

**STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

DOUGLAS GARDENS VI, LLLP,

Petitioner,

v.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

FHFC Case No. 2021-115BP

RFA No. 2021-205

App. No. 2022-170BS

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FLORIDA HOUSING
FINANCE CORPORATION

**DOUGLAS GARDENS VI, LLLP'S
FORMAL WRITTEN PROTEST AND
PETITION FOR FORMAL ADMINISTRATIVE PROCEEDING**

Douglas Gardens VI, LLLP (“Douglas Gardens”), petitions to protest a procurement decision made by the Florida Housing Finance Corporation (“FHFC” or “Florida Housing”). Florida Housing issued Request for Applications 2021-205 (the “RFA”) to solicit proposals for financing of affordable multifamily housing developments. Douglas Gardens submitted an application in response to the RFA but was not selected for award. Douglas Gardens files this Formal Written Protest and Petition for Formal Administrative Proceedings to contest Florida Housing’s preliminary decision to award financing to applicants other than Douglas Gardens. Support for this Petition follows:

The Parties and the RFA

1. The agency affected by this protest is the Florida Housing Finance Corporation (“Florida Housing”). Florida Housing’s address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

2. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing. Florida Housing's statutory authority and mandates are found in Part V, Chapter 420, Florida Statutes. *See* §§ 420.501- 420.55, Fla. Stat.

3. Florida Housing administers competitive solicitations to make and service mortgage loans for new construction or rehabilitation of affordable housing through several programs, including the State Apartment Incentive Loan (SAIL) Program. *See* ch. 67-60, Fla. Admin. Code.

4. Florida Housing published Request for Applications No. 2021-205 in order to solicit proposals for the development of affordable multifamily housing for Families and the Elderly using SAIL Program funding as gap funding in conjunction with Tax-Exempt Bond Financing, Non-Competitive Housing Credits, and National Housing Trust Funds.

5. Through the RFA, Florida Housing announced that it expected to offer an estimated \$65,785,500 comprised of a part of the Family and Elderly demographic portion of SAIL funding approved by the 2021 Florida Legislature.

6. Douglas Gardens is a Florida limited liability partnership in the business of providing affordable housing. Douglas Gardens is located at 5200 NE 2 Avenue, Miami, Florida 33137. For purposes of this proceeding, Douglas Gardens' address, telephone number and email address are those of its undersigned counsel.

7. Douglas Gardens submitted a proposal in response to the RFA, Application No. 2022-170BS.

8. Douglas Gardens' Application was fully responsive to the requirements of the RFA but was not selected for funding.

9. Vista Breeze, Ltd. Also filed a proposal in response to the RFA, Application No. 2022-159SN, and was selected for funding.

10. As set forth below, Vista Breeze's Application failed to satisfy material requirements of the RFA or were deemed to be eligible for certain preferences for which the Applications did not qualify.

Notice and Authority for Petition

11. On August 17, 2021, Florida Housing issued the RFA.

12. On August 20, 2021 and October 8, 2021, Florida Housing modified the RFA.

13. Applications in response to the RFA were due October 19, 2021.

14. Florida Housing received 90 applications in response to the RFA.

15. Douglas Gardens is a responsible applicant that filed an application that was fully responsive to the material requirements of the RFA. However, Douglas Gardens was not awarded for funding by Florida Housing.

16. Douglas Gardens received notice of Florida Housing's preliminary RFA scoring and ranking through electronic posting on December 10, 2021. A copy of the Notice posted on Florida Housing's website is attached as Exhibit A.

17. On December 15, 2021, Douglas Gardens timely filed its Notice of Intent to Protest, attached as Exhibit B.

18. Pursuant to Florida Administrative Code Rule 67-60.009(5), no bond is required for this protest.

RFA 2021-205 Goals and Criteria

19. The RFA sought proposals for affordable housing that would serve Families or the Elderly. The RFA also announced certain preferences, including preferences for proposals that met the needs of Veterans and Applicants that were “Self-Sourced.”¹

20. The RFA provided the following funding goals:

- One Application that selected the Development Category of Preservation, with or without Acquisition, regardless of Demographic Commitment or County Size
- Two Elderly, New Construction Applications located in a Large County, with a preference for at least one Application that qualifies for the Veterans Preference
- Three Family, New Construction Applications located in a Large County, with a preference that at least two Applications are from Self-Sourced Applicants.
- One Elderly, New Construction, Application located in a Medium County, with a preference for Applications that qualify for the Veterans Preference
- Two Family, New Construction, Application located in a Medium County, with a preference that at least one Application is from a Self-Sourced Applicant.

See Exhibit C, RFA, p.94 (§ 5, B.3.), attached as Exhibit C.

Requirement to Submit Responsive Applications

21. The RFA contained instructions regarding what must be provided in each responsive application. In order to be selected for funding, Applications were required to meet Eligibility Requirements. *See Exhibit C, p. 88 (§ 5.A.1.).*

22. Eligibility items included the selection of a demographic category (Family or Elderly).

23. Each applicant was also required to identify the location of its proposed development, and identify whether the location was in a small, a medium, or a large county, and

¹ “Self-Sourced” meant the Applicant would be funded by self-sourced permanent financing in the amount that at least half of the Applicant’s request for SAIL funding, or \$1 million, whichever is greater. *See Exhibit C, RFA, p. 10 (§ 4, A.3.a.(1)(b)).*

evidence of site control, meaning a demonstration that the applicant controlled the land on which it proposed to construct affordable housing.

24. Each type of application had certain portions eligible for scoring and portions eligible for funding preferences. For example, an application was eligible to earn “proximity points” based on the distance between the development and points of interest to consumers, including community services such as medical facilities and pharmacies.

25. Once deemed eligible, Applications were then scored by a committee of Florida Housing, using scoring guidelines contained within the RFA.

Application Sorting Order

26. The RFA then provided a sorting order in order to select applicants for funding.

27. When selecting applications that selected the Development Category of Preservation, with or without Acquisition, the RFA provides that the highest scoring applications will be determined by first sorting together all eligible Applications from highest score to lowest score, with any scores that are tied separated in the following order:

1. By the Application’s eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
2. By the Age of Development Preference (with preference given to Applications that demonstrate within the Development Category Qualification Letter provided as Attachment 6 that the proposed Development was originally built at least 30 years prior to the Application Deadline, as outlined in Section Four, A.4.b.(2)(d) of the RFA);
3. By RA Level 1, 2 or 3 Preference (with preference given to Applications that achieve an RA Level Classification of RA Level 1, 2 or 3, as outlined in Section Four A.4.b.(3) of the RFA);
4. By the Application’s eligibility for the ESS Construction Funding Preference, as outlined at Section Four A.4.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);

5. By the Application's eligibility for the Per Unit Construction Funding Preference which is outlined in Section Four A.10.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
6. By the Application's Leveraging Level which is outlined in Item 3 of Exhibit C of the RFA (with Applications that have a lower Leveraging Level number listed above Applications that have a higher Leveraging Level number);
7. By the Application's actual RA Level (with preference given to Applications with the lowest RA Level Classification so that RA Level 1 Applications receive the most preference and RA Level 6 Applications receive the least preference);
8. By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
9. By lottery number, resulting in the lowest lottery number receiving preference.

See Exhibit C, RFA, p.94 (§ 5.B.4.a.).

28. The RFA goes on to state the Application Sorting Order during selection process after selecting Applications for the goal to fund one Application that selected the Development Category of Preservation, with or without Acquisition is as follows:

1. By the Application's eligibility for the Per Unit Construction Funding Preference (which is outlined in Section Four A.10.d. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
2. Next, by the Application's Leveraging Level number (which is outlined in Item 3. of Exhibit C) with Applications that have a lower Leveraging Level number listed above Applications that have a higher Leveraging Level number;
3. By the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
4. By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
5. By lottery number, resulting in the lowest lottery number receiving preference.

See Exhibit C, RFA, p.95 (§ 5, B.4.b.).

Funding Selection Process

29. After the applications are sorted, the RFA explains the Funding Selection Process.

The Process, in relevant part, provides:

a. Goal to fund one Application that selected the Development Category of Preservation

The first Application selected for funding will be the highest-ranking eligible Application that selected the Development Category of Preservation, with or without Acquisition, regardless of the county or Demographic Commitment.

b. Goals to fund eight Medium and Large County, New Construction Applications

(1) Goal to fund one New Construction Application located in Miami-Dade County and one New Construction Application located in Broward County

(a) First Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

The first Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications will be the highest ranking eligible New Construction Application that is located in Miami-Dade County or Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

(b) Second Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

If the Application selected for funding in paragraph (a) was an Elderly Application located in Miami-Dade County, the second Application will be the highest-ranking Family Application located in Broward County, with a preference that it be a Self-Sourced Application located in Broward County.

If the Application selected for funding in paragraph (a) was an Elderly Application located in Broward County, the second Application will be the highest-ranking Family Application located in Miami-Dade County, with a preference that it be a Self-Sourced Application located in Miami-Dade County.

If the Application selected for funding in paragraph (a) was a Family Application located in Miami-Dade County, the second Application will be the highest-ranking Application located in Broward County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Broward County, then the second Applications selected for funding will be the highest-ranking Application located in Broward

County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

If the Application selected for funding in paragraph (a) was a Family Application located in Broward County, the second Application will be the highest-ranking Application located in Miami-Dade County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Miami-Dade County, then the second Applications selected for funding will be the highest-ranking Application located in Miami-Dade County, regardless of the Demographic Commitment, , the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

(2) Goal to fund two Elderly, Large County, New Construction Applications

This goal will be met under the following circumstances:

(a) If neither of the Applications selected to meet the goal described in (1) above are Elderly Applications, the two highest-ranking eligible Elderly, Large County, New Construction Applications that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests. If the goal could not be met because there were not enough eligible Applications that meets the Veterans Preference and this goal, the two highest-ranking eligible Elderly, Large County, New Construction Applications will be selected for funding, subject to the County Award Tally and both Funding Tests.

(b) If one of the Applications selected to meet the goal described in (1) above is an Elderly Application, the highest-ranking eligible Elderly, Large County, New Construction Application that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests. If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Applications that meets the Veterans Preference, the highest-ranking eligible Elderly, Large County, New Construction Application will be selected for funding, subject to the County Award Tally and both Funding Tests.

(3) Goal to Fund Three Family, Large County, New Construction Applications

This goal will be met under the following circumstances:

(a) If one or both of the Applications selected to meet the goal described in (1) above is a Family Application, that Application(s) will count towards this goal. To meet this goal, the highest-ranking Family, Large County, New Construction Self-Sourced Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met. If the goal could not be met because there were not enough eligible unfunded Self-Sourced Applications that could meet this

goal, then the highest-ranking Family, Large County, New Construction Non-Self-Sourced Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met.

(4) Goal to Fund one Elderly, Medium County, New Construction Application

The Application selected for funding will be the highest-ranking eligible Elderly, Medium County, New Construction Application that meets the Veterans Preference, subject to the Funding Tests. If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Applications that meets the Veterans Preference, the highest-ranking eligible Elderly, Medium County, New Construction Application will be selected for funding, subject to the Funding Tests.

(5) Goal to Fund two Family, Medium County, New Construction Applications

The first Application selected for funding will be the highest-ranking eligible Family, Medium County, New Construction Application from a Self-Sourced Applicant, subject to the County Award Tally and Funding Tests.

After the selection of the Application from a Self-Sourced Applicant or if there are no Applications from a Self-Sourced Applicant that can meet this goal, the additional Application(s) selected to meet this goal will be the highest-ranking Family, Medium County, New Construction Application(s), regardless of whether the Application(s) is from a Self-Sourced Applicant, subject to the County Award Tally and both Funding Tests.

b. [sic] Family or Elderly (ALF or Non-ALF) Small County Applications²

...

c. Family or Elderly (ALF or Non-ALF) Medium County Applications

...

d. Family or Elderly (ALF or Non-ALF) Large County Applications

(1) Self-Sourced Applications

First, the highest ranking eligible unfunded Family Large County Self-Sourced Applications will be selected for funding, subject to the Geographic and Demographic Funding Tests and County Award Tally.

If funding remains and none of the eligible unfunded Family Large County Self-Sourced Applications can meet both Funding Tests, all remaining Self-Sourced Applicant Family

² The RFA repeats subsection b. Additionally, portions of the RFA that do not apply to this Petition have not been cited.

Funding and Non-Self-Sourced Applicant Family Funding will be merged (“Family Funding Merge”). No further Self-Sourced Applications will be funded.

(2) One Application that meet the Veterans Preference

Next, the highest ranking eligible unfunded Elderly Large County Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

(3) Remaining Large County Funding

If funding remains, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Large County Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If funding remains and no eligible unfunded Large County Applications can meet the Funding Tests, then no further Applications will be selected for funding and the remaining funding will be distributed as approved by the Board.

See Exhibit C, RFA, pp. 96-100 (§ 5, B.5.).

Review Committee Scoring and Selections

30. Finally, the RFA described the award process. Appointed committee members from Florida Housing independently evaluated and scored their assigned portions of the submitted applications based on mandatory and scored items. The complete Award Process from the RFA is set forth in Section Six of the RFA. See Exhibit C, RFA, pp. 100-101 (§ 6).

31. The Selection Process was carried out by the members of the Review Committee at a public meeting held December 10, 2021.

32. The following applications were selected by the Review Committee for preliminary funding:

One Preservation Application

1. 2022-214BS. The Franklin House, Lake, Elderly, Non-ALF

Two Elderly Large County New Construction Applications

1. 2022-159SN, Vista Breeze, Miami-Dade, Elderly, Non-ALF

2. 2022-163SN, Bear Creek Commons, Pinellas, Elderly, Non-ALF

Three Family Large County New Construction Applications

1. 2022-204S, Captiva Cove III, Broward
2. 2022-211S, Lofts at San Marco East, Duval
3. 2022-192S, Quail Roost Transit Village VI, Miami-Dade

One Elderly Medium County New Construction Application

1. 2022-137BSN, Astoria on 9th, Manatee, Elderly, Non-ALF

Two Family Medium County New Construction Applications

1. 2022-190S, Ridge Road, Leon
2. 2022-186S, Falcon Trace II, Osceola

Small County Application(s)

1. 2022-146BSN, College Arms Apartments, Putnam

Medium County Application(s)

1. 2022-146BSN, Princeton Grove, Okaloosa, Elderly, Non-ALF

Large County Application(s)

1. 2022-160S, Heritage at Park View, Miami-Dade
2. 2022-165SN, Casa di Francesco, Elderly, Non-ALF
3. 2022-144BS, Whispering Oaks, Orange

33. After additional funding was allocated to the RFA, two additional preliminary awards were made:

1. 2022-201BSN, Naranja Grand, Miami-Dade
2. 2022-216S, Windmill Farms, Miami-Dade

See Exhibit A.

Vista Breeze's Application is Ineligible

34. The Application of Vista Breeze should not have been selected for funding.

35. The number of units submitted by Vista Breeze in its application is unsupported by the amount of land available at the Scattered Site locations and as a result, the Zoning Verification Form submitted must be inaccurate. Thus, it would be impossible for Vista Breeze to build the development proposed in its application.

36. Like all applicants, Vista Breeze was required to state the number of buildings and units in the proposed development as a mandatory requirement of the RFA. *See* Exhibit C, RFA, p. 34 (§ 4.A.6.). Demonstration of appropriate zoning is also a mandatory Eligibility Item in the RFA. *See* Exhibit C, RFA, p. 89 (§ 5.A.1.). If an Applicant does not demonstrate appropriate zoning as required by the RFA, then the Application must be deemed nonresponsive and ineligible for consideration of funding. Rule 67-60.006(1), Fla. Admin. Code. Appropriate zoning is one of the "Ability to Proceed" elements that must be demonstrated as of the Application Deadline. *See* Exhibit C, RFA, p. 9, 50 (§ 4 and 4.A.7.). With respect to appropriate zoning, the RFA states:

Appropriate Zoning. Demonstrate that as of the Application Deadline the entire proposed Development site is appropriately zoned and consistent with local land use regulations regarding density and intended use or that the proposed Development site is legally non-conforming by providing, as **Attachment 9** to Exhibit A, the applicable properly completed and executed verification form:

- (a) The Florida Housing Finance Corporation Local Government Verification that Development is Consistent with Zoning and Land Use Regulations form (Form Rev. 06-20); or
- (b) The Florida Housing Finance Corporation Local Government Verification that Permits are Not Required for this Development form (Form Rev. 06-20).

See Exhibit C, p. 51, RFA (§ 4.A.7.).

37. In its Application, Vista Breeze proposes a 119-unit property to be located on two Scattered Site locations. *See* Vista Breeze Application, p. 8. In the local government zoning verifications, Vista Breeze identifies the North Scattered Site location as consisting of 75 units for development, and South side location consisting of 55 units. *See* Vista Breeze Application, Attachment 9. The Application also reflects that Vista Breeze selected the proposed development type as Mid-Rise or 4 story units. *See* Vista Breeze Application, p. 4. The North development site consists of three lots totaling 22,570 square feet or .518 acres and the South development site consists of two lots totaling 30,609 square feet or .702 acres. Property information from the Miami-Dade Property Appraiser's Website is attached as Exhibit D. The site is also owned by the Miami Beach Housing Authority. *See* Vista Breeze Application, Attachment 8.

38. The property at issue, however, is governed by the Miami Beach City Code regulations (the "Code"), which includes a number of restrictions affecting the parcels Vista Breeze seeks to develop. The Code sets the maximum building height restriction in the Historic District at 40 feet. Miami Beach, Fla. Code of Ordinances, Ch. 142-155(b).

39. Importantly, the 2040 Miami Beach Comprehensive Plan (the "Comprehensive Plan") also sets the Resilient Land Use and Development Element ("RLU") land use principals pursuant to the Miami Beach city's goals and Florida Statutes. The Comprehensive Plan is attached as Exhibit E. The RLU defines the future land use for the subject area where Vista Breeze's proposed development is located. Consistent with RLU Policy# 1.1.5, Miami Beach set the density of Low Density Multi Family Residential (RM-1) limit at 60 units per acre and an intensity limit maximum of 1.25, although an exception is made for locations on the west side of Collins Avenue between 76th and 79th Streets shall not exceed a floor area ratio of 1.4 (Vista Breeze is not located within this exception area). *Id.* at p. 3.

40. Both proposed Development sites exceed the 60 units per acre requirement. Based on the density and the maximum building height restrictions set by Code and the Comprehensive Plan, it will be impossible for Vista Breeze to build either the proposed 55 units on the South Development or the proposed 75 units on the North Development site without violating the Code or the Comprehensive Plan. Because Vista Breeze cannot comply with the development restrictions applicable to the proposed Development site, it cannot achieve the zoning requirement mandated by the RFA and should have been scored as ineligible for funding.

Recalibration and Substantial Effect

41. Once ineligible applications are removed, the Funding Selection Process must be recalibrated. Pursuant to the RFA's sorting order and funding selection process, if Vista Breeze is ineligible then Douglas Gardens would be awarded funding.

42. Thus, Douglas Garden's substantial interests are substantially affected by the evaluation and scoring of the responses to the RFA. The results of the scoring have affected Douglas Garden's ability to obtain funding through the RFA. Consequently, Douglas Gardens has standing to participate in this proceeding.

Disputed Issues of Material Fact and Law

43. Disputed issues of material fact and law entitle Douglas Gardens to formal administrative proceedings pursuant to section 120.57(1), Florida Statutes. Disputed facts include, but are not limited to:

- a. Whether Florida Housing's actions in determining that Vista Breeze was eligible was clearly erroneous, contrary to competition, arbitrary, or capricious;
- b. Whether Vista Breeze's Application should be determined to be ineligible for funding for failure to comply with the RFA;

- c. Such other disputed issues as are raised in this proceeding or identified during discovery.

Statutes and Rules Entitling Relief

44. Douglas Gardens is entitled to relief pursuant to sections 120.569, 120.57(1), and 120.57(3), Florida Statutes, and Florida Administrative Code Chapters 28-106, 28-110 and 67-60.

Ultimate Statement of Facts and Law

45. The ultimate facts alleged are that Vista Breeze should be found ineligible for funding. As a result of this determination, Douglas Gardens should be awarded funding.

46. Douglas Gardens reserves the right to amend this Petition if additional disputed issues of material fact arise during discovery.


Request for Relief

47. Douglas Gardens requests the following relief:
- a. That Application funding process be halted until this protest is resolved by final agency action;
 - b. That Florida Housing provide an opportunity to resolve this Protest by mutual agreement within seven days of the filing of this Petition, as provided in section 120.57(3)(d)1., Florida Statutes;
 - c. If this protest cannot be resolved by agreement, that the matter be referred to the Division of Administrative Hearings for formal administrative proceedings involving disputed issues of material fact pursuant to section 120.57(1) and (3), Florida Statutes;

- d. That the assigned administrative law judge determine, as a matter of fact and law, that the Application of Vista Breeze is ineligible for funding and that Douglas Garden's Application should be funded;
- e. That Florida Housing adopt the Administrative Law Judge's recommendation to fund Douglas Garden's Application by final order; and
- f. Such other relief as is just and equitable.

Dated on this 28th day of December, 2021.

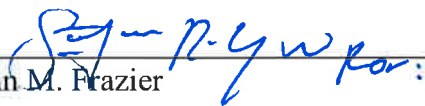
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing original has been filed via hand delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000 Tallahassee, Florida 32301 this 28th day of December 2021.



Seann M. Frazier

Exhibit A

RFA 2021-205 Board Approved Preliminary Awards

SAIL Funding Balance Available	1,735,540.00
Family Demographic Funding Balance Available	1,703,040.00
Elderly Demographic Funding Balance Available	32,500.00
Self-Sourced Applicant Funding Balance	MERGED
(Non-Self-Sourced Applicant Funding Balance	MERGED

Small County Funding Balance Available	-
Medium County Funding Balance Available	-
Large County Funding Balance Available	1,735,540.00

NHTF Funding will be 100% allocated in accordance with Exhibit H

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	EI Request	Total SAIL Request (SAIL + EI)	Eligible For Funding?	Veterans Preference?	Self-Sourced Applicant?	Non-Self-Sourced Family Applicant?	Total Number of Units	Total Points	Per Unit Construction Funding Preference	Leveraging Level	Proximity Funding Preference	Age of Development Pref, If Pres	RA Level 1, 2 or 3 Pref, If Pres	ESS Construction Funding Pref, If Pres	Actual RA Level, If Pres	Florida Job Creation Pres	Preference	Lottery Number
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One Preservation Application

2022-214BS	The Franklin House	Lake	M	Matthew D. Rule	National Church Residences	A/P	E, Non-ALF	1,500,000	411,000	1,911,000	Y	N	N	N/A	46	20	Y	1	Y	Y	Y	Y	1	Y	Y	45
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Two Elderly Large County New Construction Applications

2022-159SN	Vista Breeze	Miami-Dade	L	Kenneth Naylor	APC Vista Breeze Development, LLC; HACMB Development, LLC	NC	E, Non-ALF	3,000,000	600,000	3,600,000	Y	Y	N	N/A	119	20	Y	1	Y	N/A	N/A	N/A	N/A	Y	Y	23
2022-163SN	Bear Creek Commons	Pinellas	L	Shawn Wilson	Blue Sky Developer, LLC	NC	E, Non-ALF	2,250,000	600,000	2,850,000	Y	Y	N	N/A	85	20	Y	2	Y	N/A	N/A	N/A	N/A	Y	Y	7

Three Family Large County New Construction Applications

2022-204S	Capitva Cove III	Broward	L	Mara S. Maades	Cornerstones Group Partners, LLC	NC	F	3,180,000	600,000	3,780,000	Y	N	N	Y	106	20	Y	2	Y	N/A	N/A	N/A	N/A	Y	Y	21
2022-211S	Lofts at San Marco East	Duval	L	James R. Hoover	TVC Development, Inc.	NC	F	3,600,000	600,000	4,200,000	Y	N	Y	SS	172	20	Y	2	Y	N/A	N/A	N/A	N/A	Y	Y	17
2022-192S	Quail Roost Transit Village VI	Miami-Dade	L	Kenneth Naylor	Quail Roost VI Development, LLC	NC	F	7,000,000	600,000	7,600,000	Y	N	Y	SS	300	20	Y	1	Y	N/A	N/A	N/A	N/A	Y	Y	49

One Elderly Medium County New Construction Application

2022-137BSM	Astoria on 9th	Manatee	M	Matthew A. Rieger	HTG Astoria Developer, LLC	NC	E, Non-ALF	4,750,000	600,000	5,350,000	Y	Y	N	N/A	120	20	Y	3	Y	N/A	N/A	N/A	N/A	Y	Y	79
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Two Family Medium County New Construction Applications

2022-190S	Ridge Road	Leon	M	Clayton Hunter Nelson	ECG Ridge Road Developer, LLC	NC	F	5,500,000		5,500,000	Y	N	Y	SS	250	20	Y	4	Y	N/A	N/A	N/A	N/A	Y	Y	8
2022-186S	Falcon Trace II	Osceola	M	Dominico Sanchez	DDER Development, LLC	NC	F	6,000,000	600,000	6,600,000	Y	N	N	Y	354	20	Y	1	Y	N/A	N/A	N/A	N/A	Y	Y	74

RFA 2021-205 Board Approved Preliminary Awards

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELL Request	Total SAIL Request (SAIL + ELL)	Eligible For Funding?	Veterans Preference?	Self-Sourced Applicant?	Non-Self-Sourced Family Applicant?	Total Number of Units	Total Points	Per Unit Construction	Funding Preference	Leveraging Level	Proximity Funding Preference	Age of Development	RA Level 1, 2 or 3 Pref., If Pres	ESS Construction	Funding Pref, If Pres	Actual RA Level, If Pres	Florida Job Creation Preference	Lottery Number
Small County Application(s)																											
2022-1958S**	College Arms Apartments	Putnam	S	Joseph F. Chapman	Royal American Properties, LLC	A/P	F	4,999,860	522,100	5,521,960	Y	N	N	Y	108	20	Y	4	Y	Y	Y	Y	N	N	1	Y	29
Medium County Application(s)																											
2022-1468SN	Princeton Grove	Okaloosa	M	Matthew A. Rieger	HTG Princeton Grove Developer, LLC	NC	E, Non-ALF	4,250,000	600,000	4,850,000	Y	Y	N	N/A	107	20	Y	4	Y	N/A	N/A	N/A	N/A	N/A	N/A	Y	61
Large County Application(s)																											
2022-1605	Heritage at Park View	Miami-Dade	L	Robert G Hoskins	NuRock Development Partners Inc.	NC	F	3,000,000	600,000	3,600,000	Y	N	Y	SS	103	20	Y	5	Y	N/A	N/A	N/A	N/A	N/A	N/A	Y	84
2022-1655N	Casa di Francesco	Hillsborough	L	Shawn Wilson	Blue Sky Developer, LLC; CCOOSP Developer, Inc.	NC	E, Non-ALF	3,500,000	600,000	4,100,000	Y	Y	N	N/A	140	20	Y	2	Y	N/A	N/A	N/A	N/A	N/A	N/A	Y	72
2022-1448S	Whispering Oaks	Orange	L	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	3,960,000	600,000	4,560,000	Y	N	N	Y	183	20	Y	2	Y	N/A	N/A	N/A	N/A	N/A	Y	20	
Additional funding allocated to RFA at 12/10/21 Board Meeting																											
10,787,000.00																											
Additional funding allocated from Family Funding at 12/10/21 Board Meeting																											
1,703,040.00																											
Additional funding awarded to Self-Sourced Applications																											
11,900,000.00																											
Additional funding remaining																											
590,040.00																											
2022-2018SN	Naranja Grand II	Miami-Dade	L	Matthew A. Rieger	Naranja Grand II Developer, LLC	NC	F	5,000,000	600,000	5,600,000	Y	N	Y	SS	200	20	Y	2	Y	N/A	N/A	N/A	N/A	N/A	Y	76	
2022-2165	Windmill Farms	Miami-Dade	L	Francisco A Rojo	Landmark Development Corp.; Affordable Housing Solutions for Florida, Inc.	NC	F	6,300,000		6,300,000	Y	N	Y	SS	274	20	Y	3	N	N/A	N/A	N/A	N/A	N/A	Y	1	

On December 10, 2021, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

Exhibit B



**Manson Bolves
Donaldson Varn**
ATTORNEYS AT LAW

Integrity. Intelligence. Diligence.

RECEIVED

December 15, 2021

DEC 15 2021 8:00 AM

Clerk of Corporation
Florida Housing Finance Corporation
227 North Bronough Street
Suite 5000
Tallahassee, Florida 32301

VIA ELECTRONIC MAIL
corporation.clerk@floridahousing.org

FLORIDA HOUSING
FINANCE CORPORATION

**Re: RFA 2021-205 SAIL Financing of Affordable Multifamily Housing
Developments to be Used in Conjunction with Tax-Exempt Bond Financing
and Non-Competitive Housing Credits**

Dear Clerk:

On behalf of Applicant Douglas Gardens VI, LLLP, Application No. 2022-170BS ("Douglas Gardens") and Developers MHP Douglas Developer II, LLC and Douglas Gardens VI Developer, LLC (the "Developers"), this letter constitutes a Notice of Protest ("Notice") filed pursuant to sections 120.569 and 120.57(3), Florida Statutes, Chapter 28-110 and rule 67-60.009, Florida Administrative Code, and RFA 2021-205. Douglas Gardens and the Developers protest Florida Housing Finance Corporation's ("Florida Housing") intended decision with respect to the scoring, ranking and selection of all applications submitted in response to RFA 2021-205.

This Notice is being filed within 72 hours (not including weekends) of the posting of the Preliminary Awards on Florida Housing's website on Friday, December 10, 2021 at 9:53 a.m. Douglas Gardens and the Developers reserve the right to file a formal written protest within (10) days of the filing of this Notice pursuant to section 120.57(3), Florida Statutes. This Notice is being filed to, among other matters, preserve its ability to initiate or intervene in proceedings that may impact that scoring, ranking and funding determination.

Sincerely,

MANSON BOLVES DONALDSON VARN

Craig D. Varn

Tallahassee

Tampa

Orlando

106 East College Ave. Suite 820, Tallahassee, FL 32301 (T) 850.583.0007 (F) 813.514.4701
www.mansonbolves.com

Exhibit C

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

REQUEST FOR APPLICATIONS 2021-205

**SAIL FINANCING OF AFFORDABLE MULTIFAMILY HOUSING
DEVELOPMENTS TO BE USED IN CONJUNCTION WITH
TAX-EXEMPT BOND FINANCING AND NON-COMPETITIVE
HOUSING CREDITS**

Issued By:

FLORIDA HOUSING FINANCE CORPORATION

Issued: August 17, 2021

Due: October 19, 2021

Page 1 of 184

**SECTION ONE
INTRODUCTION**

This Request for Applications (RFA) is open to Applicants proposing the development of affordable, multifamily housing for Families and the Elderly utilizing State Apartment Incentive Loan (SAIL) funding as gap funding in conjunction with (i) Tax-Exempt Bond financing (i.e., Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) or Non-Corporation-issued Tax-Exempt Bonds obtained through a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to Section 159.604, F.S.), or a Local Government), (ii) Non-Competitive Housing Credits (Housing Credit) and, if applicable, (iii) National Housing Trust Fund (NHTF).

A. SAIL

Florida Housing Finance Corporation (the Corporation) expects to offer an estimated \$65,758,500, comprised of a part of the Family and Elderly Demographic portion of the SAIL funding appropriated by the 2021 Florida Legislature. The amounts listed below include ELI Loan funding to cover the units that are set aside for Extremely Low Income (ELI) Households, including the commitment for a portion of ELI Set-Aside units as Link Units for Persons with Special Needs, as defined in Section 420.0004(13) F.S. and as further outlined in Sections Four A.6.d.(2)(c) of the RFA.

1. Demographic Categories

- a. \$22,693,500 of Elderly funding for proposed Developments with the Elderly Demographic Commitment (ALF and Non-ALF), and
- b. \$43,065,000 of Family funding for proposed Developments with the Family Demographic Commitment.

Up to a maximum of \$21,532,500 of the Family funding shall be reserved for Applicants that demonstrate self-financed sources and meet additional Application criteria set forth in Section Four, A.3.a.(1)(b) below (“Self-Sourced Applicants”).

\$21,532,500 of the Family funding shall be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants.

2. County Geographic Categories

The following information is based on the most recent statewide low-income rental housing market study.

County Geographic Category	Amount of Funding Allocated to Each County Geographic Category
Small Counties	\$ 6,575,850
Medium Counties	\$ 23,804,577
Large Counties	\$ 35,378,073

B. Tax-Exempt Bonds and Non-Competitive Housing Credits (Housing Credit)

The SAIL funding offered in this RFA must be used in conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits. For purposes of this requirement, the Applicant will NOT utilize the Non-Competitive Application Package to apply for (i) Corporation-issued MMRB and the Non-Competitive Housing Credits or (ii) Non-Competitive Housing Credits to be used with Non-Corporation-issued Tax-Exempt Bonds (i.e. issued by a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to Section 159.604, F.S.), or a Local Government). Instead, the Applicant is required to apply for the MMRB and/or Housing Credits as a part of its Application for the SAIL funding.

If, prior to the submission of the Applicant's Application in response to this RFA, the Applicant submits or has already submitted a Non-Competitive Application for the Development proposed in its SAIL Application, such previous Non-Competitive Application will not be considered and the Applicant will be required to request the Corporation-issued MMRB and/or Non-Competitive Housing Credits as a part of its SAIL Application request, as outlined above.

If the proposed Development is not selected for funding or if the Applicant's funding award is rescinded, and the Applicant still wishes to receive the MMRB and/or Non-Competitive Housing Credits, the Applicant will be required to submit a new Application for such funding using the Non-Competitive Application Package that is in effect at that time.

C. Proposed Developments are not eligible for any funding offered in this RFA if the Applicant has already closed on the Tax-Exempt Bond financing prior to the Application Deadline for this RFA. In addition, proposed Developments are not eligible to receive any funding awarded through this RFA if the Applicant closes on the Tax-Exempt Bond financing prior to the issuance of the preliminary commitment for the SAIL funding. If the Bonds are closed between the Application Deadline and issuance of the preliminary commitment, the Applicant's award will be rescinded.

D. National Housing Trust Fund (NHTF)

The Corporation expects to offer an estimated \$9,000,000 in National Housing Trust Funds (NHTF) to support NHTF Units that meet the requirements outlined in Section Four, A.6.d.(2)(d) of the RFA. NHTF funding may be requested by Applicants that select the Development Category of New Construction or Redevelopment (with or without acquisition) and commit to NHTF Units. In such case, the invitation to enter credit underwriting will inform the Applicant of the NHTF award amount, and the requirement to set-aside NHTF Units.

Note: Applicants that are selected to receive funding and requested NHTF Funding will be invited to enter credit underwriting and will be expected to complete the credit underwriting process, including Board approval of the credit underwriting report, and execute a written agreement within twelve months of the date of the invitation to enter into credit underwriting.

E. The Corporation is soliciting applications from qualified Applicants that commit to provide housing in accordance with the terms and conditions of this RFA, inclusive of all Exhibits, applicable laws, rules and regulations, and the Corporation's generally applicable construction and financial standards.

SECTION TWO DEFINITIONS

Capitalized terms within this RFA shall have the meaning as set forth in this RFA, in Exhibit B, Rule Chapters 67-21, F.A.C. (effective May 18, 2021), 67-48, F.A.C. (effective May 18, 2021) and 67-60, F.A.C., (effective July 8, 2018) or in applicable federal regulations.

SECTION THREE PROCEDURES AND PROVISIONS

Unless otherwise stated within the RFA, the Application package, forms and other information related to this RFA may be found on the RFA Webpage at <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2021/2021-205> (also available by clicking [here](#)).

A. Submission Requirements

1. Application Deadline

The Application Deadline is **3:00 p.m., Eastern Time, on October 19, 2021.**

2. Completing the Application Package

a. Downloading and completing the documents provided by the Corporation

Download and complete the following documents found on the RFA Webpage:

- (1) The Application (Exhibit A of the RFA);
- (2) The Development Cost Pro Forma; and
- (3) The Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) ("Principals Disclosure Form"). A Principals Disclosure Form that was approved during the Advance Review Process, which is described in Section Four A.3.c. of the RFA, may be used to satisfy this requirement.

The download process may take several minutes. Applicants should save these documents with a file name that is unique to the specific Application.

b. Creating the All Attachments Document

In addition to the three documents described in a. above, the Application Package also includes one copy consisting of all of the applicable completed Attachments described in the RFA ("All Attachments Document").

Compile all of the attachments described in the RFA into one pdf file separated by pages labeling each Attachment to create the All Attachments Document. This may be accomplished by merging the documents using a computer

program such as Adobe Acrobat Pro or by scanning all of the attachments together.

As described in Section Four, B.2., to be awarded 5 points, bookmark the pdf of the All Attachments Document before uploading. It is not necessary to bookmark the Exhibit A document, the Development Cost Pro Forma, or the Principal Disclosure Form. Acrobat Standard DC or Acrobat Pro DC are the programs required to create bookmarks.

Note: The Corporation has provided instructions on how to bookmark the Attachments as well as sample pages that may be used to separate the attachments on the RFA Webpage. If any of the attachments are not applicable, the Applicant should insert a page stating "Not Applicable" behind the separation page.

3. Uploading the Application Package

The Application Package consists of Exhibit A, the Development Cost Pro Forma, the Principal Disclosure Form, and the All Attachments Document. To upload the Application Package:

- a. Go to the RFA Webpage.
- b. Click the link to login and upload the Application Package. Note: A username and password must be entered. If the Applicant has not previously created a username and password, the Applicant will need to create one prior to the upload process.
- c. After successfully logging in, click "Upload Application Package." Enter the Development Name and click "Browse" to locate the following completed documents saved on the Applicant's computer:
 - (1) The Application (Exhibit A) in Word format;
 - (2) The Development Cost Pro Forma in Excel format;
 - (3) The Principals Disclosure form in Excel format. (If the Applicant received an approved Principals Disclosure Form through the Advance Review Process, the approved form is what should be uploaded);
 - (4) The All Attachments Document in a pdf format.

The average file size is 1.0 MB and should take a moment or two to upload. Larger files may take longer to upload. There is a file size limit of 15 MB, but this may be able to be reduced without reducing the number of pages submitted. Examples of factors that affect file size include the resolution of the scanner or scanning the documents in color or as a graphic/picture.

- d. After the four documents are displayed in the Upload webpage, click "Upload Selected Files" to electronically submit the documents to the Corporation by the Application Deadline. Then the Uploaded Application (consisting of all four documents comprising the Application Package), and its assigned Response Number will be visible in the first column.

Note: If the Applicant clicks "Delete" prior to the Application Deadline, the Application will no longer be considered a Submitted Application and the Applicant will be required to upload the Application Package again in order for these documents to be considered an Uploaded Application. This will generate a new Response Number.

4. Submission to the Corporation

a. Application Fee

By the Application Deadline, provide to the Corporation the required non-refundable \$3,000 Application fee, payable to Florida Housing Finance Corporation via check, money order, ACH, or wire transfer.

To ensure that the Application Fee is processed for the correct online Application, the following is ***strongly recommended***: (i) provide the Application Fee at least 48 hours prior to the Application Deadline; (ii) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment; and (iii) if paying by wire, include the Federal Reference Number, or if paying by ACH, include the Trace Number at question B.1 of Exhibit A.

ACH Instructions:

BANK NAME: Wells Fargo
One Independent Drive, 8th Floor
Jacksonville, Florida 32202

ABA #: 121000248

ACCOUNT NAME: FHFC

ACCOUNT #: 4967822909

Wire Transfer Instructions:

BANK NAME: WELLS FARGO BANK, N.A.
420 MONTGOMERY STREET
SAN FRANCISCO 94104
United States of America (US)

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

ABA #: 121000248

ACCOUNT NAME: FHFC

ACCOUNT #: 4967822909

Check or Money Order Instructions:

Payable to: Florida Housing Finance Corporation

Mailing Address: Attn: Marisa Button
Florida Housing Finance Corporation
227 N. Bronough Street, Suite 5000
Tallahassee, Florida 32301

For scoring purposes, the Corporation will not consider any documentation beyond the Application Package that is uploaded as described above.

b. Assigning Lottery Numbers

After 3:00 p.m., Eastern Time, on the Application Deadline, each Application for which an electronically submitted copy and the Application Fee are received by the Application Deadline will be assigned an Application number. In addition, these Applications will be assigned a lottery number by having the Corporation's internal auditors run the total number of Applications received through a random number generator program.

c. Withdrawing an Application

Pursuant to subsection 67-60.004(2), F.A.C., any Applicant may request withdrawal of its Application from a competitive solicitation by filing a written notice of withdrawal with the Corporation Clerk. For purposes of the funding selection process, the Corporation shall not accept any Application withdrawal request that is submitted between 5:00 p.m., Eastern Time, on the last business day before the date the Review Committee meets to make its recommendations until after the Board has taken action on the Review Committee's recommendations, and such Application shall be included in the funding selection process as if no withdrawal request had been submitted. Any funding or allocation that becomes available after such withdrawal is accepted shall be treated as Returned Funding and disposed of according to Section Five B. of the RFA.

