU between DEO and each jurisdiction would be needed. *A: Yes*

AHAC Discussion Points after the rating

- The Hurricane Evacuation Model has put us in the position where we think we're going to have takings. The evacuation model now being used has assumed evacuation rates of 75-90% while the evidence is less than 60% in the County and 50% in Key West would evacuate in a category 4 hurricane. This game has been rigged to slow growth artificially. I refuse to recognize the proposition that we can build out 6000 lots without putting ourselves in danger. We continue to base evacuation on the false premise that 90-100% of the population will evacuate. *A: The hurricane evacuation model was updated because statutory requirements and developed by the Department of Emergency Management. It only included 27,000 units in the 24 hour evacuation phase. We are modeling 90%. We're not even close to modeling. DEM is only modeling small number.*
- The ROGO system creates no incentives for a “tiny house,” studio apartments or dormitories except under inclusionary housing policies. There are no rules against small/tiny houses. But they receive a full ROGO.

TASK # 7 DEVELOP STRATEGIES TO INCREASE THE MONROE COUNTY HOUSING AUTHORITY'S ROLE IN WORKFORCE HOUSING, SPECIFICALLY AS A MANAGEMENT ENTITY FOR RENTAL WORKFORCE HOUSING

See Task 3 AHAC October 2015 recommendations that address this Task.

TASK # 8 EXPLORE AND PROPOSE LOCAL FUNDING SOURCES TO HELP EXPAND WORKFORCE HOUSING IN MONROE COUNTY

#8-a -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish an annual fee on non-primary residences that are not utilized as long-term rentals (6 month rentals or greater) to be dedicated to supporting and developing workforce housing. (1-22-16 4.4 of 5 Acceptable”) (Formerly 8-f)

NEW 8a(1): The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish an annual fee on non-primary residences that are not utilized as long-term rentals (6 month rentals or greater) to be dedicated to supporting workforce housing and the enforcement of regulations.

NEW 8a(2): The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and operational issues and make recommendations on whether and how to establish a property tax exemption for non-primary residences that rent their residence for not less than 6 months (long term) to a member of the Monroe County workforce. Every property owner claiming the additional reduction in assessed value must annually file an application with the Monroe County Property Appraiser, including documentation and affidavit regarding the qualifying workforce housing occupant of the residence for the year in which the reduction is sought.

Acceptability Ratings Support	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	1	0	2	1	9	4.4
<i>Initial June 17 Rating</i>	0	1	2	1	7	4.3
<i>8a(1) Rating</i>	0	0	2	0	9	4.6
<i>8a(2) Rating</i>	0	0	2	0	9	4.6

AHAC Discussion Points on Recommendation

- Is this tax on short-term rentals? A: The recommendation characterizes as an annual fee on non-primary residents that rent to a member of the workforce.
- Should we tie into homestead into this recommendation? A: This applies not just to homesteaded properties but where the owner doesn't live there but rents out long term, i.e. not asnowbird.
- I recommend that we suggest to staff while working on our recommendations if something comes up they be encouraged to investigate that as well.
- If non primary and not homestead will this exclude the long term?
- If short term, there is a penalty as it contributes to creating deficit in supplies of workforce housing.

Following the discussions and after lunch, two new recommendations were drafted by staff and rated by members for acceptability: 8a (1) related to an annual fee and 8a (2) related to a property tax exemption incentive.

AHAC Discussion Points after Rating 8a (1) and 8a (2)

- The minor concerns expressed have to do with whether it is legal, whether it represents taxation without representation and whether the 6-month period might result in workers losing their units.

#8-b -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legislative, economic and financial issues, and take the necessary steps to propose statutory amendments to revise the Tourist Impact Tax to provide additional dedicated funding for workforce housing in Monroe County, including consideration of amending the allocation of existing funds and the possible reallocation of funding for advertising and capital projects. (4-22-16 4.4 of 5 *Acceptable*) (Formerly 8-d)

#8-b.1 -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legislative, economic and financial issues, including and take the necessary steps to propose statutory amendments to revise increase by 1 penny the Tourist Impact Tax to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County and enforcement of regulations. Evaluate including a sunset date of 10 years: including consideration of amending the allocation of existing funds and the possible reallocation of funding for advertising and capital projects. (4-22-16 4.4 of 5 *Acceptable*) (Formerly 8-d)

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	1	0	1	2	10	4.4
<i>Initial June 17 Rating 8b</i>	1	1	0	0	9	4.4
<i>8b (1) Rating</i>	1	0	0	0	10	4.6

AHAC Discussion Points of Recommendation

- This confuses 2 taxes – Tourist Impact Tax and tourist development tax. The Tourist Impact Tax is 1 penny with 50% the Monroe County Land Authority and affordable housing.
- Strike everything from increase in tourist impact tax?
- If we remove final clause then reference to impact tax would make sense.
- Would rather be more specific. Not revise, but increase by 1 penny entirely dedicated to workforce housing or purchase of land for workforce housing.
- Include enforcement
- We are talking about transient rentals too
- The hotel and tourism industry will fight this. There is already a 1/2 penny going to this purpose. Know have to buy environmentally sensitive land. Fights from other municipalities because the City of Key West is the only one with own allocation and it didn't use the funds for 8 years. How much money do we need if not being spent on the purpose of affordable housing? Extra penny is a lot of money. Guarantee? Why not take other half? Half penny – \$4m
- Disagree notion that county hasn't spent land authority funds on affordable housing as there have been \$13.4 spent on direct purchases of land since 2000.

