

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Shirley Taylor-Prakelt, Housing and Com.Dev.Director/ (954)
797-1199

PREPARED BY: Shirley Taylor-Prakelt, Housing and Community Director

SUBJECT: State Housing Initiatives Partnerships (SHIP) Program -
Affordable Housing Advisory Committee (AHAC)

AFFECTED DISTRICT: Town-wide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: COMMITTEE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA PROVIDING FOR THE CREATION OF AN AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) AS REQUIRED UNDER FLORIDA ADMINISTRATIVE CODE CHAPTER 67-37 FOR ALL MUNICIPALITIES RECEIVING STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) PROGRAM FUNDS FOR AFFORDABLE AND WORKFORCE HOUSING. {Approved on First Reading June 4, 2008 subject to members being appointed by Council by resolution on an annual basis. The vote was as follows: Mayor Truex - yes; Vice Mayor Luis - absent; Councilmember Starkey - yes; Councilmember Caletka - no; Councilmember Crowley - yes}

REPORT IN BRIEF: In 1997 when the Town of Davie qualified as an "entitlement recipient" of federal and state funds, it was required to establish an Affordable Housing Advisory Committee (AHAC) for the stated purpose of developing a Local Housing Assistance Plan (LHAP) and an Affordable Housing Incentive Plan. Once the Committees job was complete in 1998, it was "sunset". Since that time, the Town has successfully implemented its SHIP, CDBG, and HOME programs to create affordable rental and homeownership opportunities, improve the existing housing stock, provide emergency repairs and hurricane relief, provide handicapped accessibility, and strengthen incentives necessary to effectuate the construction of new affordable and workforce housing.

Although the Town of Davie recently adopted ground-breaking new affordable and workforce housing legislation, following an 18 month fact-finding and consensus-building process, House Bill 1337 passed in the 2007 Legislative Session, requires that all Counties and Cities receiving SHIP allocations, must re-establish their SHIP

Affordable Housing Advisory Committees (AHAC's) in conformance with new guidelines, in order to retain their funding status.

This Affordable Housing Advisory Committee (AHAC) must evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board including recommended changes as established in 420.9076. The AHAC and its members must be established by June 30, 2008; and, a report from the AHAC must be submitted by December 31, 2008.

Since the Town's Housing & Com.Dev. Department, the Mobile Home Task Force (MHTF), and Housing Consultant Carras Community Investments, Inc., had just completed all of the requirements outlined above i.e., undertook a housing needs assessment, gaps analysis, developed best-practices and recommended "tools for the tool box" - Davie was believed to be exempt from this new AHAC requirement, since it appeared to be redundant given the actions taken by the Town over the past 18 months. But, irrespective of Davie's accomplishments in this arena, Davie must conform to the new rule and re-create an 11 member AHAC, comprised of specific categories as spelled out in the attached Ordinance.

The AHAC must submit a report every three (3) years that includes recommendations on, and evaluates the implementation of, affordable housing incentives in eleven (11) specific areas. Nine (9) of the required elements have already been addressed by the Town in its original LHAP and the Town's adopted Affordable Housing Incentive Plan; so, the task of the new AHAC should be fairly straight-forward. The members of the new AHAC will only need to meet 3-4 times per year, and these meetings will be effectuated by the Housing and Community Development Department. The staff will provide the Town Council with a list of recommended candidates for each of the 11 member slots on the AHAC, before the second and final reading of the Ordinance.

PREVIOUS ACTIONS:

CONCURRENCES: Florida Administrative Code Chapter 67-37

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Approve Ordinance

Attachment(s): Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR THE CREATION OF AN AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) AS REQUIRED UNDER FLORIDA ADMINISTRATIVE CODE CHAPTER 67-37 FOR ALL MUNICIPAL JURISDICTIONS RECEIVING STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FUNDS FOR AFFORDABLE AND WORKFORCE HOUSING.

WHEREAS, In 1997, the Town of Davie became an “entitlement recipient” of Federal and State Funds. It established an Affordable Housing Advisory Committee for an AHAC for the purpose of developing a Local Housing Assistance Plan (LHAP) and an Affordable Housing Incentive Plan (AHIP); and

WHEREAS, Since that time, the Town has successfully implemented its, SHIP, CDBG, and HOME Programs to provide affordable rental and homeownership opportunities and programs; and

WHEREAS, Although the Town of Davie recently adopted ground-breaking new affordable and workforce housing legislation, following an 18 month fact-finding and consensus building process, House Bill 1337 now requires that all cities receiving SHIP grant funds must create their Affordable Housing Advisory Committee (AHAC) in conformance with new guidelines, in order to retain funding status.

WHEREAS, the Town of Davie is a recipient of SHIP allocations and as such is required to created an Affordable Housing Advisory Committee (AHAC) under the Florida Administrative Code Chapter 67-37.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town of Davie Affordable Housing Advisory Committee (AHAC) is hereby created.

SECTION 2. Purpose of the AHAC and reporting requirements to the Florida Housing Finance Corporation. The purpose of the AHAC continues to be the approval mechanism of the local affordable housing incentive, however the SHIP Rule 67-37.010 Local Affordable Housing Advisory Committees and Incentive Strategies has been amended to include the following:

“The affordable housing advisory committee members shall be appointed by Resolution of the Davie Town Council, on an annual basis, by June 30th of each year, and the committee shall evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board including recommended changes as established in 420.9076. The initial report shall be submitted to the local government governing board by December 31, 2008. After this initial submission, the reports are required to be submitted triennially on December 31 of the year preceding the submission of the local housing assistance plan. For local governments required to submit a local housing assistance plan on May 2, 2010, the report submitted by December 31, 2008 shall constitute the required report for December 31, 2009. A county or eligible municipality which does not have an established affordable housing advisory committee shall establish said committee and appoint all required members by June 30, 2008.”

SECTION 3. Committee Membership Composition - the AHAC shall be comprised of 11 members as follows:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing;
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing;
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate or low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.

- (h) One citizen who actively serves on the local planning agency pursuant to FS 163.3174.
- (i) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) One citizen who represents employers within the jurisdiction.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

SECTION 4. Committee Report. Each AHAC must submit a report every three years that includes recommendations on and evaluates the implementation of, affordable housing incentives in eleven specific areas:

1. The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
2. The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
3. The allowance of flexibility in densities for affordable housing.
4. The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
5. The allowance of affordable accessory residential units in residential zoning districts.
6. The reduction of parking and setback requirements for affordable housing.
7. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
8. The modification of street requirements for affordable housing.
9. The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
10. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
11. The support of development near transportation hubs and major employment centers and mixed-use developments. The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee; and

SECTION 5. The Town's Department of Housing and Community Development shall serve as the liaison and staff to the AHAC, and record all meetings and actions taken. The AHAC must meet at least annually, but is anticipated to meet tri-annually.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance, is for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not effect the remaining portion of this ordinance.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its passage.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2008.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2008.

_____ MAYOR/COUNCILMEMER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____ 2008.