Pursuant to subsection 67-21.003(11), F.A.C., the withdrawal by the Applicant from any one program will be deemed by the Corporation to be a withdrawal of the Application from all programs.

- B. This RFA does not commit the Corporation to award any funding to any Applicant or to pay any costs incurred in the preparation or delivery of an Application.

- C. The Corporation reserves the right to:
1. Waive Minor Irregularities; and
 2. Accept or reject any or all Applications received as a result of this RFA.
- D. Any interested party may submit any inquiry regarding this RFA in writing via e-mail at RFA_2021-205_Questions@floridahousing.org (also accessible by clicking [here](#)) with "Questions regarding RFA 2021-205" as the subject of the email. All inquiries are due by 5:00 p.m., Eastern Time, on September 14, 2021. Phone calls or written inquiries other than at the above e-mail address will not be accepted. The Corporation expects to respond to all inquiries by 5:00 p.m., Eastern Time, on September 21, 2021, and will post a copy of all inquiries received, and their answers, on the RFA Webpage. The Corporation will also send a copy of those inquiries and answers in writing to any interested party that requests a copy. The Corporation will determine the method of sending its answers, which may include regular United States mail, overnight delivery, fax, e-mail, or any combination of the above. No other means of communication, whether oral or written, shall be construed as an official response or statement from the Corporation.
- E. Any person who wishes to protest the specifications of this RFA must file a protest in compliance with Section 120.57(3), Fla. Stat., and Rule Chapter 28-110, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.
- F. By submitting this Application, including all applicable attachments thereto, each Applicant agrees to the terms and conditions outlined in the RFA and certifies that:
1. **Public Records.** Any material submitted in response to this RFA is a public record pursuant to Chapter 119, Fla. Stat. Per Section 119.071(1)(b)2., the Applications received by the Corporation are exempt from disclosure until such time as the Board provides notice of an intended decision or until 30 Calendar Days after the Application Deadline, whichever is earlier.
 2. **Noninterference.** At no time during the review and evaluation process, commencing with the Application Deadline and continuing until the Board renders a final decision on the RFA, may Applicants or their representatives contact Board members or Corporation staff, except Corporation legal staff, concerning their own or any other Applicant's Application. If an Applicant or its representative does contact a Board or staff member in violation of this section, the Board shall, upon a determination that such contact was made in an attempt to influence the selection process, disqualify the Application.
 3. **Requirements.** Proposed Developments funded under this RFA will be subject to the requirements of the RFA, inclusive of all Exhibits, the Application requirements outlined in Rule Chapter 67-60, F.A.C., the requirements outlined in Rule Chapter 67-48, F.A.C., and/or Rule Chapter 67-21, F.A.C., and the Compliance requirements of Rule Chapter 67-53, F.A.C.
 4. **Modifications.** Any modifications that occur to the Request for Application will be posted on the web site and may result in an extension of the deadline. It is the

responsibility of the Applicant to check the website for any modifications prior to the Application Deadline.

- G. The Corporation expects to select one or more Applications to award the funding contemplated by this RFA. Any such Applications will be selected through the Corporation's review of each Application, considering the factors identified in this RFA.

SECTION FOUR INFORMATION TO BE PROVIDED IN APPLICATION

Provided below are the instructions to be used in completing Exhibit A of this RFA. Unless stated otherwise, all information requested in the RFA pertains to the Development proposed in this Application upon completion of the construction or rehabilitation work.

A. Exhibit A Items

1. Applicant Certification and Acknowledgement

Include an Applicant Certification and Acknowledgement form, executed by the Authorized Principal Representative, as **Attachment 1** to Exhibit A to indicate the Applicant's certification and acknowledgement of the provisions and requirements of the RFA. The Applicant Certification and Acknowledgement form is provided on the RFA Webpage. Note: If the Applicant provides any version of the Applicant Certification and Acknowledgement form other than the version included in this RFA, the form will not be considered.

2. Demographic Commitment

Select one of the following Demographic Commitments:

- a. Family – The proposed Development will serve the general population. Note: Self-Sourced Applicants must select the Family Demographic Commitment.
 - b. Elderly
- (1) Indicate whether the proposed Development will be an Elderly Assisted Living Facility (ALF) or an Elderly Non-ALF.

If the Elderly demographic commitment is selected, the Applicant understands, acknowledges and agrees that it will comply with the Federal Fair Housing Act requirements for housing for older persons and rent at least 80 percent of the total units to residents that qualify as older persons pursuant to that Act or as provided under any state or federal program that the Secretary of HUD determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program). Further, the Applicant understands, acknowledges and agrees that all such units are subject to the income restrictions committed to in the Set-Aside Commitment section of this Application.

- (2) Veteran Preference in Elderly (ALF or Non-ALF) Developments in Medium and Large Counties

To qualify for the Veteran Preference in Elderly Developments, commit to offer a preference to Veterans on occupancy applications and waitlists throughout the Compliance Period with a goal of at least five percent of the units in the Development being occupied by one or more Veterans.

Veteran Households that meet the Link Units or other AMI Set-Aside requirements will also count towards the goal of at least five percent of the units in the Development being occupied by one or more Veterans.

3. Applicant/Developer/Management Company/Contact Person

a. Applicant Information

- (1) Applicant

- (a) State the name of the Applicant.

- (b) State whether the Applicant is a Self-Sourced Applicant.

The following criteria apply to Self-Sourced Applicants:

- Self-Sourced Applicants must select the Family Demographic Commitment as stated in Section Four, A.2. of the RFA;
- The Withdrawal Disincentive policy for Self-Sourced Applicants is stated in Section Four, A.3.b.(3)(b) of the RFA;
- Self-Sourced Applicants must select the Development Category of New Construction as stated in Section Four, A.4.(b) of the RFA;
- The Set-Aside requirements for Self-Sourced Applicants, including the requirement to set aside at least five percent of the total units below 50 percent AMI and all Link Unit requirements, are outlined in Section Four, A.6.d. of the RFA;
- The minimum and maximum SAIL request amounts for Self-Sourced Applicants are described in Section Four, A.10.(a)(1) of the RFA;
- Self-Sourced Applicants must confirm self-sourced permanent financing in an amount that is at least half of the Applicant's eligible SAIL Request Amount or \$1,000,000, whichever is greater, during scoring by providing the Self-Sourced Financing Commitment Verification form (Rev. 11-19). During the credit underwriting process, Self-Sourced Applicants must demonstrate self-sourced permanent financing in an amount that is at least half of the Applicant's eligible SAIL Request Amount or \$1,000,000, whichever

is greater. The SAIL Request Amount does not include the ELI Loan Funding Request Amount. This is further described in Section Four, A.10.b.(2)(i) of the RFA;

- Self-sourced financing will be funded and dispersed pro rata along with SAIL funding. The self-sourced financing must be subordinate to the SAIL loan. This is further described in Section Four, A.10.b.(2)(i) of the RFA; and
- The conditions of the SAIL Loan for Self-Sourced Applicants, including the term of the SAIL Loan, Affordability Period, Land Use Restriction Agreement (LURA), and the qualified contract process is outlined in Item 6.g. of Exhibit C of this RFA.

If any of these requirements are not met, the Applicant will be considered a non-Self-Sourced Applicant and, if the proposed Development was funded to meet the Self-Sourced Applicant Preference, funding awarded under this RFA may be rescinded.

- (2) The Applicant must be a legally formed entity [i.e., limited partnership, limited liability company, etc.] qualified to do business in the state of Florida as of the Application Deadline. Include, as **Attachment 2** to Exhibit A, evidence from the Florida Department of State, Division of Corporations, that the Applicant satisfies the foregoing requirements. Such evidence may be in the form of a certificate of status or other reasonably reliable information or documentation issued, published or made available by the Florida Department of State, Division of Corporations.
- (3) An Applicant that indicates that it is applying as a Non-Profit will only be considered a Non-Profit, for purposes of this RFA, if the Applicant (i) answers the question demonstrating that it meets the definition of Non-Profit as set out in Rule Chapter 67-21 or 67-48, F.A.C.; and (ii) provides the required information stated below. Any Applicant that applies as a Non-Profit but is not considered a Non-Profit will still be eligible for funding as a for profit entity.

The Applicant's Non-Profit status will be verified during credit underwriting. If this cannot be verified, the Applicant will no longer be considered a Non-Profit Applicant and funding awarded under this RFA may be rescinded.

Provide the following information for the Non-Profit entity that meets the definition stated in Rule Chapter 67-21 or 67-48, F.A.C. as **Attachment 3**:

- (a) The IRS determination letter;
- (b) A description/explanation of how the Non-Profit entity is substantially and materially participating in the management and operation of the Development (i.e., the role of the Non-Profit);

- (c) The names and addresses of the members of the governing board of the Non-Profit entity; and
- (d) The articles of incorporation demonstrating that one of the purposes of the Non-Profit entity is to foster low-income housing.

If the Applicant applies as a Non-Profit entity and meets the requirements outlined above to be considered a Non-Profit for purposes of this RFA, it must remain a Non-Profit entity and the Non-Profit entity must (i) receive at least 25 percent of the Developer's fee; and (ii) contractually ensure that it substantially and materially participates in the management and operation of the Development throughout the Compliance Period.

b. Developer Information

- (1) State the name of each Developer, including all co-Developers.
- (2) Each Developer entity identified (that is not a natural person, Local Government, or Public Housing Authority) must be a legally formed entity qualified to do business in the state of Florida as of the Application Deadline. For each stated Developer entity that is not a natural person, Local Government, or Public Housing Authority, provide, as **Attachment 4** to Exhibit A, evidence from the Florida Department of State, Division of Corporations, that the Developer satisfies the foregoing requirements. Such evidence may be in the form of a certificate of status or other reasonably reliable information or documentation issued, published or made available by the Florida Department of State, Division of Corporations.

(3) Developer Experience

(a) Required Developer Experience

A natural person Principal of at least one experienced Developer entity, which must be disclosed on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) outlined below, must have, since January 1, 2001, completed at least one multifamily rental housing development that consists of a total number of units no less than 50 percent of the total number of units in the proposed Development.

The individual meeting the Developer Experience requirements must be disclosed on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) and must remain with the Development until the release of the operating deficit guarantee set forth in subsection 67-48.0072(18), F.A.C.

For purposes of this provision, completed development means (i) that the temporary or final certificate of occupancy has been issued for at least one unit in one of the residential apartment buildings within the

development, or (ii) that at least one IRS Form 8609 has been issued for one of the residential apartment buildings within the development. As used in this section, a Housing Credit development that contains multiple buildings is a single development regardless of the number of buildings within the development for which an IRS Form 8609 has been issued.

If the experience of a natural person Principal for a Developer entity listed in this Application was acquired from a previous affordable housing Developer entity, the natural person Principal must have also been a Principal of that previous Developer entity as the term Principal was defined by the Corporation at that time.

Required Developer Prior Experience Chart

Provide, as **Attachment 4** to Exhibit A, a prior experience chart for each natural person Principal intending to meet the required Developer experience reflecting the information for the completed multifamily rental housing development.

Each prior experience chart must include the following information:

Developer Prior Experience Chart			
Name of the natural person Principal with the required experience:			
Name of Developer Entity (for the proposed Development) for which the above individual is a Principal:			
Name of Development	Location (City & State)	Total Number of Units	Year Completed

(b) **Withdrawal Disincentive for Self-Sourced Applicants and Developers (5 points)**

(i) **To be awarded five points in this RFA**

Applications will be awarded five points if no Principal named in this RFA is also listed as a Developer, co-Developer or Principal of the Developer named on the Principals Disclosure Form included in RFAs 2019-116 or 2020-205 for Self-Sourced Applicants where an Application has been withdrawn any time subsequent to the applicable RFA’s Application Deadline, but on or before the execution of the issuance of the Preliminary Determination Certificate and payment of the Administrative Fee(s) for such Application(s).

For purposes of scoring this RFA, the Committee shall consider all such withdrawals that are made available to the Committee prior to the date that the Committee meets to make a recommendation to the Board.

(ii) The Withdrawal Disincentive as a Point Item in Future RFAs

Self-Sourced Applicants and Developers are on notice that any Self-Sourced Application submitted in this RFA from a Self-Sourced Applicant that is withdrawn any time subsequent to the Application Deadline but on or before the issuance of the Preliminary Determination Certificate and payment of the Administrative fee will (if the future RFA so provides) result in a point reduction in the scoring of Developer experience in future Applications in which the Developer, Co-Developer or any Principal of the Developer(s) named in the Developer section of the Principals of the Applicant and Developer(s) Disclosure Form of the withdrawn Application is named for purposes of satisfying the Developer experience requirement in the future Application.

Note: As used herein, an Application withdrawal includes a withdrawal of Self-Sourced Applications (or the funding under such Application) initiated or made by the Applicant or by the Corporation itself where such withdrawal by the Corporation is the result of the Applicant's failure to act in accordance with the terms of the RFA or to pay fees in a timely manner as required by the RFA. If an Applicant rejects or declines an invitation to enter credit underwriting within the deadline set forth in this RFA, this will be considered a withdrawal for the purposes of the withdrawal disincentive.

(c) Prior Development Experience a Point Item in Future RFAs

The Corporation will award points for Development Experience in certain RFAs beginning with the 2022/2023 RFA Cycle. Notice is given that any Principal of an Applicant and/or Developer(s) of any non-HUD financed Development* or any non-RD financed Development** funded in this RFA that also receives Board approval for any of (i) - (iii) below will be deemed ineligible for Development Experience points for exactly 2 years, commencing on the date of the Board's approval:

- (i) More than one exchange of credits, as outlined in the Qualified Allocation Plan, for the same non-HUD financed Development* or any non-RD financed Development** awarded since the Application Deadline of this RFA;
- (ii) At least one exchange of credits requiring Board approval, as outlined in the Qualified Allocation Plan, for two or more non-HUD financed Developments* or any non-RD financed Development** funded in RFAs 2020-201, 2020-202, 2020-203, 2020-204, 2020-208, or 2020-211; or
- (iii) A waiver to Rule 67-48, F.A.C., extending the firm commitment deadline of a non-HUD financed Development* or any non-RD

financed Development** awarded since the Application Deadline of this RFA.

*A HUD financed Development is a Development that has received construction and/or permanent loan financing from HUD. All Developments without construction and/or permanent loan financing from HUD, which may include those with HUD subsidy funding such as PBRA, are considered non-HUD financed Developments.

** An RD financed Development means a Development that has received construction and/or permanent loan financing from Rural Development (RD) within the United States Department of Agriculture (USDA). All Developments without construction and/or permanent loan financing from RD, which may include those with RD subsidy funding such as PBRA, are considered non-RD financed Developments.

c. Principals Disclosure for the Applicant and for each Developer (5 points)

(1) Eligibility Requirements

- To meet the submission requirements, upload the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) ("Principals Disclosure Form") as outlined in Section Three above. Prior versions of the Principal Disclosure Form will not be accepted.

To meet eligibility requirements, the Principals Disclosure Form must identify, pursuant to subsections 67-48.002(94), 67-48.0075(8) and 67-48.0075(9), F.A.C., the Principals of the Applicant and Developer(s) as of the Application Deadline. A Principals Disclosure Form should not include, for any organizational structure, any type of entity that is not specifically included in the Rule definition of Principals. Per subsection 67-48.002(94), F.A.C., any Principal other than a natural person must be a legally formed entity as of the Application deadline.

The investor limited partner of an Applicant limited partnership or the investor member of an Applicant limited liability company must be identified on the Principal Disclosure Form.

(2) Approval during Advance Review Process (5 Points)

Applicants will receive 5 points if the uploaded Principal Disclosure Form is either (a) stamped "Approved" at least 14 Calendar Days prior to the Application Deadline; or (b) stamped "Received" by the Corporation at least 14 Calendar Days prior to the Application Deadline AND stamped "Approved" prior to the Application Deadline.

To document these dates, the Corporation will stamp the Principal Disclosure Form on the date it is received and the date it is approved. If a Principal Disclosure Form has been approved, but the Applicant must change the form for

any reason, the form may be edited and resubmitted for approval, but the form will receive a new stamp reflecting the date the Corporation received the revised form. Likewise, if a form is returned to the Applicant for correction, the Applicant may make corrections and resubmit the form, but the date of the resubmission will be reflected as the date received. If a Principal Disclosure Form is submitted for an RFA with a "Received" date that is within 14 Calendar Days of the Application Deadline, the Applicant will not be eligible for the 5 Advance Review points.

The Advance Review Process for Disclosure of Applicant and Developer Principals is available on the RFA Webpage and also includes samples which may assist the Applicant in completing the required Principals Disclosure Form.

Note: It is the sole responsibility of the Applicant to review the Advance Review Process procedures and to submit any Principals Disclosure Form for review in a timely manner in order to meet the Application Deadline.

- (3) For purposes of the following, a material change shall mean 33.3 percent or more of the Applicant, a general partner of the Applicant, or a non-investor member of the Applicant, and a non-material change shall mean less than 33.3 percent of the Applicant, a general partner of the Applicant, or a non-investor member of the Applicant.

The name of the Applicant entity or Developer entity stated in the Application may be changed only by written request of an Applicant to Corporation staff and approval of the Corporation after the Applicant has been invited to enter credit underwriting.

The Applicant entity shall be the recipient of the Housing Credits, and the borrowing entity for the SAIL loan(s) and, if applicable, the MMRB loan, and cannot be changed in any way (materially or non-materially) until after the closing of the loan(s). After loan closing, (a) any material change will require review and approval of the Credit Underwriter, as well as approval of the Board prior to the change, and (b) any non-material change will require review and approval of the Corporation, as well as approval of the Board prior to the change. Changes to the Applicant entity (material or non-material) prior to the loan closing or without Board approval after the loan closing may result in disqualification from receiving funding and may be deemed a material misrepresentation. The Applicant must comply with Principal disclosure requirements outlined in Rule Chapter 67-48, F.A.C. for the duration of the Compliance Period. Changes to the officers or directors of a Public Housing Authority, officers or directors of a non-profit entity, or the investor-limited partner of an Applicant limited partnership or the investor-member of an Applicant limited liability company owning the syndicating interest therein will not result in disqualification, however, the change must be approved by the Corporation.

The Principals of each Developer identified in the Application, including all co-Developers, may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to enter credit underwriting. In addition, any allowable replacement of an experienced Principal of a Developer entity must meet the experience requirements that were met by the original Principal.

d. General Management Company Information

Identify the Management Company and provide, as **Attachment 5** to Exhibit A, a prior experience chart for the Management Company or a principal of Management Company demonstrating experience in the management of at least two affordable rental housing properties (i.e., properties funded through an affordable housing program such as Housing Credits, Tax-Exempt Bonds, HOME, SAIL, etc.), at least one of which consists of a total number of units no less than 50 percent of the total number of units in the proposed Development, for at least two years each. Note: The Management Company contact person identified in Exhibit A is not required to be the Principal of the Management Company identified in the Prior General Management Experience Chart.

The prior experience chart must include the following information:

Prior General Management Experience Chart				
Name of Management Company or a Principal of the Management Company with the Required Experience: _____				
Name of Development	Location (City & State)	Currently Managing or Formerly Managed	Length of Time (Number of Years)	Total Number of Units

e. Contact Person

- (1) Enter the information for the required Authorized Principal Representative. The Authorized Principal Representative (a) must be a natural person Principal of the Applicant listed on the Principal Disclosure Form; (b) must have signature authority to bind the Applicant entity; (c) must sign the Applicant Certification and Acknowledgement form submitted in this Application; (d) must sign the Site Control Certification form submitted in this Application; and (e) if funded, will be the recipient of all future documentation that requires a signature.
- (2) A separate Operational Contact Person may be included, if desired. If provided, the Operational Contact Person will be the recipient of any general correspondence associated with the Development activities that does not require a signature. If an Operational Contact Person is not provided, the Authorized Principal Representative will be the recipient of any such documentation.

4. General Proposed Development Information

- a. State the name of the proposed Development.

b. Development Category/ Rental Assistance (RA) Level

(1) Select one of the following Development Categories:

- New Construction*
- Rehabilitation**
- Acquisition and Rehabilitation**
- Redevelopment
- Acquisition and Redevelopment
- Preservation; or
- Acquisition and Preservation

*Self-Sourced Applicants must commit to the New Construction Development Category.

**For purposes of SAIL funding, this includes Substantial Rehabilitation.

If the proposed Development consists of acquisition and either Rehabilitation or Preservation, with or without new construction (where the applicable new construction is for the building of units which will total less than 50 percent of the proposed Development's total unit count), and the Applicant is not requesting Corporation funding related to the acquisition, the Applicant should select Rehabilitation or Preservation, as applicable, as the Development Category. However, the acquisition costs and sources must still be reflected on the Development Cost Pro Forma.

(2) The proposed Development must meet the Development Category requirements for the applicable Development Category as listed below:

(a) New Construction

If requesting NHTF funding, all units must be new construction without any rehabilitation. If not requesting NHTF funding, at least 50 percent of the total units must be new construction.

(b) Rehabilitation (with or without Acquisition)

- (i) Less than 50 percent of the total units must be new construction;
- (ii) The proposed Development must meet the definitions of both Rehabilitation and Substantial Rehabilitation in Rule 67-48.002, F.A.C.; and
- (iii) Rehabilitation expenses within one 24-month period for the building(s) being rehabilitated must meet the criteria for both items below:

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

- (A) The estimated total amount of rehabilitation expenses must be equal to or greater than 20 percent of the adjusted basis of the acquired building; and
- (B) The qualified basis of the estimated total amount of rehabilitation expenses per low-income unit must be greater than or equal to \$15,000.

For scoring purposes, the Corporation performs a calculation to verify these criteria are met and displays the results on the bottom of the Detail/Explanation Sheet of the Development Cost Pro Forma (page 4) using the values within the Development Cost Pro Forma as identified below. The calculations are determined as follows:

Calculation information for (A) above:

To calculate the estimated total amount of rehabilitation expenses: Begin with the eligible Development Cost (Column 1, Item C), subtract eligible Total Acquisition Costs of Existing Development excluding land (Column 1, Item B), add eligible Developer Fee on Non-Acquisition Costs (Column 1, found within Item D, subject to RFA limits).

Note: Regardless of the number buildings in the proposed Development, the calculation at time of application will be based on the Development as a whole. Rehabilitation expenses are amounts chargeable to the capital account related to the rehabilitation of a building which are exclusive of the costs associated with the acquisition of the building.

To calculate the adjusted basis of the acquired building:

Begin with eligible Total Acquisition Costs of Existing Development excluding land (Column 1, Item B), add eligible Developer Fee on Acquisition Costs (Column 1, found within Item D). However, if the first line item in Column 1, Item B (Acquisition Cost of Existing Development, excluding land, Existing Building(s)) is zero, then the adjusted basis of the building shall also be zero.

Calculation information for (B) above:

Calculate the estimated total amount of rehabilitation expenses as described in the above calculation information for (A) above.

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For proposed Developments that qualify for a basis boost:

The qualified basis is determined by multiplying the estimated total amount of rehabilitation expenses calculated above by 1.3, then multiplying the result by the Total Set-Aside Percentage. The result is divided by the number of Set-Aside Units. The resulting amount is the qualified basis of the estimated rehabilitation expenses per low-income unit.

For proposed Developments that do not qualify for a basis boost:

The qualified basis is determined by multiplying the estimated total amount of rehabilitation expenses calculated above by the Total Set-Aside Percentage. The result is divided by the number of Set-Aside Units. The resulting amount is the qualified basis of the estimated rehabilitation expenses per low-income unit.

(c) Redevelopment (with or without Acquisition)

- (i) If requesting NHTF funding, all units must be new construction without any rehabilitation. If not requesting NHTF funding, at least 50 percent of the total units must be new construction;
- (ii) The Development must meet the definition of Redevelopment in Rule Chapter 67-48.002, F.A.C.; and
- (iii) Provide, as **Attachment 6** to Exhibit A, a Development Category Qualification Letter from HUD or RD, dated within 12 months of the Application Deadline, which includes the following information:
 - Name of the Development*;
 - Address of the Development;
 - Year built**;
 - Total number of units that will receive PBRA and/or ACC if the proposed Development is funded;
 - Total number of units that currently have or are receiving PBRA and/or ACC. If none, the total number of units that originally received PBRA; and
 - The HUD or RD program currently associated with the existing development. If none, the HUD or RD program originally associated with the existing development.

*For purposes of this provision, the Name of the Development may be the name at the time of the PBRA and/or ACC award.

** The Development must have been built at least 30 years prior to the Application Deadline to meet the definition of Redevelopment.

- (d) Preservation (with or without Acquisition)
- (i) Less than 50 percent of the total units must be new construction;
 - (ii) The proposed Development must meet the definitions of Preservation in Rule 67-48.002, F.A.C. and Rehabilitation in Rule 67-48.002, F.A.C.,
 - (iii) Rehabilitation expenses within one 24-month period for the building(s) being rehabilitated must meet the criteria for both items below:
 - (A) The estimated total amount of rehabilitation expenses must be equal to or greater than 20 percent of the adjusted basis of the acquired building; and
 - (B) The qualified basis of the estimated total amount of rehabilitation expenses per low-income unit must be greater than or equal to \$15,000.

For scoring purposes, the Corporation performs a calculation to verify these criteria are met and displays the results on the bottom of the Detail/Explanation Sheet of the Development Cost Pro Forma (page 4) using the values within the Development Cost Pro Forma as identified below. The calculations are determined as follows:

Calculation information for (A) above:

To calculate the estimated total amount of rehabilitation expenses: Begin with the eligible Development Cost (Column 1, Item C), subtract eligible Total Acquisition Costs of Existing Development excluding land (Column 1, Item B), add eligible Developer Fee on Non-Acquisition Costs (Column 1, found within Item D, subject to RFA limits).

Note: Regardless of the number buildings in the proposed Development, the calculation at time of application will be based on the Development as a whole. Rehabilitation expenses are amounts chargeable to the capital account related to the rehabilitation of a building which are exclusive of the costs associated with the acquisition of the building.

To calculate the adjusted basis of the acquired building:

Begin with eligible Total Acquisition Costs of Existing Development excluding land (Column 1, Item B), add eligible Developer Fee on Acquisition Costs (Column 1, found within

Item D). However, if the first line item in Column 1, Item B (Acquisition Cost of Existing Development, excluding land, Existing Building(s)) is zero, then the adjusted basis of the building shall also be zero.

Calculation information for (B) above:

Calculate the estimated total amount of rehabilitation expenses as described in the above calculation information for (A) above.

For proposed Developments that qualify for a basis boost:

The qualified basis is determined by multiplying the estimated total amount of rehabilitation expenses calculated above by 1.3, then multiplying the result by the Total Set-Aside Percentage. The result is divided by the number of Set-Aside Units. The resulting amount is the qualified basis of the estimated rehabilitation expenses per low-income unit.

For proposed Developments that do not qualify for a basis boost:

The qualified basis is determined by multiplying the estimated total amount of rehabilitation expenses calculated above by the Total Set-Aside Percentage. The result is divided by the number of Set-Aside Units. The resulting amount is the qualified basis of the estimated rehabilitation expenses per low-income unit.

- (iv) The existing affordable development must be at least 75 percent occupied as of the Application Deadline; and
- (v) Provide a Development Category Qualification Letter from HUD or RD, as **Attachment 6** to Exhibit A. The letter must be dated within six months of the Application Deadline and include the following information:
 - Name of the Development *;
 - Address of the Development;
 - Year built**;
 - Total number of units that currently receive PBRA and/or ACC;
 - Total number of units that will receive PBRA and/or ACC if the proposed Development is funded;
 - All HUD or RD financing program(s) originally and/or currently associated with the existing development; and
 - Confirmation that the Development has not received financing from HUD or RD after 2001 where the rehabilitation budget was at least \$10,000 per unit in any year.

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*For purposes of this provision, the Name of the Development may be the name at the time of the PBRA and/or ACC award.

** The Development must have been built at least 20 years prior to the Application Deadline to meet the definition of Preservation and must be built in 1991 or earlier to receive the Age of Development funding selection preference

(3) Rental Assistance (RA) Level Classification

(a) Development Category Qualification Letter

(i) Development Category of Redevelopment and Preservation (with or without Acquisition)

The Development Category Qualification Letter is required of all Developments with the Development Category of Redevelopment and Preservation (with or without Acquisition) as stated in the Development Category requirements above.

(ii) Development Category of New Construction or Rehabilitation, with or without Acquisition

The Development Category Qualification Letter is not an eligibility requirement for proposed Developments with the Development Category of New Construction or Rehabilitation, with or without Acquisition; however, in order to be classified as an RA Level other than RA Level 6, the Development Category Qualification Letter must be provided as **Attachment 6**, and must meet the following requirements:

The Development Category Qualification Letter must be a letter from a designated administrator of a federal program that provides long-term rental assistance. The rental assistance provided must be tied to the proposed Development and its units and be for a minimum of 20 years from the date the Development's units are placed in service*. The letter must include the following information and be dated within 12 months of the Application Deadline:

- Name of the proposed Development;
- Address of the proposed Development;
- Total number of units that will receive PBRA, ACC, and/or other form of federal long-term rental assistance if the proposed Development is funded;
- The federal program associated with the rental assistance; and
- A statement that the committed rental assistance will be reserved and available for use by the proposed Development by the time the units are placed in service and

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committed for a minimum of 20 years upon the units being placed in service*.

*This may be subject to congressional appropriation and continuation of the rental assistance program. For developments documenting the commitment of RD rental assistance, the minimum 20-year commitment term from the date the Development's units are placed in service is not applicable.

All funded Applications will be held to the number of RA Units stated in the Development Category Qualification Letter provided by the Applicant. This requirement will apply throughout the compliance period, subject to congressional appropriation and continuation of the rental assistance program.

(b) Calculating the Rental Assistance (RA) Level

The total number of units that will receive rental assistance (i.e., PBRA and/or ACC and, in the case of New Construction and Rehabilitation, other forms of federal long-term rental assistance), as stated in the Development Category Qualification Letter provided as **Attachment 6**, will be considered to be the proposed Development's RA Units and will be the basis of the Applicant's RA Level Classification. The Corporation will divide the RA Units stated in the Development Category Qualification Letter by the total units stated by the Applicant in Exhibit A, resulting in a Percentage of Total Units that are RA Units. Using the Rental Assistance Level Classification Chart below, the Corporation will determine the RA Level associated with both the Percentage of Total Units and the number of RA Units. The best rating of these two levels will be assigned as the Application's RA Level Classification.

Rental Assistance Level Classification Chart			
Rental Assistance Level	Percentage of Total Units that will receive Rental Assistance		Number of RA Units that will receive Rental Assistance
Level 1	All units (with the exception of up to 2 units)	or	At least 100 RA Units and greater than 50% of the total units
Level 2	Greater than 90.00%	or	Greater than 90 RA Units but less than 100 RA Units and greater than 50% of the total units
Level 3	Greater than 75.00%, equal to or less than 90.00%	or	Greater than 75 RA Units but less than 90 RA Units and greater than 50% of the total units
Level 4	Greater than 50.00%, equal to or less than 75.00%		N/A
Level 5	Greater than 10.00%, equal to or less than 50.00%		N/A
Level 6*	10.00% or less of the total units receive rental assistance		N/A

*Applications will be classified RA Level 6 if 10.00% or less of the total units will receive rental assistance or if the Applicant fails to meet the criteria outlined above.

c. Development Type

Select the Development Type for the proposed Development. For mixed-type Developments, indicate the type that will comprise the majority of the units in the Development.

- Garden Apartments (a building comprised of 1, 2 or 3 stories, with or without an elevator)
- Townhouses
- Mid-Rise, 4-stories (a building comprised of 4 stories and each residential building must have at least one elevator)
- Mid-Rise, 5 to 6-stories (a building comprised of 5 or 6 stories and each residential building must have at least one elevator)
- High-Rise (a building comprised of 7 or more stories and each residential building must have at least one elevator)

For purposes of determining the number of stories, each floor in the building(s) should be counted regardless of whether it will consist of retail, parking, or residential.

Note: Any dwelling unit that consists of more than one story, (e.g. Townhouse), is prohibited for Elderly Set-Aside Units. A residential building that consists of more than one story is not prohibited for Elderly Set-Aside Units if there is a minimum of one elevator per residential building provided for all Elderly Set-Aside Units that are located on a floor higher than the first floor.

d. Enhanced Structural Systems ("ESS") Construction Qualifications

To qualify as "Enhanced Structural Systems Construction" or "ESS Construction" for purposes of the Total Development Cost Limitation calculation and the Leveraging calculation, the proposed Development must meet at least one of the specifications listed below.

- (1) For all new construction buildings, and as of the Application Deadline for all existing buildings proposed for rehabilitation, as applicable, all of the following structural elements must consist of 100 percent poured concrete/masonry, 100 percent steel, or a combination adding up to 100 percent of concrete/masonry and steel, as verified during credit underwriting: all exterior walls and other external load-bearing elements, as well as the floor of the lowest story of the building that contains residential, commercial or storage space (other than parking), and any under-floor/under-ground supports for that lowest story's floor.

Additionally, if the proposed work includes rehabilitation of any structural elements listed above, the structural elements must also meet the above requirements after completion of the rehabilitation work.

- (2) Any new construction buildings with the Development Type of Mid-Rise (4, 5 or 6 story) that utilize a ESS Podium Structure shall qualify as "ESS Construction." New construction buildings of other Development Types that utilize a ESS Podium Structure must meet the requirements in (1) above in order to qualify as "ESS Construction." In this event, the top surface of the podium itself shall be considered to be the floor of the lowest story of the building that contains residential, commercial or storage space (other than parking).

For the purposes of determining “ESS Construction,” there is no requirement regarding the materials to be used in the roof of the building.

The term “ESS Podium Structure” shall mean a non-residential support structure underneath the rental units constructed solely of concrete/masonry, steel, or some combination of concrete/masonry and steel together, and where said structure under the rental units must utilize at least 85 percent of the square footage for parking or non-commercial utility/ancillary building uses only. Up to 15 percent of the square footage can be used for other non-residential purposes.

These qualifying criteria specifically exclude face brick or brick veneer from qualifying as ESS Construction for purposes of this RFA unless the proposed Development otherwise meets the requirements in (1) or (2) above.

For purposes of this RFA, the Corporation will consider an Application to be ESS Construction if the answer to question 4.d. of Exhibit A is “Yes.” This will be verified during the credit underwriting process. If this cannot be verified the Development will no longer be considered ESS Construction, and funding awarded under this RFA may be rescinded.

e. Combination of Development Categories, Development Types, or ESS/non-ESS Construction

If the Development utilizes a combination of Development Categories, Development Types, or ESS/non-ESS Construction, for purposes of the Leveraging Classification calculation and Total Development Cost Per Unit Limitation calculation, complete the chart in Exhibit A of the RFA reflecting the appropriate breakdown.

If the Development does not utilize a combination of Development Categories, Development Types, or ESS/non-ESS Construction, the chart is not required. In that event, the Leveraging Classification calculation and Total Development Cost Per Unit Limitation calculation will be made by applying the Development Type, Development Category and ESS Construction determination to all units in the proposed Development.

5. Location of Proposed Development

- a. Indicate the county where the proposed Development will be located.

Large, Medium and Small County Geographic Categories

Large	Medium		Small	
Broward	Alachua	Manatee	Baker	Jefferson
Duval	Bay	Marion	Bradford	Lafayette
Hillsborough	Brevard	Martin	Calhoun	Levy
Miami-Dade	Charlotte	Okaloosa	Columbia	Liberty
Orange	Citrus	Osceola	De Soto	Madison
Palm Beach	Clay	Pasco	Dixie	Monroe
Pinellas	Collier	Polk	Franklin	Nassau
	Escambia	St. Johns	Gadsden	Okeechobee
	Flagler	St. Lucie	Gilchrist	Putnam
	Hernando	Santa Rosa	Glades	Suwannee
	Highlands	Sarasota	Gulf	Taylor
	Indian River	Seminole	Hamilton	Union
	Lake	Sumter	Hardee	Wakulla
	Lee	Volusia	Hendry	Walton
	Leon		Holmes	Washington
			Jackson	

- b. Provide the Address of the Development site

Indicate (1) the address number, street name, and name of city, and/or (2) the street name, closest designated intersection, and either name of city or unincorporated area of county. If the proposed Development consists of Scattered Sites, this information must be provided for each of the Scattered Sites.

- c. State whether the Development consists of Scattered Sites.

If the proposed Development consists of Scattered Sites, the following conditions must be met:

- (1) For Developments located in a county other than Monroe County, a part of the boundary of each Scattered Site must be located within ½ mile of a part of the boundary of the Scattered Site with the most units. For Developments located in Monroe County, a part of the boundary of each Scattered Site must be located within 20 miles of a part of the boundary of the Scattered Site with the most units;
- (2) Site control and Ability to Proceed must be demonstrated in the Application for all Scattered Sites; and
- (3) All Scattered Sites must be located within the same county.

- d. Latitude/Longitude Coordinates

- (1) Provide a Development Location Point stated in decimal degrees, rounded to at least the sixth decimal place. If the proposed Development consists of

Scattered Sites, as of Application Deadline the Development Location Point must affirmatively be established on the site with the most units, as outlined in subsection 67-48.002(34), F.A.C., and latitude and longitude coordinates for each Scattered Site must also be provided.

- (2) If the proposed Development consists of Scattered Sites, for each Scattered Site that is in addition to the Development Location Point information provided in (1) above, provide the latitude and longitude coordinates of one point located anywhere on the Scattered Site. The coordinates must be stated in decimal degrees and rounded to at least the sixth decimal place.

Note: 30.443900, -84.283960 is an example of decimal degrees format, represented to six decimal places.

e. Proximity Requirements and Proximity Tiebreakers used in Funding Selection Process

The Application may earn proximity points based on the distance between the Development Location Point and the Bus or Rail Transit Service (if Private Transportation is not selected at question 5.e.(2)(a) of Exhibit A) and the Community Services stated in Exhibit A. Proximity points are awarded according to the Transit and Community Service Scoring Charts outlined in Item 2 of Exhibit C. Proximity points will not be applied towards the total score. Proximity points will only be used to determine whether the Applicant meets the required minimum proximity eligibility requirements and the preferences outlined in the chart below.

Requirements

All Large County Applications must achieve a minimum number of Transit Service Points and achieve a minimum number of total proximity points to be eligible for funding. Small and Medium County Applications are not required to achieve a minimum number of Transit Service Points but must achieve a minimum number of total proximity points to be eligible for funding.

Proximity Funding Preference Qualifications

All Applications may also qualify for the Proximity Funding Preference described in Section Five, B.4. of the RFA.

Application Qualifications	If Eligible for PHA or RD Proximity Point Boost, Required Minimum Transit Service Points that Must be Achieved to be Eligible for Funding	If NOT Eligible for PHA or RD Proximity Point Boost, Required Minimum Transit Service Points that Must be Achieved to be Eligible for Funding	Required Minimum Total Proximity Points that Must be Achieved to be Eligible for Funding	Minimum Total Proximity Points that Must be Achieved to Receive the Proximity Funding Preference
Large County Application	1.5	2.0	10.5	12.5 or more
Medium County Application	N/A	N/A	7.0	9.0 or more
Small County Application	N/A	N/A	4.0	6.0 or more

The Application may earn proximity points through the following:

- Qualifying for the PHA Proximity Point Boost or the RD 515 Proximity Point Boost;
- Providing private transportation or based on the distance between the Development Location Point and the Bus or Rail Transit Service; and
- Based on the distance between the Development Location Point and the Community Services.

(1) PHA or RD 515 Proximity Point Boost

(a) PHA Proximity Point Boost

An Application that involves a site(s) with an existing Declaration of Trust between a Public Housing Authority (PHA) and HUD will qualify to receive a 3-point boost toward its proximity score if the Applicant provides a letter from the PHA dated within 12 months of the Application Deadline certifying that the site(s) where all of the units in the proposed Development will be located has an existing Declaration of Trust between the PHA and HUD. The letter must be signed by the appropriate person authorized to make such a certification and must be provided as **Attachment 7** to Exhibit A. Note: This 3-point boost will not count toward meeting the Minimum Transit Services score.

or

(b) RD 515 Proximity Point Boost

An Application that involves property that is currently assisted with RD 515 funding will qualify to receive a 3-point boost toward its proximity score if the Applicant demonstrates RD 515 funding as outlined in Section Four A.10.b.(1) of the RFA and the Applicant selected the Development Category of Rehabilitation or Redevelopment, with or without Acquisition. Note: This 3-point boost will not count toward meeting the Minimum Transit Services score.