- Conservation lands should be a priority because of the outstanding liability of hundreds millions dollars of potential tax burden to property owners. We can't build out the county and evacuate. Yes, money for conservation dollars but to protect taxpayers and quality of life. Adding a penny to sales tax isn't going to stop tourists from coming here. Hotel and sales tax, even with a penny will still be the lowest (except Maui). Other destinations over 15-20%. We're at 13.5% tax. How many time do you make travel decision based on tax rate? It's the room rates keeping people away. Look at the industry that is partially responsible for our success and ask to chip in.
- Agree with Heather's summary of reality of competitive tax rates. As member of lodging and tourism, I'm less than sympathetic to complaints of industry that has created much of workforce housing problem without historically contributing to the solution to problem. We have to admit this is a real problem and do something significant about it.
- A penny tax represents about \$8 million annually.
- When the tax was proposed, a compromise with environmentalists resulted in the conservation funding.
- Adding a penny is possible and the law is there. How we collect it is already established. Hotels, being the biggest employers have added 1000s of employees in the past years.
- The hotels are not paying this tax, the guests are paying this fee. All we're doing is doing is using this tax source to offset the tourist impacts on workforce housing. Convenient way to get an extra cent dedicated to housing. Put a sunset limit of 15 years and then look at again.
- Add "construction" as the current Land Authority does not invest in construction in the County.
- Ask staff to evaluate a sunset clause for 5 or 10 years.
- Biggest concern is with the whole penny increase, that it wont fund enforcement, and that the sunset will not be allowed when it is up. Our industry won't support this.
- Go for broke – go for 2 pennies if we're under other resorts.
- Should do this as concisely as possible.
- Funding that is earmarked gets done. Yes, we do pay ad valorem but the work force housing problems are not problems of residents. Add'l enforcement should address legal and illegal tourism. It is the tourism sector that is pushing the need for workforce housing. If enforcement being driven by tourism then use the tax to resolve.
- This becomes more difficult if the Land Authority begins to look like general government. This could distract and muddy the issue and create opposition.
- Fine with taking it out of here if addressed in Task 4.
- Enforcement is an issue because residents doing something illegal, not because hotels are doing something illegal.
- They are renting to tourists.
- It's the skilled marketing folks at Tinsley and TDC that are creating demand for our destination even at \$400 a night. Demand is exceeding affordable hotel rooms and it is making it more expensive to live so residents need to rent. Explosion and availability of technologies like AirBnb has made it easy for amateur rentals.
- Could the extra penny have a different entity of than the Land Authority? *A: That would be reviewed as part of recommended statutory changes.*
- Before one more penny we need to step up enforcement. Don't have enough in code compliance. Haven't put enough money in it. *A: Staff is working closely with the Land*

Authority. The BOCC adopted priorities include tier 3 not adjacent to habitat specifically housing or county purposes and will be their focus and coordinating FDEP and will target tier 1 if county will target tier 3. We actively give them MLS with specifics, potential uses, etc. Meet every Monday so they can target 3 tiers.

- BOCC also added \$4million from general funds for affordable housing to this year’s budget.
- Would like to see a clear sunset timeline.
- I’m concerned with acquisition of land with for many purposes other than affordable housing. Don’t want this to be misconstrued.

#8-c — Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and operational issues and make recommendations on whether and how to establish a service tax on the purchase of alcohol and cigarettes or an annual fee on alcoholic beverage and tobacco licenses in order to provide additional dedicated funding for workforce housing in Monroe County. (4-22-16 4.0 of 5 Acceptable”) (Formerly 8-c)

#8-c 1 -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and operational issues and make recommendations on whether and how to expand the 1% local option tax within Monroe County ~~establish a service tax on the sale of food and beverage (not including hotels and motels) (reference 212.0306, F.S.)~~ purchase of alcohol and cigarettes or an annual fee on alcoholic beverage and tobacco licenses in order to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County. Evaluate including a sunset date of 10 years. (4-22-16 4.0 of 5 Acceptable”) (Formerly 8-c)

Acceptability Ratings Support	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	1	0	4	0	8	4.0
<i>Initial June 17 Rating 8c</i>	0	1	2	1	7	4.3
<i>June 17 Rating 8c-1 as revised</i>	3	1	0	1	6	3.5

AHAC Discussion Points

- Make language match 8.b purchase land and construction and the same sunset language.
- Practically of this at this time since the BOCC maybe making a decision of using sin tax for social services as a top priority.
- There is also a nexus of use of these and the need for social services.
- Rating (1) not sure this should go forward as a recommendation and may muddy the waters on our other recommendations.
- Rating (2) – use may or may not move forward. An opportunity may be missed by not making recommendation. Would rather tax on consumption, e.g. through a food and beverage tax – 2% FS: 212.0306. Targets businesses that need workers that prepare and serve these for consumption.
- That statute is only for charter counties (like Miami Dade).
- A lot of this will go to referendum. Perception is everything taxed and people will think why don’t hotels take care of their own employees. Would like to keep sin tax out of this.

