

**MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE**  
**MEETING XI —FRIDAY, JULY 22, 2016—9:00 A.M.-3:00 P.M.**  
**MARATHON GOVERNMENT CENTER**

***AHAC MEETING OBJECTIVES***

- ✓ To review Procedural Topics (Agenda, AHAC June 17, 2016 Summary/Minutes, Consensus Guidelines and the Final Recommendations Amendatory Process)
- ✓ To Hear and Consider Public Comment
- ✓ To review and decide on each member amendment of the draft Recommendations adopted at the June 17, 2016 AHAC meeting
- ✓ To seek adoption of the recommendations as amended in a resolution to the BOCC

***AHAC MEETING AGENDA—FRIDAY, JULY 22, 2016***

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

<b>9:00 AM</b>	<b>Welcome, Roll Call, Introductions, Review and Approval of Agenda</b>
<b>9:10</b>	<b>Review and Approval of AHAC June 17, 2016 Draft Summary/Minutes</b>
<b>9:15</b>	<b>Update on Actions, Activities since the June 17, 2016 AHAC Meeting</b>
<b>9:25</b>	<b>Overview of the Consensus Building Guidelines and AHAC Process for Adopting Amendments to the June 17, 2016 Amendatory Text Recommendations</b>
<b>9:35</b>	<b>Overview of the AHAC Recommendation Amendments (6 amendments)</b>
<i>9:45</i>	<i>Public Comment</i>
<i>10:30</i>	<i>Break</i>
<b>10:45</b>	<b>AHAC Review and “Consensus” Vote (i.e. 75% support or greater) on Whether to Adopt Each Proposed Amendment into the Text of the Recommendations</b>
<i>12:00</i>	<i>Public Comment</i>
<b>12:30</b>	<b>AHAC Consideration and Discussion of Public Comment</b>
<b>12:45</b>	<b>Motion on a Resolution to the BOCC Incorporating the Recommendations as Amended</b>
<i>1:00-3:00 PM</i>	<i>As needed to complete the review and adopt an AHAC Resolution to the BOCC</i>
	<b>Next Steps and Meeting and Process Evaluation &amp; Celebration</b>
<b>3:00 PM</b>	<b>ADJOURN</b>

<b>AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERSHIP</b>	
<b>MEMBER, ORGANIZATION</b>	<b>REPRESENTATION –Based on Statutory/Regulation Categories &amp; Districts</b>
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	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	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, Blue Fin Inc.	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
<b>BOCC LIAISON- EX OFFICIO MEMBERS</b>	
Heather Carruthers	Mayor Pro Tem, Monroe County BOCC
Sylvia Murphy	Commissioner, Monroe County BOCC
<b>MUNICIPALITIES LIAISONS- EX OFFICIO MEMBERS</b>	
Thaddeus Cohen	Planning Director, City of Key West
George Garrett	Planning Director/Deputy City Manager, City of Marathon
Cheryl Cioffari	Planning Director, Village of Islamorada
<b>MONROE COUNTY STAFF</b>	
Peter Morris / Steve Williams	County Attorney's Office
Mayte Santamaria	Senior Director of Planning and Environmental Resources, <a href="mailto:Santamaria-Mayte@MonroeCounty-FL.Gov">Santamaria-Mayte@MonroeCounty-FL.Gov</a> (305) 289-2500
Emily Schemper	Comprehensive Plan Manager (305)289-2500 <a href="mailto:Schemper-Emily@MonroeCounty-FL.Gov">Schemper-Emily@MonroeCounty-FL.Gov</a>
Tiffany Stankiewicz	Development Administrator
Carol Schreck	Committee Administrator <a href="mailto:Schreck-Carol@MonroeCounty-FL.Gov">Schreck-Carol@MonroeCounty-FL.Gov</a>
<b>AHAC FACILITATOR</b>	
Bob Jones	FCRC Consensus Center, FSU, <a href="mailto:rmjones@fsu.edu">rmjones@fsu.edu</a>