(c) All Large County Applications that qualify for either the PHA Proximity Point Boost or the RD 515 Proximity Point Boost will be required to achieve at least 1.5 Transit Service Points. All other Large County Applications will be required to achieve at least 2.0 Transit Service Points.

(2) Transit Services (Maximum of 6 points)

Select Private Transportation or provide the location information for one of the remaining four Transit Services to achieve Proximity Points to use for calculating the Application's Transit Score. The Transit Service Scoring Charts, reflecting the

methodology for calculating the points awarded based on the distances, are outlined Exhibit C.

Location of coordinates for Transit Services

To receive proximity points for Transit Services other than Private Transportation, provide latitude and longitude coordinates for that service, stated in decimal degrees, rounded to at least the sixth decimal place, and the distance between the Development Location point and the coordinates for the service. The distances between the Development Location Point and the latitude and longitude coordinates for each service will be the basis for awarding proximity points.

For a Public Bus Stop, Public Bus Rapid Transit Stop, Public Bus Transfer Stop, and Rail Station, coordinates must represent the location where passengers may embark and disembark the bus or train.

(a) Private Transportation (2 Points)

This service is defined in Exhibit B and may be selected only if the Applicant selected the Elderly (ALF or Non-ALF) Demographic Commitment.

or

(b) Public Bus Stop (Maximum 6 Points)

(i) This service is defined in Exhibit B and may be selected by all Applicants.

(ii) Each Public Bus Stop must meet the definition of Public Bus Stop as defined in Exhibit B. Each Public Bus Stop, except for Sister Stops, must serve at least one unique route. Up to two of the selected Public Bus Stops may be Sister Stops as defined in Exhibit B.

or

(c) Public Bus Transfer Stop (Maximum 6 Points)

This service is defined in Exhibit B and may be selected by all Applicants.

or

(d) Public Bus Rapid Transit Stop (Maximum 6 Points)

This service is defined in Exhibit B and may be selected by all Applicants.

or

(e) Public Rail Station (Maximum 6 Points)

This service is defined in Exhibit B and may be selected by all Applicants.

(3) Community Services (Up to three Community Services may be selected, for a maximum 4 Points for each service)

The Community Services that are available to all Demographics are Grocery Store, Medical Facility, Pharmacy, and Public School.

Up to three Community Services may be selected, for a maximum 4 Points for each service. If all four Community Services are selected, the Corporation will only award points for the three Community Services that are closest to the Development Location Point based on the distance stated in Exhibit A, even if the service that is furthest from the Development Location Point would have achieved a higher point value. In the event that the two Community Services that are furthest from the Development Location Point have an equal distance, the Corporation will select the service that is listed higher on the Community Service chart in Exhibit A. Under no circumstance will the fourth service be considered for points, even if during the litigation process, one of the Community Services is determined to not qualify for proximity points.

Provide the location information and distances for Community Services on which to base the Application's Community Services Score. The Community Service Scoring Charts, which reflect the methodology for calculating the points awarded based on the distances, are outlined in Exhibit C.

The distance between the Development Location Point and each Community Service must be calculated from a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located. If there is no exterior public entrance to the Community Service, then a point should be used that is at the exterior entrance doorway threshold that is the closest walking distance to the doorway threshold of the interior public entrance to the service. For a Pharmacy located within an enclosed shopping mall structure that does not have a direct public exterior entrance, the doorway threshold of the exterior public entrance to the enclosed shopping mall that provide the shortest walking distance to the doorway threshold of the interior entrance to the Pharmacy would be used.

Applicants may use the same location for the Grocery Store, Medical Facility and/or Pharmacy if the Grocery Store, Medical Facility and/or Pharmacy is housed at the same location.

(4) Scoring Proximity to Services (Transit and Community)

(a) Private Transportation

Applicants that selected the Elderly (ALF or Non-ALF) Demographic Commitment and wish to provide Private Transportation as the Transit

Service must select "Yes" at question 5.e.(2)(a) of Exhibit A to be eligible to receive 2 points.

(b) Bus and Rail Transit Services

Applicants that wish to receive proximity points for Transit Services other than Private Transportation must provide latitude and longitude coordinates for that service, stated in decimal degrees, rounded to at least the sixth decimal place, and the distance between the Development Location Point and the coordinates for the service. The distances between the Development Location Point and the latitude and longitude coordinates for each service will be the basis for awarding proximity points. Failure to provide the distance for any service will result in zero points for that service. The Transit and Community Service Scoring Charts reflecting the methodology for calculating the points awarded based on the distances are in Exhibit C.

(c) Community Services

Applicants that wish to receive proximity points for any community service must provide the name and address for that service, and the distance between the Development Location Point and the location for the service. The distances between the Development Location Point and the doorway threshold for each service will be the basis for awarding proximity points. Failure to provide the distance for any service will result in zero points for that service. The Transit and Community Service Scoring Charts reflecting the methodology for calculating the points awarded based on the distances are in Exhibit C.

f. Mandatory Distance Requirement

To be eligible for funding, Applications must qualify for the Mandatory Distance Requirement. Applications may qualify automatically, as outlined below. Applications that are not eligible for the automatic qualification will only qualify if the distance between the Development Location Point, (and the latitude and longitude coordinates provided for any Scattered Sites, if applicable), and the coordinates for the other properties identified on the June 21, 2021 FHFC Development Proximity List (the List) that serve the same demographic group as the proposed Development meets the Mandatory Distance Requirement as outlined in (2) below. The List is available on the RFA Webpage. Applications that do not qualify for the Mandatory Distance Requirement under (1) or (2) below will not be eligible for funding.

(1) Applications Eligible for the Automatic Qualification for the Mandatory Distance Requirement

- (a) The Applicant selected the Rehabilitation Development Category (with or without Acquisition), the proposed Development involves the Rehabilitation of an existing, occupied residential rental property in operation as of the Application Deadline, and the proposed

Development meets all of the following criteria: (i) the Applicant commits to set aside 30 percent of the total units as ELI Set-Aside units on the Total Set-Aside Breakdown Chart, and (ii) the proposed Development is classified as RA Level 1 or RA Level 2;

- (b) The Applicant selected the Redevelopment Development Category (with or without Acquisition) and the proposed Development meets all of the following criteria: (i) the Applicant commits to set aside 30 percent of the total units as ELI Set-Aside units on the Total Set-Aside Breakdown Chart, (ii) the proposed Development is classified as RA Level 1 or RA Level 2, and (iii) the Percentage of Total Units that will have Rental Assistance is greater than 75 percent; or
 - (c) The Applicant selected the Preservation Development Category (with or without Acquisition).
- (2) Applications not eligible for the automatic qualification for the Mandatory Distance Requirement will qualify for the Mandatory Distance Requirement if the distance between the latitude and longitude coordinates provided for the Development Location Point, and any Scattered Sites, if applicable, to the coordinates for the other properties identified on the June 21, 2021 Development Proximity List (the List) that serve the same demographic group as the proposed Development meet the following distance requirements:

	Distance between the proposed Development and Developments on the List if the Development on the Proximity List has <u>at least 31 Total Units</u>	Distance between the proposed Development and Developments on the List if the Development on the Proximity List has <u>less than 31 Total Units</u>
All Small Counties	2.0 miles	1.0 miles
All Medium Counties	1.0 miles	N/A
All Large Counties	0.5 miles	N/A

The June 21, 2021 FHFC Development Proximity List and mapping software to display both the Proximity List properties on the list and the Mandatory Distance Requirement buffers described in the chart above are available on the RFA Webpage.

An Applicant may disregard any Development(s) on the List that serves the same demographic group as the proposed Development if the proposed Development and any Development(s) on the List have one or more of the same Financial Beneficiaries and meet at least one of the following criteria: (i) they are contiguous or are divided by a street, and/or (ii) they are divided by a prior phase of the proposed Development. If this provision applies to the proposed

Development, Identify the Development(s) on the List that it wishes to disregard.

6. Number of Units and Buildings

- a. State the total number of units that will be in the proposed Development upon completion.

Note: All Buildings must consist of at least five units per building. This will be confirmed in credit underwriting.

All proposed Developments must consist of a minimum of 30 total units. The total units include all set-aside units, Manager Units as described in Rule Chapter 67-53, F.A.C., and if applicable, market rate units. The maximum total number of units, if applicable, is limited as follows:

- (1) Elderly Non-ALF Developments
 - (a) There is no total unit limitation for proposed Developments with the Development Category of Rehabilitation or Preservation, with or without Acquisition, of an existing, occupied housing facility that is operating as housing for older persons as set forth in the Federal Fair Housing Act as of the Application Deadline.
 - (b) Proposed Developments that do not meet the conditions in (a) above that are located in Miami-Dade County and Broward County may consist of up to 200 total units. Proposed Developments that do not meet the conditions in (a) above that are located in all other counties may consist of up to 160 total units.
- (2) Elderly ALF Developments may consist of up to 125 total units.
- (3) Family Developments
 - (a) Proposed Developments with a Development Category of New Construction or Redevelopment, with or without Acquisition that are requesting Corporation-issued MMRB cannot exceed a maximum of 300 total units.
 - (b) There is no total unit limitation for proposed Developments with the Development Category of Rehabilitation or Preservation, with or without Acquisition.

Note: The total number of units stated in the Application may be increased, up to any applicable allowable limit, after the Applicant has been invited to enter into credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation.

- b. Indicate whether the proposed Development consists of (1) 100 percent new construction units (2) 100 percent rehabilitation units or (3) a combination of new construction units and rehabilitation units and state the quantity of each type.

Note: To be eligible for NHTF funding, proposed Developments that select the Development Category of New Construction or Redevelopment, with or without Acquisition, must be 100 percent new construction.

- c. Occupancy Status

- (1) If the Development Category is Rehabilitation, with or without Acquisition, indicate whether there are any existing units on the Development site as of Application Deadline, and if so, the occupancy status of such units.
- (2) If the Development Category is Preservation, with or without Acquisition, the existing affordable development must be at least 75 percent occupied as of the Application Deadline.

Regardless of the Development Category, if there are existing occupied units and if the Development is funded, a plan for relocation of existing tenants will be required to be provided to the Credit Underwriter, as outlined in Exhibit D.

- d. Set-Aside Commitments

- (1) Minimum Set-Aside Commitments per Section 42 of the IRC

Per Section 42 of the IRC, elect one of the following minimum set-aside commitments:

- 20% of the units at 50% or less of the Area Median Income (AMI)
- 40% of the units at 60% or less of the AMI
- Average Income Test

Note: Choosing the 20 percent at 50 percent AMI or less minimum set-aside will restrict ALL Set-Aside Units at 50 percent or less of the AMI. Applicants may select the 40 percent at 60 percent AMI or less minimum set-aside without committing to set aside any of the units at the 60 percent AMI level. For example, an Applicant may commit to set aside 40 percent at 50 percent AMI and this would also be considered 40 percent at 60 percent AMI or less.

The Average Income Test requires that (a) forty percent or more of the residential units in the Development be both rent-restricted and occupied by individuals whose income does not exceed the imputed income limitation designated by the Applicant with respect to the respective unit, subject to the special rules relating to income limitation which (b) require the Applicant to designate the imputed income limitation of each unit taken into account under (a) above, such that the average of the imputed income limitations of all units designated by the Applicant shall not exceed 60 percent of the area median

income. The designated imputed income limitation of any such unit shall be in 10-percent increments as follows: 20 percent, 30 percent, 40 percent, 50 percent, 60 percent, 70 percent, or 80 percent of the area median income. If the Average Income Test is selected, the set-aside commitment for the Tax-Exempt Bonds will be 40 percent of the units at 60 percent or less of the AMI.

(2) Set-Aside Commitments per Corporation Requirements

The Corporation has additional minimum set-aside requirements beyond those required by Section 42 of the IRC which must be reflected on the Total Set-Aside Breakdown Chart, as outlined below:

(a) Total Income Set-Aside Commitment

(i) Proposed Developments with a Demographic Commitment of Family or Elderly Non-ALF

If the Average Income Test is not selected, set aside a total of at least 80 percent of the Development's total units at 60 percent AMI or less.

If the Average Income Test is selected, set aside a total of at least 80 percent of the Development's total units at 80 percent AMI or less, but the Average AMI of the Qualifying Housing Credit Units* cannot exceed 60 percent.

(ii) Proposed Developments with a Demographic Commitment of Elderly ALF

If the Average Income Test is not selected, set aside a total of at least 50 percent of the Development's total units at 60 percent AMI or less.

If the Average Income Test is selected, set aside a total of at least 50 percent of the Development's total units at 80 percent AMI or less, but the Average AMI of the Qualifying Housing Credit Units* cannot exceed 60 percent.

*The Average AMI of the Qualifying Housing Credit Units is further described in (3)(b) below.

(b) Extremely Low Income (ELI) and Below 50 Percent AMI Set-Aside Units

(i) ELI Set-Aside Unit Requirements for proposed Developments from Non-Self-Sourced Applicants

Non-Self-Sourced Applicants are required to set aside a required percentage of total units for Extremely Low Income (ELI)

Households and meet all Link requirements stated below. Such Applicants will be eligible for ELI Loan Funding.

If the Average Income Test is not selected, the Applicant must set aside at least 10 percent of total units for ELI Households. The requirement to set aside units for ELI Households refers to the ELI AMI level for the county where the proposed Development is located, as outlined on the chart below. 50 percent of the ELI Set-Aside Units must meet the Link Unit requirements.

If the Average Income Test is selected, the Applicant must set aside at least 15 percent of total units for ELI Households. The ELI AMI level will be 30 percent, regardless of county. Applicants will be eligible for ELI Loan funding. 50 percent of the ELI Set-Aside Units must meet the Link Unit requirements.

(ii) Set-Aside Unit Requirements for Self-Sourced Applicants that did not select the Average Income Test

If the Average Income Test is not selected, the Applicant must set aside at least five percent of the total units below 50 percent AMI. None of these units are required to be set aside for ELI Households; however, the Applicant will qualify for ELI Loan Funding if units are set aside for ELI Households (“ELI Set-Aside Units”). The requirement to set aside units for ELI Households refers to the ELI AMI level for the county where the proposed Development is located, as outlined on the chart below. 50 percent of the units that are set aside below 50 percent AMI must meet the Link Unit requirements.

Examples of the above requirement for Self-Sourced Applicants that did not select the Average Income Test:

Development A is located in a county which has an ELI AMI level of 30 percent. The Applicant sets aside five percent of the total units at 45 percent AMI and 95 percent of the total units at or above 50 percent AMI. The units set aside at 45 percent AMI will satisfy the requirement to set aside at least five percent of the total units below 50 percent AMI. 50 percent of these units must meet the Link Unit requirements. The proposed Development is not eligible for ELI Loan Funding.

Development B is located in a county which has an ELI AMI level of 40 percent. The Applicant sets aside five percent of the total units at 40 percent AMI and 95 percent of the total units at or above 50 percent AMI. The units set aside at 40 percent AMI will satisfy the requirement to set aside at least five percent of the total units below 50 percent AMI. 50 percent of these units

must meet the Link Unit requirements. Additionally, because the county ELI level is 40 percent, these same units will be considered ELI Set-Aside Units and will be eligible for ELI Loan Funding.

Development C is located in a county which has an ELI AMI level of 40 percent. The Applicant sets aside five percent of the total units at 50 percent AMI and 95 percent of the total units at AMI levels above 50 percent AMI. The proposed Development will not be eligible for funding because the Applicant failed to meet the requirement to set aside at least five percent of the total units below 50 percent AMI.

(iii) Set-Aside Unit Requirements for Self-Sourced Applicants that did select the Average Income Test

If the Average Income Test is selected, the Applicant must set aside at least five percent of the total units below 50 percent AMI. Applicants will only qualify for ELI Loan Funding if units are set aside for ELI Households at 30 percent AMI or below ("ELI Set-Aside Units"), in addition to the five percent of the total units set aside below 50 percent AMI. 50 percent of the units that are set aside below 50 percent AMI must meet the Link Unit requirements.

Examples of the above requirement for Self-Sourced Applicants that selected the Average Income Test:

A Self-Sourced Applicant submits Development D and sets aside five percent of the total units at 30 percent AMI and 95 percent of the total units at or above 50 percent AMI. The units set aside at 30 percent AMI will satisfy the requirement to set aside at least five percent of the total units below 50 percent AMI. 50 percent of these units must meet the Link Unit requirements. However, these ELI Set-Aside Units are not eligible for ELI Loan Funding. Applicants will only qualify for ELI Loan Funding if the Applicant commits to ELI Set-Aside Units that are in addition to the five percent of the total units required to be below 50 percent AMI.

A Self-Sourced Applicant submits Development E and sets aside five percent of the total units at 30 percent AMI, five percent of the total units at 40 percent AMI, and 90 percent of the total units at or above 50 percent AMI. The units set aside at 40 percent AMI will satisfy the requirement to set aside at least five percent of the total units below 50 percent AMI. Additionally, the units set aside at 30 percent AMI will be considered ELI Set-Aside Units and will be eligible for ELI Loan

Funding. 50 percent of all of the units that are set aside below 50 percent AMI must meet the Link Unit requirements.

A Self-Sourced Applicant submits Development F and sets aside five percent of the total units at 50 percent AMI and 95 percent of the total units at or above 50 percent AMI. The proposed Development will not be eligible for funding because the Applicant failed to meet the requirement to set aside at least five percent of the total units below 50 percent AMI.

(iv) ELI Loan Funding Amounts

All Non-Self-Sourced Applicants are eligible for ELI Loan funding for each ELI Set-Aside unit, not to exceed the lesser of (i) \$600,000; or (ii) the maximum amount based on the ELI Set-Aside per unit limits for 10 percent of the total units, as further outlined in Section Four A.10.a.(1)(b) of the RFA. All Self Sourced Applicants are eligible for ELI Loan funding for each ELI Set-Aside unit that is in addition to the five percent of the total units below 50 percent AMI, not to exceed 10 percent of the total units, as further outlined in Section Four A.10.a.(1)(b) of the RFA.

The following chart sets out the ELI Area Median Income (AMI) for each County and the maximum ELI Loan gap funding amounts per eligible ELI Set-Aside unit. If the Unit Mix stated by the Applicant is adjusted during the credit underwriting process, the ELI Loan gap funding amount may be decreased, but under no circumstances shall it be increased.

County	2021 ELI AMI	0 & 1 Bedroom Units	2 Bedroom Units	3 & Higher Bedroom Units
Alachua	33%	\$70,900	\$83,100	\$93,700
Baker	33%	\$71,300	\$83,800	\$94,200
Bay	35%	\$60,200	\$70,600	\$79,700
Bradford	40%	\$41,300	\$48,600	\$54,700
Brevard	33%	\$70,400	\$82,500	\$93,000
Broward	28%	\$100,900	\$118,400	\$133,600
Calhoun	40%	\$39,800	\$46,500	\$52,500
Charlotte	35%	\$58,100	\$68,200	\$76,900
Citrus	40%	\$39,800	\$46,500	\$52,500
Clay	33%	\$72,500	\$85,000	\$95,900
Collier	28%	\$96,700	\$113,300	\$128,000
Columbia	40%	\$42,300	\$49,500	\$55,800
DeSoto	40%	\$39,800	\$46,500	\$52,500
Dixie	40%	\$39,800	\$46,500	\$52,500

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

County	2021 ELI AMI	0 & 1 Bedroom Units	2 Bedroom Units	3 & Higher Bedroom Units
Duval	33%	\$72,500	\$85,000	\$95,900
Escambia	33%	\$66,900	\$78,400	\$88,400
Flagler	33%	\$66,500	\$78,200	\$88,200
Franklin	40%	\$41,700	\$48,700	\$55,100
Gadsden	30%	\$82,200	\$96,200	\$108,600
Gilchrist	33%	\$70,900	\$83,100	\$93,700
Glades	40%	\$39,800	\$46,500	\$52,500
Gulf	40%	\$42,100	\$49,300	\$55,600
Hamilton	40%	\$39,800	\$46,500	\$52,500
Hardee	40%	\$39,800	\$46,500	\$52,500
Hendry	40%	\$39,800	\$46,500	\$52,500
Hernando	33%	\$71,500	\$83,800	\$94,600
Highlands	40%	\$39,800	\$46,500	\$52,500
Hillsborough	33%	\$71,500	\$83,800	\$94,600
Holmes	40%	\$39,800	\$46,500	\$52,500
Indian River	33%	\$70,700	\$82,700	\$93,500
Jackson	40%	\$39,800	\$46,500	\$52,500
Jefferson	30%	\$82,200	\$96,200	\$108,600
Lafayette	40%	\$40,900	\$48,000	\$54,100
Lake	30%	\$82,200	\$96,200	\$108,600
Lee	33%	\$69,800	\$81,800	\$92,100
Leon	30%	\$82,200	\$96,200	\$108,600
Levy	40%	\$39,800	\$46,500	\$52,500
Liberty	40%	\$39,800	\$46,500	\$52,500
Madison	40%	\$39,800	\$46,500	\$52,500
Manatee	30%	\$83,200	\$97,300	\$109,700
Marion	40%	\$40,000	\$46,700	\$52,700
Martin	33%	\$69,200	\$81,200	\$91,700
Miami-Dade	25%	\$113,400	\$133,100	\$150,000
Monroe	25%	\$127,700	\$149,800	\$168,800
Nassau	33%	\$72,500	\$85,000	\$95,900
Okaloosa	30%	\$84,700	\$99,200	\$111,700
Okeechobee	40%	\$39,800	\$46,500	\$52,500
Orange	30%	\$82,200	\$96,200	\$108,600
Osceola	30%	\$82,200	\$96,200	\$108,600
Palm Beach	28%	\$98,300	\$115,200	\$129,800
Pasco	33%	\$71,500	\$83,800	\$94,600
Pinellas	33%	\$71,500	\$83,800	\$94,600
Polk	40%	\$44,200	\$51,900	\$58,500
Putnam	40%	\$39,800	\$46,500	\$52,500

County	2021 ELI AMI	0 & 1 Bedroom Units	2 Bedroom Units	3 & Higher Bedroom Units
Saint Johns	33%	\$72,500	\$85,000	\$95,900
Saint Lucie	33%	\$69,200	\$81,200	\$91,700
Santa Rosa	33%	\$66,900	\$78,400	\$88,400
Sarasota	30%	\$83,200	\$97,300	\$109,700
Seminole	30%	\$82,200	\$96,200	\$108,600
Sumter	35%	\$60,400	\$70,800	\$79,800
Suwannee	40%	\$39,800	\$46,500	\$52,500
Taylor	40%	\$39,800	\$46,500	\$52,500
Union	40%	\$39,800	\$46,500	\$52,500
Volusia	35%	\$58,700	\$68,700	\$77,500
Wakulla	33%	\$70,700	\$83,100	\$93,500
Walton	33%	\$67,300	\$79,000	\$89,100
Washington	40%	\$39,800	\$46,500	\$52,500

If the Set-Aside Breakdown Chart reflects more than the applicable required percentage of the total units at the ELI AMI level for the county where the proposed Development is located, during the credit underwriting process the Credit Underwriter will determine whether the Applicant’s ELI Set-Aside unit commitment will need to be reduced by increasing the set aside units at AMI level(s) above the ELI level. Any such reduction in the ELI Set-Aside units would be no lower than the applicable required ELI Set-Aside percentage.

(c) Link Units for Persons with Special Needs

With the exception of Developments financed with HUD Section 811, a United States Department of Agriculture RD program (“USDA RD”), and Applicants that select the Elderly ALF Demographic Commitment, the following requirements apply:

- All Non-Self-Sourced Applicants must commit to set aside 50 percent of the ELI Set-Aside units as Link Units for Persons with Special Needs.
- All Self-Sourced Applicants must commit to set aside 50 percent of all of the units that are set aside below 50 percent AMI as Link Units for Persons with Special Needs.

At least one member of each Link unit’s household shall be referred by a Special Needs Household Referral Agency (Referral Agency) with which the owner executes a Link Memorandum of Understanding (MOU) approved by the Corporation. The current list of designated Special Needs Household Referral Agencies for each county is published on the Corporation’s Website under the Quick Links section at <https://www.floridahousing.org/programs/special-needs-housing->

overview/serving-special-needs (also accessible by clicking [here](#)). Execute a Link Memorandum of Understanding (MOU) with at least one of the Special Needs Household Referral Agencies serving the Development's county. The deadline for the Corporation's approval of the fully executed Link MOU is outlined in Exhibit D.

Additional requirements for the Link Units for Persons with Special Needs are described in Exhibit E of the RFA.

(d) Tenant Selection Plan

With the exception of Developments financed with HUD Section 811, a United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, the Tenant Selection Plan, as explained in Exhibit G, shall be submitted by the owner to the Corporation for approval within 21 Calendar Days of the date of the invitation to enter credit underwriting. The waiting list section of the Tenant Selection Plan shall establish selection preferences or a section for special admissions specifically for individuals or families who are referred by a designated Referral Agency.

If a Development has a Housing Assistance Payment and/or an Annual Contributions Contract with HUD, the Tenant Selection Plan must be sent to the Corporation for preliminary approval before sending to HUD. Note: HUD approval may take several months. HUD approval shall be demonstrated to the Corporation prior to the completion of the final credit underwriting report.

(e) National Housing Trust Fund (NHTF) Units

If the proposed Development is located in a Small, Medium, or Large County and the Applicant committed to the Development Category of New Construction or Redevelopment, (with or without Acquisition), in addition to the SAIL funding, ELI Loan funding, Non-Competitive Housing Credits, and MMRB/local bond funding, the Applicant may also request forgivable NHTF loan funding to subsidize additional deep targeted units for Persons with Special Needs (NHTF Units) at 22% AMI as further described in Section One, Section Four, A.10.a.(4) and Exhibit I of the RFA. The NHTF Units will be in addition to the requirement to set aside ELI Set-Aside units and Link Units for Persons with Special Needs as calculated in (b) above.

Applicants that request forgivable NHTF loan funding are required to set aside a certain number of units that meet the requirements stated below. The number of units that must be set aside as NHTF Units is based on the County Size.

- (i) If the proposed Development is located in a Large County, five units that were committed to serving 60% AMI (or higher if an

adequate amount of 60 percent units are not available) will be deemed NHTF Units;

- (ii) If the proposed Development is located in a Small or Medium County, three units that were committed to serving 60% AMI (or higher if an adequate amount of 60 percent units are not available) will be deemed NHTF Units.
- (iii) NHTF Units will be committed to serving 22% AMI;
- (iv) NHTF Units must be set aside as Link units for Persons with Special Needs who are referred by a Corporation-designated Special Needs Household Referral Agency;
- (v) After 30 years, all of the NHTF Units may convert to serve residents at or below 60 percent AMI; and
- (vi) For purposes of the Average Income Test, NHTF Units will be treated as 60 percent AMI units.

Note: Applicants that are selected to receive funding and requested NHTF Funding will be invited to enter credit underwriting and will be expected to complete the credit underwriting process, including Board approval of the credit underwriting report, and execute a written agreement within twelve months of the date of the invitation to enter into credit underwriting.

(f) Examples of the Requirements Above

- (i) Application A is a New Construction Development in a Medium County that consists of 107 total units and did not commit to Average Income Test but did request NHTF Funding to provide NHTF Units. The Applicant does not qualify as a Self-Sourced Applicant.

In this example, 11 units, (10 percent of the total units, rounded up), must be set-aside as ELI Set-Aside units. ELI Loan Funding will be made available for these ELI Set-Aside Units, up to the lesser of the amount listed in the chart at 6.d.(2)(b) above, or \$600,000. Six of the ELI Set-Aside units (50 percent of the ELI Set-Aside units, rounded up), must be set-aside as Link Units for Persons with Special Needs. In addition, because the Applicant elected to commit to NHTF Units, three units will be set aside as NHTF Units and qualify for NHTF Funding as outlined in Exhibit I of this RFA.

- (ii) Application B is a New Construction Development in a Large County that consists of 106 total units. The Applicant committed to the Average Income Test and requested NHTF

Funding to provide NHTF Units. The Applicant does not qualify as a Self-Sourced Applicant.

In this example, 16 units, (15 percent of the total units, rounded up), must be set-aside as ELI Set-Aside units. ELI Loan Funding will be made available for 11 of the ELI Set-Aside Units, (10 percent of the total units, rounded up), up to the lesser of the amount listed in the chart at 6.d.(2)(b) above, or \$600,000. Eight of the ELI Set-Aside units (50 percent of the ELI Set-Aside units, rounded up), must be set-aside as Link Units for Persons with Special Needs. In addition, because the Applicant elected to commit to NHTF Units, five units will be set aside as NHTF Units and qualify for NHTF Funding as outlined in Exhibit I of this RFA.

- (iii) Application C is a New Construction Development in a Large County that consists of 105 total units. The Applicant committed to the Average Income Test but did not commit to any ELI Set-Aside Units or NHTF Units. The Applicant qualifies as a Self-Sourced Applicant.

In this example, 6 units, (5 percent of the total units, rounded up), must be set aside below 50 percent AMI. The Applicant will not qualify for ELI Loan Funding or NHTF Funding.

- (iv) Application D is a New Construction Development in a Large County that consists of 104 total units. The county ELI level is 35% AMI. The Applicant did not commit to the Average Income Test or NHTF Units. The Applicant qualifies as a Self-Sourced Applicant.

In this example, 6 units, (5 percent of the total units, rounded up), must be set-aside below 50 percent AMI. If those units are set aside at or below 35 percent AMI, they will be considered ELI Set Aside Units and ELI Loan Funding will be made available for all six ELI Set-Aside Units, up to the lesser of the amount listed in the chart at 6.d.(2)(b) above, or \$600,000. Half of the ELI Set-Aside Units are required to be set-aside as Link Units for Persons with Special Needs. The Applicant will not qualify for NHTF Funding.

(3) Total Set-Aside Breakdown Chart

Complete the applicable Total Set-Aside Breakdown Chart provided in question 6.d.(2) of Exhibit A.

- (a) Completing the Total Set-Aside Breakdown Chart if not committing to the Average Income Test

Indicate on the chart at 6.d.(2)(a) of Exhibit A the percentage of residential units, stated in whole numbers, to be set aside at each selected AMI level. If the Total Set-Aside Breakdown Chart reflects that either the Total Set-Aside Percentage or the ELI commitment does not meet the Set-Aside requirements, this Application will not be eligible for funding. Note: There are three columns in the Total Set-Aside Breakdown Chart which allows Applicants to have different commitments for the different programs. The most restrictive commitment will be enforced.

Note: In order for the ELI Set-Aside Units to convert to serve residents at or below 60 percent AMI after 15 years, the ELI Set-Aside Units must only be a SAIL commitment and only be stated in the SAIL column of the Total Set-Aside Breakdown Chart. Because the Housing Credit column and the MMRB column represent 50-year commitments, Applicants that restate the ELI commitment in the Housing Credit or MMRB column are committing to set-aside that percentage of the total units for ELI Households for the entire Compliance Period. Additionally, because the number of NHTF Units may be adjusted downward and recalculated after awards are made, Applicants should not represent any NHTF Units in this chart.

Methodology Used by the Corporation to Convert the Percentage of Total Units to Set-Aside Units and, if applicable, Market Rate Units

- (i) First, calculate of the number of Set-Aside Units for the lowest AMI level commitment.

The percentage associated with the lowest AMI level that the Applicant commits to will be multiplied by the total units, rounded up to the next whole unit. The result will be the number of Set-Aside Units at the lowest AMI level commitment.

- (ii) Then, calculate the number of Set-Aside Units for the second lowest AMI level.

The percentage associated with the second lowest AMI level that the Applicant commits to will be first added to the percentage associated with the lowest AMI level commitment. These percentages, added together, will be multiplied by the total units, rounded up to the next whole unit.

The number of units calculated in (i) above will be subtracted from the result to calculate the number of Set-Aside Units at the second lowest AMI level commitment.

- (iii) Then, calculate the number of Set-Aside Units for each remaining AMI level, if applicable.

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

Starting with the third lowest AMI level remaining, the number of Set-Aside Units for each of the remaining AMI levels will be calculated using the same methodology described in (ii) above.

- (iv) Finally, calculate market-rate units, if applicable

To calculate the number of market-rate units, the total number of Set-Aside Units will be subtracted from the total number of units.

- (b) Completing the Total Set-Aside Breakdown Chart if committing to the Average Income Test

If committing to the Average Income Test, Applicants must indicate on the chart at 6.d.(2)(b) of Exhibit A the number of Set-Aside Units, stated in whole numbers, to be set aside at each selected AMI level.

Note: In order for the NHTF Units to convert to serve residents at or below 60 percent AMI after 30 years, the NHTF Units should not be stated on the Total Set-Aside Breakdown Chart. Because the column represents a 50-year commitment, Applicants that restate the NHTF commitment in the column are committing to set-aside that number of units as NHTF Units for the entire Compliance Period. Applicants should not represent any NHTF Units in this chart.

The Corporation will verify that the number of units set aside at the ELI level meets the ELI minimum requirements by dividing the number of units that are set-aside at 30 percent AMI, or less, by the total number of units. The Corporation will also verify the overall Set-Aside Commitment of all units by adding all Set-Aside Units and then dividing this sum by the total number of units. The Corporation will calculate the Average AMI of the Qualifying Housing Credit Units using the methodology below.

Note: The Development Cost Pro Forma includes an Average Income Test worksheet to assist Applicants in this calculation. After entering the number of units into this worksheet, the percentage of total units is calculated, which may reflect numbers represented with decimal places instead of whole numbers.

If the Total Set-Aside Breakdown Chart reflects that the Average AMI of the Qualifying Housing Credit Units exceeds 60 percent, and/or if the number of Set-Aside Units set aside at 30 percent AMI, or less, is not equal to or greater than the required ELI commitment, and/or the overall Set-Aside Commitment requirement is not met, this Application will not be eligible for funding.

Calculation of the Average AMI of the Qualifying Housing Credit Units for the Average Income Test

- (i) First, state the total number of Set-Aside Units at each AMI commitment.
- (ii) Then, at each AMI commitment, multiply the number of Set-Aside Units by the AMI percentage (e.g., a commitment of 13 Set-Aside Units at 30 percent AMI would be calculated as follows: $13 \times 0.30 = 3.9$).
- (iii) Repeat this calculation at each AMI level. Then add the results together.
- (iv) Divide the number calculated in (iii) by the total number of Set-Aside Units stated in (i).
- (v) This number must be equal to or less than 60 percent to meet the eligibility requirement. If the Average AMI of the Qualifying Housing Credit Units exceeds 60 percent, this Application will not be eligible for funding.

Where reasonably possible, keep the unit mix consistent across each committed AMI level.

The above ELI and all other set-aside commitments must be taken into account during any pre-leasing and leasing activities.

(c) National Housing Trust Fund (NHTF) Units

If the proposed Development selected the Development Category of New Construction or Redevelopment (with or without Acquisition), in addition to the SAIL funding, ELI Loan funding, Non-Competitive Housing Credits, and MMRB/local bond funding, the Applicant may also request forgivable NHTF loan funding to subsidize additional deep targeted units for Persons with Special Needs (NHTF Units) at 22% AMI as further described in Section One, Section Four, A.10.a.(4) and Exhibit I of the RFA. The NHTF Units will be in addition to the requirement to set aside ELI Set-Aside units and Link Units for Persons with Special Needs as calculated above.

e. Unit Mix

(1) Completing the Unit Mix Chart

Complete the Unit Mix Chart listing the total number of bedrooms per unit, the total number of bathrooms per unit (including half-baths, if applicable), the total number of units per bedroom type, and the number of units that are ELI Set-Aside units. All units in the proposed Development must be listed, including all manager/employee units and all market rate units, if applicable. Units may have no more than four bedrooms.

If additional space is required, enter the information in the Addenda. Note: If the ELI Set-Aside units are not proportionally distributed across the unit mix, the Corporation will redistribute the ELI Set-Aside units as needed. This may cause a reduction to the ELI Loan Amount as further outlined in Section Four, A.10.a.(1)(b) of the RFA.

(2) Unit Mix requirements for Elderly Developments

(a) If the Elderly Non-ALF Demographic Commitment is selected and the Development Category of Rehabilitation, with or without Acquisition, is selected, at least 40 percent of the total units must be comprised of one bedroom or Zero Bedroom Units, and no more than 20 percent of the total units can be larger than two bedroom units.

(b) If the Elderly Non-ALF Demographic Commitment is selected and the Development Category of New Construction or Redevelopment, with or without Acquisition, is selected, at least 50 percent of the total units must be comprised of one bedroom or Zero Bedroom Units, and no more than 15 percent of the total units can be larger than two bedroom units.

(c) If the Elderly ALF Demographic Commitment is selected, at least 90 percent of the total units must be comprised of units no larger than one bedroom and the sharing of a unit by two or more unaffiliated residents cannot be a condition of occupancy.

(3) If the Family Demographic Commitment is selected, and the Development Category of New Construction or Redevelopment, with or without acquisition, is selected, not more than 25 percent of the total units in the Development may consist of Zero Bedroom units.

f. Number of Buildings

State the anticipated number of residential buildings.

Note: All Buildings must consist of at least five units per building. This will be confirmed in credit underwriting.

The number of residential buildings stated in the Application may be changed only by written request of an Applicant to Corporation staff after the Applicant has been invited to enter credit underwriting.

g. Compliance Period

All Applicants are required to set aside the units for 50 years.

Non-Self-Sourced Applicants knowingly, voluntarily and irrevocably commit to waive, and do hereby waive, for the duration of the 50-year set aside period, the option to convert the Development to market rate, including any option or right to submit a

request for a qualified contract, after year fourteen (14), and any other option, right or process available to the Applicant to terminate (or that would result in the termination of) the 50-year set aside period at any time prior to the expiration of its full term.

Demographic Commitments: The Compliance Period committed to in this section includes the units set aside for the Demographic Commitments made in this RFA, which includes the commitments for Link Units and ELI Households, and the NHTF Units, if applicable.

Income Set-Aside Commitments: If the Applicant did not commit to the Average Income Test, after 15 years all of the ELI Set-Aside Units stated in the SAIL column of the Total Set-Aside Breakdown Chart may convert to serve residents at or below 60 percent AMI, and, if the NHTF Units are **not** stated in Total Set-Aside Breakdown Chart, after 30 years, all of the NHTF Units may convert to serve residents at or below 60 percent AMI. After year 15 the ELI Set-Aside units may convert to 60 percent AMI; however, the Persons with Special Needs set-aside commitment must be maintained throughout the entire Compliance Period.

If the Applicant committed to the Average Income Test and if the NHTF Units are **not** stated in Total Set-Aside Breakdown Chart, after 30 years, all of the NHTF Units may convert to serve residents at or below 60 percent AMI; however, the Link Persons with Special Needs set-aside commitment must be maintained throughout the entire Compliance Period.

Although the percentage of units committed to must remain in effect for the entire Compliance Period, the particular units designated for the Demographic Commitment and AMI commitment must not be limited to the same units throughout the Compliance Period. Doing so may cause the Development to be in noncompliance.

7. Readiness to Proceed

a. Site Control

Demonstrate site control by providing, as **Attachment 8** to Exhibit A, the properly completed and executed Florida Housing Finance Corporation Site Control Certification form (Form Rev. 08-18), which is provided on the RFA Webpage.

For the Site Control Certification form to be considered complete, as an attachment to the form, include the documentation required in Items (1), (2), and/or (3), as indicated below, demonstrating that it is a party to an eligible contract or lease, or is the owner of the subject property. Such documentation must include all relevant intermediate contracts, agreements, assignments, options, conveyances, intermediate leases, and subleases. If the proposed Development consists of Scattered Sites, site control must be demonstrated for all of the Scattered Sites.

- (1) An eligible contract must meet all of the following conditions:
 - (a) It must have a term that does not expire before March 31, 2022 or that contains extension options exercisable by the purchaser and

conditioned solely upon payment of additional monies which, if exercised, would extend the term to a date that is not earlier than March 31, 2022;

- (b) It must specifically state that the buyer's remedy for default on the part of the seller includes or is specific performance;
 - (c) The Applicant must be the buyer unless there is an assignment of the eligible contract, signed by the assignor and the assignee, which assigns all of the buyer's rights, title and interests in the eligible contract to the Applicant; and
 - (d) The owner of the subject property must be the seller, or is a party to one or more intermediate contracts, agreements, assignments, options, or conveyances between or among the owner, the Applicant, or other parties, that have the effect of assigning the owner's right to sell the property to the seller. Any intermediate contract must meet the criteria for an eligible contract in (a) and (b) above.
- (2) Proof of Ownership through a recorded document such as a Deed or Certificate of Title – The documentation must be recorded in the county in which the property is located and show the Applicant as the sole Grantee.
 - (3) Lease - The lease must have an unexpired term of at least 50 years after the Application Deadline and the lessee must be the Applicant. The owner of the subject property must be a party to the lease, or a party to one or more intermediate leases, subleases, agreements, or assignments, between or among the owner, the Applicant, or other parties, that have the effect of assigning the owner's right to lease the property for at least 50 years to the lessee.