- Our responsibility was to consider all options. I don't see problem splitting hairs. If there's a way to spread to other people in tourism it would be fairer. To participate in collecting tax. It's viable tax and should be on table.
- This won't raise as much money and represents a more clouded issue.
- Don't think we should cloud issue. Will change a 3 rating to 1 rating.
- We have wanted to put everything on table. We can say we looked at everything or a blend of everything and tested consensus.

#8-d -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to engage with the Florida Keys Community Foundation (FKCF), municipalities, and the business and tourist sector in Monroe County to establish a community workforce housing fund administered by the FKCF that can provide additional dedicated funding for workforce housing in Monroe County and rental assistance loans. (4-22-16 4.0 of 5 Acceptable") Proposed as a recommendation 5-20-16) (Formerly 8-g and 4-d.)

Acceptability Ratings <i>Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>June 17 Rating</i>	0	0	0	0	11	5.0

#8-e -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to increase the ~~establish an additional~~ ad valorem tax on non-affordable residential/commercial properties and commercial properties in order to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County ~~for workforce housing in Monroe County.~~ (Formerly 8-b)

NEW: #8-e(1): The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to create a tax incentive for ~~non-residential~~ commercial properties that include workforce housing on the same site.

Acceptability Ratings <i>Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>8e June 17 Rating as Refined</i>	0	0	0	1	10	4.9
<i>8e (1) June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points on Recommendation 8-e

- Insert the same language as 8.b
- Do we want to put how much (%) we want to add?
- The evaluation will help establish this %.
- Commercial property would have an increase of 1-2% or whatever would take to fund money. Commercial properties hire 95% of people that need workforce housing. If this is legal, this would be a fair way to raise money for affordable housing.
- County tax will affect municipalities. They thinking of rebate. If prop owner and if mixed use project housing above my retail why would we not consider lowering that tax in order to facilitate construction rather than increase tax for fund for add housing.

- Incentive to do right thing is easier to sell. Those commercial properties where there is ability to add affordable housing.
- Consider recommendations including both a carrot and stick
- This is a fair way to receive funding for housing for commercial properties and be solution. Carrot is already in document to give lower taxes for those that build housing above or on their site. They will have reduced taxes as incentives.
- Hotels interested in spreading the sources for funding fairly and evenly.
- I wouldn't mind a 1-2% increase to do this.

AHAC Discussion Points on Recommendation 8-e (1)

- Struggling with non-residential. A lot of residential not near workforce housing. We should eliminate non-residential from that.
- Condos and rental is also commercial.
- Confused as to only on same site. They've built offsite because no other alternatives.
- 5-6.c gives tax incentive.
- Not sure why only non-residential commercial property. Should the incentive be for all? We don't want to penalize residential. Remove non-residential.
- 8e for small businesses that are not contributing to AH crises in counties and yet still tax them for a problem that they're not involved in. Still agree we need it. Can we take into consideration with small businesses.
- If a majority of commercial projects weren't upscale we wouldn't be sitting here. I think they should be taxed too as we don't have enough workforce housing.
- Should we put market rate in here? Yes

NEW: 8f: The AHAC recommends the BOCC direct staff to evaluate the legal, statutory, financial and economic issues and make recommendations on whether to increase sales tax for the acquisition of land for workforce housing and construction of workforce housing in Monroe County.

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>8f June 17 Rating</i>	10	0	1	0	0	1.2

AHAC Discussion Points

- So far we have reviewed funding sources from specific groups, consumers and business. Why isn't it a good idea to look at funding as broad based as possible with the minimum impact to individuals or businesses. To me, it would be the smallest increase in sales tax that is allowable – distributed thru entire base. Can we do that in Monroe County? We are in in this together – this would have least impact on any one group and would go furthest to funding problem.
- Not sure sales tax would be popular. From a sales perspective it is a fact that 60% of all sales tax are paid by tourists. Which you're spreading over every aspect of tourism.
- General revenue will need to be added. Point of proposal so far is to raise additional from groups that contribute the most proportionally to the workforce housing crisis by filling in low spots first.
- Would this have to go to referendum? *A: Yes.* If so, not a snowball's chance in passing.
- It is a regressive tax

- A sales tax increase to build someone else’s home would never be passed by BOCC and the less fortunate and retirees would vote no.
- Temperature of electorate is that it wouldn’t pass. 100% of bed tax paid by tourists.

TASK # 9 REVIEW AND RECOMMEND WORKFORCE HOUSING STRATEGIES AS AMENDMENTS TO STATE STATUTES (TASKS A-D)

#9-a -- Draft Recommendation:

The AHAC recommends the BOCC direct the Land Authority to evaluate and provide recommendations to the BOCC on utilizing Land Authority funds to buy back expiring deed restrictions in order to preserve rental workforce housing. The Land Authority should consider remaining deed restriction timeframes and make recommendations on potential monetary offers to provide for a range of additional deed restriction years, including a priority for perpetual deed restrictions in order to preserve existing workforce affordable housing.

(Language from Recommendation 4.c under Rental Solutions, rated “Unanimous Support” 5.0, substituted for 9 b 5-20-16) (Formerly 9-b. & 4-c.)

Note: Land Authority staff has stated that statutory amendments would not be needed for draft recommendation.

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	0	0	5	4	3	3.8
<i>May 20 Rating of 4.c Language</i>	0	0	0	0	11	5.0
<i>June 17 Rating</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- Wouldn’t require amending the statute. Is this the right place?