<b>AFFORDABLE HOUSING ADVISORY COMMITTEE</b>			
<b>PROPOSED MEETING SCHEDULE 2015-2016</b>			
<b>2016</b>			
	<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
I.	Friday, August 21, 2015	9am-12 pm	Marathon Govt. Ctr.
II.	Friday, September 18, 2015	9am-1 pm	Marathon Govt. Ctr.
III.	Friday, October 16, 2015	9am-3 pm	Marathon Govt. Ctr.
IV.	Friday, November 20, 2015	9am-1 pm	Marathon Govt. Ctr.
V.	Friday, December 18, 201	9am-2 pm	Marathon Govt. Ctr.
<b>2016</b>			
VI.	Friday, January 22, 2016	9am-1 pm	Marathon Govt. Ctr.
RT	<i>Friday, February 19, 2016</i>	<i>9am-3 pm</i>	<i>Marathon Govt. Ctr.</i>
VII.	Friday, March 18, 2016	9am-1 pm	Marathon Govt. Ctr.
VIII.	Friday, April 22, 2016	9am-3 pm	Marathon Govt. Ctr.
IX.	Friday, May 20, 2016	9am-3 pm	Marathon Govt. Ctr.
X.	Friday, June 17, 2016	9am-3 pm	Marathon Govt. Ctr.
<b>XI</b>	<b>Friday, July 22, 2016</b>	<b>9am-3 pm</b>	<b>Marathon Govt. Ctr.</b>

<b>COMMITTEE DRAFT WORK PLAN/MEETING SCHEDULE</b>			
<b>2015</b>			
#	<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
<b>Initial Review and Development of AHAC Recommendations for Tasks #1-3</b>			
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 qualifying and monitoring.			
II.	Friday, September 18, 2015	9am-1pm	Marathon Govt. Ctr.
2 <sup>nd</sup> Meeting: Refine and Adopt Work Plan, Presentation and discussion on qualifying and monitoring workforce housing and potential role of the Monroe County Housing Authority (Task #3); review 2 <sup>nd</sup> 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 <sup>rd</sup> 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.			
<b>Initial Review of AHAC Ideas and Options on Tasks # 4-10, November 2015 –March 2016</b>			
IV.	Friday, November 20, 2015	9am-1 pm	Marathon Govt. Ctr.
4 <sup>th</sup> 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 Incentives 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 <sup>th</sup> 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) and discussion of initial options for recommendations.			
<b>2016</b>			
VI.	Friday, January 22, 2016	9am-1 pm	Marathon Govt. Ctr.
6 <sup>th</sup> Meeting: Refine and update Work Plan, Presentations, briefings and information on AHAC Tasks: Topics: Task #10 Inclusionary Housing, building costs and Intergovernmental Roundtable agenda review.			
	<i>Friday, February 19, 2016</i>	<i>9am-3 pm</i>	<i>Marathon Govt. Ctr.</i>
<i>AHAC Intergovernmental Cooperation Roundtable with Municipal Representatives</i>			
<b>Consensus Building on AHAC Recommendations for Tasks 4-10, March 2016- July 2016</b>			
VII.	Friday, March 18, 2016	9am-1 pm	Marathon Govt. Ctr.
7 <sup>th</sup> Meeting: Refine and update Work Plan, Additional presentation on inclusionary housing and review of approach to recommendation; overview AHAC Task and Ideas Chart and initial rating and discussion of level of priority for each idea.			
VIII.	Friday, April 22, 2016	9am-3 pm	Marathon Govt. Ctr.
8 <sup>th</sup> Meeting: Refine and update Work Plan, Review Tasks 8, 9, 4, 5 & 6 and begin testing support for initial draft AHAC recommendations.			
<b>IX.</b>	<b>Friday, May 20, 2016</b>	<b>9am- 3pm</b>	<b>Marathon Govt. Ctr.</b>
9 <sup>th</sup> Meeting: Review and test support for draft recommendations for AHAC tasks and intergovernmental cooperation, review and adopt the amendment process for adopting the final report to the BOCC at the July AHAC meeting.			
<b>X.</b>	<b>Friday, June 17, 2016</b>	<b>9am-3 pm</b>	<b>Marathon Govt. Ctr.</b>
10 <sup>th</sup> Meeting: Review, test support and further refine draft AHAC recommendations to the BOCC. Review and adopt a draft amendatory set of recommendations.			
<i>June 24- Send Draft Final AHAC Recommendations and amendment forms.</i>			
<i>July 8- Member Amendment form submission deadline</i>			
<i>July 15- Circulate Member Proposed Amendments to the Draft AHAC Recommendations</i>			
<b>XII.</b>	<b>Friday, July 22, 2016</b>	<b>9am-3 pm</b>	<b>Marathon Govt. Ctr.</b>
<b>11<sup>th</sup> Meeting:</b> Review and test consensus for proposed Member editorial and substantive amendments to the amendatory text of recommendations and seek to adopt the final AHAC final recommendations as amended in a resolution to the BOCC.			