Note: The Corporation will not review the site control documentation that is submitted with the Site Control Certification form during the scoring process unless there is a reason to believe that the form has been improperly executed, nor will it in any case evaluate the validity or enforceability of any such documentation. During scoring, the Corporation will rely on the properly executed Site Control Certification form to determine whether an Applicant has met the requirement of this RFA to demonstrate site control. The Corporation has no authority to, and will not, evaluate the validity or enforceability of any eligible site control documentation that is attached to the Site Control Certification form during the scoring process. During credit underwriting, if it is determined that the site control documents do not meet the above requirements, the Corporation may rescind the award.

b. Ability to Proceed

Demonstrate the following Ability to Proceed elements as of Application Deadline, for the entire proposed Development site, including all Scattered Sites, if applicable, as outlined below. The Florida Housing Ability to Proceed Verification forms are provided on the RFA Webpage. Note: The Applicant may include the Florida Housing Ability to

Proceed Verification forms that were included in a previous RFA submission for the same proposed Development, provided (i) the form(s) used for this RFA are labeled Form Rev. 06-2020, (ii) the forms are dated within 12 months of the Application Deadline, (iii) none of the information entered on the form and certified to by the signatory has changed in any way, and (iv) the requirements outlined in this RFA are met. If the Applicant provides any prior version of the Florida Housing Ability to Proceed Verification form(s), the form(s) will not be considered.

- (1) Appropriate Zoning. Demonstrate that as of the Application Deadline the entire proposed Development site is appropriately zoned and consistent with local land use regulations regarding density and intended use or that the proposed Development site is legally non-conforming by providing, as **Attachment 9** to Exhibit A, the applicable properly completed and executed verification form:
 - (a) The Florida Housing Finance Corporation Local Government Verification that Development is Consistent with Zoning and Land Use Regulations form (Form Rev. 06-20); or
 - (b) The Florida Housing Finance Corporation Local Government Verification that Permits are Not Required for this Development form (Form Rev. 06-20).

Note: With regard to the terms "Rate of Growth Ordinance (ROGO)" and "Building Permit Allocation System (BPAS)," as used by different jurisdictions within the Florida Keys Area of Critical State Concern, for purposes of the verification forms outlined in (a) and (b) above, all references on these forms to "Rate of Growth Ordinance (ROGO)" shall be considered by the Corporation to have the same meaning as "Building Permit Allocation System (BPAS)."

- (2) Availability of Water. Demonstrate that as of the Application Deadline water is available to the entire proposed Development site by providing as **Attachment 10** to Exhibit A:
 - (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Water form (Form Rev. 06-20); or
 - (b) Documentation from the water service provider that contains the Development location and the number of units and is dated within 12 months of the Application Deadline. The documentation may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.
- (3) Availability of Sewer. Demonstrate that as of the Application Deadline sewer capacity, package treatment or septic tank service is available to the entire proposed Development site by providing as **Attachment 11** to Exhibit A:

- (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank form (Form Rev. 06-20); or
- (b) Documentation from the waste treatment service provider that contains the Development location, the number of units, and is dated within 12 months of the Application Deadline. The documentation may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.

8. Construction Features

All units are expected to meet all requirements as outlined below. If the proposed Development consists of rehabilitation, the proposed Development's ability to provide all construction features will be confirmed as outlined in Exhibit F. The quality of the construction features committed to by the Applicant is subject to approval of the Board of Directors.

All features and amenities committed to and proposed by the Applicant that are not unit-specific shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both.

a. Federal Requirements and State Building Code Requirements for all Developments

All proposed Developments must meet all federal requirements and state building code requirements, including the following, incorporating the most recent amendments, regulations and rules:

- Florida Accessibility Code for Building Construction as adopted pursuant to Section 553.503, Florida Statutes;
- The Fair Housing Act as implemented by 24 CFR 100;
- Section 504 of the Rehabilitation Act of 1973*; and
- Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR 35.

*All Developments must comply with Section 504 of the Rehabilitation Act of 1973, as implemented by 24 CFR Part 8 ("Section 504 and its related regulations"). All Developments must meet accessibility standards of Section 504. Section 504 accessibility standards require a minimum of 5 percent of the total dwelling units, but not fewer than one unit, to be accessible for individuals with mobility impairments. An additional 2 percent of the total units, but not fewer than one unit, must be accessible for persons with hearing or vision impairments. All of the accessible units must be equally distributed among different unit sizes and Development types and must be dispersed on all accessible routes throughout the Development.

To the extent that a Development is not otherwise subject to Section 504 and its related regulations, the Development shall nevertheless comply with Section 504 and its related regulations as requirements of the Corporation funding program to the same extent as if the Development were subject to Section 504 and its related regulations in all respects. To that end, all Corporation funding shall be deemed "Federal financial assistance" within the meaning of that term as used in Section 504 and its related regulations for all Developments.

The above documents are available on the RFA Webpage.

b. General Features

- (1) The following General Features must be provided for all proposed Developments:
 - Broadband infrastructure which includes cables, fiber optics, wiring, or other infrastructure, as long as the installation results in accessibility in each unit;
 - Termite prevention;
 - Pest control;
 - Window covering for each window and glass door inside each unit;
 - Cable or satellite TV hook-up in each unit and, if the Development offers cable or satellite TV service to the residents, the price cannot exceed the market rate for service of similar quality available to the Development's residents from a primary provider of cable or satellite TV;
 - Washer and dryer hook ups in each of the Development's units or an on-site laundry facility for resident use. If the proposed Development will have an on-site laundry facility, the following requirements must be met:
 - There must be a minimum of one Energy Star certified washer and one Energy Star certified or commercial grade dryer per every 15 units. To determine the required number of washers and dryers for the on-site laundry facility; divide the total number of the Development's units by 15, and then round the equation's total up to the nearest whole number;
 - At least one washing machine and one dryer shall be front loading that meets the accessibility standards of Section 504;
 - If the proposed Development consists of Scattered Sites, the laundry facility shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both;
 - At least two full bathrooms in all 3 bedroom or larger new construction units;
 - Bathtub with shower in at least one bathroom in at least 90 percent of the new construction non-Elderly units; and
 - Elderly Developments must have a minimum of one elevator per residential building provided for all Elderly Set-Aside Units that are located on a floor higher than the first floor.
- (2) All Family Demographic Developments must provide a full-size range and oven in all units.
- (3) All Developments with the Elderly (ALF or Non-ALF) Demographic, must also provide the following:

For new construction units, a full-size range and oven must be incorporated in all units.

All rehabilitation units are expected to have a full-size range and oven unless found to be not physically feasible within the scope of the rehabilitation work utilizing a capital needs assessment as further explained in Exhibit F of this RFA.

c. Required Accessibility Features, regardless of the age of the Development

Federal and state law and building code regulations requires that programs, activities, and facilities be readily accessible to and usable by persons with disabilities. Florida Housing requires that the design, construction, or alteration of its financed Developments be in compliance with federal and state accessibility requirements. When more than one law and accessibility standard applies, the Applicant shall comply with the standard (2010 ADA Standards, Section 504, Fair Housing Act, or Florida Building Code, Accessibility) which affords the greater level of accessibility for the residents and visitors. Areas required to be made accessible to mobility-impaired residents and their visitors, including those in wheelchairs, shall include, but not be limited to, accessible routes and entrances, paths of travel, primary function areas, parking, trash bins, mail and package receiving areas for residents, pool and other amenities, including paths of travel to amenities and laundry rooms, including washers and dryers.

(1) Required Accessibility Features in all Units

- Primary entrance doors on an accessible route shall have a threshold with no more than a ½-inch rise;
- All door handles on primary entrance door and interior doors must have lever handles;
- Lever handles on all bathroom faucets and kitchen sink faucets;
- Mid-point on light switches and thermostats shall not be more than 48 inches above finished floor level; and
- Cabinet drawer handles and cabinet door handles in bathroom and kitchen shall be lever or D-pull type that operate easily using a single closed fist.

(2) In addition to the 5 percent mobility requirement outlined above, all Family Demographic Developments must provide reinforced walls for future installation of horizontal grab bars in place around each tub/shower and toilet, or a Corporation-approved alternative approach for grab bar installation. The installation of the grab bars must meet or exceed the 2010 ADA Standards for Accessible Design.

At the request of and at no charge to a resident household, the Development shall purchase and install grab bars around each tub/shower unit and toilet in the dwelling unit. The product specifications and installation must meet or exceed 2010 ADA Standards for Accessible Design. The Development shall inform a prospective resident that the Development, upon a resident

household's request and at no charge to the household, will install grab bars around a dwelling unit's tub/shower unit and toilet, pursuant to the 2010 ADA Standards. At a minimum, the Development shall inform each prospective lessee by including language in the Development's written materials listing and describing the unit's features, as well as including the language in each household's lease.

- (3) Accessibility Features in all Developments with the Elderly (ALF or Non-ALF) Demographic must also provide the following features:
- 20 percent of the new construction units must have roll-in showers.
 - Horizontal grab bars in place around each tub and/or shower, or a Corporation-approved alternative approach for grab bar installation. The installation of the grab bars must meet or exceed the 2010 ADA Standards for Accessible Design, Section 609. In addition, the following standards for grab bars are required:
 - If a bathtub/shower combination with a permanent seat is provided, grab bars shall be installed to meet or exceed the 2010 ADA Standards for Accessible Design, Section 607.4.1.
 - If a bathtub/shower combination without a permanent seat is provided, grab bars shall be installed to meet or exceed the 2010 ADA Standards for Accessible Design, Section 607.4.2.
 - If a roll-in shower is provided, grab bars shall be installed to meet or exceed the 2010 ADA Standards for Accessible Design, Section 608.3.2;
 - Reinforced walls for future installation of horizontal grab bars in place around each toilet, or a Corporation-approved alternative approach for grab bar installation. The installation of the grab bars must meet or exceed the 2010 ADA Standards for Accessible Design;
 - All bathrooms in all new construction units must have vanity cabinets with at least one roll-out shelf or drawer in bottom of cabinet;
 - Adjustable shelving in master bedroom closets (must be adjustable by resident); and
 - In one of the kitchen's base cabinets, there shall be a large bottom drawer that opens beyond full extension, also referred to as an "over-travel feature." Drawers with the over-travel feature allow drawers to extend completely past the cabinet front so all the contents can be accessed. The drawer shall be deep and wide enough to store pots and pans and the drawer slides shall have a weight load rating of a minimum of 100 pounds. The drawers shall be mounted on a pair of metal side rails that are ball-bearing.

d. Required Green Building Features in all Developments

- (1) All new construction units and, as applicable, all common areas must have the features listed below and all rehabilitation units are expected to have all of the following required Green Building features unless found to be not appropriate or feasible within the scope of the rehabilitation work utilizing a capital needs assessment as further explained in Exhibit F of this RFA:
- Low or No-VOC paint for all interior walls (Low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint);
 - Low-flow water fixtures in bathrooms—WaterSense labeled products or the following specifications:
 - Toilets: 1.28 gallons/flush or less,
 - Urinals: 0.5 gallons/flush,
 - Lavatory Faucets: 1.5 gallons/minute or less at 60 psi flow rate,
 - Showerheads: 2.0 gallons/minute or less at 80 psi flow rate;
 - Energy Star certified refrigerator;
 - Energy Star certified dishwasher;
 - Energy Star certified ventilation fan in all bathrooms;
 - Water heater minimum efficiency specifications:
 - Residential Electric:
 - Up to 55 gallons = 0.95 EF or 0.92 UEF; or
 - More than 55 gallons = Energy Star certified; or
 - Tankless = 0.97 EF and Max GPM of ≥ 2.5 over a 77° rise or 0.87 UEF and GPM of ≥ 2.9 over a 67° rise;
 - Residential Gas (storage or tankless/instantaneous): Energy Star certified,
 - Commercial Gas Water Heater: Energy Star certified;
 - Energy Star certified ceiling fans with lighting fixtures in bedrooms;
 - Air Conditioning (in-unit or commercial):
 - Air-Source Heat Pumps – Energy Star certified:
 - ≥ 8.5 HSPF/ ≥ 15 SEER/ ≥ 12.5 EER for split systems
 - ≥ 8.2 HSPF ≥ 15 SEER/ ≥ 12 EER for single package equipment including gas/electric package units
 - Central Air Conditioners – Energy Star certified:
 - ≥ 15 SEER/ ≥ 12.5 EER* for split systems
 - ≥ 15 SEER/ ≥ 12 EER* for single package equipment including gas/electric package units.
- NOTE: Window air conditioners and portable air conditioners are not allowed. Package Terminal Air Conditioners (PTACs) / Package Terminal Heat Pumps (PHTPs) are allowed in studio and 1 bedroom units.
- (2) In addition to the required Green Building features outlined in (1) above, proposed Developments with the Development Category of New Construction

or Redevelopment, with or without Acquisition, must select one of the following Green Building Certification programs: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); Enterprise Green Communities; or ICC 700 National Green Building Standard (NGBS).

- (3) In addition to the required Green Building features outlined in (1) above, proposed Developments with a Development Category of Rehabilitation or Preservation, with or without Acquisition, must select enough additional Green Building features in Exhibit A so that the total point value of the features selected equals at least 10 points. Failure to select at least 10 points worth of the features will result in the Application failing to meet this requirement.

e. Items to be included in the rehabilitation scope of work, as outlined in Exhibit F

- (1) All Applicants will be required to address the following required items:

- (a) Required features outlined in a. and c. above. If the CNA provider determines that the required items cannot be addressed within the contemplated budget, the proposed Development will be deemed infeasible and the Corporation will rescind funding from the proposed Development;
- (b) All items outlined in b. above;
- (c) Immediate repair items as identified in the CNA report that threaten the health and safety of the residents, as well as items identified as being in violation of recorded building and/or fire codes;
- (d) Critical repair items identified in the CNA report that require immediate remediation to prevent additional substantial deterioration to a particular system, address an immediate need observed by the CNA consultant, or extend the life of a system critical to the operation of the property;
- (e) Green building items outlined in 8.d. above, considering the appropriateness and feasibility of the features and the remaining useful life, as outlined in the CNA provider's final report. For the additional Green Building features selected by the Applicant at question 8.d.(3) of Exhibit A, a total of 10 points must be maintained; and
- (f) Items identified in the CNA report as having a remaining useful life of 5 years or less.

- (2) Once items in (1) above have been addressed in the Rehabilitation Scope of Work, the following items may be added to the scope, if within the remaining available budget.

- (a) Items identified in the CNA report as having a remaining useful life of 6-15 years.

- (b) Features and amenities that add to the marketability of the Development.

9. Resident Programs

The quality of the Resident Programs committed to by the Applicant is subject to approval of the Board of Directors. The availability of the Resident Programs must be publicized on an ongoing basis such as through community newsletters, bulletin board posts, or flyers.

a. Family Demographic Commitment

If the Family Demographic is selected, provide at least three of the resident programs outlined below. The eligible resident programs which may be selected are as follows:

(1) After School Program for Children

This program requires the Applicant or its Management Company to provide supervised, structured, age-appropriate activities for children during after school hours, Monday through Friday. Activities must be on-site.

(2) Adult Literacy

The Applicant or its Management Company must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Various literacy programming can be offered that strengthens participants' reading, writing skills, and comprehension, but at a minimum, these must include English proficiency and basic reading education.

Training must be held between the hours of 8:00 a.m. and 7:00 p.m. and electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.

(3) Employment Assistance Program

The Applicant or its Management Company must provide, at no cost to the resident, a minimum of quarterly scheduled Employment Assistance Program workshops/meetings offering employment counseling by a knowledgeable employment counselor. Such a program includes employability skills workshops providing instruction in the basic skills necessary for getting, keeping, and doing well in a job. The instruction must be held between the hours of 8:00 a.m. and 7:00 p.m. and include, but not be limited to, the following:

- Evaluation of current job skills;
- Assistance in setting job goals;
- Assistance in development of and regular review/update of an individualized plan for each participating resident;
- Resume assistance;
- Interview preparation; and

- Placement and follow-up services.

If the training is not provided on-site, transportation at no cost to the resident must be provided. Electronic media, if used, must be used in conjunction with live instruction.

(4) Family Support Coordinator

A Family Support Coordinator must be provided at no cost to the resident. The Family Support Coordinator shall assist residents in assessing needs and obtaining services, with the goal of promoting successful tenancies and helping residents achieve and maintain maximum independence and self-sufficiency. Responsibilities shall include linking residents with public and private resources in the community to provide needed assistance, develop and oversee on-site programs and activities based on the needs and interests of residents, and support residents in organizing group activities to build community and to address and solve problems such as crime and drug activity. The duties of the Family Support Coordinator shall not be performed by property management staff. The Coordinator shall be on-site and available to residents at least 20 hours per week, within the hours of 9 a.m. and 8 p.m. The Coordinator may be an employee of the Development or, through an agreement, an employee of a third-party agency or organization that provides these services.

(5) Financial Management Program

The Applicant or its Management Company shall provide a series of classes to provide residents training in various aspects of personal financial management. Classes must be held at least quarterly, consisting of at least two hours of training per quarter, and must be conducted by parties that are qualified to provide training regarding the respective topic area. If the Development consists of Scattered Sites, the Resident Program must be held on the Scattered Site with the most units. Residents residing at the other sites of a Scattered Site Development must be offered transportation, at no cost to them, to the classes. The topic areas must include, but not be limited to:

- Financial budgeting and bill-paying including training in the use of technologies and web-based applications;
- Tax preparation including do's and don'ts, common tips, and how and where to file, including electronically;
- Fraud prevention including how to prevent credit card and banking fraud, identity theft, computer hacking and avoiding common consumer scams;
- Retirement planning & savings options including preparing a will and estate planning; and
- Homebuyer education including how to prepare to buy a home, and how to access to first-time homebuyer programs in the county in which the development is located.

Different topic areas must be selected for each session, and no topic area may be repeated consecutively.

- (6) Homeownership Opportunity Program - Applicant commits to provide a financial incentive which includes the following provisions:
- The incentive must be applicable to the home selected and may not be restricted to or enhanced by the purchase of a home in which the Applicant, Developer, or other related party has an interest;
 - the incentive must be not less than 5 percent of the rent received by the owner for the unit during the entire occupancy by the household (Note: The incentive will be paid for all months for which the household is in compliance with the terms and conditions of the lease. Damages to the unit in excess of the security deposit will be deducted from the incentive.);
 - the benefit must be in the form of a gift or grant and may not be a loan of any nature;
 - the benefits of the incentive must accrue from the beginning of occupancy;
 - the vesting period can be no longer than 2 years of continuous residency; and
 - no fee, deposit or any other such charge can be levied against the household as a condition of participation in this program.

b. Elderly (ALF or Non-ALF) Demographic Commitment

- (1) Required Resident Program for all Applicants that select the Elderly Demographic (ALF or Non-ALF)

24 Hour Support to Assist Residents In Handling Urgent Issues

An important aging in place best practice is providing the residents access to property management support 24 hours per day, 7 days a week to assist them to appropriately and efficiently handle urgent issues or incidents that may arise. These issues may include, but are not limited to, an apartment maintenance emergency, security or safety concern, or a health risk incident in their apartment or on the property. The management's assistance will include a 24/7 approach to receiving residents' requests for assistance that will include a formal written process for relevant property management staff to effectively assess and provide assistance for each request.

This assistance may include staff:

- visiting or coordinating a visit to a resident's apartment to address an urgent maintenance issue;
- responding to a resident being locked out of their apartment;
- contacting on-site security or the police to address a concern;
- providing contact information to the resident and directing or making calls on a resident's behalf to appropriate community-based emergency services or related resources to address an urgent health risk incident;

- calling the resident's informal emergency contact; or
- addressing a resident's urgent concern about another resident.

Property management staff shall be on site at least 8 hours daily, but the 24-hour support approach may include contracted services or technology to assist the management in meeting this commitment, if these methods adequately address the intent of this service. The Development's owner and/or designated property management entity shall develop and implement policies and procedures for staff to immediately receive and handle a resident's call and assess the call based on a resident's request and/or need.

At a minimum, residents shall be informed by the property management, at move-in and via a written notice(s)/instructions provided to each resident and displayed in the Development's common or public areas, that staff are available to receive resident calls at all times. These notices shall also provide contact information and direction to first contact the community-based emergency services if they have health or safety risk concerns.

- (2) Applicants who select the Elderly ALF Demographic Commitment must also provide the following resident programs:

- (a) Medication Administration

The Applicant or its Management Company shall provide, pursuant to ALF licensure requirements, staff to administer medications in accordance with a health care provider's order or prescription label.

- (b) Services for Persons with Alzheimer's Disease and Other Related Disorders

The Applicant or its Management Company shall advertise and provide supervision and services to persons with Alzheimer's disease and other related disorders that are specific to each affected resident and pursuant to ALF licensure requirements.

- (3) Applicants who select the Elderly (ALF or Non-ALF) Demographic, must provide at least three of the resident programs outlined below:

- (a) Adult Literacy

The Applicant or its Management Company must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Various literacy programming can be offered that strengthens participants' reading, writing skills, and comprehension, but at a minimum, these must include English proficiency and basic reading education.

Training must be held between the hours of 8:00 a.m. and 7:00 p.m. and electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.

(b) Computer Training

The Applicant or its Management Company shall make available computer and internet training classes (basic and/or advanced level depending on the needs and requests of the residents). The training classes must be provided at least once a week, at no cost to the resident, in a dedicated space on site. Training must be held between the hours of 8:00 a.m. and 7:00 p.m., and electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.

(c) Daily Activities

The Applicant or its Management Company must provide on-site supervised, structured activities, at no cost to the resident, at least five days per week which must be offered between the hours of 8:00 a.m. and 7:00 p.m. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.

(d) Assistance with Light Housekeeping, Grocery Shopping and/or Laundry

The Applicant or its Management Company must provide residents with a list of qualified service providers for (a) light housekeeping, and/or (b) grocery shopping, and/or (c) laundry and will coordinate, at no cost to the resident, the scheduling of services. The Developer or Management Company shall verify that the services referral information is accurate and up-to-date at least once every six months.

(e) Resident Assurance Check-In Program

Provide and use an established system for checking in with each resident on a pre-determined basis not less than once per day, at no cost to the resident. Residents may opt out of this program with a written certification that they choose not to participate.

10. Funding

a. Corporation Funding

(1) Total SAIL Request Amount

The SAIL loan shall be non-amortizing and shall have an interest rate of 1 percent. The terms and conditions of the SAIL loan are further outlined in Rule Chapter 67-48, F.A.C.

(a) The Applicant must state the amount of SAIL funding it is requesting, as well as on the Development Cost Pro Forma. If the Applicant states an amount that is not a whole dollar amount, the Corporation will round the amount down to a whole dollar amount.

(i) The SAIL Request Amount is limited to the lesser of the following:

Self-Sourced Applicants are limited to a maximum SAIL request limit of \$30,000 per unit; however, this may be further reduced if Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants are provided*. All other Applicants are limited to a maximum SAIL request limit of \$70,000 per unit;

- \$7,000,000 per Development that is located in a Large County, and has a Development Category of New Construction or Redevelopment (with or without Acquisition);
- \$6,000,000 per Development that is located in a Small or Medium County, and has a Development Category of New Construction or Redevelopment (with or without Acquisition);
- \$5,000,000 per Development if the Development Category is Preservation or Rehabilitation (with or without Acquisition);
- A maximum of 25 percent of Total Development Cost if less than five percent of the total units are ELI Set-Aside Units, or 35 percent of Total Development Cost if at least five percent of the total units are ELI Set-Aside Units as explained in (c) below.

*As further explained in Section Four, A.10.b.(2)(i) below, if a Self-Sourced Applicant demonstrates Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants, such funding will not be considered self-sourced financing and said funding will be divided by the total number of units. The result of this will be deducted from the maximum per unit SAIL request (\$30,000). For example: If a Self-Sourced Applicant is proposing a Development consisting of 100 total units and includes \$1,000,000 in permanent financing from a government entity, the maximum per unit SAIL Request will be reduced from \$30,000 per unit to \$20,000 per unit ($\$1,000,000 / 100 = \$10,000$. $\$30,000 - \$10,000 = \$20,000$).

(ii) Minimum SAIL Loan Request Amount

Applicants with a proposed Development located in Miami-Dade County, including Self-Sourced Applicants with a proposed Development located in Miami-Dade County, must have an Eligible SAIL Request Amount of at least \$3,000,000.

In the event of a discrepancy between the amount shown in this section and that shown elsewhere within the Application, the amount shown in this section shall be deemed to be the Applicant's SAIL Request Amount.

(b) ELI Loan Request Amount

State the amount of ELI Loan funding it is requesting, as well as on the Development Cost Pro Forma for all ELI Set-Aside units. ELI Loan Funding cannot exceed the lesser of (i) \$600,000; or (ii) the maximum amount based on the ELI Set-Aside per unit limits, as outlined in Section Four, A.6. above, for 10 percent of the total units. If the Applicant states an amount that is not a whole dollar amount, the Corporation will round the amount down to a whole dollar amount.

The Applicant should state the amount of ELI Loan funding the proposed Development is eligible to receive in Exhibit A, as well as on the Construction/Rehab and Permanent Analysis. If the Applicant lists an amount of ELI Loan funding that is greater than the amount for which the Applicant is eligible, the Corporation will reduce the amount to the maximum eligible amount, as outlined immediately below, within the priority sequence provided in (c) below.

For each proposed ELI Set-Aside unit, the proposed Development must take a unit that would otherwise be at 60 percent AMI or higher and restrict it as an ELI Set-Aside unit. The ELI Set-Aside units must be distributed across the unit mix on a pro-rata basis for sizing the ELI Loan amount and on a best effort's basis in practice. To ensure this proportionate distribution, Applicants are strongly encouraged to use the ELI Maximum and NHTF Determination Worksheet which is available on the RFA Website. By entering the data into the Worksheet, the number and unit mix of the ELI Set-Aside units along with the maximum amount of the ELI Loan will calculate automatically. This maximum ELI Loan amount can then be entered into the appropriate Application response. However, if the ELI Set-Aside units are not proportionately distributed across the unit mix or if a per unit funding amount(s) is used that is higher than the limit permitted, the Corporation will redistribute the ELI Set-Aside units and/or utilize the appropriate per unit funding limit, as needed, to lower the ELI Loan Amount to the maximum allowed. The terms and conditions of the ELI Loan are outlined in Exhibit H of the RFA.

(c) Additional Information regarding the Applicant's Total SAIL Request Amount

(i) Maximum Total SAIL Request as a Percentage of Eligible Total Development Cost

During scoring, some costs stated on the Development Cost Pro Forma may be reduced if the stated amount exceeds the allowed amount. This would also cause a reduction to the Total Development Cost stated on the Development Cost Pro Forma.

The resulting Total Development Cost, as adjusted if applicable, will be deemed to be the Applicant's Eligible Total Development Cost.

For Applicants that commit at least five percent of the total units as ELI Set-Aside Units, the combined total of (a) the Applicant's Eligible SAIL Request Amount and (b) the Applicant's Eligible ELI Loan Request Amount cannot exceed 35 percent of the Eligible Total Development Cost. For Applicants that commit less than five percent of the total units as ELI Set-Aside Units, the combined total of (a) the Applicant's Eligible SAIL Request Amount and, if applicable, (b) the Applicant's Eligible ELI Loan Request Amount cannot exceed 25 percent of the Eligible Total Development Cost.

Any necessary adjustments needed to bring the total of these loans within the applicable percent maximum will be made during the scoring process, as well as during the credit underwriting process. Adjustments will be made first to reduce the SAIL Request Amount, if necessary, to meet both the per unit and per Development limitations provided in (a) above, secondly to reduce the ELI Loan amount, if necessary, to fall within the maximum qualifying amount as provided in (b) above, and then lastly to reduce the SAIL Request Amount, as adjusted if applicable, to meet the applicable percent of Total Development Cost limitation test. The resulting SAIL Request Amount, as adjusted if applicable, will be deemed to be the Applicant's Eligible SAIL Request Amount. The resulting ELI Loan Request Amount, as adjusted if applicable, will be deemed to be the Applicant's Eligible ELI Loan Request Amount.

(ii) Additional adjustments, if applicable

During the scoring process, if the Applicant states a SAIL Request Amount and/or ELI Request Amount that is greater than the amount the Applicant is eligible to request, the Corporation will reduce the amount down to the maximum amount the Applicant is eligible to request.

If a reduction is needed and a funding shortfall is created in either the Construction/Rehab and/or the Permanent Analysis of the Applicant's Development Cost Pro Forma, the amount of the adjustment(s), to the extent needed and possible, will be offset by increasing the deferred Developer Fee up to the maximum eligible amount as provided below.

Applicants with a proposed Development located in Miami-Dade County must have an Eligible SAIL Request Amount of at least \$3,000,000. Should any of the adjustments outlined herein result in the Applicant's Eligible SAIL Request Amount falling below the minimum \$3,000,000 amount, such Application will no longer be eligible to be considered for funding under this RFA.

(2) Non-Competitive Housing Credits

- (a) The Applicant must state the anticipated amount of Housing Credits it is requesting ("Applicant's Housing Credit Request Amount").

The 4% Housing Credit Request Amount is not subject to a request limit; however, if the Applicant states an amount that is not a whole dollar amount, the Corporation will round the amount down to a whole dollar amount.

- (b) Declaration as First Phase of a Multiphase Development

To declare this proposed Development as the first phase of a multiphase Development, the question in Exhibit A must be answered "Yes" and at least one building must be located within the HUD-designated DDA or HUD-designated QCT stated in Exhibit A.

During the credit underwriting process, an opinion letter must be submitted to the Corporation by a licensed attorney that the Development meets the definition of a "multiphase project" as defined in the Federal Register related to the Statutorily Mandated Designation of Difficult Development Areas and Qualified Census Tracts for the applicable year. The letter must also include: (i) the name of the declared first phase Development and the Corporation-assigned Application number, (ii) the total number of phases and the projected Development name for each phase, (iii) the total number of buildings in each phase, (iv) the expected completion date for each phase, and (v) any other information as determined by the Corporation and stated in the invitation to enter credit underwriting.

To qualify for the basis boost, subsequent phases must meet the requirements in (c)(i) below.

(c) Basis Boost Qualifications

With regard to Housing Credits, HUD provides regulatory guidance on the effective date of Difficult Development Area (DDA) and Qualified Census Tract (QCT) lists for the purpose of determining whether a Development qualifies for an increase in eligible basis in accordance with Section 42(d)(5)(B) of the IRC. HUD's notice published in the September 24, 2020 edition of the Federal Register <https://www.federalregister.gov/documents/2020/09/24/2020-21041/statutorily-mandated-designation-of-difficult-development-areas-and-qualified-census-tracts-for-2021> (also available by clicking [here](#)) governs the eligibility for a basis boost for the Development proposed in this RFA.

If the Applicant is requesting 4% Housing Credit that will be used with County HFA-issued Tax-Exempt Bonds and the Applicant indicates that the proposed Development is eligible for the basis boost, during the credit underwriting process the Applicant will be required to provide a letter certifying the date the bond application was deemed complete, as outlined in Exhibit D.

(i) Subsequent Phase of a Multiphase Development

For purposes of this RFA, a subsequent phase of a multiphase Development is one where the first phase was located within a HUD-designated DDA or HUD-designated QCT and appropriately identified as such, and received an award of Housing Credits ("initial award") in one of the following: (i) the 2011 Universal Application Cycle, (ii) a Request for Proposal or Request for Application ("RFP" or "RFA") issued in calendar year 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 or (iii) a Non-Competitive Housing Credit Application (awarded through a Corporation competitive RFA process or a Non-Corporation Bond issuer's competitive application).

For the subsequent phase to be eligible for the basis boost, after the initial award, (A) the Applicant must have submitted an Application for Housing Credits in immediately consecutive years, per the HUD requirements, (B) the 730-day period following the initial award must not end prior to the submission deadline for the Corporation's competitive RFA or a Non-Corporation Bond issuer's competitive application, per HUD's requirements, and (C) the subsequent phase must have at least one building located within the boundary of the declared HUD-designated DDA or HUD-designated QCT which applied to

the Development declared as the first phase by the first phase Applicant.

If the proposed Development qualifies as a subsequent phase of a multiphase Development, indicate as such in Exhibit A and provide the Corporation-assigned Application number for the Development where the first phase was declared and awarded an allocation of Housing Credits.

The proposed Development's subsequent phase status will be confirmed during the credit underwriting process. If it is determined that the proposed Development does not meet the criteria to be designated a subsequent phase of a multiphase Development and the Housing Credit request was based on such contention, it will no longer be considered a subsequent phase of a multiphase Development.

(ii) HUD-designated Small Area DDA (SADDA)

A proposed Development will be eligible for the basis boost if located within a HUD-designated Small Area DDA (SADDA), as defined in Section 42(d)(5)(B)(iii), IRC. The SADDA designation will only apply to the building(s) located within the applicable SADDA Zip Code Tabulation Area (ZCTA) and only those building(s) will be eligible for the basis boost.

HUD has assigned a ZCTA number to each SADDA, available at <https://www.huduser.gov/portal/qct/index.html> and <https://www.huduser.gov/portal/datasets/qct.html> (also available by clicking [here](#) and [here](#)). The applicable HUD mapping software is available at https://www.huduser.gov/portal/sadda/sadda_qct.html (also available by clicking [here](#)).

To qualify, identify, in Exhibit A, the ZCTA number(s) for the proposed Development.

During credit underwriting and at the time of Final Cost Certification, if it is determined that there are buildings located outside of the applicable SADDA ZCTA, the Corporation reserves the right to reduce the Housing Credit Allocation if the eligible basis for the building(s) located in the applicable SADDA ZCTA is not sufficient to support the request amount.

(iii) HUD-designated Non-Metropolitan DDA

The proposed Development will be eligible for the basis boost if the Development county, as stated in Exhibit A, is located within a HUD-designated non-metropolitan DDA as defined in Section 42(d)(5)(B)(iii), IRC. The 2021 HUD-designated non-metropolitan DDAs are available here: <https://www.huduser.gov/portal/Datasets/qct/DDA2021NM.PDF>.

(iv) HUD-designated QCT

The proposed Development will be eligible for the basis boost if the entire Development is located, as of Application Deadline, within a HUD-designated QCT, as defined in Section 42(d)(5)(B)(ii), IRC, as amended and based on the current census, as determined by HUD.

The HUD-designated QCTs are available here: <https://www.huduser.gov/portal/Datasets/qct/QCT2021M.PDF> and <https://www.huduser.gov/portal/Datasets/qct/QCT2021NM.PDF>.

To qualify, indicate the HUD-designated QCT census tract number.

(d) Housing Credit Equity Proposal

A Housing Credit equity proposal must be provided as **Attachment 12**. For purposes of this RFA, to be counted as a source, an equity proposal, regardless of whether the documentation is in the form of a commitment, proposal, term sheet or letter of intent, must meet the requirements set out below:

- (i) If the Eligible Housing Credit Request Amount is less than the anticipated amount of credit allocation stated in the equity proposal, the equity proposal will be considered a source of financing and, for scoring purposes, the maximum amount of Housing Credit equity to be permitted in the Development Cost Pro Forma will be adjusted downward from the amount stated in the equity proposal. This adjusted maximum Housing Credit equity will be calculated by taking the total amount of equity to be provided to the proposed Development as stated in the equity proposal letter, dividing it by the credit allocation stated in the equity proposal and multiplying that quotient by the Applicant's Eligible Housing Credit Request Amount. If the Eligible Housing Credit Request Amount is greater than the anticipated amount of credit allocation stated in the equity

proposal, the equity proposal will be considered a source of financing and the maximum amount of Housing Credit equity to be permitted for scoring in the Development Cost Pro Forma will be the amount stated in the equity proposal.

- (ii) If syndicating/selling the Housing Credits, the Housing Credit equity proposal must meet the following criteria:
- Be executed by the equity provider;
 - Include specific reference to the Applicant as the beneficiary of the equity proceeds;
 - State the proposed amount of equity to be paid prior to construction completion;
 - State the anticipated Housing Credit Request Amount;
 - State the anticipated dollar amount of Housing Credit allocation to be purchased; and
 - State the anticipated total amount of equity to be provided.

If the limited partnership agreement or limited liability company operating agreement has closed, the closed agreement must be provided. To be counted as a source of financing, the partnership agreement or operating agreement must meet the requirements above or submit separate documentation, signed by the equity provider, expressly stating any required criteria not provided in the agreement.

- (iii) If not syndicating/selling the Housing Credits, the owner's commitment to provide equity must be provided. The commitment must include the following information and evidence of ability to fund must be provided as **Attachment 12** to the Application:
- The proposed amount of equity to be paid prior to construction completion;
 - The anticipated Housing Credit Request Amount;
 - The anticipated dollar amount of Housing Credit allocation to be purchased; and
 - The anticipated total amount of equity to be provided.

Note: Exhibit D to the RFA outlines the documentation required to be submitted during credit underwriting demonstrating that the equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria).

(3) Tax Exempt Bonds

(a) Corporation-Issued MMRB

State the amount of Corporation-Issued MMRB being requested. The MMRB Request amount must be in increments of \$5,000. The Corporation will make any necessary adjustment by rounding up to the nearest \$5,000.

There is no requirement to include any documentation regarding the MMRB in the Application. The necessary documentation that will be required after the Applicant is invited to enter credit underwriting is outlined in Exhibit D.

(b) County HFA-issued Tax-Exempt Bonds

(i) Provide, as **Attachment 13** to Exhibit A, a letter, executed by the chair or vice chair of the governing body, mayor, or deputy mayor, city manager or assistant city manager, county manager/administrator/coordinator or assistant county manager/administrator/coordinator, executive director or assistant executive director, or by an individual occupying a position reasonably equivalent to any of the foregoing, as applicable, of the entity issuing the Tax-Exempt Bonds, that (a) confirms that the Applicant has submitted an application for Tax-Exempt Bonds for the Development proposed in this RFA, (b) states the amount of the Applicant's Bond request, and (c) confirms that the closing on the Bonds has not occurred and will not occur prior to the Application Deadline for this RFA; and

(ii) The Applicant must include the anticipated amount of such Bond financing on the Construction/Rehab Analysis and the Permanent Analysis.

There is no requirement to include any other documentation regarding the County HFA-issued Tax-Exempt Bonds in the Application beyond what is required at **Attachment 13**. The necessary documentation will be required after the Applicant is invited to enter credit underwriting, as outlined in Exhibit D to the RFA.

Applicants are not eligible to apply for any funding offered in this RFA if the Applicant has already closed on the Tax-Exempt Bond financing prior to the Application Deadline for this RFA. In addition, proposed Developments are not eligible to receive any funding awarded through this RFA if the Applicant closes on the Tax-Exempt Bond financing prior to the issuance of the preliminary commitment. As part of the Applicant's acceptance of the invitation to enter credit underwriting (i.e., the preliminary commitment), the Applicant will be required to confirm that the Bonds have not closed. If the Bonds are closed

between the Application Deadline and issuance of the SAIL preliminary commitment, the Applicant's award will be rescinded.

(4) NHTF Loan Funding

Applicants proposing Developments in Small or Medium Counties that commit to the Development Category of New Construction or Redevelopment (with or without Acquisition) may request NHTF Funding for three NHTF Units. Applicants proposing Developments in Large Counties that commit to the Development Category of New Construction or Redevelopment (with or without Acquisition) may request NHTF Funding for five NHTF Units.

The NHTF loan shall be a forgivable loan with an interest rate of 0 percent for 30 years. The terms and conditions of the NHTF loans are further outlined in Exhibit I of the RFA.

Because NHTF Funding award amounts are calculated after Applications are selected for funding, NHTF Funding will not be counted as a source of funding on the Development Cost Pro Forma.