#9- b -- Draft Recommendation:

In light of the workforce housing crisis in Monroe County, ~~and the historic donor inequity between the County’s contributions and funding received under the Sadowski Trust Fund,~~ the AHAC recommends the BOCC maintain continue to support of maintaining the provision of Sadowski Trust funding and the dedicated tax credit project for the Florida Keys as a key legislative priority. *(Rated “Acceptable” 4.2, 4-22-16) (Formerly 9-a.)*

Acceptability Ratings	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	1	0	3	0	9	4.2
<i>June 17 Rating as revised</i>	0	0	1	0	10	4.8

AHAC Discussion Points

- There is no sympathy statewide for Monroe County’s challenges as they just received \$20 million in legislative funding.
- Just tell the rest of counties to adopt “critical concern” status.
- We still need to make the case but should not talk about inequity. Should still advocate for funding.

#9-c -- Draft Recommendation:

The AHAC recommends the BOCC direct staff to evaluate the legislative and financial issues and take the necessary steps to propose statutory amendments to increase the Tourist Impact Tax to provide additional dedicated funding for workforce housing in Monroe County. (Formerly 9-d.)

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>April 22 Rating</i>	1	0	1	2	10	4.4
<i>June 17 No Rating</i>	-	-	-	-	-	-

AHAC Discussion Points

- Refer to Recommendation 8b (1) above.

TASK 10 DEVELOP STRATEGIES FOR DEVELOPING INCLUSIONARY HOUSING REQUIREMENTS FOR HOSPITALITY AND COMMERCIAL DEVELOPMENTS TO SUPPORT BUILDING WORKFORCE HOUSING.

January 2016 AHAC Meeting- Resolution to the BOCC:

“The AHAC recommends that the Board of County Commission support and fund a nexus study as the first step in considering the expansion of the current County residential inclusionary housing program to cover transient and commercial development in the County.”

The Committee voted unanimously to support the motion as a resolution to the Board of County Commission.

March AHAC Meeting: The Committee emphasized with staff and the BOCC the urgency of completing the nexus study as soon as possible in order to advance policy recommendations on establishing an inclusionary housing program for transient and commercial development in the County.

NEW -10a: The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to amend the land development code to not allow inclusionary requirements to be satisfied through ‘linkage’ under Sec. 130-161 (c) with affordable housing units built with government land subsidies in proportion of the government investment.

<i>Acceptability Ratings Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>June 17</i>	1	2	0	0	8	4.1

NEW -10b: The AHAC recommends the BOCC direct staff to evaluate the legal, financial and economic issues and make recommendations on whether and how to amend land development code to not allow inclusionary requirements to be satisfied through ‘linkage’ under Sec. 130-161 (c) with affordable housing units already existing/built.

Note: linkage should not available for existing affordable projects as they do not address the need for additional affordable housing.

Acceptability Ratings <i>Support</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>June 17</i>	0	0	1	2	8	4.6

AHAC Discussion Points 10 a & b

- Mayte Santamaria provided an update to the AHAC noting they are in discussions with the consultant and working on a draft contract but have been delayed due to some family issues the consultant is dealing with.
- In January the AHAC strongly supported inclusionary housing that would be addressed to commercial and transient development.
- Bill Hunter provided a power point presentation on addressing “linkage” under Sec. 130-161 (c) of the code with affordable housing units. He suggested this should not wait until inclusionary study is completed as we need to clean up the code that exists today.
- Shouldn’t be able to shop community with no net benefits to workforce housing. The linkage in that case should be eliminated as an option
- Linkage can help provide funding for affordable housing
- If county provides land then I don’t believe you should be able to link.
- Following discussion of the proposal, it was suggested referencing the proportion of the government investment in satisfying the linkage and applying the linkage only for new development and not for existing development.

TASK 11. OPPORTUNITIES FOR INTERGOVERNMENTAL COOPERATION ON WORKFORCE HOUSING

NOTE: At the March 2016 AHAC meeting the Committee agreed that intergovernmental cooperation is a “very important” element of the AHAC’s work and tasks on workforce housing. There was agreement that the planning directors review the potential areas that have been identified for cooperation at the Intergovernmental Roundtable and report back to the Committee with any recommendations or suggestions for the Committee’s consideration.

Below are the opportunities identified in the February 2016 Intergovernmental Workforce Housing Roundtable:

1. *Collaborate on monitoring and qualifying Affordable Housing (AHAC Recommendation on Task 3)*
2. *Seek to develop consistent affordable housing terminology*
3. *Develop a more consistent intergovernmental approach to deed restrictions*
4. *Identify county and municipal Funding Sources for Affordable Housing*
5. *Purchase land to Address the Growing Workforce Housing Crisis.*
6. *Support inclusionary Housing and Redevelopment*
7. *Provide incentives for Building Workforce Housing*
8. *Work together on Homeowners and Flood Insurance Costs*
9. *Take a new look at the Hurricane Evacuation Formula*
10. *Review policies on backyard houses and work force housing*
11. *Communicating with the public on the workforce housing need & solutions.*

#11 a. Draft Recommendation:

Building on the February 2016 Workforce Housing Intergovernmental Roundtable and the continuing participation of municipal planning directors in the AHAC process, the AHAC recommends each jurisdiction pass a resolution to commit their respective Planning Director's meet to discuss at least twice a year that the County and Municipal Planning Directors continue to meet on a quarterly basis to explore and implement consistent strategies for closer intergovernmental cooperation and collaboration on workforce housing.