## OVERVIEW OF 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 Resolution 189-2015 (July 15, 2015):**

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.
11. *BOCC Resolution 393-2015, November 2015: Address Intergovernmental Collaboration on Workforce Housing*

## AHAC SUCCESS STATEMENT (October 2015)

"The Committee will work together to produce consensus recommendations to the BOCC on the issues included in its charge creating a roadmap and framework for action that will help the County to prioritize, implement and measure improvements in housing all segments of the workforce by:

- Retaining and recovering Affordable Housing stock and improve qualifying and monitoring;
- Setting a goal of building or permitting available Monroe County ROGO allocations to improve availability of affordable workforce housing;
- Identifying all public and private lands suitable for affordable workforce housing;
- Identifying opportunities and creating meaningful incentives for developing and building affordable workforce housing;
- Identifying and suggesting revenue sources; and
- Identifying potential amendments to adjust regulations to support affordable workforce housing development.

AFFORDABLE HOUSING ADVISORY COMMITTEE  
PROCESS OVERVIEW

**CONSENSUS-BUILDING GUIDELINES**

*Adopted Unanimously by the AHAC September 2015*

**Consensus Recommendations.** The Monroe County Affordable Housing Advisory Committee (Committee) will seek consensus decisions on its workforce housing recommendations to the Board of County Commission. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose.

**AHAC Consensus Defined.** In instances where, after vigorously exploring possible ways to enhance the members' support for a proposed final decision on a recommendation, and the Committee finds that 100% acceptance or support is not achievable, final decisions will require at least 75% favorable vote of all voting members present. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with. In instances where the Committee finds that even 75% acceptance or support is not achievable, publication of Committee recommendations will include documentation of the differences and the options that were considered for proposals where there was more than 50% but less than 75% support from the Committee.

**Modified Rules of Order.** The Committee will develop and make substantive advisory recommendations using their adopted facilitated consensus-building procedures, and will use Robert's Rules of Order only for formal motions to adopt recommendations once a facilitated discussion is completed. The Committee and its liaison representatives will conduct many of its discussions as a "committee of the whole" and will utilize Robert's Rules of Order, as modified by the Committee's adopted consensus guidelines and procedures, to make and approve motions by any voting member to adopt final recommendations to the BOCC.

The facilitator will serve as "chair" in the context of addressing motions. A second is required to discuss the motion. If a motion is seconded, the Facilitator will open the floor for discussion. The Facilitator will recognize members wishing to speak on the motion. The Facilitator will, if time permits, recognize other members wishing to speak on the motion.

The Facilitator may elect or be requested by the member making the motion to take a "straw poll" on the motion. Based on the result, the Facilitator may table the motion with the agreement of the member moving it, pending further discussion. The member making the motion may accept friendly amendments to the motion. After completing discussion, the Facilitator will call the discussion to a close and restate the motion, with any friendly amendments, and call for a vote. If the motion receives a 75% or more favorable vote of the members present and voting it will be approved. The 75% supermajority voting requirement will supersede the normal voting requirements used in Robert's Rules of Order for decision making on substantive motions and amendments to motions related to committee recommendations. In addition, the Committee will utilize their adopted meeting guidelines for conduct during meetings.