(5) Other Corporation Funding

- (a) If the Development has received funding from the Predevelopment Loan Program (PLP), the Corporation file number and amount of funding must be listed. Note: PLP funding cannot be used as a source of financing on the Construction/Rehab Analysis or the Permanent Analysis.
- (b) List any other Corporation funding that is intended to be utilized as a source of financing for the proposed Development.

b. Non-Corporation Funding

- (1) If the proposed Development will be assisted with funding under the United States Department of Agriculture RD 515 Program and/or RD 538 Program, the following information must be provided:
 - (a) Indicate the applicable RD Program(s) in Exhibit A.
 - (b) For a proposed Development that is assisted with funding from RD 515, include the following:
 - (i) Include the funding amount at the USDA RD 515 Financing line item on the Development Cost Pro Forma (Construction/Rehab Analysis and/or Permanent Analysis), and
 - (ii) Provide a letter from RD, dated within six months of the Application Deadline, as **Attachment 14** to Exhibit A, confirming the funding source as outlined below:

(A) For proposed Developments with the Development Category of Rehabilitation, Preservation, or Redevelopment (either one with or without Acquisition), the RD letter must include the following information:

- Name of existing development;
- Name of proposed Development;
- Current RD Loan balance;
- Acknowledgment that property is applying for Housing Credits; and
- Acknowledgment that property will remain in the USDA/RD 515 loan portfolio.

or

(B) For proposed Developments with the Development Category of New Construction, the RD letter must include the following information:

- Name of Proposed Development;
- Name of Applicant as borrower or direct recipient;
- RD Loan amount; and
- Acknowledgment that property is applying for Housing Credits.

(c) If the proposed Development will be assisted with funding under the RD 538 Program, include the following:

- (i) Include the funding amount at the USDA RD 538 Financing line item on the Development Cost Pro Forma (Construction/Rehab Analysis and/or Permanent Analysis); and
- (ii) Provide the letter sent to the Applicant by an RD 538 approved lender certifying that the lender is prepared to make a loan consistent with the program requirements through the Section 538 Guaranteed Rural Rental Housing ("538") Loan Program as **Attachment 14** to Exhibit A. The U.S. Department of Agriculture, Rural Development (RD), list of Section 538 Guaranteed Rural Rental Housing approved lenders is available on the RFA Webpage.

As outlined in Exhibit D, the Section 538 Selection letter from RD must be provided during credit underwriting.

(2) Non-Corporation Funding Proposals

Unless stated otherwise within this RFA, for funding, other than Corporation funding and deferred Developer Fee, to be counted as a source

on the Development Cost Pro Forma, provide documentation of all financing proposals from both the construction and the permanent lender(s), equity proposals from the syndicator, and other sources of funding. The financing proposals must state whether they are for construction financing, permanent financing, or both, and all attachments and/or exhibits referenced in the proposal must be provided as **Attachment 15**. Self-Sourced Applicants must provide the Self-Sourced Financing Commitment Verification form (Rev. 11-19). Additional considerations for Self-Sourced Applicants are set forth in (i), below.

For purposes of the Application, the following will not be considered a source of financing: net operating income, capital contributions not documented in accordance with financing proposals that are not from a Regulated Mortgage Lender, fee waivers or any portion of any fees that are reimbursed by the local government. Additionally, fee waivers or any portion of any fees that are reimbursed by the local government cannot be considered as Development costs.

(a) Financing Proposal

Financing proposal documentation, regardless of whether the documentation is in the form of a commitment, proposal, term sheet, or letter of intent, must meet the following criteria.

Each financing proposal shall contain:

- Amount of the construction loan, if applicable;
- Amount of the permanent loan, if applicable;
- Specific reference to the Applicant as the borrower or direct recipient; and
- Signature of lender.

Note: Eligible Local Government financial commitments (i.e., grants and loans) can be considered a source of financing without meeting the requirements above if the Applicant provides the properly completed and executed Local Government Verification of Contribution – Grant Form (Form 07-2019) and/or the Local Government Verification of Contribution – Loan Form (Form 07-2019) and such grant and/or loan is effective at least through June 30, 2022. A loan with a forgiveness provision (and no accrued interest charges) requiring approval of the Local Government can be treated as a loan or a grant, for scoring purposes. Either the "Loan" or the "Grant" verification forms can be used. The grant and loan forms (Form 07-2019) are available on the RFA Webpage. If the loan form is used for a loan with forgiveness provision (and no accrued interest charges), the space for entering the net present value of the loan is not applicable to this RFA and will not be considered.

- (b) Financing that has closed:
- (i) For any financing other than Tax-Exempt Bond financing*, if the financing has closed in the Applicant's name, provide a letter from the lender acknowledging that the loan has closed. The letter must also include the following information:
- Amount of the construction loan, if applicable;
 - Amount of the permanent loan, if applicable; and
 - Specific reference to the Applicant as the borrower/direct recipient/mortgagee.

*As stated in Section One and Section Four A.10.a. of the RFA, proposed Developments are not eligible to apply for any funding offered in this RFA if the Applicant has already closed on the Tax-Exempt Bond financing prior to the Application Deadline for this RFA. In addition, proposed Developments are not eligible to receive any funding awarded through this RFA if the Applicant closes on the Tax-Exempt Bond financing prior to the issuance of the preliminary commitment for the SAIL funding. As part of the Applicant's acceptance of the invitation to enter credit underwriting (i.e., the preliminary commitment), the Applicant will be required to confirm that the Bonds have not closed. If the Bonds are closed between the Application Deadline and issuance of the preliminary commitment, the Applicant's award will be rescinded.

- (ii) Except for HUD and RD funding, if the financing involves an assumption of debt not currently in the Applicant's name, as evidence that the lender approves of the proposal of assumption, provide a letter from the lender, dated within six months of the Application Deadline, that includes the following information:
- Specifically references the Applicant as the assuming party;
 - If a permanent loan, states the amount to be assumed; and
 - If a construction loan, states the maximum amount of funding capacity.

If the debt being assumed is provided by HUD, provide a letter from HUD, dated within six months of the Application Deadline, confirming the funding source. The letter must include the following information:

- Name of existing development;
- Name of proposed Development;
- Loan balance;
- Acknowledgment that property is applying for Housing Credits; and
- Applicable HUD program.

If the debt being assumed is provided by RD, the Applicant is only required to provide the information described in Item 10.b.(1)(b) above.

- (c) If the financing proposal is not from a Regulated Mortgage Lender in the business of making loans or a governmental entity, evidence of ability to fund must be provided, with one exception. Self-Sourced Applicants that provide the Self-Sourced Financing Commitment Verification form (Rev. 11-19) behind Attachment 15 will be required to provide the evidence of ability to fund that source of financing during credit underwriting. If a Self-Sourced Applicant includes any other financing proposal that is not from a Regulated Mortgage Lender in the business of making loans or a governmental entity, it will follow the same requirements as Non-Self-Sourced Applicants, and the evidence of ability to fund must be provided.

Evidence of ability to fund includes: (i) a copy of the lender's most current audited financial statements no more than 17 months old; or (ii) if the loan has already been funded, a copy of the note and recorded mortgage. The age of all financial statements is as of the Application Deadline. In evaluating ability to fund, the Corporation will consider the entity's unrestricted current assets typically used in the normal course of business. Assets considered restricted include, but are not limited to, pension funds, rental security deposits, and sinking funds. Financing proposals from lenders who cannot demonstrate ability to fund will not count as a source of financing. Financial statements must be included in the Application. Note: This provision does not apply to deferred Developer Fee.

In the case where the seller (or lessor) of the Development's property is providing a seller's or lessor's note (purchase money mortgage or equivalent) to help finance the Applicant's acquisition of the property, evidence of its ability to fund the amount of the note is not needed so long as the Application includes a letter from the seller or lessor that meets the financing proposal criteria outlined in (2)(a) above and the amount of the note is equal to or less than the purchase price of the property.

- (d) If a financing proposal shows an amount less than the corresponding line item on the Development Cost Pro Forma, only the financing proposal amount will be considered as a funding source. However, if a financing proposal shows an amount greater than the corresponding line item on the Development Cost Pro Forma, up to the total amount of the financing proposal amount may be utilized as a funding source, if needed.

- (e) The loan amount may be conditioned upon an appraisal or debt service coverage ratio or any other typical due diligence required during credit underwriting.
- (f) Financing proposals may be conditioned upon the Applicant receiving the funding from the Corporation for which it is applying.
- (g) If a financing proposal has a provision for holding back funds until certain conditions are met, the amount of the hold-back will not be counted as a source of construction financing unless it can be determined that the conditions for the release of the hold-back can be met prior to or simultaneous with the closing of the Development's permanent financing.
- (h) Grant funds are contributions to the Development, other than equity, which carry no repayment provision or interest rate. A commitment for grant funds will be considered a commitment for scoring purposes if the commitment is properly executed and, if applicable, evidence of ability to fund is provided.
- (i) Demonstration of permanent source(s) of financing from Self-Sourced Applicants

Self-Sourced Applicants must include the Self-Sourced Financing Commitment Verification form (Rev. 11-19) as Attachment 15. During scoring and credit underwriting, Self-Sourced Applicants must demonstrate self-sourced financing in an amount that is at least half of the Applicant's eligible SAIL Request Amount (excluding the ELI Loan Funding) or \$1,000,000, whichever is greater. During credit underwriting, the self-sourced financing must demonstrate evidence of ability to fund as described in (c) above. Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants are not considered self-sourced financing. In addition, deferred Developer Fee cannot be used to qualify as a self-sourced funding source for Self-Sourced Applicant.

Self-sourced financing will be funded and dispersed pro rata along with SAIL funding. The self-sourced financing must be subordinate to the SAIL loan. For example: The Self-Sourced Applicant demonstrates the ability to fund a subordinate bond purchase (e.g., a Tranche B loan, subordinate to all other financing). Self-Sourced permanent financing sources must be identified on the Development Cost Pro Forma and labeled as either "Self-Sourced: Bond-Financing" or "Self-Sourced: Non-Bond-Financing" using the drop-down option available. self-sourced financing proposals must be provided in **Attachment 15**, in accordance with the requirements of subsection (c), above.

If a Self-Sourced Applicant demonstrates Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced

Applicants, the funding will be divided by the total number of units. The result of this will be deducted from the maximum per unit SAIL request (\$30,000). For example: If a Self-Sourced Applicant is proposing a Development consisting of 100 total units and includes \$1,000,000 in permanent financing from a government entity, the maximum per unit SAIL Request will be reduced from \$30,000 per unit to \$20,000 per unit ($\$1,000,000 / 100 = \$10,000$. $\$30,000 - \$10,000 = \$20,000$).

c. Development Cost Pro Forma

All Applicants must complete the Development Cost Pro Forma listing the anticipated expenses or uses, the Detail/Explanation Sheet, if applicable, and the Construction or Rehab Analysis and Permanent Analysis listing the anticipated sources (both Corporation and non-Corporation funding). The sources must equal or exceed the uses. During the scoring process, if a funding source is not considered and/or if the Applicant's funding Request Amount is adjusted downward, this may result in a funding shortfall. If the Application has a funding shortfall, it will be ineligible for funding.

The Development Cost Pro Forma must include all anticipated costs of the Development construction, rehabilitation and, if applicable, acquisition, including the Developer Fee and General Contractor fee, as outlined below. Waived or reimbursed fees or charges are not considered costs to the Development and therefore, should not be included on the Development Cost Pro Forma. Note: deferred Developer Fees are not considered "waived fees."

Developer Fee and General Contractor fee must be disclosed. In the event the Developer Fee and/or General Contractor fee are/is not disclosed on the Development Cost Pro Forma, the Corporation will assume that these fees will be the maximum allowable and will add the maximum amount(s) to Total Development Cost. If an Applicant lists a Developer Fee, General Contractor fee, or contingency reserve that exceeds the stated Application limits, the Corporation will adjust the fee to the maximum allowable. As stated below, Applicants may not enter any amounts pertaining to operating deficit reserves. The Corporation will not consider any operating deficit reserves listed on the Development Cost Pro Forma.

Unless stated otherwise in this RFA, except for deferred Developer Fee, the Application requires complete information on all sources of Development funding and the proposed uses of those funds. All loans, grants, donations, syndication proceeds, etc., should be detailed in the Application as outlined above. The total of monetary funds determined to be in funding proposals must equal or exceed uses.

(1) Developer Fee

Each Developer Fee component listed in (a) and (b) below shall not exceed the respective amounts described below:

- (a) Developer Fee on Acquisition Costs, is limited to 18 percent of the Total Acquisition Cost of Existing Development (excluding land) stated on the Development Cost Pro Forma in Column 3 of Item B, rounded down to the nearest dollar; and
- (b) Developer Fee on Non-Acquisition Costs, is limited to 18 percent of the net amount after deducting Total Acquisition Cost of Existing Development (excluding land) (Column 3 of Item B) from the Development Cost stated on the Development Cost Pro Forma in Column 3 of Item C, rounded down to the nearest dollar.

If the maximums stated in (a) or (b) are exceeded, the Corporation will adjust the amount down to the maximum allowed. Additionally, the Corporation may further adjust the Developer Fee on Acquisition Costs, and/or Developer Fee on Non-Acquisition Costs stated on the Development Cost Pro Forma and used to calculate the Developer Fee in Item D of the Development Cost Pro Forma. The conditions for such adjustments are stated below:

- If the amount of Developer Fee on Acquisition Costs is more than the amount allowed in (a) above, AND if the amount of Developer Fee on Non-Acquisition Costs is less than the amount allowed in (b) above, the Corporation will reduce the amount of Developer Fee on Acquisition Costs to the maximum allowed amount, and increase the amount of Developer Fee on Non-Acquisition Costs by the amount reduced in the Developer Fee on Acquisition Costs, up to the maximum allowed amount.
- If the amount of Developer Fee on Non-Acquisition Costs is more than the amount allowed in (b) above, AND if the amount of Developer Fee on Acquisition Costs is less than the amount allowed in (a) above, the Corporation will reduce the amount of Developer Fee on Non-Acquisition Costs to the maximum allowed amount, and increase the amount of Developer Fee on Acquisition Costs by the amount reduced in the Developer Fee on Non-Acquisition Costs, up to the maximum allowed amount.

The Corporation will allow up to 100 percent of the eligible Developer Fee to be deferred and used as a source on the Development Cost Pro Forma without the requirement to show evidence of ability to fund; however, deferred Developer Fee may not be used as self-sourced funding.

Consulting fees, if any, and any financial or other guarantees required for the financing must be paid out of the Developer Fee. Consulting fees include, but are not limited to, payments for Application consultants,

construction management or supervision consultants, or local government consultants.

(2) General Contractor Fee

General Contractor fee shall be limited to 14 percent of actual construction cost. The maximum allowable General Contractor fee will be tested during the scoring of the Application by multiplying the actual construction cost by 14 percent, rounded down to the nearest dollar.

(3) Contingency Reserves

For Application purposes, the maximum hard and soft cost contingencies allowed cannot exceed (a) 5 percent of hard and soft costs for Development Categories of New Construction or Redevelopment, with or without Acquisition; or (b) 15 percent of hard costs and 5 percent of soft costs for Development Categories of Rehabilitation or Preservation, with or without Acquisition, as further described in Rule Chapter 67-48 and 67-21, F.A.C. The determination of the contingency reserve is limited to the maximum stated percentage of total actual construction costs (hard costs) and general development costs (soft costs), as applicable.

(4) Operating Deficit Reserves

An operating deficit reserve is not to be included as part of Development Costs and cannot be used in determining the maximum Developer Fee. Applicants may not enter any amounts pertaining to any type of reserve other than the contingency reserve mentioned above on the Development Cost Pro Forma as part of the Application process. A reserve, including an operating deficit reserve, if necessary as determined by an equity provider, first mortgage lender, and/or the Credit Underwriter engaged by the Corporation in its reasonable discretion, will be required and sized in credit underwriting. The inclusion of any reserve is not permitted in the Application (other than the permitted contingency reserve) which may include, but is not limited to, operating deficit reserve, debt service shortfalls, lease-up, rent-re-stabilization, working capital, lender or syndicator required reserve(s), and any pre-funded capital (replacement) reserves. If any reserve other than the permitted contingency reserve can be identified and is included in the Development Cost Pro Forma, the Corporation will remove it during Application scoring.

In exchange for receiving funding from the Corporation, the Corporation reserves the authority to restrict the disposition of any funds remaining in any operating deficit reserve(s) after the term of the reserve's original purpose has terminated or is near termination. Authorized disposition uses are limited to payments towards any outstanding loan balances of the Development funded from the Corporation, any outstanding Corporation

fees, any unpaid costs incurred in the completion of the Development (i.e., deferred Developer Fee), the Development's capital replacement reserve account (provided, however, that any operating deficit reserve funds deposited to the replacement reserve account will not replace, negate, or otherwise be considered an advance payment or pre-funding of the Applicant's obligation to periodically fund the replacement reserve account), the reimbursement of any loan(s) provided by a partner, member or guarantor as set forth in the Applicant's organizational agreement (i.e., operating or limited partnership agreement). The actual direction of the disposition is at the Applicant's discretion so long as it is an option permitted by the Corporation. In no event, shall the payment of amounts to the Applicant or the Developer from any operating deficit reserve established for the Development cause the Developer Fee or General Contractor fee to exceed the applicable percentage limitations provided for in this RFA.

The Corporation will review the limited partnership agreement or limited liability company operating agreement language on reserves for compliance with the above requirement. If the limited partnership agreement or limited liability company operating agreement does not specifically state that the parties will comply with the Corporation's requirements stated above, the Corporation will require an amendment of the agreement and will not issue IRS form(s) 8609 until the amendment is executed and provided to the Corporation.

d. Per Unit Construction Funding Preference

- (1) The following Applications will qualify for this funding preference, as outlined in Section Five of the RFA:
 - (a) Applications with a Development Category of New Construction or Redevelopment, with or without Acquisition, and
 - (b) Applications with a Development Category of Preservation or Rehabilitation, with or without Acquisition, that reflect an amount of at least \$32,500 per unit when the amount listed in the Total column of the Development Cost Pro Forma for the Development Cost line item A1.1 (Actual Construction Cost) is divided by the number of total units in the Development.
- (2) The following Applications will not qualify for this funding preference:

Applications with a Development Category of Preservation or Rehabilitation, with or without Acquisition, that reflect an amount less than \$32,500 per unit, when the amount listed in the Total column of the Development Cost Pro Forma for the Development Cost line item A1.1 (Actual Construction Cost) is divided by the number of total units in the Development.

Indicate whether the proposed development qualifies for this funding preference in Exhibit A.

- e. Principal of the Applicant is a Public Housing Authority and/or an instrumentality of a Public Housing Authority

The Applicant should state whether any Principals of the Applicant entity are a Public Housing Authority and/or an instrumentality of a Public Housing Authority. To qualify for the "Add-On Bonus" used in the Total Development Cost Per Unit Base Limitation calculation described Section Five, A.1 of the RFA and in Item 1 of Exhibit C of the RFA, and the PHA multiplier used in the Leveraging Calculation described in Item 3. of Exhibit C of this RFA, the Public Housing Authority and/or instrumentality of a Public Housing Authority must be reflected on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019). For purposes of the "Add-On Bonus", the Public Housing Authority and/or instrumentality of a Public Housing Authority must not be disclosed as only the Investor Limited Partner of the Applicant or Investor Member of the Applicant.

If the Principal of the Applicant is an instrumentality of a Public Housing Authority, state the name of the Public Housing Authority.

11. Local Government Contributions (5 Points)

- a. Applicants Eligible for Automatic Points

With the exception of Applicants of proposed Developments located in Miami-Dade County, Applicants that selected and qualified for the Development Category of Preservation or Rehabilitation, with or without Acquisition, will automatically receive the maximum of five points without any requirement to demonstrate a Local Government contribution.

- b. Applicants Not Eligible for Automatic Points

- (1) In order for Applicants of proposed Developments located in Miami-Dade County, regardless of Development Category, to receive the maximum of five points, provide evidence of at least \$250,000 in Local Government committed funding (i.e. grants and/or loans and/or fee waivers) that is effective as of the Application Deadline and is in effect at least through June 30, 2022. Fee deferrals cannot be counted towards the \$250,000 requirement. Applicants of proposed Developments located in Miami-Dade County with less than \$250,000 in committed funds from the Local Government will receive zero Local Government contribution points.
- (2) In order for Applicants of proposed Developments located in counties other than Miami-Dade County that selected the Development Category of New Construction or Redevelopment, with or without Acquisition to receive the maximum of five points, provide evidence of a Local Government grant, loan, fee waiver and/or fee deferral that is effective as of the Application Deadline, is in effect at least through June 30, 2022, and has a face amount whose dollar

amount is equal to or greater than the amount listed on the County Contribution List for All Counties Other than Miami-Dade County (set out below) for the county in which the proposed Development will be located. Applicants of proposed Developments located in counties other than Miami-Dade County that do not have the necessary contribution amounts to achieve maximum points will be scored on a pro-rata basis.

(3) Self-Sourced Applicants

If a Self-Sourced Applicant demonstrates Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants, the funding will be divided by the total number of units. The result of this will be deducted from the maximum per unit SAIL request (\$30,000). For example: If a Self-Sourced Applicant is proposing a Development consisting of 100 total units and includes \$1,000,000 in permanent financing from a government entity, the maximum per unit SAIL Request will be reduced from \$30,000 per unit to \$20,000 per unit ($\$1,000,000 / 100 = \$10,000$. $\$30,000 - \$10,000 = \$20,000$).

The only Local Government contributions that will be considered for Applicants of proposed Developments located in counties other than Miami-Dade County for the purpose of scoring are:

- Monetary grants
- Loans with the exception of USDA RD funds
- A one-year or more deferral of a fee beyond the date that it is routinely due
- Waiver of fees

c. Evidence of the Local Government Contribution

As evidence of the Local Government contribution, provide the properly completed and executed Local Government Verification of Contribution Form(s) (Form Rev. 07-2019) as **Attachment 16** to Exhibit A. The following Local Government Contribution forms (Form Rev. 07-2019) are available at the RFA Webpage:

- Local Government Verification of Contribution - Loan Form
- Local Government Verification of Contribution - Grant Form
- Local Government Verification of Contribution - Fee Waiver Form
- Local Government Verification of Contribution - Fee Deferral Form

To qualify for points, the face amount of the Local Government contribution stated on the applicable form(s) must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

A loan with a forgiveness provision (and no accrued interest charges) requiring approval of the Local Government can be treated as a loan or a grant, for scoring purposes. Either the "Loan" or the "Grant" verification forms can be used. If the loan form is used for a loan with forgiveness provision (and no accrued interest charges), the space for entering the net present value of the loan is not applicable.

Funds administered by the Local Government, including federal funds and SHIP funds, may be included in the contribution as long as the appropriate verification form is provided. For purposes of this RFA, USDA-RD funds will NOT count as a Local Government contribution.

The contribution may not be included as an expense on the Development Cost Pro Forma nor may it be considered part of Development Cost for purposes of calculating Housing Credit basis or Developer's fee. The exception to the previous sentence is deferred Local Government fees, which may be shown on the Development Cost Pro Forma.

For a contribution consisting of a loan or deferred fee to be considered complete and eligible for points, the Local Government Verification form must reflect the total amount of the loan or deferred fee. Calculate the net present value of the payments using the discount rate of 5.50 percent.

NOTE: Applications are not required to reflect the net present value on any Local Government Verification forms.

NOTE: Neither the payment stream for the present value calculations (if contribution consists of a loan or deferred fee) nor the calculations by which the total amount of each waiver is determined (if contribution consists of a fee waiver) are required to be attached to the certification form or otherwise included in the Application in order for the certification form to be considered for points.

In order to be eligible to be considered for points as a Local Government contribution, the contribution must:

- Be in effect as of Application Deadline;
- Be effective at least through June 30, 2022;
- Be dedicated solely for the proposed Development;
- Provide a tangible economic benefit that results in a quantifiable cost reduction and must be given specifically to the proposed Development because the Development will provide affordable housing; and
- State, federal, or Local Government funds initially obtained by or derived from a Local Government qualify as a Local Governmental contribution even though the funds are directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization, provided that they otherwise meet the requirements set forth in this RFA, including those relating to the executed verification form.

Local Government contributions that are ineligible to be considered for points include:

- Contributions that are not specifically made for the benefit of affordable housing but are instead of general benefit to the area in which the Development is located;

- The fact that no impact fees or other such fees are levied by a local jurisdiction for ANY type of development does not constitute a Local Government contribution. If such fees are levied by the local jurisdiction but the nature of the proposed Development exempts it (e.g., typically, a Rehabilitation Development is not subject to impact fees), for purposes of this RFA, no Local Government contribution exists and no points will be awarded;
- The absence of interest on a loan or the absence of interest payments until a specific date does not constitute a deferral or waiver of fees;
- Local Government contributions that have not received final approval;
- A contribution from an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of an Applicant or a Developer;
- A contribution from a PHA;
- HOPE VI funds; and
- A contribution of any portion of the Applicant's site below market value.

To calculate the net present value of a Local Government contribution below market interest rate loan or fee deferral:

- Calculate the net present value of the payments due to the Local Government. For a loan, this includes any balloon payment of principal due on a non-amortizing or non-fully amortizing loan. For a fee deferral, this includes the amount of the fee due at the end of the deferral period.
- Calculate the net present value of the loan payments using the discount rate.

Example: If the discount rate is assumed to be 5.50 percent and the Local Government will provide a fully-amortizing \$50,000 loan with payments due monthly based on a 1.0 percent interest rate for the entire 15-year term, the net present value is calculated as follows:

Calculate the monthly principal and interest payments of the \$50,000 loan at 1.0 percent (\$299.25).

Calculate the net present value of the stream of the monthly payments over 15 years (180 months) using a 5.50 percent discount rate (\$36,623.93).

Example: If the discount rate is assumed to be 5.50 percent and the Local Government will provide a \$50,000 loan with interest-only payments due monthly based on a 1.0 percent interest rate for entire 15-year term and principal due at maturity, the net present value is calculated as follows:

Calculate the monthly interest-only payment of the \$50,000 loan at 1.0 percent (\$41.67).

Calculate the net present value of the stream of the monthly payments over 15 years (180 months) and principal due at maturity, using a 5.50 percent discount rate (\$27,052.53).

Example: A Development is to be located in Sarasota County and has achieved a Local Government contribution with a face amount of \$37,500. The County Contribution List states that a Development to be located in Sarasota County must obtain contributions representing a face amount of \$50,000 to achieve 5 points. Therefore, in this example, the Development would receive 3.75 points $((\$37,500 / \$50,000) \times 5)$.

NOTE: Points will be rounded to two decimal places (3.345 rounded up to 3.35 and 3.3449 rounded down to 3.34).

County Contribution List

County in Which the Development Is to be Located	Face Amount of Contribution Required to Achieve Maximum Points	County in Which the Development Is to be Located	Face Amount of Contribution Required to Achieve Maximum Points
Broward	\$100,000	Columbia	\$10,000
Duval Hillsborough Orange Palm Beach Pinellas	\$75,000	Monroe Nassau Putnam Sumter	
Brevard Lee Pasco Polk Sarasota Seminole Volusia	\$50,000	Bradford De Soto Gadsden Hardee Hendry Jackson Levy Okeechobee Suwannee Walton	\$5,000
Alachua Collier Escambia Lake Leon Manatee Marion	\$37,500	Baker Calhoun Dixie Franklin Gilchrist Glades Gulf	\$2,500

Bay	\$20,000	Hamilton	
Charlotte		Holmes	
Citrus		Jefferson	
Clay		Lafayette	
Flagler		Liberty	
Hernando		Madison	
Highlands		Taylor	
Indian River		Union	
Martin		Wakulla	
Okaloosa		Washington	
Osceola			
St. Johns			
St. Lucie			
Santa Rosa			

B. Additional Information

1. Verifying Application Fee Payment

To ensure that the Application Fee is processed for the correct online Application, the following is ***strongly recommended***: (i) provide the Application Fee at least 48 hours prior to the Application Deadline; and (ii) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment.

Additionally, include the following at question B.1. of Exhibit A:

- If submitting a check or money order, provide the check or money order number.
- If submitting an ACH, provide the trace number.
- If submitting a wire transfer, provide the wire service reference number (i.e. Fed/CHIPS/SWIFT Reference Number) and the Fed Wire Transfer Number.

2. Bookmarking the All Attachments Document before uploading (5 points)

To be awarded 5 points, bookmark the pdf of the All Attachments Document before uploading. Instructions are provided on the RFA Webpage. Acrobat Standard DC or Acrobat Pro DC are the programs required to create bookmarks.

3. Addenda

Use the Addenda section of Exhibit A to provide any additional information or explanatory addendum for items described in the Application. Please specify the particular item to which the additional information or explanatory addendum applies.

**SECTION FIVE
SCORING AND EVALUATION PROCESS**

A. Scoring the RFA

1. Determining Eligibility

Only Applications that meet all of the following Eligibility Items will be eligible for funding and considered for funding selection.

Eligibility Items
Submission Requirements met*
Verification that the Applicant has not closed on the Tax-Exempt Bond financing prior to the Application Deadline
Applicant Certification and Acknowledgement form provided and meets requirements
Demographic Commitment selected
Name of Applicant provided
Evidence Applicant is a legally formed entity provided
Name of Each Developer provided
Evidence that each Developer entity is a legally formed entity provided
Developer Experience Requirement met
Principals for Applicant and Developer(s) Disclosure Form provided and meets requirements
Contact Information for Management Company provided
Prior General Management Company Experience requirement met
Authorized Principal Representative provided and meets requirements
Name of Proposed Development provided
Development Category selected
Development Category Qualifying Conditions met
Development Type provided
Breakdown of number of units associated with each Development Type, Development Category and ESS/Non-ESS provided, if applicable
County identified
Address of Development Site provided
Question whether a Scattered Sites Development answered
Development Location Point provided
Latitude and Longitude Coordinates for any Scattered Sites provided, if applicable
Minimum Transit Score met (if applicable)
Minimum Total Proximity Score met
Mandatory Distance Requirement met
Total Number of Units provided and within limits
Number of new construction units and rehabilitation units provided
Occupancy status of any existing units provided, if Rehabilitation
Minimum Set-Aside election provided
Total Set-Aside Breakdown Chart properly completed

Unit Mix provided and meets requirements
Number of residential buildings provided
Evidence of Site Control provided
Appropriate Zoning demonstrated
Availability of Water demonstrated
Availability of Sewer demonstrated
Green Building Certification or Minimum Additional Green Building Features selected, as applicable
Minimum Resident Programs selected
Applicant's SAIL Funding Request Amount
Eligible SAIL Request Amount Meets Minimum Request Amount (Miami-Dade County only)
Applicant's Non-Competitive Housing Credit Request Amount
Applicant's MMRB Request Amount (if Corporation-issued Bonds) or Bond Request Amount and Other Required Information (if Non-Corporation-issued Bonds)
Development Cost Pro Forma provided (listing expenses or uses) and Construction/Rehab analysis and Permanent analysis (listing sources) – Sources must equal or exceed uses
Financial Arrearage Requirement and Insurance Deficiency Requirement met**
Verification of no prior acceptance to an invitation to enter credit underwriting for the same Development in a previous RFA ***
Verification of no recent de-obligations ****
Total Development Cost Per Unit Limitation met*****

* Submission Requirement

To be eligible for funding, the following submission requirements must be met: (i) the Application must be submitted online by the Application Deadline, and (ii) the required Application fee must be submitted as of the Application Deadline.

** Financial Arrearage Requirement and Insurance Deficiency Requirement

An Application will be deemed ineligible for funding if, as of close of business **two days*** before the Committee meets to make a recommendation to the Board, either of the following occur: (1) there remains any financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer is in arrears to the Corporation or any agent or assignee of the Corporation as reflected on the most recently published Past Due Report; or (2) an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer has an insurance deficiency for any Development awarded Corporation resources, which are in first lien position, issued during or after September 2016 that is governed by the Insurance Guide posted to the Corporation's Website under the link <https://www.floridahousing.org/data-docs-reports/insurance-guide> (also accessible by clicking [here](#)).

The Past Due Report contains the financial arrearages to the Corporation as well as the Insurance Deficiency Report. The most recently published Past Due Report is posted to the Corporation's Website under the link <https://www.floridahousing.org/data-docs-reports/past-due-reports> (also accessible by clicking [here](#)), but not more recently than seven business days prior to the date the Committee meets to make a recommendation to the Board.

* For example, if a review committee meeting is held on a Wednesday, regardless of the time of the meeting, the arrearages must be paid by Monday close of business.

*** Previous Funding Requirements

Requirement that there can be no prior acceptance to an invitation to enter credit underwriting for the same Development in a previous RFA

An Application will be deemed ineligible for funding if the Applicant has accepted an invitation to enter credit underwriting for the same Development (with the exception of funding awarded under the Predevelopment Loan Program (PLP) and/or the Elderly Housing Community Loan (EHCL) program) and, as of Application Deadline for this RFA, the funding has not been returned to the Corporation. If the acceptance to an invitation to enter credit underwriting in occurs after the Application Deadline and before the Review Committee Meeting for this RFA, the proposed Development will be considered ineligible for funding in this RFA. If the acceptance to an invitation to enter credit underwriting occurs after the Review Committee Meeting for this RFA, the proposed Development will be considered ineligible for funding in this RFA and any funding awarded in this RFA will be rescinded and considered Returned Funding.

**** Verification of no recent de-obligations

An Application will be deemed ineligible to be considered for funding if, as of the close of business the day before the Committee meets to make a recommendation to the Board, an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer has received an award of any funding from any RFA issued by Florida Housing Finance Corporation but such funding has been de-obligated by the Florida Housing Finance Corporation Board of Directors within the seven years prior to this RFA Application Deadline, with the exception of de-obligations that resulted from the termination of the Multifamily Energy Retrofit Program (MERP) funding awarded through RFA 2015-115.

***** Total Development Cost Per Unit Limitation

By submitting its Application, the Applicant agrees and acknowledges that the Application will be subject to the Total Development Cost Per Unit Limitation

during the scoring, credit underwriting, and final Housing Credit allocation process.

Any Application that has an amount that exceeds these limitations during scoring will not be eligible for funding. These TDC Per Unit Base Limitation amounts, inclusive of any applicable TDC multiplier and/or TDC add-on, are effective during the scoring process. Item 1 of Exhibit C provides the TDC Per Unit Base Limitation amounts that account for an escalation factor to be incorporated for the credit underwriting process and final allocation process, as explained in the exhibit.

Total Development Cost Per Unit Base Limitations to be used during the scoring process

Measure	New Construction Units					Rehabilitation Units	
	Garden Non-ESS*	Garden ESS*	Mid-Rise-Non-ESS*	Mid-Rise-ESS*	High-Rise*	Garden*	Non-Garden*
Maximum TDC Per Unit Limitation ** for all counties except Broward, Miami-Dade and Palm Beach counties	\$270,100	\$311,900	\$311,900	\$344,700	\$358,000	\$146,900	\$221,600
Maximum TDC Per Unit Limitation ** for Broward, Miami-Dade and Palm Beach counties	\$284,500	\$327,100	\$327,100	\$361,000	\$374,700	\$153,600	\$232,600
Applicable TDC Multipliers (to be applied against the Development's TDC) and TDC Add-Ons (to be added to the Maximum TDC Per Unit Limitation)							
TDC Multiplier for Elderly-ALF Developments					95%		
TDC Multiplier for Florida Keys Area for all areas located north of Plantation Key (i.e., north of Tavernier Creek)					65%***		
TDC Multiplier for Florida Keys Area for all areas located on or south of Plantation Key (i.e., south of Tavernier Creek)					50%***		
TDC Add-On for Applicants that have a PHA/instrumentality of a PHA as a Principal					\$5,000 of additional per unit costs will be added to the above Maximum TDC Per Unit Limitation		
TDC Add-on for All Applicants due to known expenses related to tax-exempt bond transactions					\$5,000 of additional per unit costs will be added to the above Maximum TDC Per Unit Limitation		

* Garden includes all Development Types other than Mid-Rise and High-Rise; Non-Garden includes Development Types of Mid-Rise with elevator (4 stories, 5 stories, or 6 stories) and High-Rise (7 or more stories); Mid-Rise includes Development Types of Mid-Rise with elevator (4 stories, 5 stories, or 6 stories); and High-Rise includes Development Type of High-Rise (7 or more stories). ESS means Enhanced Structural Systems Construction.

** Exclusive of-property purchase price and exclusive of any approved operating deficit reserves that are part of the permanent phase (i.e., non-construction) financing for the Development which have not been included within the Developer fee. When the term of operating deficit reserves (ODR) is mentioned in this TDC Per Unit Limitation section, the term shall refer to these particular operating deficit reserves. Examples of reserves which can be considered part of the operating deficit reserve for this calculation are provided in the Operating Deficit Reserve portion of the Funding section in the RFA. For purposes of property purchase price to be excluded, the Corporation uses the lesser of the appraised value, or the actual property purchase price. When property purchase price is referenced in this TDC Per Unit Limitation section, the reference shall be limited to the amount of the property purchase price approved by the Corporation to be provided in the final cost certification under the building acquisition and land owned cost line items. In addition, the costs identified by any Applicant as the construction costs associated with commercial and/or retail space are excluded from the TDC Per Unit Limitation process. For Applicants that have a public housing authority/instrumentality of a public housing authority listed as a Principal on the Applicant's Principal Disclosure Form may also exclude demolition costs and tenant relocation costs from TDC PU Limitation calculations. The total amount of costs that are to be excluded from the TDC Per Unit Limitation process are the applicable property acquisition price (building and land), construction costs associated with the delivery of commercial/retail space, operating deficit reserves and certain PHA costs described herein are referred to in Exhibit C in the congregate as applicable qualifying costs.

*** If the proposed Development consists of Scattered Sites, the 50% TDC Multiplier applies only if all of the sites are located south of Tavernier Creek.

2. Awarding Points

Point Items	Maximum Points
Submission of Principal Disclosure Form that is either (a) stamped "Approved" at least 14 Calendar Days prior to the Application Deadline; or (b) stamped "Received" by the Corporation at least 14 Calendar Days prior to the Application Deadline AND stamped "Approved" prior to the Application Deadline	5
Bookmarking Attachments prior to submission	5
Developer Experience Withdrawal Disincentive	5
Local Government Contribution Points	5
Total Possible Points	20

B. Selection Process

1. Funding Available

a. SAIL Funding Available: \$65,758,500

(1) Demographic Funding

(a) Family Funding Available: \$43,065,000

Up to a maximum of \$21,532,500 of the Family funding shall be reserved for Applicants that select the Family Demographic Commitment that qualify as Self-Sourced Applicants

\$21,532,500 of the Family funding shall be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants

(b) Elderly Funding Available: \$22,693,500

(2) Geographic Funding

(a) Small County Funding Available: \$6,575,850

(b) Medium County Funding Available: \$23,804,577

(c) Large County Funding Available: \$35,378,073

b. Funding Tests

Applications will only be selected for funding if there is enough SAIL funding available in both the applicable SAIL Geographic Category (SAIL Geographic Funding Test) and the

SAIL Demographic Category (SAIL Demographic Funding Test) to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Loan Request Amount).

Additional criteria considered for Family Developments to meet the SAIL Demographic Funding Test

(1) Funding Available

Up to a maximum of \$21,532,500 of the Family Funding will be reserved for Applicants that qualify as Self-Sourced Applicants ("Self-Sourced Applicant Family Funding").

\$21,532,500 of the Family Funding will be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants ("Non-Self-Sourced Applicant Family Funding").

The Self-Sourced Applicant Family Funding and Non-Self-Sourced Applicant Family Funding will remain part of the SAIL Demographic Funding Test until the Family Funding Merge described in 5.d. below.

(2) Additional SAIL Demographic Funding Test requirement for Family Developments used prior to Family Funding Merge described in 5.d. below.

(a) Non-Self-Sourced Family Applications

In addition to the SAIL Geographic Funding Test and SAIL Demographic Funding Test criteria stated above, in order for a Non-Self-Sourced Family Application to be selected for funding, there must be enough SAIL funding available in the Non-Self-Sourced Applicant Family Funding to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Loan Request Amount).

(b) Self-Sourced Family Applications

In addition to the SAIL Geographic Funding Test and SAIL Demographic Funding Test criteria stated above, in order for a Self-Sourced Application to be selected for funding, there must be enough SAIL funding available in the Self-Sourced Applicant Family Funding to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Loan Request Amount).

For purposes of the Funding Tests, SAIL Geographic Funding Test refers to the availability of SAIL funding for Large County, Medium County, and Small County Applications to fully fund the Applicant's Total SAIL Request Amount and SAIL Demographic Funding Test refers to the funding available for Elderly Applications (i.e., Applications with the Demographic of Elderly (ALF or Non-ALF) and Family Applications

(i.e., Applications with the Demographic of Family) to fully fund the Applicant's Total SAIL Request Amount. The funding available in each SAIL Geographic Category and SAIL Demographic Category is outlined above. SAIL funds tentatively awarded to an Application will be deducted from the funds available within the applicable SAIL Geographic Category and the applicable SAIL Demographic Category. An Application will only be selected for funding if both the SAIL Geographic Funding Test and the SAIL Demographic Funding Test (the Funding Tests) are met.