<i>Acceptability Ratings</i>	<i>Unacceptable</i>	<i>Serious Reservations</i>	<i>Minor Reservations</i>	<i>Acceptable</i>	<i>Strong Support</i>	<i>Avg.</i>
	1	2	3	4	5	
<i>June 17 Rating as revised</i>	0	0	0	0	11	5.0

AHAC Discussion Points

- Language should be more specific regarding the county and municipalities commitment to formalizing this through resolutions.

III. PUBLIC COMMENT

An opportunity for public comment was offered mid morning during the Committee’s discussion of draft recommendations and in afternoon following the rating of draft recommendations. Deb Curlee, Last Stand, offered public comments after the mid-morning break and submitted written comments (*See Appendix #*). Dan Horton offered public comments prior to adoption of the Amendatory Text at the conclusion of the meeting complimenting the AHAC on their hard work on this critical issue and noted he was running as a candidate for State House District 128 and would strongly support workforce housing efforts emerging from the Committee and the BOCC if elected.

IV. ADOPTION OF THE AMENDATORY DRAFT FINAL RECOMMENDATIONS AND NEXT STEPS

At the conclusion of the meeting a motion to adopt the recommendations as revised that received consensus support be included in an amendatory text of draft final recommendations to the BOCC. (*Randy Wall, 2nd Bill Wiatt*). Prior to voting on the motion, the public was invited to offer comments, concerns or suggestions. Dan Horton spoke to the AHAC complimenting them on their hard work on this critical issue and noted he was running as a candidate for State House District 128 and would strongly support workforce housing efforts emerging from the Committee and the BOCC if elected.

The AHAC unanimously adopted the recommendations as revised 11-0. The facilitator reminded members they would receive a draft text, an amendment form and the June 17 draft Meeting Summary by June 24, 2016. He noted that liaisons will not be submitting any amendments but will participate in the July 22, 2016 review of member amendments. He noted that the deadline for member amendments to be sent electronically to Carol Schreck, is close of business July 8, 2016. Following that members will receive a table with all amendments submitted prior to the July 22, 2016 meeting for consideration as whether to accept as part of the final recommendations.

The meeting adjourned at 2:55 p.m.

Appendix #1 Meeting Agenda

**MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE
MEETING VII—FRIDAY, MAY 20, 2016—9:00 A.M.-3:00 P.M.
MARATHON GOVERNMENT CENTER**

COMMITTEE MEETING OBJECTIVES

- ✓ To review and Approve Regular Procedural Topics (Agenda, AHAC April 22 Summary/Minutes, Consensus Guidelines)
- ✓ To review the Committee’s Draft Work Plan and the process for the AHAC Meetings in June and July
- ✓ To discuss updates on actions and activities since the April 22, 2016 AHAC meeting.
- ✓ To build on the March and April AHAC review and refinement of draft recommendations, identify any additional recommendations and seek to further refine and gain greater support for draft recommendations responding to the AHAC tasks
- ✓ To Identify Next Steps and Assignments
- ✓ To Hear and Consider Public Comment

MEETING AGENDA—FRIDAY, MAY 20, 2016

All Agenda Times—including Public Comment & Adjournment—are Approximate and Subject to Change

9:00 AM	Welcome, Roll Call, Introductions, Review and Approval of Agenda
9:10	Review, Public Comments and Approval of AHAC April 22, 2016 Draft Summary/Minutes
9:15	Overview of the Consensus Building Guidelines and Process for June and July. Review of the AHAC Charge and Committee Work Plan
9:30	Update on Actions, Activities since the April 22, 2016 AHAC Meeting
9:45	Overview of AHAC Tasks 1-11
9:50	Update on Municipality Affordable Housing Strategies
10:20	TASK 4: Develop Solutions for Rental Housing <i>(3 Recommendations)</i> <ul style="list-style-type: none"> • Review and rate and refine, as needed, draft recommendations for acceptability • Clarify if there are any additional recommendations or information needed
10:50	<i>Break</i>
11:00	<i>Public Comment</i>
11:15	TASK 5: Develop incentives of workforce housing on Tier 3 properties <i>(9 Recommendations)</i> <ul style="list-style-type: none"> • Review and rate the acceptability and refine, as needed, draft recommendations • Clarify if there are any additional recommendations or information needed
12:00	TASK 6: Develop strategies for increasing density to encourage workforce housing development, such as micro housing and dormitories <i>(3 Recommendations)</i> <ul style="list-style-type: none"> • Review and rate the acceptability and refine, as needed, draft recommendations • Clarify if there are any additional recommendations or information needed
12:30	<i>Lunch</i>
1:00	TASK 8: Explore and propose expanding local funding sources <ul style="list-style-type: none"> • Review and rate the acceptability and refine, as needed, draft recommendations • Clarify if there are any additional recommendations or information needed
2:00	TASK 9: Review potential amendments to state statutes <i>(3 “very important options”)</i> <ul style="list-style-type: none"> • Review and rate and refine, as needed, draft recommendations for acceptability • Clarify if there are any additional recommendations or information needed
2:30	Other Recommendations <ul style="list-style-type: none"> • Review of Task 10, Inclusionary Housing • Review of Task 11, Intergovernmental Cooperation Recommendation • Others?
2:45	Public Comment
2:55	Next Steps and Assignments
3:00 PM	ADJOURN