Liaisons will serve as ex-officio representatives of the County and the Municipalities and will have an opportunity fully participate in the Committee discussions and consensus ratings of various options but will not vote on substantive AHAC motions or decisions.

## **AMENDATORY REVIEW PROCESS FOR COMMITTEE FINAL RECOMMENDATIONS**

*Adopted unanimously by the AHAC May 20, 2016*

1. The Committee will continue to refine its recommendations and will invite comments of the AHAC members and liaisons and the acceptability ratings of AHAC members on the recommendations up through the June AHAC meeting.
2. The Committee will adopt an “amendatory draft” of the AHAC Recommendations to the BOCC at the conclusion of the June 2016 AHAC meeting. Staff will circulate the adopted “amendatory draft” by June 24, 2016 with an amendment forms for members to use if they wish to submit proposed amendments to the recommendations. Members will send any proposed amendments to the recommendations by email by **close of business July 8, 2016**, to Carol Schreck AHAC Administrator only and will not copy any other AHAC member and liaison.
3. To ensure that Members have an opportunity to review proposed amendments, the Committee will only address written member amendments received by the amendment **deadline of COB July 8, 2016** at the July AHAC meeting. No new amendments will be accepted by members from the floor. However, the facilitator may offer amendatory language from the floor, but only if it is designed to build greater consensus support by the AHAC for a recommendation.
4. The staff will organize the proposed amendments as either editorial and substantive and the facilitator will move adoption of editorial amendments as a consent packet. Before moving adoption of the editorial amendments, any Committee member can ask that an editorial amendment to be reviewed and voted on separately as a substantive amendment.
5. Amendment sponsors may be recognized for brief clarifying comments on meaning/intent of their amendments. Amendment sponsor(s) may accept “friendly” language to their amendments on the floor from other members or liaisons.
6. Following discussion, the Facilitator may elect or be requested by the amendment sponsor to take a “straw poll” on the level of member support for the amendment. Based on the result, the sponsor may decide to withdraw or request the amendment to be tabled pending further refinement and review later in the meeting. After completing discussion of each amendment, the Facilitator will call the discussion to a close and restate the amendment, with any friendly language added, and call for a vote of AHAC members on the amendment. If the amendment receives a 75% or more favorable vote of those members present and voting, it will be approved for inclusion in the recommendations to the BOCC.
7. Voting AHAC members present in the room will express consensus or vote on amendments, sections and on the motion to adopt the final recommendations as amended. There will be no abstentions.
8. Non-voting committee liaisons may participate in discussing amendments or proposing friendly language but not in voting on the amendments.
9. Following the review of all member amendments, a motion to adopt the final set of recommendations to the BOCC, as amended, will be sought and the motion must garner 75% of those members present and voting in order to forward the recommendations to the BOCC.
10. The Committee may instruct Staff to prepare the report to the BOCC and make any editorial changes as needed in preparation for delivery of the report to the BOCC for consideration at their August 2016 meeting.

MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)  
**PROCESS FOR FINAL AHAC RECOMMENDATIONS TO THE BOCC**

*Text Adopted Unanimously by the AHAC June 17, 2016  
Consensus Procedure Adopted Unanimously September 2015 and May 2016*

**AHAC Options Development.** At the AHAC March 18, 2016 meeting the Committee along with the County and Municipal liaisons reviewed and rated the importance of workforce housing options for AHAC Tasks 4 – 11. The Committee discussed and provided guidance to staff to draft potential recommendations for review at the April, May and June meetings.

**AHAC Consensus Building on Draft Recommendations.** At the April 22, 2016, May 20, 2016 and June 17, 2016 AHAC meetings, the Committee reviewed and rated the acceptability of each recommendation, refined recommendations to build greater consensus and added draft recommendations addressing each of the AHAC's 11 Tasks assigned by the Monroe County Board of County Commissioners.

**AHAC Consensus Procedures.** At its September 2015 meeting the AHAC adopted its consensus procedures requiring 75% of the AHAC members to adopt its recommendations and report to the BOCC and setting forth a consensus building process for reviewing and refining its recommendations to build greater consensus among the members. At its May 2016 meeting the AHAC unanimously adopted a consensus procedure for adopting an amendatory draft and offering an opportunity for each member to submit written amendments to the draft final recommendations to be reviewed and voted on at the July 22, 2016 AHAC meeting with a final vote on the package of recommendations as amended to take place at the conclusion of the July AHAC meeting.