2. County Award Tally

As each Application is selected for tentative funding, the county where the proposed Development is located will have one Application credited towards the County Award Tally. The Corporation will prioritize eligible unfunded Applications that meet the Funding Test and are located within counties that have the lowest County Award Tally above other eligible unfunded Applications with a higher County Award Tally that also meet the Funding Test, even if the Applications with a higher County Award Tally are higher ranked.

3. Goals

- One Application that selected the Development Category of Preservation, with or without Acquisition, regardless of Demographic Commitment or County Size
- Two Elderly, New Construction Applications located in a Large County, with a preference for at least one Application that qualifies for the Veterans Preference
- Three Family, New Construction Applications located in a Large County, with a preference that at least two Applications are from Self-Sourced Applicants.
- One Elderly, New Construction, Application located in a Medium County, with a preference for Applications that qualify for the Veterans Preference
- Two Family, New Construction, Application located in a Medium County, with a preference that at least one Application is from a Self-Sourced Applicant.

For purposes of the funding selection, Applications with the Development Category of New Construction, Redevelopment, with or without Acquisition, will qualify as New Construction Applications; and Applications with the Demographic Commitment of Elderly (ALF or Non-ALF) will qualify as Elderly Applications.

4. Application Sorting Order

- a. Application Sorting Order when selecting Applications for the goal to fund one Application that selected the Development Category of Preservation, with or without Acquisition

The highest scoring Applications will be determined by first sorting together all eligible Applications from highest score to lowest score, with any scores that are tied separated in the following order:

- (1) By the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
 - (2) By the Age of Development Preference (with preference given to Applications that demonstrate within the Development Category Qualification Letter provided as Attachment 6 that the proposed Development was originally built at least 30 years prior to the Application Deadline, as outlined in Section Four, A.4.b.(2)(d) of the RFA);
 - (3) By RA Level 1, 2 or 3 Preference (with preference given to Applications that achieve an RA Level Classification of RA Level 1, 2 or 3, as outlined in Section Four A.4.b.(3) of the RFA);
 - (4) By the Application's eligibility for the ESS Construction Funding Preference, as outlined at Section Four A.4.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
 - (5) By the Application's eligibility for the Per Unit Construction Funding Preference which is outlined in Section Four A.10.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
 - (6) By the Application's Leveraging Level which is outlined in Item 3 of Exhibit C of the RFA (with Applications that have a lower Leveraging Level number listed above Applications that have a higher Leveraging Level number);
 - (7) By the Application's actual RA Level (with preference given to Applications with the lowest RA Level Classification so that RA Level 1 Applications receive the most preference and RA Level 6 Applications receive the least preference);
 - (8) By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
 - (9) By lottery number, resulting in the lowest lottery number receiving preference.
- b. Application Sorting Order during selection process after selecting Applications for the goal to fund one Application that selected the Development Category of Preservation, with or without Acquisition
- (1) By the Application's eligibility for the Per Unit Construction Funding Preference (which is outlined in Section Four A.10.d. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;

- (2) Next, by the Application's Leveraging Level number (which is outlined in Item 3. of Exhibit C) with Applications that have a lower Leveraging Level number listed above Applications that have a higher Leveraging Level number;
- (3) By the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (4) By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
- (5) By lottery number, resulting in the lowest lottery number receiving preference.

5. The Funding Selection Process

- a. Goal to fund one Application that selected the Development Category of Preservation

The first Application selected for funding will be the highest ranking eligible Application that selected the Development Category of Preservation, with or without Acquisition, regardless of the county or Demographic Commitment.

- b. Goals to fund eight Medium and Large County, New Construction Applications

- (1) Goal to fund one New Construction Application located in Miami-Dade County and one New Construction Application located in Broward County

- (a) First Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

The first Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications will be the highest ranking eligible New Construction Application that is located in Miami-Dade County or Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

- (b) Second Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

- If the Application selected for funding in paragraph (a) was an Elderly Application located in Miami-Dade County, the second Application will be the highest-ranking Family Application located in Broward County, with a preference that it be a Self-Sourced Application located in Broward County.

- If the Application selected for funding in paragraph (a) was an Elderly Application located in Broward County, the second Application will be the highest-ranking Family Application located in Miami-Dade County, with a preference that it be a Self-Sourced Application located in Miami-Dade County.
- If the Application selected for funding in paragraph (a) was a Family Application located in Miami-Dade County, the second Application will be the highest-ranking Application located in Broward County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Broward County, then the second Applications selected for funding will be the highest-ranking Application located in Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.
- If the Application selected for funding in paragraph (a) was a Family Application located in Broward County, the second Application will be the highest-ranking Application located in Miami-Dade County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Miami-Dade County, then the second Applications selected for funding will be the highest-ranking Application located in Miami-Dade County, regardless of the Demographic Commitment, , the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

(2) Goal to fund two Elderly, Large County, New Construction Applications

This goal will be met under the following circumstances:

- (a) If neither of the Applications selected to meet the goal described in (1) above are Elderly Applications, the two highest-ranking eligible Elderly, Large County, New Construction Applications that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests. If the goal could not be met because there were not enough eligible Applications that meets the Veterans Preference and this goal, the two highest-ranking eligible Elderly, Large County, New Construction Applications will be selected for funding, subject to the County Award Tally and both Funding Tests.

- (b) If one of the Applications selected to meet the goal described in (1) above is an Elderly Application, the highest-ranking eligible Elderly, Large County, New Construction Application that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests. If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Applications that meets the Veterans Preference, the highest-ranking eligible Elderly, Large County, New Construction Application will be selected for funding, subject to the County Award Tally and both Funding Tests.
- (3) Goal to Fund Three Family, Large County, New Construction Applications
- This goal will be met under the following circumstances:
- (a) If one or both of the Applications selected to meet the goal described in (1) above is a Family Application, that Application(s) will count towards this goal. To meet this goal, the highest-ranking Family, Large County, New Construction Self-Sourced Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met. If the goal could not be met because there were not enough eligible unfunded Self-Sourced Applications that could meet this goal, then the highest-ranking Family, Large County, New Construction Non-Self-Sourced Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met.
- (4) Goal to Fund one Elderly, Medium County, New Construction Application
- The Application selected for funding will be the highest-ranking eligible Elderly, Medium County, New Construction Application that meets the Veterans Preference, subject to the Funding Tests. If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Applications that meets the Veterans Preference, the highest-ranking eligible Elderly, Medium County, New Construction Application will be selected for funding, subject to the Funding Tests.
- (5) Goal to Fund two Family, Medium County, New Construction Applications
- The first Application selected for funding will be the highest-ranking eligible Family, Medium County, New Construction Application from a Self-Sourced Applicant, subject to the County Award Tally and Funding Tests.
- After the selection of the Application from a Self-Sourced Applicant or if there are no Applications from a Self-Sourced Applicant that can meet this goal, the additional Application(s) selected to meet this goal will be the highest-ranking Family, Medium County, New Construction Application(s), regardless of whether the Application(s) is from a Self-Sourced Applicant, subject to the County Award Tally and both Funding Tests.

b. Family or Elderly (ALF or Non-ALF) Small County Applications

The highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Small County Applications, regardless of the Development Category, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If funding remains and none of the eligible unfunded Small County Applications can meet both of the Funding Tests, or if there are no eligible unfunded Small County Applications, the remaining Small County Geographic funding will be allocated to the Medium County Geographic Category and to the Large County Geographic Category on a pro-rata basis based on the geographic distribution adjusted to meet the requirements of Section 420.5087, F.S.

c. Family or Elderly (ALF or Non-ALF) Medium County Applications

(1) Self-Sourced Applications

First, the highest ranking eligible unfunded Family Medium County Self-Sourced Applications will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If funding remains and none of the eligible unfunded Family Medium County Self-Sourced Applications can meet both of the Funding Tests, no further Family Medium County Self-Sourced Applications will be selected for funding.

(2) One Application that meet the Veterans Preference

Next, the highest ranking eligible unfunded Elderly Medium County Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

(3) Remaining Medium County Funding

If funding remains, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Medium County Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If none of the eligible unfunded Medium County Applications can meet both of the Funding Tests, or if there are no eligible unfunded Medium County Applications, the remaining Medium County Geographic funding will be allocated to the Large County Geographic Category.

d. Family or Elderly (ALF or Non-ALF) Large County Applications

(1) Self-Sourced Applications

First, the highest ranking eligible unfunded Family Large County Self-Sourced Applications will be selected for funding, subject to the Geographic and Demographic Funding Tests and County Award Tally.

If funding remains and none of the eligible unfunded Family Large County Self-Sourced Applications can meet both Funding Tests, all remaining Self-Sourced Applicant Family Funding and Non-Self-Sourced Applicant Family Funding will be merged ("Family Funding Merge"). No further Self-Sourced Applications will be funded.

(2) One Application that meet the Veterans Preference

Next, the highest ranking eligible unfunded Elderly Large County Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

(3) Remaining Large County Funding

If funding remains, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Large County Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If funding remains and no eligible unfunded Large County Applications can meet the Funding Tests, then no further Applications will be selected for funding and the remaining funding will be distributed as approved by the Board.

6. Returned Funding

Funding that becomes available after the Board takes action on the Committee's recommendation(s), due to an Applicant withdrawing, an Applicant declining its invitation to enter credit underwriting or the Applicant's inability to satisfy a requirement outlined in this RFA, and/or provisions outlined in Rule Chapter 67-48, F.A.C., will be distributed as approved by the Board.

**SECTION SIX
AWARD PROCESS**

Committee members shall independently evaluate and score their assigned portions of the submitted Applications, consulting with non-committee Corporation staff and legal counsel as necessary and appropriate.

The Committee shall conduct at least one public meeting during which the Committee members may discuss their evaluations, select Applicants to be considered for award, and make any adjustments deemed necessary to best serve the interests of the Corporation's mission. The Committee will list the

Applications deemed eligible for funding in order applying the funding selection criteria outlined in Section Five above and develop a recommendation or series of recommendations to the Board.

The Board may use the Applications, the Committee's scoring, any other information or recommendation provided by the Committee or staff, and any other information the Board deems relevant in its selection of Applicants to whom to award funding. Notwithstanding an award by the Board pursuant to this RFA, funding will be subject to a positive recommendation from the Credit Underwriter based on criteria outlined in the credit underwriting provisions in Exhibits H and I of the RFA, and Rule Chapter 67-21, F.A.C., and Rule Chapter 67-48, F.A.C.

The Corporation shall provide notice of its decision, or intended decision, for this RFA on the Corporation's Website the day of the applicable Board vote. After posting, an unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., et. al. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., et. al. shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

After the Board's decision to select Applicants for funding in this RFA has become final action, the Corporation shall offer all Applicants within the funding range an invitation to enter credit underwriting. The Corporation shall select the Credit Underwriter for each Development.

Exhibit A to RFA 2021-205 - SAIL Financing Of Affordable Multifamily Housing Developments To Be Used In Conjunction With Tax-Exempt Bonds And Non-Competitive Housing Credits

Unless stated otherwise, all information requested pertains to the Development proposed in this Application upon completion of the construction or rehabilitation work.

1. Applicant Certification and Acknowledgement form

Provide the Applicant Certification and Acknowledgement form, executed by the Authorized Principal Representative, as **Attachment 1**.

2. Demographic Commitment

a. Select one of the following Demographic Commitments:

[Choose an item.](#)

Note: Self-Sourced Applicants must select the Family Demographic Commitment.

b. Veteran Preference in Elderly (ALF or Non-ALF) Developments in Medium and Large Counties

If the Demographic Commitment is Elderly, does this Application qualify for the Veteran Preference in Elderly Developments?

[Choose an item.](#)

3. Applicant, Developer, Management Company, and Contact Person

a. Applicant

(1) Applicant Information

(a) State the name of the Applicant:

[Click here to enter text.](#)

(b) Does the Applicant qualify as a Self-Sourced Applicant?

[Choose an item.](#)

(2) Provide the required documentation to demonstrate that the Applicant is a legally formed entity qualified to do business in the state of Florida as of the Application Deadline as **Attachment 2**.

(3) Non-Profit Applicant qualifications

Does the Applicant or the General Partner or managing member of the Applicant meet the definition of Non-Profit as set forth in Rule Chapter 67-48, F.A.C. or Rule Chapter 67-21, F.A.C.?

[Choose an item.](#)

If “Yes”, provide the required information for the Non-Profit entity as **Attachment 3**.

b. Developer Information

- (1) Name of each Developer (including all co-Developers)

[Click here to enter text.](#)

[Click here to enter text.](#)

[Click here to enter text.](#)

- (2) For each Developer entity listed in question (1) above (that is not a natural person, Local Government, or Public Housing Authority), provide, as **Attachment 4**, the required documentation demonstrating that the Developer is a legally formed entity qualified to do business in the state of Florida as of the Application Deadline.

- (3) Developer Experience (5 Points)

- (a) Required Developer Experience

To be eligible for funding, for each experienced Developer entity, provide, as **Attachment 4**, the required prior experience chart for at least one experienced natural person Principal of that entity.

- (b) Developer Experience Withdrawal Disincentive (5 Points)

To receive five points, the Developer Experience Withdrawal Disincentive criteria outlined in Section Four A.3.b.(3)(b) of the RFA must be met.

c. Principals Disclosure for the Applicant and for each Developer (5 points)

- (1) Eligibility Requirement

To meet the submission requirements, upload the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-19) (“Principals Disclosure Form”) with the Application and Development Cost Pro Forma, as outlined in Section Three of the RFA identifying the Principals of the Applicant and Developer(s) as of the Application Deadline.

To meet eligibility requirements, the Principals Disclosure Form must identify, pursuant to subsections 67-48.002(94), 67-48.0075(8) and 67-48.0075(9), F.A.C., the Principals of the Applicant and Developer(s) as of the Application Deadline.

For Housing Credits, the investor limited partner of an Applicant limited partnership or the investor member of an Applicant limited liability company must be identified.

(2) Advance Review of Principals Disclosure Form (5 points)

Applicants will receive five points if the uploaded Principal Disclosure Form was either (a) stamped "Approved" at least 14 Calendar Days prior to the Application Deadline; or (b) stamped "Received" by the Corporation at least 14 Calendar Days prior to the Application Deadline AND stamped "Approved" prior to the Application Deadline.

d. Management Company

(1) Contact Information

First Name: [Click here to enter text.](#)
Middle Initial: [Click here to enter text.](#)
Last Name: [Click here to enter text.](#)
Management Company: [Click here to enter text.](#)
Street Address: [Click here to enter text.](#)
City: [Click here to enter text.](#)
State: [Choose a state.](#)
Zip: [Click here to enter text.](#)
Telephone: [Area Code](#) [7 digit number](#) [extension](#)
E-Mail Address: [Click here to enter text.](#)

(2) Provide, as **Attachment 5**, the required prior experience chart for the Management Company or a principal of the Management Company reflecting the required information.

e. Contact Person

(1) Authorized Principal Representative contact information (required)

First Name: [Click here to enter text.](#)
Middle Initial: [Click here to enter text.](#)
Last Name: [Click here to enter text.](#)
Organization: [Click here to enter text.](#)
Street Address: [Click here to enter text.](#)
City: [Click here to enter text.](#)
State: [Choose a state.](#)
Zip: [Click here to enter text.](#)
Telephone: [Area Code](#) [7 digit number](#) [extension](#)
E-Mail Address: [Click here to enter text.](#)

(2) Operational Contact Person information (optional)

First Name: [Click here to enter text.](#)

Middle Initial: [Click here to enter text.](#)
Last Name: [Click here to enter text.](#)
Organization: [Click here to enter text.](#)
Street Address: [Click here to enter text.](#)
City: [Click here to enter text.](#)
State: [Choose a state.](#)
Zip: [Click here to enter text.](#)
Telephone: [Area Code](#) [7 digit number](#) [extension](#)
E-Mail Address: [Click here to enter text.](#)

4. General Proposed Development Information

- a. Name of the proposed Development

[Click here to enter text.](#)

- b. Development Category/Rental Assistance (RA) Level

- (1) Select the Development Category

[Choose an item.](#)

* Note: Self-Sourced Applicants must select New Construction.

**For purposes of SAIL funding, Rehabilitation includes Substantial Rehabilitation.

- (2) The Development Category requirements are outlined in Section Four.

- (3) Rental Assistance (RA) Level

If applicable, the Corporation will calculate the Rental Assistance (RA Level) based on the Development Category Qualification Letter provided as **Attachment 6** and using the criteria described in Section Four.

- c. Select the Development Type

[Choose an item.](#)

- d. Enhanced Structural Systems ("ESS") Construction Qualifications

Does the proposed Development meet the requirements to be considered Enhanced Structural Systems Construction as outlined in Section Four A.4.d. of the RFA?

[Choose an item.](#)

- e. Combination of Development Categories, Development Types, or ESS/non-ESS Construction

If the Development utilizes a combination of Development Categories, Development Types, or ESS/non-ESS Construction, for purposes of the Leveraging Classification calculation and Total Development Cost Per Unit Limitation calculation, complete the chart below.

If the Development does not utilize a combination of Development Categories, Development Types, or ESS/non-ESS Construction, the chart is not required. In that event, the Leveraging Classification calculation and Total Development Cost Per Unit Limitation calculation will be made by applying the Development Type, Development Category and ESS Construction determination to all units in the proposed Development.

Measure	New Construction Units					Rehabilitation Units	
	Garden Non-ESS*	Garden ESS*	Mid-Rise-Non-ESS*	Mid-Rise-ESS*	High-Rise*	Garden*	Non-Garden*
Enter the applicable number of units	Enter the number of units	Enter the number of units	Enter the number of units	Enter the number of units	Enter the number of units	Enter the number of units	Enter the number of units

* Garden includes all Development Types other than Mid-Rise and High-Rise; Non-Garden includes Development Types of Mid-Rise with elevator (4 stories, 5 stories, or 6 stories) and High-Rise (7 or more stories); Mid-Rise includes Development Types of Mid-Rise with elevator (4 stories, 5 stories, or 6 stories); and High-Rise includes Development Type of High-Rise (7 or more stories). ESS means Enhanced Structural Systems Construction.

5. Location of proposed Development

a. County: [Choose a county.](#)

b. Development Location

(1) Address of Development Site:

[Click here to enter text.](#)

(2) City of Development Site*:

[Click here to enter text.](#)

*If the proposed Development is located in the unincorporated area of a county, provide that information.

c. Does the proposed Development consist of Scattered Sites?

[Choose an item.](#)

d. Latitude and Longitude Coordinates

(1) Development Location Point

Latitude in decimal degrees, rounded to at least the sixth decimal place

[Click here to enter text.](#)

Longitude in decimal degrees, rounded to at least the sixth decimal place

[Click here to enter text.](#)

- (2) If the proposed Development consists of Scattered Sites, for each Scattered Site that is in addition to the Development Location Point information provided in (1) above, identify the latitude and longitude coordinate, rounded to at least the sixth decimal place:

[Click here to enter text.](#)

e. Proximity

- (1) PHA or RD 515 Proximity Point Boost

- (a) Does the proposed Development qualify for the PHA Proximity Point Boost?

[Choose an item.](#)

If “Yes”, provide the required letter as **Attachment 7**.

- (b) Does the proposed Development qualify for the RD 515 Proximity Point Boost?

[Choose an item.](#)

If “Yes”, provide the required letter as **Attachment 14**.

- (2) Transit Services

Applicants may select Private Transportation or provide the location information and distance for one of the remaining four Transit Services on which to base the Application’s Transit Score.

- (a) If the proposed Development will serve the Elderly (ALF or Non-ALF) Demographic Commitment, does the Applicant commit to provide Private Transportation?

[Choose an item.](#)

- (b) Other Transit Services

Service	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile)*
Public Bus Stop 1	Latitude Coordinates	Longitude Coordinates	Distance
Public Bus Stop 2	Latitude Coordinates	Longitude Coordinates	Distance

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

Public Bus Stop 3	Latitude Coordinates	Longitude Coordinates	Distance
Public Bus Transfer Stop	Latitude Coordinates	Longitude Coordinates	Distance
Public Bus Rapid Transit Stop	Latitude Coordinates	Longitude Coordinates	Distance
SunRail Station, MetroRail Station, or TriRail Station	Latitude Coordinates	Longitude Coordinates	Distance

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

(3) Community Services

Up to three Community Services may be selected, for a maximum 4 Points for each service

Service	Service Name	Service Address	Distance (rounded up to the nearest hundredth of a mile):*
Grocery Store	Service Name	Service Address	Distance
Medical Facility	Service Name	Service Address	Distance
Pharmacy	Service Name	Service Address	Distance
Public School	Service Name	Service Address	Distance

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

f. Mandatory Distance Requirement

Does the proposed Development meet the Mandatory Distance Requirement automatically?

Choose an item.

If "No", does the proposed Development and any Development(s) on the List serve the same demographic commitment category, have one or more of the same Financial Beneficiaries, and meet at least one of the following criteria: (i) they are contiguous or divided by a street, and/or (ii) they are divided by a prior phase of the proposed Development?

[Choose an item.](#)

If "Yes", these properties will be disregarded for purposes of the Mandatory Distance Requirement. Identify the specific Development(s) on the List to disregard:

[Click here to enter text.](#)

The Corporation will determine whether the Mandatory Distance Requirements are met using the criteria described in Section Four.

6. Number of Units and Buildings

a. Total number of units that will be in the proposed Development upon completion: [Click here to enter text.](#)

b. Provide the number of new construction units and rehabilitation units

[Choose an item.](#)

If "Combination of new construction and rehabilitation units" is selected, state the quantity of each type:

[Click here to enter text.](#) new construction units

[Click here to enter text.](#) rehabilitation units

c. Occupancy Status

(1) If the Development Category committed to is Rehabilitation, with or without Acquisition, indicate which of the following applies to the Development site as of Application Deadline:

[Choose an item.](#)

(2) If the Development Category committed to is Preservation, with or without Acquisition, the existing affordable development must be at least 75 percent occupied as of the Application Deadline.

If there are existing occupied units and if the Development is funded, a plan for relocation of existing tenants will be required to be provided to the Credit Underwriter, as outlined in Exhibit D.

d. Set-Aside Commitments

(1) Select one of the following minimum set-aside commitments:

[Choose an item.](#)

(2) Total Set-Aside Breakdown Chart

(a) Applicants committing to the minimum set-aside commitment of 20 percent of the total units at 50 percent of the Area Median Income or less or 40 percent of the total units at 60 percent of the Area Median Income or less must complete the following chart:

Total Set-Aside Breakdown Chart - Percentage of Residential Units			
Required for all Applications	Required for all Applications requesting MMRB	Required for all Applications	AMI Level
Units with a 50-Year Commitment for SAIL (with exception for ELI which convert after year 15)	Units with a 50-Year Commitment for MMRB	Units with a 50-Year Commitment for Non-Competitive Housing Credit	
Enter Number %		Enter Number %	At or Below 25%
Enter Number %		Enter Number %	At or Below 28%
Enter Number %		Enter Number %	At or Below 30%
Enter Number %		Enter Number %	At or Below 33%
Enter Number %		Enter Number %	At or Below 35%
Enter Number %		Enter Number %	At or Below 40%
Enter Number %		Enter Number %	At or Below 45%
Enter Number %	Enter Number %	Enter Number %	At or Below 50%
Enter Number %	Enter Number %	Enter Number %	At or Below 60%
Total Set-Aside Percentage	Enter Number %	Enter Number %	

Note: In order for the ELI Set-Aside Units to convert to serve residents at or below 60 percent AMI after 15 years, the ELI Set-Aside Units must only be a SAIL commitment and only be stated in the SAIL column of the Total Set-Aside Breakdown Chart. Applicants that restate the ELI commitment in the Housing Credit or MMRB column are committing to set-aside that percentage of the total units for ELI Households for the entire 50 Compliance Period. Additionally, Applicants should not represent any NHTF Units in this chart.

(b) Applicants committing to the Average Income Test must complete this chart:

Total Set-Aside Breakdown Chart	
Number of Residential Units for 50-year commitment	AMI Level
Enter Number	At or Below 20%

<u>Enter Number</u>	At or Below 30%
<u>Enter Number</u>	At or Below 40%
<u>Enter Number</u>	At or Below 50%
<u>Enter Number</u>	At or Below 60%
<u>Enter Number</u>	At or Below 70%
<u>Enter Number</u>	At or Below 80%
<u>Enter Number</u>	Market Rate Units
<u>Enter Number</u> % (Total Set-Aside Percentage)	

In order for the NHTF Units to convert to serve residents at or below 60 percent AMI after 30 years, the NHTF Units should not be stated on the Total Set-Aside Breakdown Chart. Because the column represents a 50 year commitment, Applicants that restate the NHTF commitment in the column are committing to set-aside that number of units as NHTF Units for the entire Compliance Period. Applicants should not represent any NHTF Units in this chart.

Note: The Development Cost Pro Forma includes an Average Income Test worksheet to assist Applicants in this calculation. If the Total Set-Aside Breakdown Chart reflects that the Average AMI of all Qualifying Housing Credit Units exceeds 60 percent, and/or if the number of Set-Aside Units set aside at 30 percent AMI or less, is not equal to or greater than the required ELI commitment, and/or the overall Set-Aside Commitment requirement is not met, the Application will not be eligible for funding.

e. Unit Mix Chart

(1) Complete the chart below:

Number of Bedrooms/Bathrooms per Unit	Number of Units per Bedroom Type	Number of Units that are ELI Set-Aside Units
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>
<u>Choose an item.</u>	<u>Enter Number</u>	<u>Enter Number</u>

- (2) Answer the following questions:
- (a) How many Zero Bedroom Units are described in the unit mix chart?
Enter Number
 - (b) How many one-bedroom units are described in the unit mix chart?
Enter Number
 - (c) How many two-bedroom units are described in the unit mix chart?
Enter Number
 - (d) How many three-bedroom units are described in the unit mix chart?
Enter Number
 - (e) How many four-bedroom units are described in the unit mix chart?
Enter Number

f. Number of Buildings

Number of anticipated residential buildings: Enter Number

g. Compliance Period

All Applicants are required to set aside the units for 50 years as further described in Section Four of the RFA.

7. Readiness to Proceed

a. Site Control

The properly completed and executed Florida Housing Finance Corporation Site Control Certification form (Form Rev. 08-18) and attachments must be provided as **Attachment 8** to demonstrate site control as of Application Deadline.

b. Ability to Proceed documents

- (1) Provide the required documentation to demonstrate zoning as **Attachment 9**.
- (2) Provide the required documentation to demonstrate availability of water as **Attachment 10**.
- (3) Provide the required documentation to demonstrate availability of sewer as **Attachment 11**.

8. Construction Features

- a. Federal requirements and State Building Code requirements for all Developments are outlined in Section Four.
- b. General feature requirements for all Developments are outlined in Section Four.
- c. Accessibility feature requirements for all Developments are outlined in Section Four.
- d. Green Building Features:
 - (1) Green Building feature requirements for all Developments are outlined in Section Four.
 - (2) Proposed Developments with the Development Category New Construction or Redevelopment, with or without Acquisition, must select one of the following Green Building Certification programs described in Section Four.

Choose an item.

- (3) Proposed Developments with the Development Category Rehabilitation or Preservation, with or without Acquisition, must select enough of the following Green Building Features so that the total point value of the features selected equals at least 10, in addition to committing to the required Construction Features listed in Section Four.
 - Programmable thermostat in each unit (2 points)
 - Humidistat in each unit (2 points)
 - Water Sense certified dual flush toilets in all bathrooms (2 points)
 - Light colored concrete pavement instead of or on top of asphalt to reduce the heat-island effect (2 points)
 - Energy Star certified roof coating (2 points)*
 - Energy Star certified roofing materials (metal, shingles, thermoplastic polyolefin (TPO), or tiles) (3 points)*
 - Eco-friendly cabinets – no added urea formaldehyde and material must be certified by the Forest Stewardship Council, the Environmental Stewardship Program, or a certification program endorsed by the Programme for the Endorsement of Forest Certification (3 points)
 - Eco-Friendly flooring for entire unit – Carpet and Rug Institute Green Label certified carpet and pad, FloorScore certified flooring, bamboo, cork, 80% recycled content tile, and/or natural linoleum (3 points)
 - High Efficiency HVAC with SEER of at least 16 (2 points)**
 - Energy efficient windows in each unit (3 points)
 - o For all Development Types except Mid-Rise and High Rise: Energy Star rating for all windows in each unit;

- For Development Type of Mid-Rise and High Rise:
 - U-Factor of 0.50 or less and a SHHG of 0.25 or less where the fenestration is fixed; and
 - U-Factor of 0.65 or less and a SHHG of 0.25 or less where the fenestration is operable (i.e., the window opens)
- Florida Yards and Neighborhoods certification on all landscaping (2 points)
- Install daylight sensors, timers or motion detectors on all outdoor lighting attached to buildings (2 points)

*The Applicant may choose only one option related to Energy Star certified roofing.

**Applicants who choose high efficiency HVACs must meet the standards listed here, which exceed the minimum Green Building Features required of all Developments Section Four A.8. of the RFA.

9. Resident Programs

- a. Applicants that select the Family Demographic must commit to provide at least three of the following resident programs:

- After School Program for Children
- Adult Literacy
- Employment Assistance Program
- Family Support Coordinator
- Financial Management Program
- Homeownership Opportunity Program

- b. Developments serving the Elderly (ALF or Non-ALF) Demographic:

- (1) Required Resident Programs for all Applicants that select the Elderly Demographic (ALF or Non-ALF) are outlined in Section Four.
- (2) Additional required Resident Programs for all Applicants who select the Elderly ALF Demographic Commitment are outlined in Section Four.
- (3) Applicants that select the Elderly (ALF or Non-ALF) Demographic must commit to at least three of the following resident programs, in addition to the required resident programs stated in Section Four:

- Adult Literacy
- Computer Training
- Daily Activities
- Assistance with Light Housekeeping, Grocery Shopping and/or Laundry
- Resident Assurance Check-In Program

10. Funding

a. Corporation Funding

(1) Total SAIL Request Amount

- (a) SAIL Request Amount: [Click here to enter text.](#)
- (b) ELI Loan Request Amount: [Click here to enter text.](#)

(2) Non-Competitive Housing Credits

- (a) Housing Credit Request Amount (annual amount): \$ [Click here to enter text.](#)
- (b) Is the proposed Development the first phase of a multiphase Development?

[Choose an item.](#)

(c) Basis Boost Qualifications

- (i) Is the proposed Development a subsequent phase of a multiphase Development and eligible for the basis boost?

[Choose an item.](#)

If "Yes", state the Corporation-assigned Application Number for the Development where the first phase was declared: [Click here to enter text.](#)

- (ii) Are any buildings in the proposed Development located in a SADDA?

[Choose an item.](#)

If "Yes", provide the SADDA ZCTA Number(s): [Click here to enter text.](#)

(The Applicant should separate multiple SADDA ZCTA Numbers by a comma.)

- (iii) Is the proposed Development located in a non-metropolitan DDA?

[Choose an item.](#)

- (iv) Is the proposed Development located in a QCT?

[Choose an item.](#)

If "Yes", indicate the HUD-designated QCT census tract number: [Click here to enter text.](#)

- (d) The Housing Credit equity proposal must be provided as **Attachment 12**.
- (3) Corporation-Issued MMRB Loan Request Amount (if applicable): \$ [Click here to enter text](#).

If the Applicant intends to utilize County HFA-issued Tax-Exempt Bonds for the proposed Development, provide the required documentation as **Attachment 13**.

- (4) Does the Applicant intend to utilize NHTF Funding for NHTF Units?

[Choose an item](#).

Note: NHTF funding will be awarded as outlined in Section Five and Exhibit I. NHTF funding will not be available for proposed Developments in Small Counties.

- (5) Other Corporation Funding

- (a) If a PLP loan has been awarded for this Development, provide the following information:

Corporation File #	Amount of Funding
Click here to enter text	\$ Click here to enter text

- (b) If any other Corporation funds will be incorporated as a source of financing for the proposed Development, provide the information in the chart below:

Corporation Program	Corporation File No.	Amount of Funding
SAIL	Enter file No.	\$ Enter file No.
HOME-Rental	Enter file No.	\$ Enter file No.
MMRB	Enter file No.	\$ Enter file No.
EHCL	Enter file No.	\$ Enter file No.

- b. Non-Corporation Funding

- (1) If the proposed Development is assisted with funding under the United States Department of Agriculture RD 515 Program and/or the RD 538 Program, indicate the applicable program(s) below and provide the required documentation as **Attachment 14** to Exhibit A.

RD 515 RD 538

- (2) Non-Corporation Funding Proposals

Attach all funding proposals executed by the lender(s) or by any other source as **Attachment 15**. Self-Sourced Applicants must also include the Self-Sourced Financing Commitment Verification form (Rev. 11-19) as **Attachment 15**.

c. Development Cost Pro Forma

To meet the submission requirements, upload the Development Cost Pro Forma as outlined in Section Three of the RFA.

d. Per Unit Construction Funding Preference

Does the proposed Development qualify for the Per Unit Construction Funding Preference?

[Choose an item.](#)

e. Principal of the Applicant is a Public Housing Authority and/or an instrumentality of a Public Housing Authority

Is a Principal of the Applicant Entity a Public Housing Authority or an instrumentality of a Public Housing Authority?

[Choose an item.](#)

If the Principal of the Applicant Entity is an instrumentality of a Public Housing Authority, state the name of the Public Housing Authority:

[Click here to enter text.](#)

11. Local Government Contributions

With the exception of Applicants of proposed Developments located in Miami-Dade County, if the Applicant selected the Development Category of Preservation or Rehabilitation, with or without Acquisition, the Application will automatically receive maximum points.

If the Applicant has a proposed Development located in Miami-Dade County or if the Applicant selected the Development Category of New Construction or Redevelopment, with or without Acquisition (i.e., the Application is not eligible for automatic points), has a Local Government committed to provide a contribution to the proposed Development?

[Choose an item.](#)

If "Yes", in order to be considered for points for this section of the RFA, provide the applicable Local Government Verification of Contribution form(s) as **Attachment 16** as outlined in Section Four, 11. of the RFA.

B. Other Information

1. Verifying Application Fee Payment

To ensure that the Application Fee is processed for the correct online Application, the following is **strongly recommended**: (i) provide the Application Fee at least 48 hours

prior to the Application Deadline; and (ii) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment.

Additionally, include the following:

- If submitting a check or money order, provide the check or money order number.
- If submitting an ACH, provide the trace number.
- If submitting a wire transfer, provide the wire service reference number (i.e. Fed/CHIPS/SWIFT Reference Number) and the Fed Wire Transfer Number.

[Click here to enter text.](#)

2. **Bookmarking the All Attachments Document before uploading (5 points)**

To be awarded 5 points, bookmark the pdf of the All Attachments Document before uploading.

3. **Addenda**

Use the space below to provide any additional information or explanatory addendum for items in the Application. Please specify the particular item to which the additional information or explanatory addendum applies.

[Click here to enter text.](#)

Exhibit B – Definitions

<p>“Grocery Store”</p>	<p>A retail food store consisting of 4,500 square feet or more of contiguous air-conditioned space available to the public, that has been issued a food permit, current and in force as of the dates outlined below, issued by the Florida Department of Agriculture and Consumer Service (FDACS) which designates the store as a Grocery Store or Supermarket within the meaning of those terms for purposes of FDACS-issued food permits.</p> <p>Additionally, it must have (i) been in existence and available for use by the general public since a date that is 6 months prior to the Application Deadline; or (ii) been in existence and available for use by the general public as of the Application Deadline AND be one of the following: Albertson’s, Aldi, Bravo Supermarkets, BJ’s Wholesale Club, Costco Wholesale, Food Lion, Fresh Market, Harvey’s, Milam’s Markets, Piggly Wiggly, Presidente, Publix, Sam’s Club, Sav – A – Lot, Sedano’s, SuperTarget, Trader Joe’s, Walmart Neighborhood Market, Walmart Supercenter, Whole Foods, Winn-Dixie.</p>
<p>“Medical Facility”</p>	<p>A medically licensed facility that employs or has under contractual obligation at least one physician licensed under Chapter 458 or 459, F.S. available to provide general medical treatment to patients by walk-in or by appointment. Facilities that only treat specific classes of medical conditions, including, but not limited to clinics/emergency rooms affiliated with specialty or Class II hospitals, or facilities that only treat specific classes of patients (e.g., age, gender) will not be accepted.</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants”</p>	<p>Permanent sources of funding that are not Corporation funding, local HFA bond funding, Regulated Mortgage Lender funding, USDA RD funding, tax credit equity, Deferred Developer Fee, seller’s notes for the acquisition of property, or self-sourced financing. All other permanent sources of financing will cause the maximum SAIL request allowed to be reduced as outlined in Section Four, A.10.b.(2)(i) of the RFA. The Self-Sourced Applicant’s construction/rehab sources of funding do not affect the maximum per unit SAIL Request.</p>
<p>“Pharmacy”</p>	<p>A community pharmacy operating under a valid permit issued pursuant to s. 465.018, F.S., current and in force as of the dates outlined below and open to the general public at least five days per week without the requirement of a membership fee.</p> <p>Additionally, it must have (i) been in existence and available for use by the general public since a date that is 6 months prior to the Application Deadline; or (ii) been in existence and available for use by the general public as of the Application Deadline AND be one of the following: Albertson’s, Costco Wholesale, CVS, Harvey’s, Kmart, Navarro’s, Piggly Wiggly, Publix, Sav – A – Lot, Target, Walgreens, Wal-Mart, Winn-Dixie.</p>

<p>“Private Transportation”</p>	<p>At no cost to the residents, transportation provided by the Applicant or its Management Company to non-emergency medical appointments such as therapy, chemotherapy, dentistry, hearing, dialysis, prescription pick-ups, testing and x-rays, as well as shopping, public service facilities, and/or educational or social activities. The vehicle used for the residents’ transportation must accommodate at least six adult passengers, including the vehicle’s driver and at least one wheelchair position. Access to a program such as “Dial-A-Ride” will not meet this definition.</p>
<p>“Public Bus Rapid Transit Stop”</p>	<p>A fixed location at which passengers may access public transportation via bus. The Public Bus Rapid Transit Stop must service at least one bus that travels at some point during the route in either a lane or corridor that is exclusively used by buses, and the Public Bus Rapid Transit Stop must service at least one route that has scheduled stops at the Public Bus Rapid Transit Stop at least every 20 minutes during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis.</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Public Bus Stop”</p>	<p>A fixed location at which passengers may access one or two routes of public transportation via buses. The Public Bus Stop must service at least one bus route that either (i) has scheduled stops at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis; or (ii) has the following number of scheduled stops within a 24 hour period, Monday through Friday, excluding holidays, on a year-round basis, for the applicable county size;</p> <p>Small and Medium Counties: 12 scheduled stops</p> <p>Large Counties: 18 scheduled stops</p> <p>Bus routes must be established or approved by a Local Government department that manages public transportation. Buses that travel between states will not be considered.</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Public Bus Transfer Stop”</p>	<p>For purposes of proximity points, a Public Bus Transfer Stop means a fixed location at which passengers may access at least three routes of public transportation via buses. Each qualifying route must either (i) have a scheduled stop at the Public Bus Transfer Stop at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis; or (ii) have the following number of scheduled stops at the Public Bus Transfer Stop within a 24 hour period, Monday through Friday, excluding holidays, on a year-round basis, for the applicable county size:</p> <p>Small and Medium Counties: 12 scheduled stops</p>

	<p>Large Counties: 18 scheduled stops</p> <p>This would include bus stations (i.e., hubs) and bus stops with multiple routes. Bus routes must be established or approved by a Local Government department that manages public transportation. Buses that travel between states will not be considered.</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Public Rail Station”</p>	<p>For purposes of proximity points, a Public Rail Station means a fixed location at which passengers may access the scheduled public rail transportation on a year-round basis at a MetroRail Station located in Miami-Dade County, a TriRail Station located in Broward County, Miami-Dade County or Palm Beach County, or a SunRail Station located in the following counties: Orange, Osceola, Seminole, and Volusia</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Public School”</p>	<p>Either (i) a public elementary, middle, junior and/or high school, where the principal admission criterion is the geographic proximity to the school; or (ii) a charter school or a magnet school, if the charter school or magnet school is open to appropriately aged children who apply, without additional requirements for admissions such as passing an entrance exam or audition, payment of fees or tuition, or demographic diversity considerations.</p> <p>Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.</p>
<p>“Regulated Mortgage Lender”</p>	<p>(a) A state or federally chartered entity authorized to transact business in this state that regularly engages in the business of making mortgage loans secured by real property in this state, whose mortgage lending activities subject it to the jurisdiction of the State of Florida Office of Financial Regulation, the Board of Governors of the Federal Reserve, Office of the Comptroller of the Currency, the National Credit Union Administration, or the Federal Deposit Insurance Corporation; (b) A Fannie Mae-approved lender whose name appears on the Fannie Mae list of Delegated Underwriting and Servicing (DUS®) Lenders*; (c) A HUD-approved lender whose name appears on the U.S. Department of Housing and Urban Development (HUD) list of Multifamily Accelerated Processing (MAP) Approved Lenders*; (d) A RD-approved lender whose name appears on the U.S. Department of Agriculture, Rural Development (RD), list of Section 538 Guaranteed Rural Rental Housing approved lenders*; or (e) A Freddie Mac-approved multifamily lender whose name appears on Freddie Mac’s lists of Program Plus (Florida region) lenders, Targeted Affordable Housing lenders or Seniors Housing lenders*; or (f) a mortgage lender that is a certified Community Development Financial Institution (CDFI) in the State of Florida that has been awarded funding from the CDFI Fund in a cumulative amount of at least \$5,000,000, exclusive of New Market Tax Credit (NMTC) awards, whose name and CDFI awards can be</p>

	<p>confirmed on the CDFI Fund’s web site (Qualified CDFI, and the affiliate(s) of such Qualified CDFI. As used herein, the affiliate(s) of a Qualified CDFI means the parent, subsidiary or successor of the Qualified CDFI, or an entity that shares common ownership or management with the Qualified CDFI. If the lender is an affiliate of the Qualified CDFI, the funding letter(s) being considered by the Corporation must include the name of the Qualified CDFI and a statement that the lender is an affiliate of the Qualified CDFI.</p> <p>*These documents are available on the RFA Webpage.</p>
<p>“Set-Aside Units”</p>	<p>When not committing to the Average Income Test, Set-Aside Units are units set aside at or below 60 percent of the Area Median Income for the county in which the Development is located. The total number of Set-Aside Units is then calculated as follows:</p> <p style="padding-left: 40px;">The total number of units within the proposed Development multiplied by the highest Total Set-Aside Percentage the Applicant committed to as stated in the last row of the set-aside breakdown chart in the Set-Aside Commitment section of the Application. Results that are not a whole number will be rounded up to the next whole number.</p> <p>When committing to the Average Income Test, Set-Aside Units are units set aside at or below 80 percent of the Area Median Income for the county in which the Development is located, but the average AMI shall not exceed 60 percent. The total number of Set-Aside Units is calculated by adding together the number of units at or below 80 percent AMI represented on the Total Set-Aside Breakdown Chart.</p>
<p>“Sister Stop”</p>	<p>Sister Stop is defined as two bus stops that (i) individually, each meet the definition of Public Bus Stop; (ii) are separated by a street or intersection from each other; (iii) are within 0.2 miles of each other; (iv) serve the same bus route(s); and (v) and the buses travel in different directions.</p>
<p>“Veteran”</p>	<p>A person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges.</p>

Exhibit C – Additional Information

1. Total Development Cost Per Unit Limitation

- a. The Total Development Cost Per Unit Limitation was reviewed during the scoring process as outlined in Section Five, A. During credit underwriting and final cost certification, the Total Development Cost Per Unit Limitation will be reviewed again using the values in the chart below including the “Escalation Factor” of 6.0 percent, as follows:

Total Development Cost Per Unit Base Limitation plus all applicable Add-Ons, then multiplied by the Escalation Factor. The result of this will then be divided by each applicable TDC Multiplier.