Appendix #2- AHAC Committee and Staff

AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERSHIP	
MEMBER, ORGANIZATION	REPRESENTATION –Based on Statutory/Regulation Categories & Districts
Jim Cameron	Advocate for low income affordable housing, Dist. 2
Capt. Ed Davidson, Monroe County School Board	Citizen recommended by the Monroe County School Board
Hana Eskra, Florida Market President, Gorman & Co. Inc.	Real estate professional in connection with affordable housing, Dist. 4
Bill Hunter	Citizen with no financial interest in the development of affordable
Warren Leamard. Owner, Chef, Destination Catering & Events	Not for profit provider of affordable housing, Dist. 3
Kurt Lewin, 1 st State Bank of Florida Keys	Banking/Mortgage Banking related to affordable housing, Dist. 1
Ken Naylor, Atlantic Pacific Communities	For profit provider of affordable housing, Dist. 3
Tim Root, McKendry Construction	Residential affordable housing building industry, Dist. 1
Jim Saunders, Bayview Land Development & Permitting	Citizen, representing employers in Monroe County, Dist. 5
Stephanie Scuderi, Senior VP, Centennial Bank.	Citizen, representing essential services personnel related to AH, Dist. 5
Ed Swift III, President, Historic Tours of America	Citizen, residing in Monroe County, Dist. 4
Randy Wall	Labor, home building related to affordable housing, District 2
Jodi Weinhofer, President, Lodging Association of the Florida Keys	Citizen recommended by the Monroe County lodging industry
William Wiatt, Sunset Villas	Member, Local Planning agency, Dist. 4
BOCC LIAISON- EX OFFICIO MEMBERS	
Heather Carruthers	Mayor Pro Tem, Monroe County BOCC
Sylvia Murphy	Commissioner, Monroe County BOCC
MUNICIPALITIES LIAISONS- EX OFFICIO MEMBERS	
Thaddeus Cohen	Planning Director, City of Key West
George Garrett	Planning Director/Deputy City Manager, City of Marathon
Deb Gillis	Mayor, Village of Islamorada
MONROE COUNTY STAFF	
Peter Morris / Steve Williams	County Attorney’s Office
Mayte Santamaria	Senior Director of Planning and Environmental Resources, Santamaria-Mayte@MonroeCounty-FL.Gov (305) 289-2500
Emily Schemper	Comprehensive Plan Manager (305)289-2500 Schemper-Emily@MonroeCounty-FL.Gov
Tiffany Stankiewicz	Development Administrator
Carol Schreck	Committee Administrator Schreck-Carol@MonroeCounty-FL.Gov
AHAC FACILITATOR	
Bob Jones	FCRC Consensus Center, FSU, rmjones@fsu.edu

Appendix #3- Meeting Evaluation Summary

MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE

MEETING EVALUATION SUMMARY

MEETING IX—FRIDAY, MAY 20, 2016—9:00 A.M.-3:00 P.M.

MARATHON GOVERNMENT CENTER

Members provided a rank for each statement using a 0 to 10 scale, where 0 meant totally disagree and 10 meant totally agree. 10 evaluation forms were completed.

1. Please assess the overall meeting.

9.3 ___ The agenda packet was very useful.

9.4 ___ The objectives for the meeting were stated at the outset.

8.0 ___ Overall, the objectives of the meeting were fully achieved.

2. Do you agree that each of the following session objectives was achieved?

9.1 ___ To review and Approve Regular Procedural Topics (Agenda, AHAC April 22
Summary/Minutes)

9.3 ___ To review and approve the Committee's Draft Work Plan and the process for the AHAC
Meetings in June and July

9.1 ___ To discuss updates on activities since the April 22, 2016 AHAC meeting, including updates
from the municipal planning directors

8.8 ___ To build on the March and April AHAC draft recommendations and refine and identify
any additional recommendations and seek to further refine and gain greater support for
draft recommendations responding to the AHAC tasks

8.6 ___ To Identify Next Steps and Assignments

NA ___ To Hear and Consider Public Comment

3. Please tell us how well the facilitator helped members engage in the meeting.

9.2 ___ The facilitator made sure the concerns of members were heard.

9.8 ___ The facilitator helped to arrange our time well.

4. Please indicate your level of satisfaction with the organizational meeting?

8.4 ___ Overall, I am very satisfied with the meeting.

8.2 ___ I am satisfied with the outcomes of the meeting.

8.8 ___ I know what the next steps following this meeting will be.

5. What did you like best about the meeting?

- Making progress towards suggestions
- Different perspectives from all Committee members and the County and Municipal liaisons.
- Exchanges of ideas

- The facilitator.
- Ed Swift admitting he made stuff up (:

6. How could the meeting have been improved?

- If we could each be more brief
- Less repetitive comments
- Need to curtail excess conversation and conserve time
- Difficult because some members get on the soapbox
- Too much opinion. Yes/no questions answered in no less than 1000 words!
- Open bar after lunch.