**AHAC Amendatory Text of Draft Final Recommendations.** At the conclusion of the June 17, 2016 AHAC Meeting the Committee unanimously adopted an “amendatory draft” of the AHAC Recommendations as rated and revised at the meeting.

**AHAC Member Amendments.** Pursuant to the AHAC adopted procedure, AHAC members will receive the adopted “amendatory draft” by June 24, 2016 with an amendment forms to use if they wish to submit proposed amendments to the recommendations. Members will send any proposed amendments to the recommendations by email by close of business July 8, 2016, to Carol Schreck AHAC Administrator only and will not copy any other AHAC member and liaison.

**AHAC Review of Member Amendments in Advance of July 22, 2016.** Pursuant to the AHAC adopted procedure, AHAC members will receive the proposed amendments incorporated into the AHAC July 22, 2016 agenda packet by July 15, 2016, for their review and consideration in advance of the July meeting.

## INTRODUCTION OF MEMBER AMENDMENTS TO THE AHAC DRAFT RECOMMENDATIONS TO THE BOCC

Below are the member proposed substantive amendments to the June 17 AHAC Draft Recommendations that were received by close of business July 8, 2016. The 6 amendments received are listed and highlighted in green in order of how they appear in the text and each will be reviewed and voted on by the Committee as to whether each amendment should be adopted into the recommendation text by the AHAC members present at the July 22, 2016 AHAC meeting. Each proposed amendment will require a “consensus” vote of 75% or greater support of the AHAC members present and voting to be incorporated into the AHAC recommendations. The AHAC will then vote on the Recommendations as Amended in a Resolution to the BOCC which will require a “consensus” vote of 75% or greater support of the AHAC members present and voting

### 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. The BOCC is encouraged to review Monroe County Sec. 138-24 (a) and evenly allocate the ratio of affordable ROGOs set aside for each income category in the affordable housing ROGO pool.<sup>1</sup>

---

<sup>1</sup> **Amendment A, Recommendation 4:** *Sponsor, Bill Hunter, Explanation:* This amendment does **not** mandate a mix of income levels for any development. Varying income levels desired for a project can still be requested and awarded. This amendment is a recognition that current pooling of ‘candidate ROGOs’ does not align with the Workforce needs identified by our committee.

Section 138-24 of the Monroe County Code splits each year’s new affordable ROGO allocations into ‘income pools’ awaiting a request from developers. The split currently sends 50% of these new affordable ROGOs into the moderate income pool. Committee recommendation #4 encourages the BOCC to recognize, “The need and demand for Workforce Housing appears to be most critical for households at the median, low and very low income levels ...” Committee recommendation #21 encourages the BOCC to establish a density bonus for Workforce Housing in the median, low and very low income levels. The entire supply of remaining affordable ROGOs (through year 2023 – over 700 ROGOs) are about to be directed to income pools and become available for allocation. My proposed amendment does not place any requirements on a developer. It recommends revising the pooling split for new ROGOs to align with current Workforce Housing needs. Should affordable housing need change in the future this ratio can be adjusted to align with that need.

### TASK # 3 QUALIFYING & MONITORING DEED RESTRICTED AFFORDABLE HOUSING

#### OCTOBER 2015 AHAC UNANIMOUS CONSENSUS RECOMMENDATIONS

The **bold** language for recommendation #7 below were suggested refinements that were agreed to by the AHAC at the June 17 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.

5. The BOCC should direct staff to continue to build its database of deed-restricted units.
6. 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.
7. **By October 2016**, County staff should develop **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 3<sup>rd</sup> 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.
8. 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.
9. 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.
  - a) Authorize Code Compliance and/or the Monroe County Tax Collector's Office to more aggressively pursue illegal rentals.
  - b) Require that owner-occupied units be homesteaded.