Multiply this by the number of units in the proposed Development, rounded down to the nearest whole dollar, to calculate the proposed Development’s Maximum Total Development Cost (Maximum TDC).

Note: If there are multiple unit types, this process is done for each unique unit type and then they are all added together.

Total Development Cost Per Unit Base Limitations, to be used for Total Development Cost Per Unit Limitation Tests in Credit Underwriting and Final Cost Certification, prior to any Escalation Factor

Measure	New Construction Units					Rehabilitation Units	
	Garden Non-ESS*	Garden ESS*	Mid-Rise-Non-ESS*	Mid-Rise-ESS*	High-Rise*	Garden*	Non-Garden*
Maximum TDC Per Unit Limitation ** for all counties except Broward, Miami-Dade and Palm Beach counties	\$270,100	\$311,900	\$311,900	\$344,700	\$358,000	\$146,900	\$221,600
Maximum TDC Per Unit Limitation ** for Broward, Miami-Dade and Palm Beach counties	\$284,500	\$327,100	\$327,100	\$361,000	\$374,700	\$153,600	\$232,600
Applicable TDC Multipliers (to be applied against the Development’s TDC) and TDC Add-Ons (to be added to the Maximum TDC Per Unit Limitation)							
TDC Multiplier for Elderly-ALF Developments						95%	
TDC Multiplier for Florida Keys Area for all areas located north of Plantation Key (i.e., north of Tavernier Creek)						65%***	
TDC Multiplier for Florida Keys Area for all areas located on or south of Plantation Key (i.e., south of Tavernier Creek)						50%***	
TDC Add-on for All Applicants due to known expenses related to tax-exempt bond transactions					\$5,000 of additional per unit costs will be added to the above Maximum TDC Per Unit Limitation		
TDC Add-On for Applicants that have a PHA/instrumentality of a PHA as a Principal					\$5,000 of additional per unit costs will be added to the above Maximum TDC Per Unit Limitation		

* Garden includes all Development Types other than Mid-Rise and High-Rise; Non-Garden includes Development Types of Mid-Rise (4 stories, 5 stories, or 6 stories) and High-Rise (7 or more stories); Mid-Rise includes Development Types of Mid-Rise with elevator (4 stories, 5 stories, or 6 stories); and High-Rise includes Development Type of High-Rise (7 or more stories). ESS means Enhanced Structural Systems Construction.

** Exclusive of-property purchase price and exclusive of any approved operating deficit reserves that are part of the permanent phase (i.e., non-construction) financing for the Development which have not been included within the Developer fee. When the

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term of operating deficit reserves (ODR) is mentioned in this TDC Per Unit Limitation section, the term shall refer to these particular operating deficit reserves. Examples of reserves which can be considered part of the operating deficit reserve for this calculation are provided in the Operating Deficit Reserve portion of the Funding section in the RFA. For purposes of property purchase price to be excluded, the Corporation uses the lesser of the appraised value, or the actual property purchase price. When property purchase price is referenced in this TDC Per Unit Limitation section, the reference shall be limited to the amount of the property purchase price approved by the Corporation to be provided in the final cost certification under the building acquisition and land owned cost line items. In addition, the costs identified by any Applicant as the construction costs associated with commercial and/or retail space are excluded from the TDC Per Unit Limitation process. For Applicants that have a public housing authority/instrumentality of a public housing authority listed as a Principal on the Applicant's Principal Disclosure Form may also exclude demolition costs and tenant relocation costs from TDC PU Limitation calculations. The total amount of costs that are to be excluded from the TDC Per Unit Limitation process are the applicable property acquisition price (building and land), construction costs associated with the delivery of commercial/retail space, operating deficit reserves and certain PHA costs described herein are referred to in Exhibit C in the congregate as applicable qualifying costs.

*** If the proposed Development consists of Scattered Sites, the 50% TDC Multiplier applies only if all of the sites are located south of Tavernier Creek.

b. Reviewing the Developer Fee and the Total Development Cost of the proposed Development during Credit Underwriting

The Total Development Cost of the proposed Development ("TDC of the Proposed Development") is often adjusted during credit underwriting. Any such adjustments that occurred during the credit underwriting process may cause the maximum Developer Fee allowed for the proposed Development to fluctuate. Additionally, as further explained below, if the TDC of the proposed Development exceeds the Maximum TDC after all mandated reductions have been implemented, this may result in a negative recommendation by the credit underwriter in the final credit underwriting report and a request of the Corporation's Board to de-obligate the awarded funding.

The Maximum TDC is not altered throughout the process, remaining at the same initial amount at each step. However, it is possible the maximum Developer Fee can be adjusted to a lower amount subsequent to the initial determination established below.

The following methodology will calculate the maximum Developer Fee for the proposed Development. Any reductions to the Applicant's stated Developer Fee will cause the TDC of the proposed Development to be equally reduced in the final credit underwriting report described below. This process assumes the initially stated Developer Fee in b. and c. below does not violate the maximum Developer Fee as determined by multiplying the proposed Development's Development Costs by the maximum Developer Fee percentage as stated in the applicable Rule and this RFA, rounded down to the nearest dollar.

(1) First Review of the Developer Fee and the TDC of the Proposed Development

A Developer Fee can be earned on Development Cost as defined by Rule Chapter 67-21, F.A.C., up to the maximum limit allowed, as calculated below. The proposed Development's maximum Developer Fee will be first calculated as follows:

The credit underwriter will calculate the maximum Developer Fee by dividing the Maximum TDC amount by 1.18, and then multiply the result by 18 percent, rounding up to the nearest whole dollar. Note: These figures represent the applicable Developer Fee percentage for the Development of 18 percent and

one plus the applicable Developer Fee percentage for the Development (1+18%).

If the maximum Developer Fee calculated in this step is equal to or greater than the proposed Development's stated Developer Fee, there will be no resulting deduction to the stated Developer Fee or the TDC of the Proposed Development from this first review.

If this step causes the maximum Developer Fee to be less than the proposed Development's stated Developer Fee, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in this step, and the TDC of the Proposed Development will be equally reduced to incorporate the first mandated cost reduction.

(2) Second Review of the Developer Fee and the TDC of the Proposed Development

The second step will reduce the maximum Developer Fee by the lesser of (a) the actual amount that the TDC of the Proposed Development exceeds the Maximum TDC, (b) \$500,000, or (c) 25 percent of the Maximum Developer Fee calculated in (1) above.

If the maximum Developer Fee calculated in this step is equal to or greater than the proposed Development's Developer Fee calculated in (1) above, there will be no resulting deduction to the stated Developer Fee or the TDC of the Proposed Development from this second review.

If this step causes the maximum Developer Fee to be less than the proposed Development's Developer Fee calculated in (1) above, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in this step, and the TDC of the Proposed Development will be equally reduced to incorporate the second mandated cost reduction.

(3) Third Review of the Developer Fee and the TDC of the Proposed Development

The third step will have the maximum Developer Fee calculated in (2) above reduced by the same percentage as the percentage that the TDC of the Proposed Development determined in (2) above exceeds the Maximum TDC.

This is determined by dividing the TDC of the Proposed Development calculated in (2) above by the Maximum TDC calculated in (2) above. If the resulting percentage is greater than 100%, then the resulting percentage will have 100% subtracted from it. This number is then multiplied by the maximum Developer Fee calculated in (2) above, rounded down to the nearest whole dollar and the resulting amount is subtracted from the maximum Developer Fee calculated in (2) above, yielding a new, lower maximum Developer Fee. If the resulting percentage is less than or equal to 100 percent, the third review is complete without any further mandated adjustments to either the stated Developer Fee or the TDC of the Proposed Development.

If the maximum Developer Fee calculated in this step is equal to or greater than the proposed Development's Developer Fee calculated in (2) above, there will be no resulting deduction to the stated Developer Fee or the TDC of the Proposed Development from this third review.

If this step causes the maximum Developer Fee to be less than the proposed Development's Developer Fee calculated in (2) above, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in this step, and the TDC of the Proposed Development will be equally reduced to incorporate the third mandated cost reduction.

As a note, if the initial stated Developer Fee is already at or below the maximum Developer Fee as calculated in the third review of the Developer Fee, then there is no adjustment mandated to be incorporated into the Developer Fee. This also means there are no corresponding cost savings to reduce the TDC of the Proposed Development since all mandated TDC cost reductions stemming from this process are coming from reducing the stated Developer Fee.

(4) The 5% Test

The Total Development Cost of the proposed Development ("TDC of the Proposed Development") in place after all three cost reduction steps have been performed as detailed above cannot exceed the Maximum TDC by more than 5 percent ("5% Test"). The 5% Test is performed only at time of Credit Underwriting and is not part of the Final Cost Certification Application Package process described in c. below.

If the TDC of the Proposed Development after the third mandated cost reduction step does not meet the 5% Test, the final credit underwriting report shall be presented at the next Florida Housing Finance Corporation Board Meeting with a negative recommendation by the Credit Underwriter with a staff request to de-obligate the awarded funding due to a proposed Development having excessive development costs.

c. Reviewing the Developer Fee and the TDC of the Proposed Development stated in the Final Cost Certification Application Package ("FCCAP")

The TDC of the Proposed Development may be further adjusted when the FCCAP is processed. Any such adjustments that occurs with the FCCAP may cause the maximum Developer Fee allowed for the proposed Development to either increase, as described in (3) below, or decrease, as described in (2) and (4) below. Any increase or decrease to the Applicant's stated Developer Fee will cause the TDC of the Proposed Development to be equally increased or decreased, respectively.

The TDC of the Proposed Development preliminarily stated in the FCCAP is compared to the Maximum TDC as calculated in a. above as well as to the TDC reported in the final credit underwriting report.

Policy when the Developer Fee was not reduced by the process described in b. above

- (1) If the TDC of the Proposed Development preliminarily stated in the FCCAP is less than or equal to the Maximum TDC calculated in a. above, no adjustment will be required, and no further action will be taken relative to the TDC PU Limitation process.
- (2) If the TDC of the Proposed Development preliminarily stated in the FCCAP is greater than the Maximum TDC calculated in a. above and if the maximum Developer Fee calculated in b. above is equal to or greater than the proposed Development's Developer Fee initially presented in the FCCAP, there will be no resulting deduction to the preliminarily stated Developer Fee or the TDC of the Proposed Development for the first step in this review.

Alternatively, if the TDC of the Proposed Development preliminarily stated in the FCCAP is greater than the Maximum TDC calculated in a. above and if the maximum Developer Fee calculated in b. above is less than the proposed Development's Developer Fee initially presented in the FCCAP, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in b. above, and the TDC of the Proposed Development will be equally reduced to incorporate the this mandated cost reduction for this alternative first step in this review.

After the applicable above first step of c.(2) is complete, the calculations described in (2)(a) and (2)(b) below ("the First and Second Review of the Developer Fee and the TDC of the Proposed Development preliminarily stated in the FCCAP") will determine the final Developer Fee.

- (a) First Review of the Developer Fee and the TDC of the Proposed Development preliminarily stated in the FCCAP

If the TDC of the Proposed Development after the prior review step is greater than the TDC reported in the final credit underwriting report, the maximum Developer Fee calculated in b. above will be reduced by the lesser of (i) the actual amount of costs in excess of the amount allowed by the Maximum TDC, (ii) \$250,000, or (iii) 10 percent of the maximum Developer Fee calculated in b. above.

If the maximum Developer Fee calculated in this step is equal to or greater than the Developer Fee stated in the FCCAP, there will be no resulting deduction to the stated Developer Fee or the TDC of the Proposed Development from this review.

If this step causes the maximum Developer Fee to be less than the Developer Fee stated in the FCCAP, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in this step, and the TDC of the Proposed Development will be equally reduced to incorporate this cost reduction.

(b) Second Review of the Developer Fee and the TDC of the Proposed Development

The maximum Developer Fee as calculated in step (2)(a) above will be reduced by the same percentage as the percentage that the TDC of the Proposed Development calculated in (2)(a) above exceeds the Maximum TDC.

This is determined by dividing the TDC of the Proposed Development calculated in step (2)(a) above by the Maximum TDC. If the resulting percentage is greater than 100%, then the resulting percentage will have 100% subtracted from it. This number is then multiplied by the maximum Developer Fee calculated in step (2)(a) above, rounded down to the nearest whole dollar and the resulting amount is subtracted from the maximum Developer Fee calculated in step (2)(a) above. If the resulting percentage is less than or equal to 100 percent, this review is complete without any further mandated adjustments to either the stated Developer Fee or the TDC of the Proposed Development calculated in step (2)(a) above.

If the maximum Developer Fee calculated in this step is equal to or greater than the Developer Fee calculated in step (2)(a) above, there will be no resulting deduction to the stated Developer Fee or the TDC of the Proposed Development from this review.

If this step causes the maximum Developer Fee to be less than the Developer Fee calculated in step (2)(a) above, the stated Developer Fee will be reduced to the maximum Developer Fee calculated in this step, and the TDC of the Proposed Development calculated in step (2)(a) above will be equally reduced to incorporate this cost reduction.

Policy when the Developer Fee was reduced by the process described in b. above

- (3) If the TDC of the Proposed Development preliminarily stated in the FCCAP is less than the TDC reported in the final credit underwriting report, the calculations in b. above will be repeated using the TDC of the Proposed Development preliminarily stated in the FCCAP. This may result in an increase to the final Developer Fee as a result of the initial Maximum Developer Fee not being reduced to the extent determined at time of credit underwriting during steps b.(1)-(3).
- (4) If the TDC of the Proposed Development preliminarily stated in the FCCAP is greater than the TDC reported in the final credit underwriting report, the calculations described in (2)(a) above ("the First Review of the Developer Fee and the TDC of the Proposed Development preliminarily stated in the FCCAP") will determine the final Developer Fee. In this scenario, the calculations described in (2)(b) above will not be applied.

A template and training video regarding the Total Development Cost Per Unit Limitation have been made available. A link has been added to the RFA Webpage called "Total Development Cost Per Unit Limitation Information Used In RFAs". This link will take users to a new webpage with examples of this process, as well as a template, training video, and, for assistance after the

review and evaluation process as explained in Section Three, F.2. of this RFA, contact information for available Florida Housing staff.

2. Transit and Community Service Scoring Charts

a. Transit Service Scoring Charts

Distances if using one or two Public Bus Stops			
Small County Distance between the Development Location Point and eligible service	Medium and Large County Distance between the Development Location Point and eligible service	Number of Proximity Points Awarded if one Public Bus Stop is within the stated distance	Number of Proximity Points Awarded if two Public Bus Stops are within the stated distance
if less than or equal to 0.30 miles	if less than or equal to 0.30 miles	2.0	4.0
if greater than 0.30 and less than or equal to 0.75 miles	if greater than 0.30 and less than or equal to 0.40 miles	1.5	3.0
if greater than 0.75 and less than or equal to 1.00 miles	if greater than 0.40 and less than or equal to 0.50 miles	1.0	2.0
if greater than 1.00 and less than or equal to 1.25 miles	if greater than 0.50 and less than or equal to 0.75 miles	0.0	1.0
If greater than 1.25. miles	If greater than 0.75 miles	0.0	0.0

Distances if using three Public Bus Stops		
Small County Distance between the Development Location Point and the furthest Public Bus Stop coordinates stated in Exhibit A	Medium and Large County Distance between the Development Location Point and the furthest Public Bus Stop coordinates stated in Exhibit A	Number of Proximity Points Awarded if three Public Bus Stops are within the stated distance
if less than or equal to 0.30 miles	if less than or equal to 0.30 miles	6.0
if greater than 0.30 and less than or equal to 0.75 miles	if greater than 0.30 and less than or equal to 0.50 miles	5.5
if greater than 0.75 and less than or equal to 1.00 miles	if greater than 0.50 and less than or equal to 0.75 miles	5.0
if greater than 1.00 and less than or equal to 1.25 miles	if greater than 0.75 and less than or equal to 1.00 miles	4.5

Public Rail Station, Public Bus Transfer Stop, or Public Bus Rapid Transit Stop		
Small County Distance between the Development Location Point and eligible service	Medium and Large County Distance between the Development Location Point and eligible service	Number of Proximity Points Awarded for Eligible Service

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if less than or equal to 0.30 miles	if less than or equal to 0.30 miles	6.0
if greater than 0.30 and less than or equal to 0.75 miles	if greater than 0.30 and less than or equal to 0.50 miles	5.5
if greater than 0.75 and less than or equal to 1.00 miles	if greater than 0.50 and less than or equal to 0.75 miles	5.0
if greater than 1.00 and less than or equal to 1.25 miles	if greater than 0.75 and less than or equal to 1.00 miles	4.5
if greater than 1.25 and less than or equal to 1.50 miles	if greater than 1.00 and less than or equal to 1.25 miles	4.0
if greater than 1.50 and less than or equal to 1.75 miles	if greater than 1.25 and less than or equal to 1.50 miles	3.5
if greater than 1.75 and less than or equal to 2.00 miles	if greater than 1.50 and less than or equal to 1.75 miles	3.0
if greater than 2.00 and less than or equal to 2.50 miles	if greater than 1.75 and less than or equal to 2.00 miles	2.5
if greater than 2.50 miles	if greater than 2.00 miles	0.0

b. Community Services Scoring Charts

Grocery Store, Medical Facility and Pharmacy		
Small County Distance between the Development Location Point and eligible service	Medium and Large County Distance between the Development Location Point and eligible service	Number of Proximity Points Awarded for Eligible Service
if less than or equal to 0.30 miles	if less than or equal to 0.30 miles	4.0
if greater than 0.30 and less than or equal to 0.75 miles	if greater than 0.30 and less than or equal to 0.50 miles	3.5
if greater than 0.75 and less than or equal to 1.00 miles	if greater than 0.50 and less than or equal to 0.75 miles	3.0
if greater than 1.00 and less than or equal to 1.25 miles	if greater than 0.75 and less than or equal to 1.00 miles	2.5
if greater than 1.25 and less than or equal to 1.50 miles	if greater than 1.00 and less than or equal to 1.25 miles	2.0
if greater than 1.50 and less than or equal to 1.75 miles	if greater than 1.25 and less than or equal to 1.50 miles	1.5
if greater than 1.75 and less than or equal to 2.00 miles	if greater than 1.50 and less than or equal to 1.75 miles	1.0
if greater than 2.00 and less than or equal to 2.25 miles	if greater than 1.75 and less than or equal to 2.00 miles	0.5
if greater than 2.25 miles	if greater than 2.00 miles	0.0

Public School		
Small County Distance between the Development Location Point and eligible service	Medium and Large County Distance between the Development Location Point and eligible service	Number of Proximity Points Awarded for Eligible Service
if less than or equal to 0.75 miles	if less than or equal to 0.50 miles	4.0
if greater than 0.75 and less than or equal to 1.0 miles	if greater than 0.50 and less than or equal to 0.75 miles	3.5

if greater than 1.0 and less than or equal to 1.25 miles	if greater than 0.75 and less than or equal to 1.00 miles	3.0
if greater than 1.25 and less than or equal to 1.5 miles	if greater than 1.00 and less than or equal to 1.25 miles	2.5
if greater than 1.5 and less than or equal to 1.75 miles	if greater than 1.25 and less than or equal to 1.5 miles	2.0
if greater than 1.75 and less than or equal to 2.0 miles	if greater than 1.50 and less than or equal to 1.75 miles	1.5
if greater than 2.0 and less than or equal to 2.25 miles	if greater than 1.75 and less than or equal to 2.00 miles	1.0
if greater than 2.25 miles	if greater than 2.00 miles	0

3. Leveraging Classification

Each eligible Application will be assigned a Leveraging Level 1 – 5, with 1 being the best score, based on the total Corporation SAIL Funding amount per Set-Aside Unit relative to all other eligible Application’s total Corporation SAIL Funding amount per Set-Aside Unit.

The total Corporation SAIL Funding amount is calculated only using the Applicant’s Eligible SAIL Request. ELI Loan funding, MMRB, and Non-Competitive Housing Credit funding, if applicable, will all be excluded from the following leveraging calculation.

The calculation of the total Corporation SAIL funding amount will begin by taking the Eligible SAIL Request Amount and then applying the methodology described in a. through d. below, as applicable:

- a. If the Development qualifies for a Housing Credit basis boost, the Eligible SAIL Request Amount will be multiplied by 1.15; and
- b. If the proposed Development is located in Broward County, the amount will be multiplied by 0.88; and
- c. If the Applicant has a PHA as a Principal (disclosed in the Principal Disclosure form), a multiplier of 0.93 will be applied; and
- d. If the proposed Development met the requirements to be considered ESS Construction, a multiplier of 0.87 will be applied. Note: All Applicants that selected the High-Rise Development Type will be considered to meet the requirements to be considered ESS Construction for all High-Rise units.

Note: More than one of the above may apply. For instance, if a. and b. and c. and d. apply and the Development qualifies for the basis boost, the Eligible SAIL Request will be multiplied by 1.15, then multiplied by 0.88 and then by 0.93 and then by 0.87.

- e. If the Development consists of new construction units, the total Corporation funding amount calculated above will also be multiplied by a Leveraging Factor. The Leveraging Factor is calculated as follows:
 - (1) The number of new construction units in all High-Rise Buildings stated in question 4.e. of Exhibit A will be multiplied by 0.82

- (2) The number of new construction units in all Mid-Rise with Elevator buildings (a building comprised of 4, 5 or 6 stories) stated in question 4.e. of Exhibit A will be multiplied by 0.85
- (3) The number of new construction units in all Garden buildings stated in question 4.e. of Exhibit A will be multiplied by 0.92
- (4) The number of new construction units in all other Development Types stated in question 4.e. of Exhibit A will be multiplied by 1.

Add the results of (1) – (4) together, then divide by the total number of units in the Development. The result of this calculation is the Leveraging Factor. The Leveraging Factor is then multiplied by the total Corporation funding amount as calculated in a. – d. above. This result is the total Corporation funding amount used in f. below.

- f. The total Corporation funding amount will then be divided by the number of Set-Aside Units, resulting in the total Corporation funding per Set-Aside Unit.
- g. All eligible Applications will be divided into three lists: (i) the Applications with the Development Category of Preservation, Acquisition and Preservation, Rehabilitation, and Acquisition and Rehabilitation (“Rehabilitation List”); (ii) the Applications submitted by Self-Sourced Applicants (“Self-Sourced Applicants List”); and (iii) all remaining Applications proposing New Construction and all Applications proposing Redevelopment (“New Construction List”).

- (1) The New Construction List will be compiled as follows:

The Applications on the New Construction List will be listed in ascending order beginning with the Application that has the lowest amount of total Corporation SAIL funding per Set-Aside Unit and ending with the Application that has the highest amount.

The total number of Applications on the list will be multiplied by 10 percent and the resulting figure will be rounded up to the next whole number (the resulting figure after rounding will be referred to as the “First Leveraging Level Cut-Off”). A line will be drawn below the Application whose place on the list is equal to the First Leveraging Level Cut-Off. If any Applications have identical total Corporation SAIL funding per set-aside unit amounts, the Applications will be further sorted using lottery number, with the HIGHEST (worst) lottery number being listed first.

Applications above the First Leveraging Level Cut-Off will be classified as Leveraging Level 1.

The total number of Applications on the list will be multiplied by 30 percent and the resulting figure will be rounded up to the next whole number (the resulting figure after rounding will be referred to as the “Second Leveraging Level Cut-Off”). A line will be drawn below the Application whose place on the list is equal to the Second Leveraging Level Cut-Off.

Applications above the Second Leveraging Level Cut-Off, that are not in Leveraging Level 1 will be classified as Leveraging Level 2. Applications below the Second Leveraging Level Cut-Off will continue with this same process until all eligible Applications have been assigned to one of five leveraging levels (Leveraging Level 1 representing the top 10 percent, Leveraging Level 2 representing the top 30 percent that are not Leveraging Level 1; Leveraging Level 3 representing the top 50 percent that are not Leveraging Level 1 or 2; Leveraging Level 4 representing the top 70 percent that are not Leveraging Level 1, 2 or 3; and Leveraging Level 5 remaining Applications).

- (2) The Applications on the Rehabilitation List, and the Applications on the Self-Sourced Applicants List will be classified as Leveraging Level 1 – 5 using the same manner as the New Construction List.

4. Florida Job Creation Funding Preference

Each Application will be measured to determine whether it qualifies for the Florida Job Creation Funding Preference. To determine eligibility for the preference, the Corporation will calculate the Application's Florida Job Creation score, which will reflect the number of Florida jobs per \$1,000,000 of SAIL funding. To qualify for the Florida Job Creation Funding Preference in Section Five of the RFA, all Applications must earn a Florida Job Creation score equal to or greater than 6.74.

Determination of the Florida Job Creation score will be based on the following information:

- The number of new construction and rehabilitation units committed to by the Applicant (as stated by the Applicant in Exhibit A of the RFA);
- The applicable Florida job creation rate for the type of units:
 - Rate of 3.184 Florida Jobs per unit for proposed new construction units;
 - Rate of 1.572 Florida Jobs per unit for proposed rehabilitation units; and
- The Eligible SAIL Request Amount (ELI Loan funding will not be included).

The score for the Florida Rate of Job Creation per \$1,000,000 of SAIL funding will be measured using one of the following calculations:

- a. Developments consisting of only new construction units:

Number of new construction units x 3.184 Florida Jobs per unit x 1,000,000 / the Eligible SAIL Request Amount = Florida Jobs per \$1,000,000 of SAIL funding.

For example:

Application A consists of 70 new construction units and has an Eligible SAIL Request Amount of \$4,900,000.

$70 \times 3.184 \times 1,000,000 / 4,900,000 = \text{Florida Job Creation score of } 45.49.$

b. Developments consisting of only rehabilitation units:

Number of rehabilitation units x 1.572 Florida Jobs per unit x 1,000,000 / the Eligible SAIL Request Amount = Florida Jobs per \$1,000,000 of SAIL funding.

For example:

Application B consists of 70 rehabilitation units and has an Eligible SAIL Request Amount of \$4,900,000.

$70 \times 1.572 \times 1,000,000 / 4,900,000 =$ Florida Job Creation score of 22.46.

c. Developments consisting of both new construction and rehabilitation units:

(Number of new construction units x 3.184 Florida Jobs per unit + Number of rehabilitation units x 1.572 Florida Jobs per unit) x 1,000,000 / the Eligible SAIL Request Amount = Florida Jobs per \$1,000,000 of SAIL funding.

For example:

Application C consists of 50 new construction units and 20 rehabilitation units and has an Eligible SAIL Request Amount of \$4,900,000.

$(50 \times 3.184 + 20 \times 1.572) \times 1,000,000 / 4,900,000 =$ Florida Job Creation score of 38.91.

In above examples, all Applications will qualify for the Job Creation Funding Preference because each has a Florida Job Creation score that is equal to or greater than 6.74.

5. Fees

The Corporation and, if applicable, the Credit Underwriter shall collect via check or money order from the Applicant the following fees and charges in conjunction with this RFA. Failure to pay any fee shall cause the funding awarded to be withdrawn as outlined in the credit underwriting and program requirements outlined in Rule Chapters 67-21, F.A.C. and 67-48, F.A.C.

All fees set forth below, except for Compliance Monitoring Fees and Loan Servicing Fees, are part of Development Cost and can be included in the Development Cost Pro Forma and paid with loan proceeds.

a. Application Fee

All Applicants requesting funding in this RFA shall submit to the Corporation as a part of the Application submission a non-refundable Application fee of \$3,000.

b. TEFRA Fee

Applicants awarded Corporation-issued MMRB shall submit a non-refundable TEFRA fee to the Corporation in the amount of \$1,000 within seven Calendar Days of the date of

the invitation to enter Credit Underwriting. This fee shall be applied to the actual cost of publishing required newspaper advertisements and Florida Administrative Register notices of TEFRA Hearings. If the actual cost of the required publishing exceeds \$1,000, Applicant shall be invoiced for the difference. If a Local Public Fact Finding Hearing is requested, the Applicant shall be responsible for payment of any fees incurred by the Corporation. If the first TEFRA approval period has expired and a second TEFRA notice and hearing are required, Applicant is responsible for all costs associated with the additional TEFRA process.

c. Credit Underwriting Fees

The following fees are not the fees that will be charged but are listed below for estimation purposes of completing the Development Cost Pro-Forma in the Application. The actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and the Credit Underwriter(s) in effect at the time underwriting begins.

(1) Program fee

Programs	Primary Program Fee		Multiple Program Fees	Total
Corporation-issued Tax-Exempt Bonds (MMRB), Non-Competitive Housing Credit, SAIL, and ELI Loan funding	\$15,543 – MMRB	+	\$4,850 – SAIL and ELI Loan funding + \$4,850 - Non-Competitive Housing Credit	\$25,243
Non-Competitive Housing Credit (to be used with Non-Corporation-issued Tax-Exempt Bonds), SAIL, and ELI Loan funding	\$14,479 – SAIL and ELI Loan funding	+	\$4,850 – Non-Competitive Housing Credit	\$19,329
Corporation-issued Tax-Exempt Bonds (MMRB), Non-Competitive Housing Credit, SAIL, ELI Loan funding and NHTF Funding	\$15,543– MMRB	+	\$4,850 – SAIL and ELI Loan funding + \$4,850 - Non-Competitive Housing Credit + \$4,850 - NHTF Funding	\$30,093
Non-Competitive Housing Credit (to be used with Non-Corporation-issued Tax-Exempt Bonds), SAIL, ELI Loan funding and NHTF Funding	\$14,479 – SAIL and ELI Loan funding	+	\$4,850 – Non-Competitive Housing Credit + \$4,850 - NHTF Funding	\$24,179

(2) Re-underwriting fee: \$186 per hour, not to exceed \$8,215.

If a Housing Credit Development involves Scattered Sites of units within a single market area, a single credit underwriting fee shall be charged. Any Housing Credit Development requiring further analysis by the Credit Underwriter pursuant to Section 42(m)(2) of the IRC will be subject to an hourly fee of \$186. All credit underwriting fees shall be paid by the Applicant prior to the performance of the analysis by the Credit Underwriter.

- (3) Extraordinary Services fee: \$186 per hour.
- (4) MMRB and/or NHTF Funding Subsidy Layering Review:
 - (a) If previously underwritten \$2,501
 - (b) If not previously underwritten \$4,392
- (5) Capital Needs Assessment Review (if applicable): \$2,200

d. Administrative Fees

With respect to the Housing Credit Program, each for-profit Applicant shall submit to the Corporation a non-refundable administrative fee in the amount of 9 percent of the annual Housing Credit Allocation amount stated in the Preliminary Allocation. The administrative fee shall be 5.5 percent of the stated annual Housing Credit Allocation for Non-Profit Applicants. The administrative fee must be received by the Corporation as stated in the Preliminary Allocation. In the event the Final Housing Credit Allocation amount exceeds the annual Housing Credit Allocation amount stated in the Preliminary Determination, the Applicant is responsible for paying the applicable administrative fee on the excess amount before IRS Forms 8609 are issued for the Development.

e. Compliance Monitoring Fees

The following fees are not the fees that will be charged but are listed below for estimation purposes of completing the Development Cost Pro-Forma in the Application. The actual fees and percentage increases will be determined based on the current contract, including any addendum, for services between the Corporation and the Compliance Monitor(s).

(1) Program Fees

Programs	Primary Program Fee		Multiple Program Fees
Corporation-issued MMRB/Non-Competitive Housing Credit, SAIL, and ELI Loan funding	MMRB and Non-Competitive Housing Credit: A total annual fee comprised of a base fee of \$173 per month + an additional fee per set-aside unit of \$10.59 per year, subject to a minimum of \$270 per month, and subject to an automatic annual increase of 3 percent of the prior year's fee. Where a difference exists between set-aside requirements for MMRB and Housing Credit, the fees collected will be based upon the higher number of Set-Aside Units Set-Aside Units.	+	\$964 – SAIL + \$964 – ELI Loan funding +, if applicable \$964 NHTF Funding
Non-Competitive Housing Credit (to be used with Non-Corporation-issued Bonds), SAIL, and ELI Loan funding	Non-Competitive Housing Credit: A total annual fee comprised of a base fee of \$173 per month + an additional fee per set-aside unit of \$10.59 per year, subject to a minimum of \$270 per month, and subject to an automatic annual increase of 3 percent of the prior year's fee. Since fees for the full Housing Credit Extended Use Period will be collected at final allocation, the fee amount is discounted at a rate of 2 percent.	+	\$964 – SAIL + \$964 – ELI Loan funding +, if applicable \$964 NHTF Funding

- (2) Follow-up Reviews/Extraordinary Services fee: \$186 per hour

f. Commitment Fees

With respect to the SAIL Program and ELI Loan funding, each Applicant to which a firm commitment is granted shall submit to the Corporation a non-refundable commitment fee of 1 percent of the SAIL loan amount and the ELI Loan amount upon acceptance of the firm commitment. The Applicant's award of non-competitive Housing Credits, or, if applicable, the NHTF and/or MMRB funding will not affect the amount of the Applicant's commitment fee.

- (1) Non-Profit sponsors who provide a certification indicating that funds will not be available prior to closing shall be permitted to pay the commitment fee at closing.
- (2) All Applicants shall remit the commitment fee payable to the Florida Housing Finance Corporation.

g. Firm Loan Commitment and Loan Closing Extension Fees

In the event the SAIL loan and ELI Loan do not close within the timeframes prescribed, extension fees will be assessed as outlined in subsections 67-48.0072(21) and 67-48.0072(26), F.A.C.

h. Loan Servicing Fees

The following fees are not the fees that will be charged but are listed below for estimation purposes of completing the Development Cost Pro Forma in the Application. The actual fees will be based on the current contract, including any addendum, for services between the Corporation and the Servicer(s).

(1) Construction Loan Servicing Fees

The SAIL loan, the ELI Loan, and, if applicable, the MMRB Loan, each have a Construction Loan Servicing Fee to be paid as indicated. Applicants that are awarded NHTF Funding will not have a separate Construction Loan Servicing Fee for the NHTF Loan. The following fees are listed for estimation purposes only; the actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and Servicer(s) in effect at the time of loan closing.

- \$186 per hour for an in-house review of a draw request
- \$186 per hour for on-site inspection fees, up to a maximum of \$1,844 per draw

- \$186 per hour for extraordinary services
- (2) Permanent Loan Servicing Fees
- (a) The SAIL loan, the ELI Loan and, if applicable, the NHTF Loan, each have a Permanent Loan Servicing Fee to be paid annually. The following fee is listed for estimation purposes only; the actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and Servicer(s) in effect at the time of loan closing.
- Annual fee of 25 bps of the outstanding loan amount, with a minimum monthly fee of \$222 and a maximum monthly fee of \$883, and an hourly fee of \$186 for extraordinary services.
- (b) MMRB loans have a Permanent Loan Servicing Fee to be paid annually. The following fee is listed for estimation purposes only; the actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and Servicer(s) in effect at the time of loan closing.
- 2.3 bps of the outstanding bond balance annually, subject to a minimum monthly fee of \$222, and an hourly fee of \$186 for extraordinary services.

Additional legal, cost of issuance, bond underwriting, credit enhancement, liquidity facility and servicing fees associated with the financing shall also be paid by the Applicant.

i. Additional SAIL Loan Fees

SAIL Applicants will be responsible for all fees associated with the Corporation's legal counsel related to the SAIL Program based on the current contract for services between the Corporation and the legal counsel.

j. Additional ELI Loan and NHTF Loan Fees

Applicants receiving ELI Loan funding and, if applicable, NHTF funding will be responsible for all fees associated with the Corporation's legal counsel related to the ELI Loan and, if applicable, NHTF Loan.

Note: Although all Applicant awarded NHTF Funding will be required to comply with the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2), Non-Profit Applicants will not be charged a fee for the environmental review.

k. Corporation-issued MMRB Fees

(1) Refundable Good Faith Deposit and Cost of Issuance Fees

- (a) Good Faith Deposit: Good faith deposit means a total deposit equal to one percent of the loan amount reflected in the loan commitment paid by the Applicant to the Corporation. The Applicant shall pay a total deposit equal to one percent of the aggregate principal amount of proposed Taxable and Tax-exempt Bonds, or \$75,000, whichever is greater, to the Corporation, which deposit may be applied toward the Cost of Issuance Fee. The maximum good faith deposit required is \$175,000. The good faith deposit is payable in one installment and is due within 14 Calendar Days of the date the Board of Directors approves the Credit Underwriting Report. If the good faith deposit is exhausted, the Applicant shall be required to pay, within three business days of notice, an additional deposit to ensure payment of the expenses associated with the processing of the Application, the sale of the Bonds, including document production and the securitization of the loan. The good faith deposit shall be remitted by certified check or wire transfer. In the event the MMRB Loan does not close, the unused portion of the good faith deposit shall be refunded to the Applicant. Notwithstanding the foregoing, the Applicant is responsible for all expenses incurred in preparation for loan closing. Any and all costs of the Corporation will be deducted from the good faith deposit prior to refunding any unused funds to the Applicant. In the event that additional invoices are received by the Corporation subsequent to a determination that the MMRB Loan will not close and refunding any unused funds to the Applicant, which invoices related to costs incurred prior to such determination and refunding, Applicant shall be responsible for payment of the balance due as invoiced.
- (b) Cost of Issuance Fee: the Corporation shall require Applicants or participating Qualified Lending Institutions selected for participation in the program, to deliver to the Corporation, or, at the request of the Corporation, directly to the Trustee, before the date of delivery of the Bonds, a Cost of Issuance Fee in an amount determined by the Corporation to be sufficient to pay the costs and expenses relating to issuance of the Bonds, which amount shall be deposited into an account to be held by the Trustee. The Corporation shall provide the Applicant with a good faith estimate of the Cost of Issuance Fee prior to closing. The Applicant shall pay all costs and expenses incurred by the Corporation in connection with the issuance of the Bonds, the expenditure of the MMRB Loan proceeds, and provision of Credit Enhancement, if any, even if such costs and expenses exceed the Cost of Issuance Fee. Any amounts remaining in this account at the time the balance is transferred and the account closed pursuant to the trust indenture shall be returned to the Applicant.