Appendix #4 – AHAC Charge

THE AFFORDABLE HOUSING ADVISORY COMMITTEE CHARGE

AHAC Tasks Assigned by the Monroe County Board of County Commissioners (BOCC)

The Monroe County Affordable Housing Committee (Committee) will seek consensus on guidance and recommendations to the Monroe County Board of County Commissioners (BOCC) addressing the issues set forth in the Committee's charge.

By October 2015:

- 1 Propose a definition for “Workforce” and the need within and where (geographically in unincorporated Monroe County) for providing housing for various income levels (very low, low, median and moderate).
- 2 Evaluate and define the workforce housing need in unincorporated Monroe County.
- 3 Evaluate and propose additional mechanism to qualify and monitor the occupants of deed restricted affordable housing to ensure the units are preserved and maintained as affordable.

Within 1 year from the effective date of this resolution:

4. Develop solutions for rental housing.
5. Develop incentives for development of workforce housing on Tier III properties.
6. Develop strategies for increasing density to encourage workforce housing development, such as micro housing and dormitories.
7. Develop strategies to increase the Monroe County Housing Authority's role in workforce housing, specifically as a management entity for rental workforce housing;
8. Explore and propose expanding local funding sources (local government, private/public partnerships, community/charitable organizations) to help expand workforce housing in Monroe County.
9. Review and consider recommendations to the BOCC for amendments to statutes to address:
 - a Sadowski Trust Fund donor inequity,
 - b Allow Land Authority funds to be used for extending deed restrictions or buying back expired deed restrictions to preserve affordable housing,
 - c Amend Low Income Housing Tax Credit (LIHTC) program to require on-site management longer than 15 years,
 - d Amend or increase 1 cent Tourist Impact Tax to provide dedicated funding for the provision of workforce housing specifically for the hospitality industry; and
10. Develop strategies to assist in developing inclusionary housing requirements for hospitality and commercial sector to build workforce housing.

Appendix #5: AHAC Workplan

COMMITTEE DRAFT WORK PLAN/MEETING SCHEDULE			
2015			
#	DATE	TIME	LOCATION
Initial Review and Development of AHAC Recommendations for Tasks #1-3			
I.	Friday, August 21, 2015	9am-12 pm	Marathon Govt. Ctr.
Organizational Meeting #1: Review Charge, Procedures, Success, Work plan and BOCC Charge tasks due in October 2015: workforce definition, workforce housing need and deed restricted affordable housing			
II.	Friday, September 18, 2015	9am-1pm	Marathon Govt. Ctr.
2 nd Meeting: Refine and Adopt Work Plan, Presentation and discussion on qualifying and monitoring employee housing and potential role of the Monroe County Housing Authority (Task #3); review 2 nd draft statement on “workforce” definition (#1); receive information from staff on workforce housing need and review draft statements (#2).			
III.	Friday, October 16, 2015	9am-3pm	Marathon Govt. Ctr.
3 rd Meeting: Refine and Update Work Plan, review, refine and adopt draft consensus recommendations on workforce definition (#1), workforce housing need (#2) and deed restricted affordable housing (#3). Review & discussion of Local Housing Assistance Plan, Sec. 2-701. - Duties of the affordable housing advisory committee.			
Initial Review of AHAC Ideas and Options on Tasks # 4-10, November 2015 –March 2016			
IV.	Friday, November 20, 2015	9am-1 pm	Marathon Govt. Ctr.
4 th Meeting: Review Work plan; Discuss, review, discuss and adopt the Report to the BOCC on the Local Housing Assistance Plan and surplus land inventory; Presentation and information on AHAC Tasks #5 Incentive for development of Tier III workforce housing properties and discussion and identification of initial options.			
V.	Friday, December 18, 2015	9am-1 pm	Marathon Govt. Ctr.
5 th Meeting: Refine and update Work Plan, Presentations, briefings and information on AHAC Tasks: Local funding sources (#8), state and local funding (#9a,b,c,d) discussion of initial options for recommendations.			
2016			
VI.	Friday, January 22, 2016	9am-1 pm	Marathon Govt. Ctr.
6 th Meeting: Refine and update Work Plan, Presentations, briefings and information on AHAC Tasks: Possible topics: Task #10 Inclusionary Housing.			
Consensus Building on AHAC Recommendations for Tasks 4-10, April 2016- July 2016			
	Friday, February 19	9am-3 pm	Marathon Govt. Ctr.
AHAC Roundtable with Municipal Representatives			
VII.	Friday, March 18, 2016	9am-1 pm	Marathon Govt. Ctr.
8 th Meeting: Refine and update Work Plan, Additional presentations, briefings and information on AHAC Tasks; Overview of initial draft of AHAC draft workforce housing report; Rating, refining and building consensus on background and recommendations.			
VIII.	Friday, April 22, 2016	9am-1 pm	Marathon Govt. Ctr.
9th Meeting: Refine and update Work Plan, Presentations, briefings and information on AHAC Tasks: Task #6 Increase Density (micro housing, dormitories, etc.) to encourage workforce housing development; Review of AHAC draft workforce housing report outline. Rating, refining and building consensus on draft background and recommendations.			
IX.	Friday, May 20, 2016	9am-3pm	Marathon Govt. Ctr.
10th Meeting: Review of 2 nd draft of AHAC draft workforce housing report and rating, refining and building consensus on background and recommendations.			
XI.	Friday, June 17, 2016	9am-1 pm	Marathon Govt. Ctr.
11th Meeting: Review and adopt final draft of AHAC draft workforce housing report			
XII.	Friday, July 22 2016	9am-1 pm	Marathon Govt. Ctr.
12th Meeting: Finalize and adopt AHAC report to the BOCC			

Appendix #6 Bill Hunter's Handout on Linkages.