### TASK #4 DEVELOP SOLUTIONS FOR RENTAL WORKFORCE HOUSING

10. The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create an workforce housing overlay which can be applied to properties (through a map amendment) to provide additional density bonuses for workforce developments that offer only workforce housing rentals in perpetuity on Tier III designated lands. *(formerly 4 a.)*
11. The AHAC recommends the BOCC direct staff to evaluate and recommend a proactive approach to enhance the enforcement against illegal vacation rentals; tourist housing and vacation rentals of affordable housing units; including additional code compliance staff to focus on short-term rentals and continued partnership with the Monroe County Tax Collector. *(formerly 4 b.)*
12. 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. *(formerly 4 c.)*

13. 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 to address the NIMBY (“Not in my backyard”) sentiment to workforce housing and collaborate with the developers, municipalities, the private and non- profit sectors. *(formerly 4 d.)*

**TASKS #5 & #6      DEVELOP INCENTIVES FOR WORKFORCE HOUSING ON TIER 3 PROPERTIES, INCLUDING STRATEGIES FOR INCREASING DENSITY.**

14. 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 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. *(formerly 5/6 a.)*
15. 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 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. *(formerly 5/6 b.)*
16. 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. *(formerly 5/6 c.)*
17. 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. *(formerly 5/6 d.)*
18. 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. *(formerly 5/6 e.)*

19. The AHAC recommends the BOCC direct staff to evaluate and develop comprehensive plan and land development code amendments to create to create a ~~special approval process~~ Workforce Housing overlay<sup>2</sup> 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. *(formerly 5/6 f.)*
20. 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.~~” *(formerly 5/6 g.)*
21. 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 in the median, low and very low income categories which is deed restricted in perpetuity and located on Tier 3 designated lands. *(formerly 5/6 h.)*

**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, Recommendations 7-9 that address this Task.*

<sup>2</sup> **Amendment B, Recommendation 19:** *Sponsor, Bill Hunter, Explanation:* Combined with a scarcity of buildable land, existing tall buildings in Key West lessen the objection to increased height for affordable housing. Unincorporated Monroe County on the other hand is mostly rural with excess tier 3 property on which to build. The committee's recommended density bonuses combined with additional height may work in some areas of unincorporated Monroe County, but increased height will be a tough sell to the public. We saw Last Stand express concern about combining height and density bonuses at our June AHAC meeting. They asked the committee to recognize the pressure that increased height and density will place on parking and open space, as well as landscaping and set back requirements which would buffer surrounding properties from this additional height. Since a blanket allowance for increased height throughout all of rural unincorporated Monroe will likely meet considerable resistance, I ask the committee to recognize that a Workforce Housing overlay for increased height, one which includes site specific allowances and restrictions along with the opportunity for input from the surrounding community, is a way to make additional height for workforce housing more acceptable to the public.

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

INSERT: *the following introduction to Task 8 Recommendations*

In developing these recommendations, the AHAC believes that the Commission should set a 10-year target of raising at least \$10 million annually from local funding sources to help expand workforce housing in Monroe County and address the unmet Workforce Housing need throughout Monroe County, specifically near employment centers.<sup>3</sup>

22. 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. *(formerly 8.a.1)*
23. 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. *(formerly 8.a.2)*
24. The AHAC recommends the BOCC direct staff to evaluate the legislative, economic and financial issues, including and take the necessary steps and make recommendations on whether and how to propose to statutory amendments to 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. Evaluate including a sunset date of 10 years. *(Formerly 8-b 1)*
25. The AHAC recommends the BOCC direct staff to engage with the Community Foundation of the Florida Keys(CFFK), 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. *(Formerly 8 d.)*
26. 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 ad valorem tax on non-affordable residential/commercial properties and commercial properties that are not rented at affordable rates<sup>4</sup> in order to provide in order to provide additional dedicated funding for the acquisition of land for workforce housing and construction of workforce housing in Monroe County. *(Formerly 8-e)*

---

<sup>3</sup> **Amendment C, Task 8 Introduction** *Sponsor, Ken Naylor, Explanation:* I think we should strongly consider a target dollar amount to be raised under Task #8, which would help inform the magnitude of fees, taxes, etc. that are being considered.