From: Bill Hunter
To: Monroe County Affordable Housing Advisory Committee
Distributed: June 17, 2016 MC AHAC meeting
Subject: Recommendation – Linkage

The County will soon consider a requirement to provide inclusionary workforce housing for commercial development that increase floor space. The County already requires inclusionary housing in order “to ensure that the need for affordable housing is not exacerbated by new residential development and redevelopment of existing affordable housing stock.”

There are four options to meet the requirement:

- 1- Build the workforce housing,
- 2- Pay and ‘in lieu fee’ of \$271,875,
- 3- Donate land to the county,
- 4- Link to voluntary project with excess.

The potential value of ‘linkage’ is negotiable with a logical ceiling of \$271, 875.

The committee’s recommendation #5/6a includes the incentive of ‘county-owned land’ to help lower the cost of developing workforce housing.

The committee should suggest that ‘linkage’ under Sec. 130-161 (c) not be allowed for housing built with government land subsidies.

Sec. 130-161. - Affordable and employee housing; administration.

(c) Linkage of projects.

Two or more development projects that are required to provide affordable housing may be linked to allow the affordable housing requirement of one development project to be built at the site of another project, so long as the affordable housing requirement of the latter development is fulfilled as well. The project containing the affordable units must be built either before or simultaneously with the project without, or with fewer than, the required affordable units. Sequencing of construction of the affordable component of linked projects may be the subject of the planning department or the planning commission's approval of a project. In addition, if a developer builds more than the required number of affordable units at a development site, this development project may be linked with a subsequent development project to allow compliance with the subsequent development's affordable unit requirement. The linkage must be supplied by the developer to the planning commission at the time of the subsequent development's conditional use approval. Finally, all linkages under this subsection may occur between sites within the county and in the cities of Key West, Marathon and Islamorada, subject to an interlocal agreement, where appropriate; however, linkage must occur within the same geographic planning area, i.e., lower middle and upper keys. All linkages must be approved via a covenant running in favor of the county, and if the linkage project lies within a city, also in favor of that city. The covenant shall be placed upon two or more projects linked, stating how the requirements for affordable housing are met for each project. The covenant shall be approved by the board of county commissioners and, if applicable, the participating municipality.

Appendix 7, Last Stand's Written Comments to the AHAC June 17, 2016

Last Stand Comments Monroe County Affordable Housing Advisory Committee Meeting June 17, 2016

Last Stand is opposed to additional height for new structures in unincorporated Monroe County, believing that generally the size of lots can accommodate sufficient living space without changing the community character by creating buildings whose height exceeds the tree line.

We understand, for affordable housing, the difference in adding an additional floor can significantly change the economics of a project. We also anticipate projects using a 40-foot height structure would be using density in excess of that otherwise allowable. These are two significant impacts to the surrounding neighborhood.

We are urging you, if ^{applicable} Option #5-m is considered as a recommendation, that it also require that any other aspect of the project must comply with the land development regulations. We would encourage the recommendation include the following conditions for an affordable housing project with 40-foot height and additional density:

1. There would be no further parking, set back, maximum building coverage, landscaping or other variances that help to buffer surrounding properties from the height and density incentives;
2. A 40-foot structure will only be allowed if the applicant demonstrates that a height of 38 feet falls short of the extra story;
3. Require approvals by DRC, Planning Commission and the Board of County Commissioners; and
4. Require increased setbacks from US1 or County roads.

In reviewing the draft recommendations, we note that several incentives will allow for additional density. Our concern is how these density incentives may be applied multiple times to the same property. We are requesting that this Committee make it clear to the BOCC that density incentives are not to be stacked or aggregated.

In our experience, too often when a project has the choice among several tiers of income level affordable housing, the choice is made to provide the highest income level. As the various incentives for density, tax relief and others are proposed, we encourage you to include in the recommendation a specific tier income level that qualifies the unit for an incentive so that the result will be a better supply of Very Low, Low and Median income level units.

Without specific language to comment on a Fractional ROGO proposal, Last Stand would like to recommend the policy that this Committee should apply. Square foot size of the unit does not matter when determining if a fractional ROGO should apply to a unit. ROGOs are primarily set to assure safety of all in the event a hurricane or other natural disaster requires resident evacuation. The evacuation model adopted for the Florida Keys used the 2010 census data for

each of the Traffic Evacuation Zones. An average of 1.4 vehicles per dwelling unit will join the stream of vehicles attempting to evacuate in a 24 hour period. Any unit that has more than ZERO bedrooms should not have a fractional ROGO. In order to better assure everyone's safety, if there is any doubt that the occupants of a dwelling unit may have two vehicles, then a full ROGO is required for that unit. Before any fractional ROGO allocations are proposed, new census data confirming vehicle ownership and evacuation from small units is required to rerun the evacuation model to confirm impacts of smaller affordable units.

We thank this Committee for their service to the community to develop recommendations that will lead to a better quality of life for Monroe County residents. Please carefully consider our comments as you adopt final language for your recommendations.

Thank you.

Deb Curlee Vice President, Last Stand