<sup>4</sup> **Amendment D, Recommendation 26,** *Sponsor: Bill Hunter, Explanation:* Editorial. The revised wording makes the intent of our recommendation easier to understand.

27. 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 commercial properties that include workforce housing on the same site. *(Formerly 8-e.1)*

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

28. 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 housing. *(Formerly 9-a.)*

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

29. In light of the workforce housing crisis in Monroe County, the AHAC recommends the BOCC continue to support ~~of~~ the provision of Sadowski Trust funding and the dedicated tax credit project for the Florida Keys as a key legislative priority. *(Formerly 9-b.)*

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

30. “The AHAC recommends that the Board of County Commission support and fund a nexus study as the first step in ~~considering~~<sup>5</sup> the expansion of the current County residential inclusionary housing program to cover transient and commercial development in the County.” *AHAC January 2016 Resolution to the BOCC*

*March 2016 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.

31. 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 in proportion of the government investment. *(Formerly 10-a.)*

---

<sup>5</sup> **Amendment E, Recommendation 30**, *Sponsor: Bill Hunter, Explanation:* In all of our committee discussions there has been consensus that inclusionary workforce housing for commercial development is recommended. Removing the word ‘considering’ makes this recommendation stronger.

32. 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 and new affordable housing built on government provided land.<sup>6</sup> (Formerly 10-b.)

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

## **TASK 11. OPPORTUNITIES FOR INTERGOVERNMENTAL COOPERATION ON WORKFORCE HOUSING**

33. 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 to explore and implement consistent strategies for closer intergovernmental cooperation and collaboration on workforce housing. (formerly 11 a)

*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 their respective governing boards and the AHAC with any recommendations or suggestions for the Committee's consideration.*

*Below are the potential intergovernmental cooperation opportunities identified in the February 2016 Intergovernmental Workforce Housing Roundtable:*

- A. Collaborate on monitoring and qualifying Affordable Housing (AHAC Recommendation on Task 3)
- B. Seek to develop consistent affordable housing terminology
- C. Develop a more consistent intergovernmental approach to deed restrictions
- D. Identify county and municipal Funding Sources for Affordable Housing
- E. Purchase land to Address the Growing Workforce Housing Crisis.
- F. Support inclusionary Housing and Redevelopment
- G. Provide incentives for Building Workforce Housing
- H. Work together on Homeowners and Flood Insurance Costs
- I. Take a new look at the Hurricane Evacuation Formula
- J. Review policies on backyard houses and work force housing
- K. Communicating with the public on the workforce housing need & solutions

---

<sup>6</sup> **Amendment F, Recommendation 32**, Sponsor: **Bill Hunter**, Explanation: 'Linkage' should be available to developers that are required to provide inclusionary workforce housing but 'linkage to' should be limited to voluntary, market funded projects. The committee's recommendation #31 proposes a 'linkage restriction' in proportion to the government investment (subsidy) in a project. Both the definition of 'investment' and the determination of proportion will be challenging. We know that, what is difficult to determine and implement is less likely to be adopted and less likely to be successful. Rather than attempt to restrict all subsidies, there is a simple solution – focus on the land. Our committee has recommended government facilitate the availability of taxpayer financed land as an incentive to reduce a developer's cost of constructing affordable and workforce housing. These land acquisitions and transfers will be very public. Taxpayers will object less to this form of 'government subsidized housing' if these high visibility 'land provided' projects are restricted from linkage. **NOTE:** The meeting record should show this amendment/recommendation is not intended to affect any linkage rights already established by the County.

*DRAFT AHAC RESOLUTION TO THE BOCC*

**No. 01-2016**

**A RESOLUTION OF THE MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE PROVIDING RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ON THE TASKS ASSIGNED TO THE COMMITTEE FOR THE DEVELOPMENT OF A WORKFORCE HOUSING DEVELOPMENT PLAN.**

---

**WHEREAS**, on May 21, 2008, the Board of County Commissioners of Monroe County adopted Ordinance 014-2008, which amended the Monroe County Code to establish the Affordable Housing Advisory Committee, including its assigned duties; and

**WHEREAS**, Monroe County Code Section 2-701 includes the specific duties of the Affordable Housing Advisory Committee; and

**WHEREAS**, the Board of County Commissioners, at a regular meeting held on the 20<sup>th</sup> of August, 2014, approved an agreement between FCRC Consensus Center, FSU, and Monroe County Board of County Commissioners for professional services on Affordable Workforce Housing Stakeholder Assessment; and

**WHEREAS**, at a regular meeting held on the 20<sup>th</sup> of May, 2015, the Board of County Commissioners reviewed and discussed the Monroe County Workforce Housing Stakeholder Assessment Report generated by FCRC Consensus Center, FSU, dated April 2015; and

**WHEREAS**, at a regular meeting held on the 20<sup>th</sup> of May, 2015, the Board of County Commissioners adopted Resolution 139-2015 assigning additional duties to the Affordable Housing Advisory Committee; and

**WHEREAS**, at a regular meeting held on the 10<sup>th</sup> of June, 2015, the Board of County Commissioners adopted Ordinance 014-2015 amending Section 2-700 of the Monroe County Code to establish the 14 members of the Affordable Housing Advisory Committee and directed staff to amend Resolution 139-2015 to add one additional duty to the committee; and

**WHEREAS**, on October 16, 2015, the Affordable Housing Advisory Committee adopted Resolution 01-2015, providing recommendations on the first three tasks assigned to the committee for the development of a workforce housing development plan; and

**WHEREAS**, at a regular meeting held on the 17<sup>th</sup> of November, 2015, the Board of County Commissioners adopted Resolution 393-2015, supporting and encouraging collaboration between the County of Monroe and incorporated municipalities of Monroe County on addressing the issues of affordable and workforce housing; and

**WHEREAS**, on November 20, 2015, the Affordable Housing Advisory Committee adopted Resolution 02-2015, recommending to the Board of County Commissioners an amendment to the Local Housing Assistance Plan, as required by the State Housing Initiatives Partnership Program Act; and

**WHEREAS**, on November 20, 2015, the Affordable Housing Advisory Committee recommended to the Board of County Commissioners a Review of Surplus Land Inventory and Inventory List and provided an inventory of county-owned real property which may be appropriate for affordable housing; and

**WHEREAS**, on January 22, 2016, the Affordable Housing Advisory Committee adopted Resolution 03-2015, recommending that the Board of County Commissioners 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;

**WHEREAS**, the Monroe County Affordable Housing Advisory Committee has held meetings on August 21, 2015, September 18, 2015, October 16, 2015, November 20, 2015, December 18, 2015, January 22, 2016, February 19, 2016, March 18, 2016, April 22, 2016, May 20, 2016, June 17, 2016, and July 22, 2016 to produce consensus recommendations to the BOCC on the issues included in their charge;

**NOW, THEREFORE, BE IT RESOLVED BY THE MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE:**

The Monroe County Affordable Housing Advisory Committee provides recommendations to the BOCC, attached as **Exhibit 1** and incorporated herein.

**INSERT EXHIBIT 1 – RECOMMENDATIONS AS AMENDED & ADOPTED BY AHAC AT THE JULY 22, 2016 MEETING**

**PASSED AND ADOPTED** by the Monroe County Affordable Housing Advisory Committee at a meeting held on the 22<sup>nd</sup> day of July, 2016.

\_\_\_\_ Jim Cameron  
\_\_\_\_ Capt. Ed Davidson  
\_\_\_\_ Hana Eskra  
\_\_\_\_ Bill Hunter  
\_\_\_\_ Warren Leamard  
\_\_\_\_ Kurt Lewin  
\_\_\_\_ Ken Naylor

\_\_\_\_ Tim Root  
\_\_\_\_ Jim Saunders  
\_\_\_\_ Stephanie Scuderi  
\_\_\_\_ Ed Swift III  
\_\_\_\_ Randy Wall  
\_\_\_\_ Jodi Weinhofer  
\_\_\_\_ William Wiatt