(2) Non-refundable TEFRA, HUD Risk Sharing and Appraisal fees

- (a) TEFRA Fee: Applicants shall submit a non-refundable TEFRA fee to the Corporation in the amount of \$1,000 within seven Calendar Days of the date of the invitation to enter Credit Underwriting. This fee shall be applied to the actual cost of publishing required newspaper advertisements and Florida Administrative Register notices of TEFRA Hearings. If the actual cost of the required publishing exceeds \$1,000, Applicant shall be invoiced for the difference. If a Local Public Fact Finding Hearing is requested, the Applicant shall be responsible for payment of any fees incurred by the Corporation. If the first TEFRA approval period has expired and a second TEFRA notice and hearing are required, Applicant is responsible for all costs associated with the additional TEFRA process.
- (b) Appraisal Fee: Applicants shall submit the required appraisal fee within seven Calendar Days of being invoiced by the Credit Underwriter.
- (c) HUD Risk Sharing Fees: Applicants also using the HUD Risk Sharing Program for the Development shall be responsible for associated fees, as follows:
 - (i) Format II environmental review fee – The fee the Applicant shall pay will be determined by contract between the Corporation and the environmental professional.
 - (ii) Subsidy layering review fee – The fee the Applicant shall pay will be determined by the contract between the Corporation and the Credit Underwriter.

(3) Short-Term Bond Redemption and Ongoing Fees

The following fees may not be the fees that will be charged but are listed below for estimation purposes of completing the Development Cost Pro Forma in the Application. The actual fees will be based on the current contracts, including any addendum, for services between Florida Housing Finance Corporation and the professionals involved, as well as on the loan commitment signed by the Applicant and the Corporation.

(a) Short-Term Bond Redemption Fees

Bond Amount	≤ 18-Month	18+ to 24-Month	24+ to 36-Month
Up to \$15 million	33 bps	25 bps	18 bps
Above \$15 million, up to \$20 million	32 bps	24 bps	17 bps
Above \$20 million, up to \$25 million	31 bps	23 bps	16 bps

Above \$25 million, up to \$30 million	30 bps	22 bps	15 bps
Above \$30 million, up to \$40 million	29 bps	21 bps	14 bps
Above \$40 million	28 bps	20 bps	13 bps

Note: The minimum Short-Term Bond Redemption Fee is \$25,000.

(b) Ongoing Fees

Program Administration Fee will be an annual fee of 24 basis points based on the amount of bonds outstanding, but not less than \$10,000 per annum.

Note: The ongoing Program Administration Fee does not include compliance monitoring fees, loan servicing fees, and trustee fees.

i. Construction Inspection Fees

The following fees are not the fees that will be charged but are listed below for estimation purposes of completing the Development Cost Pro Forma in the Application. The actual fees will be based on the current contract, including any addendum, for services between the Corporation and the Servicer(s).

On-site construction inspection - \$186 per hour, not to exceed \$1,844 per inspection.

m. Additional Housing Credit Fees

Housing Credit Applicants shall be responsible for all processing fees related to the Housing Credit Program.

n. Assumption/Renegotiation/ Subordination Fees

For all loans, excluding MMRB, where the Applicant is requesting a sale and/or transfer and assumption of the loan, the borrower or purchaser shall submit to the Corporation a non-refundable assumption fee of one-tenth of one percent of the loan amount.

For all loans, excluding MMRB, where the Applicant is requesting a renegotiation of the loan, the borrower shall submit to the Corporation a non-refundable renegotiation fee of one-half of one percent of the loan amount.

For all loans, excluding MMRB, where the Applicant is requesting an extension of the loan term, the borrower shall submit to the Corporation a non-refundable extension fee of one-tenth of one percent of the loan amount. If the extension is associated with a renegotiation of the loan, then only the renegotiation fee will be charged.

For all regulatory agreements, the Corporation shall charge a non-refundable subordination fee of \$1,000 for each regulatory agreement to be subordinated.

6. Additional Requirements

By submitting its Application, the Applicant acknowledges and agrees that it will conform to the following requirements:

a. Eligible Reserve for Replacement Items

The replacement reserve funds required by subsection F.A.C. 67-21.026(11), F.A.C., and if applicable, 67-21-014(2), F.A.C., are not to be used by the Applicant for normal maintenance and repairs, but shall be used for structural building repairs, major building systems replacements and other items included on the Eligible Reserve for Replacement Items list, effective October 15, 2010.

The list is available on the RFA Webpage.

b. Final Cost Certification Application Package (Form FCCAP)

In accordance with subsection 67-21.027(6), F.A.C., the Final Cost Certification Application Package (Form FCCAP), Rev. April 2020, shall be used by an Applicant to itemize all expenses incurred in association with construction or Rehabilitation of a Housing Credit Development, including Developer and General Contractor fees as described in Rule 67-21.026, F.A.C., and shall be submitted to the Corporation by the earlier of the following two dates:

- (1) The date that is 90 Calendar Days after all the buildings in the Development have been placed in service, as evidenced by the required documentation outlined in the Final Cost Certification Package, or
- (2) The date that is 30 Calendar Days before the end of the calendar year for which the Final Housing Credit Allocation is requested.

The Corporation may grant extensions for good cause upon written request.

The FCCAP shall be completed, executed and submitted to the Corporation for the Housing Credit Development Final Cost Certification (DFCC) and the General Contractor Cost Certification (GCCC) included in the form package, along with the executed Extended Use Agreement and appropriate recording fees, IRS Tax Information Authorization Form 8821 for all Financial Beneficiaries (if requested by the Corporation), a copy of the syndication agreement disclosing the rate and all terms, the required certified public accountant opinion letter for both the DFCC and GCCC, an unmodified audit report prepared by an independent certified public accountant for both the DFCC and GCCC, photographs of the completed Development, the monitoring fee, and documentation of the placed-in-service date as specified in the Form FCCAP instructions. The Final Housing Credit Allocation will not be issued until such time as all required items are received and processed by the Corporation.

Form FCCAP, Rev. April 2020, is available on the RFA Webpage.

c. Financial Reporting Form SR-1

Following the end of the SAIL loan term, within 151 Calendar Days following the Applicant's fiscal year end the Applicant shall continue to provide the Corporation with an audited financial statement and a fully completed and executed Financial Reporting Form SR-1, Rev. 01-21 pursuant to subsection 67-21. 027(8), F.A.C., with regard to the Non-Competitive Housing Credits and, if applicable, subsection 67-21.008(16), F.A.C., with regard to MMRB. The audited financial statement and a copy of the signed Form SR-1, with Parts 1, 2, and 5 completed, shall be submitted in both PDF format and in electronic form as a Microsoft Excel spreadsheet to the Corporation at the following web address: financial.reporting@floridahousing.org.

The Financial Reporting Form SR-1 is available on the Corporation's Website <http://www.floridahousing.org/owners-and-managers/compliance/forms> (also accessible by clicking [here](#)).

- d. Part IIIA, Sections 401 through 408 and 410, of the Fannie Mae Multifamily Selling and Servicing Guide, in effect as of June 10, 2015

The financial statements and information provided for review (pursuant to paragraph 67-48.0072(14)(b), F.A.C. for SAIL, and, if applicable, sub-paragraph 67-21.014(2)(j)2., F.A.C. for MMRB) should be in satisfactory form (inclusive of the substitution of the Multifamily Underwriting Certificate referenced in Section 407 with a similar certification meeting the same criteria) and shall be reviewed in accordance with Part IIIA, Sections 401 through 408 and 410, of Fannie Mae's Multifamily Selling and Servicing Guide, in effect as of June 10, 2015, which is available on the RFA Webpage.

When referring to the Multifamily Selling and Servicing Guide, any references to "Lender" means the "Corporation-assigned Credit Underwriter" and any references to "Fannie Mae" means "Florida Housing Finance Corporation."

- e. Florida Housing Finance Corporation (FHFC) Insurance Guide

Pursuant to subsection 67-48.010(13), F.A.C., the Corporation shall require adequate insurance to be maintained on the Development as determined by the first mortgage lender, the Corporation, or the Corporation's servicer, sufficient to meet the standards established in the Florida Housing Finance Corporation (FHFC) Insurance Guide (and as amended from time to time). The most recently published FHFC Insurance Guide is available on the Corporation's Website <http://www.floridahousing.org/owners-and-managers/compliance/forms> (also accessible by clicking [here](#)).

- f. Tax-Exempt Bond-Financed Developments receiving bonds issued by a Public Housing Authority (established under Chapter 421, F.A.C.) or a Local Government (as defined in Section 420.503, F.S.) shall:

- (1) Be subject to the Credit Underwriting fees as set forth in the RFA. Failure to submit the required Credit Underwriting fee to the Credit Underwriter within seven Calendar Days of the date of the invitation to enter Credit Underwriting shall result in withdrawal of the invitation;
- (2) Participate in the Credit Underwriting process pursuant to Rule 67-21.026,

F.A.C.;

- (3) Receive a Preliminary Determination prior to the bonds being issued if the Corporation receives a Credit Underwriting report prepared by one of the Corporation's contracted Credit Underwriters which meets the criteria required pursuant to Rule Chapter 67-21, F.A.C., and recommends a Housing Credit Allocation and the issuance of Tax-exempt Bonds, and receives evidence of a loan commitment in reference to the Tax-exempt Bonds where the amount of the Bonds is at least 50 percent or more of the aggregate basis of any building and the land on which the building is located;
 - (4) Be subject to the administrative fee specified in the RFA. The administrative fee must be paid within seven Calendar Days of the date of the Preliminary Determination;
 - (5) Be subject to a Developer Fee limitation as specified in Rule Chapter 67-21, F.A.C., and the RFA;
 - (6) Be subject to the provisions of Part I (administration) and Part III (Housing Credit Program) of Rule Chapter 67-21, F.A.C.;
 - (7) If requested by the Corporation, provide an IRS Form 8821 for each Financial Beneficiary of the Development, as defined in Rule Chapter 67-48, F.A.C., prior to Final Housing Credit Allocation;
 - (8) Be subject to the provisions of Rule Chapter 67-21, F.A.C., pertaining to the required Extended Use Agreement;
 - (9) Be subject to the monitoring fee specified in the RFA; and
 - (10) Receive Building Identification Numbers from the Corporation upon satisfying the above requirements and the Final Cost Certification Application Package requirements of Rule 67-21.027, F.A.C.
- g. Term of the SAIL Loan, Affordability Period, and Land Use Restriction Agreement (LURA)
- (1) Rule Chapter 67-48 applies to all SAIL loans.
 - (2) For Self-Sourced Applicants, no principal may be paid on a qualifying subordinate Self-Sourced debt prior to the payoff of the SAIL loan in full. Any payment of self-sourced financing interest will be made subordinate to SAIL loan interest payments.
 - (3) Affordability Commitment and Compliance Period will be 50 years for all Applicants as set forth in the LURA.
 - (4) Only Self-Sourced Applicants that apply for funding in this RFA will retain the right to seek a qualified contract in accordance with Section 42 of the I.R.C., as amended and Rule Chapter 67-21, F.A.C. All Other Applicants will waive the

right to seek a qualified contract. Additionally, if a Self-Sourced Applicant transfers ownership of the Development within the first 15 years of the Compliance Period, the new owner must waive the right to seek a qualified contract.

- (a) If the Corporation does not provide a qualified contract within the one-year period, and the Applicant repays the SAIL Loan principal and interest in full, the SAIL LURA will terminate in conjunction with the Housing Credit Extended Use Agreement (EUA), upon full repayment of SAIL loan. Additionally, the corresponding three-year tail for termination of tenancy and any increase in gross rent will apply to the proposed development. The SAIL LURA will not terminate until the SAIL Loan is paid in full.
 - (b) The Corporation will not terminate MMRB LURAs associated with Self-Sourced Applications if the Corporation does not provide a qualified contract within the one-year period; however, the Corporation MMRB LURA will have a 15 year term. Potential Self-Sourced Applicants should be aware of applicable bond set-aside commitments for Corporation issued or non-Corporation tax exempts issued bonds when developing their financing structure.
- (5) All permanent sources designated on the Development Cost Pro Forma as self-sourced financing must remain as a source in the Development for a minimum of 15 years and may not be repaid to the Applicant from any funding source, including development cash flow. If self-sourced financing is repaid to the Applicant prior to the payment of the SAIL loan in full, the SAIL loan will be in default and must be paid in full and the Applicant and any associated Applicant or Developer principals or affiliates may be subject to material misrepresentation consequences set forth in Rule 67-48.004(2), F.A.C.
- (6) Self-sourced financing will be funded and will be dispersed pro rata along with SAIL funding. The self-sourced financing must be subordinate to the SAIL loan. This is further described in Section Four, A.10.b.(2)(i) of the RFA.

Exhibit D – Timeline

The Applicant acknowledges and certifies that the following information will be provided by the due date outlined below, or as otherwise outlined in the invitation to enter credit underwriting. Failure to provide the required information by the stated deadline may result in the withdrawal of the invitation to enter credit underwriting, unless an extension is approved by the Corporation:

1. Within seven Calendar Days of the date of the invitation to enter credit underwriting:
 - a. Respond to the invitation by accessing the development work center through the Procorem secure portal and submit the credit underwriting fee(s), which includes the CNA review fee and TEFRA Fee, if applicable, as outlined in Item 4 of Exhibit C, pursuant to subparagraph 67-48.0072(4)(a)1, F.A.C.; and
 - b. Verification that the Development qualifies as a USDA-eligible rural address, if applicable. Addresses can be verified by visiting <https://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do>
 - c. If the Applicant is receiving Corporation-issued MMRB, the Credit Enhancer's Commitment or Bond Purchaser's Letter of Interest, including a contact person's name, address and telephone number, credit underwriting standards and an outline of proposed terms, must be provided. The stated amount of the Commitment or Letter of Interest shall not be less than the proposed principal amount of the bonds (including any proposed Taxable Bonds);
 - d. If the Applicant is using Non-Corporation-issued Tax-Exempt Bonds, a copy of the signed TEFRA letter which is Development-specific must be provided, along with the following documentation, as applicable:
 - (1) If the Credit Underwriting for the bonds is complete and it was prepared by a Credit Underwriter under contract with the Corporation, provide a complete copy of the final Credit Underwriting Report; or
 - (2) If the Credit Underwriting for the bonds has not been completed or has been completed by a credit underwriter not under contract with the Corporation, provide the name of the assigned credit underwriter and a copy of the inducement resolution or acknowledgement resolution awarding the bonds.
 - e. Confirmation that the bonds have not closed since the Application Deadline.
2. Within 14 Calendar Days of the date of the invitation to enter credit underwriting, if requested by the Corporation, submit IRS Form 8821 for all Financial Beneficiaries as defined in Rule Chapter 67-48, F.A.C.
3. Within 21 Calendar Days of the date of the invitation to enter credit underwriting, submit all of the following. Submission of all documents should be provided electronically to the Corporation at one time.

- a. Provide the name, mailing address, and email address of the chief elected official of the local jurisdiction where the proposed Development is located;
- b. Provide notification of the Applicant's eligibility for acquisition credits per Section 42 of the IRC, if applicable;
- c. Provide the Applicant's Federal Identification Number and the Employer Identification Number ("EIN") Certificate. If the number has not yet been obtained, the Applicant will be required to provide a copy of the completed, submitted application for that number.
- d. Provide the completed and executed Florida Housing Finance Corporation Verification of Environmental Safety Phase I Environmental Site Assessment form and, if applicable, the completed and executed Florida Housing Finance Corporation Verification of Environmental Safety Phase II Environmental Site Assessment form (Forms Rev. 11-14) which are available on the RFA Webpage. Note: If a Phase II ESA is required, but has not been completed by the stated deadline, contact Corporation staff to request an extension for submission of the Phase II ESA form;
- e. Demonstrate that electricity and roads are available to the entire proposed Development site as of the date signed by providing the following:
 - (1) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure form (Form Rev. 08-20) which is available on the RFA Webpage; or
 - (2) Documentation from the service provider that contains the Development location and is dated within 12 months of the Application Deadline. The documentation may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.
- f. Provide the identity of the remaining members of the Development Team (i.e., inexperienced co-Developer(s), General Contractor, Architect, Attorney, Accountant, and for Elderly ALF only, Service Provider), as outlined below. The team members so identified, and any future replacement thereof, must be acceptable to the Corporation and the Credit Underwriter;
 - (1) Identify any inexperienced co-Developer(s) by providing the name, address, telephone and facsimile numbers, e-mail address, and the relationship of the co-Developer to the Applicant.
 - (2) Identify the General Contractor by providing the completed and executed Florida Housing Finance Corporation General Contractor or Qualifying Agent of General Contractor Certification form. Note: provide the prior experience chart, as outlined in the form.
 - (3) Identify the Architect by providing the completed and executed Florida Housing Finance Corporation Architect Certification form.

- (4) Identify the Attorney by providing the completed and executed Florida Housing Finance Corporation Attorney Certification for Housing Credits form and the Florida Housing Finance Corporation Attorney Certification for MMRB, SAIL, HOME and/or other Gap Loans form*.
- (5) Identify the Accountant by providing the completed and executed Florida Housing Finance Corporation Certification of Accountant form.
- (6) Identify the Service Provider by providing the completed and executed Florida Housing Finance Corporation Service Provider or Principal of Service Provider Certification form (for Elderly ALF Developments only).

The certification forms (Forms Rev. 07-2019) are available on the RFA Webpage. Note: The use of any prior version of these forms will not be acceptable to meet this requirement.

- g. With the exception of Developments financed with HUD Section 811 or United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, the Tenant Selection Plan, as explained in Exhibit G, shall be submitted by the owner to the Corporation for review and approval. If a Development has a Housing Assistance Payment and/or an Annual Contributions Contract with HUD, the Tenant Selection Plan must be sent to the Corporation for preliminary approval before sending to HUD. The waiting list section of the Tenant Selection Plan shall establish selection preferences or a section for special admissions specifically for individuals or families who are referred by a designated Referral Agency. Note: HUD approval may take several months. HUD approval shall be demonstrated to the Corporation prior to the completion of the final credit underwriting report;
- h. Provide confirmation that the owner will submit the fully executed Link MOU for the Corporation's approval within nine months of the invitation to enter into credit underwriting, as described in Exhibit E;
- i. Provide confirmation that all construction features committed to and proposed by the Applicant shall be located on the Development site;
- j. Confirmation that, if the proposed Development meets the definition of Scattered Sites, all Scattered Sites requirements that were not required to be met in the Application will be met, including that all features and amenities committed to and proposed by the Applicant that are not unit-specific shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both. If the Applicant indicates that the proposed Development does not consist of Scattered Sites, but it is determined during credit underwriting that the proposed Development does meet the definition of Scattered Sites, all of the Scattered Sites requirements must have been met as of Application Deadline and, if all Scattered Sites requirements were not in place as of the Application Deadline, the Applicant's funding award will be rescinded;
- k. Provide notification of the percentage of ownership of the Principals of the Applicant. Upon the Applicant's acceptance of the invitation to enter credit underwriting, the

Corporation will return the Principals of the Application and Developer(s) Disclosure Form that was part of the Applicant's uploaded Application. The Applicant will be required to enter the applicable percentages on the form and return the completed form to the Corporation;

- I. Provide confirmation that the proposed equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria), subject to the following:
 - (1) If syndicating/selling the Housing Credits, there are two exceptions to the preceding sentence. First, if there is a bridge loan proposal within the equity proposal that provides for bridge loan proceeds that equal at least 15 percent of the amount of total proposed equity to be provided to be made available prior to or simultaneous with closing of construction financing, the 15 percent criteria will be met. Second, if there is a separate bridge loan proposal from either the equity provider, any entity that is controlled directly or indirectly by the equity provider, or a subsidiary of the equity provider's parent holding company, and the proposal explicitly proposes an amount to be made available prior to or simultaneous with the closing of construction financing that equals at least 15 percent of the total proposed equity to be paid stated in the equity proposal, the 15 percent criteria is met. Bridge loan proposals that are not within the equity proposal, though, must meet the criteria previously stated for debt financing with the exception that evidence of ability to fund does not have to be provided. The Applicant may include the proposed amount of the bridge loan as equity proceeds on the Construction or Rehabilitation Analysis and on the Permanent Analysis (Note: this 15 percent criteria must be reflected in the limited partnership agreement or limited liability company operating agreement); or
 - (2) If not syndicating/selling the Housing Credits, proceeds from a bridge loan will not count toward meeting the 15 percent criteria;
- m. If there are existing occupied units as of Application Deadline, provide to the Credit Underwriter a plan for relocation of existing tenants. The plan shall provide information regarding the relocation site; accommodations relevant to the needs of the residents and length of time residents will be displaced; moving and storage of the contents of a resident's dwelling units; as well as the approach to inform and prepare the residents for the rehabilitation activities;
- n. If the Applicant indicated that the proposed Development is the first phase of a multiphase Development, submit to the Corporation an opinion letter by a licensed attorney that the Development meets the definition of a "multiphase project" as defined in the Federal Register. The letter must also include: (a) the name of the declared first phase Development and the Corporation-assigned Application number, (b) the total number of phases and the projected Development name for each phase, (c) the total number of buildings in each phase, (d) the expected completion date for each phase, and (e) any other information as determined by the Corporation and stated in the invitation to enter credit underwriting;

- o. If the Applicant indicated that the proposed Development is a subsequent phase of a multiphase Development, the Development's status as a subsequent phase will be verified in credit underwriting. If the Development does not qualify and the Applicant's Housing Credit request is based on such contention and, during the credit underwriting process it is determined that the proposed Development does not meet the criteria for such distinction, the Applicant's Competitive Housing Credit award may be rescinded; and
 - p. Provide confirmation that the limited partnership agreement or limited liability operating agreement will comply with the operating deficit reserve requirement outlined in Section Four A.10.c.(4) of the RFA.
- 4. The Applicant will submit the fully executed Link MOU for the Corporation's approval within nine months of the date of the invitation to enter credit underwriting, as described in Exhibit E;
 - 5. The credit underwriting process must be complete within the timeframe outlined in Rule Chapter 67-48, F.A.C.;
 - 6. The SAIL loan must close within the timeframe outlined in Rule Chapter 67-48, F.A.C. Applicants that requested NHTF Funding will be invited to enter credit underwriting and will be expected to complete the credit underwriting process, including Board approval of the credit underwriting report, and execute a written agreement within twelve months of the Applicant's acceptance enter into credit underwriting.;
 - 7. By Certificate of Occupancy, the Applicant commits to participate in the statewide housing locator system, as required by the Corporation; and
 - 8. The Credit Underwriter will provide an itemized list for additional documentation including, but not limited to, the following:
 - a. Information outlined in Rule Chapter 67-48.0072, F.A.C.;
 - b. If the Applicant indicated that the proposed Development will be assisted with funding under the RD 538 Program and expects to use such funding as a source of financing, the Section 538 Selection Letter sent to the Applicant by RD must be provided;
 - c. If the Applicant indicated that it is a Self-Sourced Applicant, the evidence of ability to fund described in Section Four, A.10.c.(2)(i) of the RFA;
 - d. The Construction Consultant engaged by the Corporation's credit underwriter must provide the properly completed and executed Americans with Disabilities Act Certification forms certifying that the design of the proposed Development and the completed Development includes the applicable accessibility, adaptability, Visitability and universal design features required by the Corporation and proposed by the Applicant. The Americans with Disabilities Act Certification forms (Rev. 02-20) are available on the RFA Webpage;

- e. Provide to the Corporation a copy of each General Information Notice for each occupied unit, as outlined in Item 3.a. of Exhibit I. Each notice must include proof of delivery by certified letter or by signed copy of the notice when hand delivered;
 - f. The Applicant will be required to provide evidence demonstrating that the proposed Development is consistent with the applicable Consolidated Plan, as outlined in Item 3.b. of Exhibit I;
 - g. The Applicant will be required to comply with the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2). Non-Profit Applicants will not be charged a fee for the environmental review, as stated in Item 3.c.(1) of Exhibit I;
 - h. The Applicant will be required to provide a certification that must be executed by the contractor for compliance with debarment and suspension regulations, as outlined in Item 3.c.(2) of Exhibit I;
 - i. Certify that it understands the requirements of the current HUD lead based paint regulations as identified in 24 CFR Part 92 and Rule Chapter 67-48, F.A.C., as outlined in Item 3.c.(3) of Exhibit I; and
 - j. If the Applicant is requesting 4% Housing Credit that will be used with County HFA-issued Tax-Exempt Bonds and the Applicant indicates that the proposed Development is eligible for the basis boost, the Applicant will be required to provide a letter certifying the date the bond application was deemed complete.
9. The Credit Underwriter will also verify information submitted by the Applicant, including, but not limited to the following:
- a. The Applicant's Non-Profit status, if applicable;
 - b. Each Scattered Site meets the requirements of this RFA and Section 42 of the IRC, if applicable;
 - c. The proposed Development's ability to meet the Enhanced Structural Systems Construction qualifications;
 - d. Calculation of eligible basis which may cause a reduction in the Housing Credit Allocation. This may include review of the location of buildings and whether all buildings are eligible for the eligible basis boost, if applicable;
 - e. With the exception of Developments financed with HUD Section 811 or United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, Developments that have a Housing Assistance Payment and/or an Annual Contributions Contract with HUD, must demonstrate HUD approval within a Tenant Selection Plan for an owner-adopted preference or special admissions preference specifically for individuals or families who are referred by a designated Referral Agency serving the county where the Development is located;
 - f. The proposed Development's first phase or subsequent phase's status;

- g. Review of the Total Development Cost and its effect on the Total Development Cost Per Unit Limitation and, if applicable, the SAIL Request amount;
- h. If the Development Category of Preservation (with or without Acquisition) is selected, whether 75 percent occupancy status met as of Application Deadline; and
- i. The proposed Development has a minimum of five units per building.

If any of these cannot be verified, all funding awarded under this RFA may be reduced or may be rescinded if the award or the Application's eligibility status was based on such information, and/or the Applicant may be determined to have made a material misrepresentation.

Exhibit E – Additional requirements for the Link Units for Persons with Special Needs

The Link to Permanent Housing Strategy (Link) enhances the ability of extremely low-income (ELI) households with special needs to access and retain affordable rental housing in their communities. The Corporation requires Developers to provide a specified percentage of a Development's ELI Set-Aside units for special needs households receiving community based supportive services who are referred by a designated supportive services agency in the community where the Development is located. All Link units must do the following:

I. Link Set-Aside Requirements

With the exception of Developments financed with HUD Section 811 or United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, for the entire Compliance Period as specified in both the regulatory agreement and as stated in the RFA, the Development shall set aside the required percentage of the ELI Set-Aside units as Link Units for Persons with Special Needs. At least one member of each Link unit's household shall be referred by a Special Needs Household Referral Agency (Referral Agency) with which the owner executes a Link Memorandum of Understanding (MOU) approved by the Corporation.

II. Link Memorandum of Understanding (MOU)

The Corporation has established and maintains a list of supportive service agencies or organizations serving each county, each of which is designated as a Referral Agency. The current list of designated Special Needs Household Referral Agencies for each county is published on the Corporation's Website under the Quick Links section at <https://www.floridahousing.org/programs/special-needs-housing-overview/serving-special-needs> (also accessible by clicking [here](#)). These agencies are statewide, regional or local organizations that administer community-based supportive services to the populations served by Link.

The MOU is a formal agreement between the owner and a Referral Agency that specifies the intent of the Link Strategy and describes the roles and responsibilities of each party to the MOU. The MOU form to be executed shall be the version most recently provided on the Corporation's website at <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/link-units-for-persons-with-special-needs-information> (also accessible by clicking [here](#)).

- A. The owner shall execute an MOU with at least one designated Referral Agency serving the county and intended population where the Development will be located and rent units to households referred by the Referral Agency with which the MOU is executed.
- B. As stated in Exhibit D, within nine months of the date of the invitation to enter credit underwriting, submit the fully executed Link MOU for the Corporation's approval. If the owner is unable to meet the deadline, an extension may be requested from the Corporation, and a non-refundable processing fee of \$5,000 shall be charged to the owner.

- C. Prior to execution of the MOU, but not later than 10 Calendar Days before the deadline by which the fully-executed MOU shall be received by the Corporation, the MOU form stipulated in the applicable RFA shall be completed and reviewed by the owner and Referral Agency, and then submitted by the owner to the Corporation for review and preliminary approval.
- D. For Developments with a Housing Assistance Payment contract and/or an Annual Contributions Contract with HUD: The waiting list section of the Tenant Selection Plan shall establish selection preferences or a section for special admissions specifically for individuals or families who are referred by a designated Referral Agency. The Tenant Selection Plan shall be submitted by the owner to the Corporation for review and preliminary approval before sending to HUD. HUD approval may take several months. HUD approval shall be demonstrated to the Corporation prior to the completion of the final credit underwriting report.
- E. Owners that have a Housing Assistance Payment Contract and/or an Annual Contributions Contract with HUD shall maintain a separate waiting list for referred applicants and prioritize these individuals for any available Link units. During and after lease-up, Referral Agency referrals must be moved in first, regardless of chronological order of the general waiting list, until all Link units are occupied with Referral Agency referrals.
- F. After review and preliminary approval of the MOU by the Corporation, and no later than the deadline established in the invitation to enter into credit underwriting, the owner shall provide one original fully-executed hard copy of the MOU to the Corporation. Once approved by the Corporation, the owner shall arrange for a copy of the approved MOU to be maintained on file at the site of the Development's records for compliance monitoring purposes.
- G. When the owner is noncompliant because no Referral Agency that serves the county where the Development is located is available to execute an MOU, the noncompliance shall be held in a correction period status until the earlier of (i) approval by the Corporation of an MOU executed with a new Referral Agency, or (ii) the passage of 45 Calendar Days following placement of a Referral Agency that serves the Development's county onto the Corporation's Referral Agency list.
- H. When a Referral Agency notifies the owner of its intent to terminate an MOU, the owner shall notify the Corporation of the MOU termination by email, at Link@floridahousing.org, within five Calendar Days of receiving the notification from the Referral Agency. The owner shall then select another Referral Agency for the Development's county and obtain approval from the Corporation for the MOU executed with the new Referral Agency no later than 45 Calendar Days after receipt of notification from the prior Referral Agency of its intent to terminate the MOU.
- I. When an owner intends to terminate an MOU, the owner shall repeat the process outlined in all of the steps above to obtain approval from the Corporation for a new MOU executed with another Referral Agency before termination of the prior MOU may become effective.

- J. The Corporation may require the owner to terminate an MOU with a Referral Agency if that partnership is not effective in meeting the intent of the Link Set-Aside Requirement. The owner shall execute another MOU with a new Referral Agency before terminating the MOU. The owner shall follow the process outlined in all of the steps above to obtain approval from the Corporation.

III. Notification of the Availability of Units for Referral of Intended Link Households

- A. The owner shall meet with the chosen Referral Agency to review the Link roles and responsibilities of each party, the household income limitation and other eligibility criteria for tenancy, household move-in expenses and on-going monthly rental payments. The meeting shall be held no less than 45 Calendar Days before the anticipated commencement of any activities related to the leasing of any unit in the Development. The owner shall maintain documentation of the meeting with the Referral Agency and shall provide a copy for review by the Corporation upon its request.
- B. Leasing Activity (Lease-up and Pre-leasing): During leasing activities, the owner shall make all units available for the intended Link households referred by the Referral Agency, until the Development's Link Set-Aside Requirement has been met. If the Development has not met its Link Set-Aside Requirement by the passing of 30 Calendar Days after the last unit is actually available for occupancy, the owner may lease the units to any eligible household. To the extent that an ELI-unit requirement coincides with a Link Set-Aside Requirement, for a period not to exceed nine months, a failure to meet the ELI-unit requirement shall not cause noncompliance during the lease-up or 30 Calendar Day hold period.
- C. Once the Development's leasing activity is completed, a vacant unit formerly occupied by a Link household shall be held open for intended households referred by the Referral Agency for a period of 30 Calendar Days starting from the date the vacated unit is suitable for occupancy and ready to lease. The owner shall notify the Referral Agency that a unit is available on or before the date that the vacated unit becomes suitable for occupancy and ready to lease, but no more than 30 Calendar Days before the unit is anticipated to be ready to lease. The vacated unit shall retain the Link classification until next occupied, at which time the classification of the new household shall be applied to the unit.
- D. When the Development is an Acquisition/Rehabilitation Development that is occupied at the earlier of the loan closing or site acquisition, all units (at any AMI set-aside level) that become available and are suitable for occupancy and ready to lease shall be prioritized for intended households referred by the Referral Agency until the Link requirement has been met.
- E. Communication between the owner and the Referral Agency's designated contact person related to activities in this section shall be conducted via email. Activities that must be conducted by email are as follows:
 - 1. Requests to develop MOU with Referral Agency;
 - 2. Draft reviews of MOUs between the parties;

3. Final version of executed MOU;
 4. Current contact information for the contact staff designated by the owner and Referral Agency and listed in the MOU;
 5. Notifications of unit availability;
 6. Number of Calendar Days unit will be held open for referrals;
 7. Information about rental policies and eligibility criteria;
 8. Outcome of referrals;
 9. Notifications of issues or concerns that may adversely affect the tenancy of the household; and
 10. Requests for termination of MOU.
- F. The owner shall maintain a Link communication tracking log that documents: (i) the unit number of each offered unit; (ii) the date each unit was suitable for occupancy; (iii) the date of the email notice to the Referral Agency that each unit was available for rent to a Link household, including the dates of required follow up; (iv) date of response from Referral Agency, (v) Referral Agency response, (vi) outcome of referral, and (vii) number of days the unit was held open.
- G. If an owner notifies a Referral Agency that a unit is available and the Referral Agency does not respond, the owner shall contact the Referral Agency at least three times, at intervals of no less than seven Calendar Days, during the 30-day period after the initial notice of unit availability was sent to the Referral Agency. The owner shall document all notification activity on its Link communication tracking log.
- H. The owner shall notify the Referral Agency regarding the outcome of each referral within one business day after a determination is made regarding the household's eligibility to occupy the available unit.
- I. If a referral does not result in occupancy by the referred household, the 30-day holding period shall continue to allow the Referral Agency the opportunity to refer another household. The owner shall follow up with the Referral Agency at intervals of no less than seven Calendar Days during the remainder of the 30-day holding period. The owner shall document all notification activity on its Link communication tracking log.

IV. Link Compliance Monitoring Documentation

- A. The owner shall cause the following documentation to be maintained on file for compliance monitoring purposes. Such documents shall be made available for inspection by Corporation personnel or its monitoring agents at any reasonable time. The owner shall provide copies of such documents, either electronic or paper, to the Corporation within three business days of any request by the Corporation for such copies.

1. A copy of all active MOUs approved by the Corporation;
 2. A copy of all terminated MOUs. Terminated MOUs shall be retained for seven years beyond the period of tenancy for any household referred under the particular MOU;
 3. A copy of any current correction period extensions granted by the Corporation; and
 4. Email communication with the Referral Agency demonstrating timely notification regarding the availability of units for the intended Link household, outcome of each referral, and, when an available unit was not rented to a Link household, the number of days the available unit was held open for intended Link household.
- B. The monthly Program Report submitted to the Corporation by the Development shall reflect the number of Link households residing in an ELI Set-Aside unit.
- C. The Compliance Period committed to in the RFA also includes the units set aside for the Demographic Commitments, which includes the commitments for Link and ELI Households. The affordability period committed to in the RFA includes the units set aside for ELI Households. Although the percentage of units committed to must remain in effect for the entire Compliance Period, the units designated for the Demographic Commitment and AMI commitment must not be limited to the same units throughout the Compliance Period. Doing so may cause the Development to be in non-compliance with Section 42.

Exhibit F - Rehabilitation Scoping Process with a Capital Needs Assessment

The following is the procedure by which the scope of the rehabilitation will be determined for Applicants rehabilitating units as part of the proposed Application. This may include those with the Development Category of New Construction or Redevelopment (with or without acquisition), if the plan includes rehabilitation of at least one existing unit.

The Flowchart attached to this Exhibit has been designed to graphically illustrate the steps described below.

1. The Pre-Application Stage (Steps 1-2)

Prior to submitting an Application, Applicants should conduct appropriate due diligence to determine whether it is physically and financially feasible to comply with the minimum requirements contained in Section Four A.8., for proposed Developments with at least one rehabilitation unit. Applicants receiving a preliminary award who are found (through the Capital Needs Assessment and Rehabilitation scoping process further described below) to be unable to meet all of the requirements of Section Four A.8.a. and c. with the sources available for the Rehabilitation will have their preliminary award of funding rescinded.

At the time of Application, Applicants proposing any rehabilitation of units will be required to certify that the contemplated budget and available sources are adequate to meet all requirements outlined in Section Four A.8. of this RFA.

2. The Capital Needs Assessment (CNA) Stage (Steps 3-7)

- a. Once the invitation to Credit Underwriting has been accepted, all Developments with at least one rehabilitation unit shall have a CNA prepared. This may include those with the Development Category of New Construction or Redevelopment (with or without acquisition), if the plan includes rehabilitation of at least one existing unit. Due to closing deadlines outlined in Rule Chapters 67-48 and 67-21, F.A.C., the CNA process will run concurrently with the Credit Underwriting process (which includes the market study and PRL, if applicable).
- b. Upon receipt of the credit underwriting fee(s) and the CNA review fee, the Credit Underwriter shall obtain quotes for the CNA, and invoice the Applicant. The CNA shall be ordered by the Credit Underwriter no later than 7 Calendar Days after receiving the CNA fee deposit. The choice of the CNA provider will be left solely up to the Credit Underwriter, and shall be chosen from the Corporation's approved list of qualified providers.
- c. Once the CNA has been ordered, the CNA provider will contact the Applicant to obtain basic information regarding the current physical condition of the property. The Applicant (or designee) shall answer the CNA provider's request for information within 7 Calendar Days of receipt. Further, a physical inspection of the property shall be scheduled to take place between the CNA provider, the Applicant (or designee), the Corporation (if desired) and the Credit Underwriter (if desired), no later than 30 Calendar Days from the ordering of the CNA. No less than 7 Calendar Days prior to the

physical inspection, the Applicant shall ensure that original construction plans, if available, and a history of major repair expenditures covering at least the most recent 5 years, have been delivered to the CNA provider.

- d. At a minimum, the CNA provider will:
- (1) Review available documentation from the original construction and previous rehabilitations and current or planned improvements to the greatest extent possible:
 - Site survey;
 - Appraisals;
 - As-built drawings or record drawings;
 - Previous accessibility surveys;
 - Planned Capital Improvements;
 - Planned maintenance or replacement;
 - Previous reports on Property condition;
 - Existing Physical Deficiencies and pending work;
 - Warranties for construction products, appliances and equipment;
 - Preventative maintenance requirements;
 - Operations and maintenance plans;
 - Maintenance reports and contracts; and
 - Previous repairs, improvements or replacements.
 - (2) Make all appropriate inquiries to obtain and review any relevant information relating to the Property from the local governmental agencies and departments having jurisdiction over the Property. Documentation should include, to the greatest extent possible:
 - Certificates of Occupancy;
 - Inspection records and certificates;
 - Reports of existing building / fire code violations;
 - Reports of existing regulatory, health or zoning violations; and
 - Documentation of ongoing or pending litigation on Physical Conditions of the Property.
 - (3) Interview Applicant's point of contact and/or maintenance staff via a Pre-Site Visit questionnaire (Appendix E of the CNA Guide) to acquire information about preceding or pending repairs, replacements and their costs, level of preventive maintenance exercised;
 - (4) Conduct a review of the expected useful life of all equipment and building components using the Corporation's Estimated Useful Life Tables (Appendix F of the CNA Guide);
 - (5) Physically inspect the property via visual observation unless specified otherwise;

- (6) Develop a 15-year replacement reserve table to be used in Credit Underwriting and post-rehabilitation asset management in the prescribed format indicated in Appendix K of the CNA Guide;
 - (7) Review the Corporation requirements in Section Four A.8. of the RFA; and
 - (8) Consider the Applicant's scope of work preferences. (Note: The CNA provider will use his/her professional judgement in the appropriateness of items included in the Applicant's scope.)
- e. At a minimum, the physical inspection will include:
- (1) All vacant and out-of-service units;
 - (2) At least 25% of all occupied units;
 - (3) All units set aside to meet Section 504 of the Rehabilitation Act of 1973, as outlined in Section Four, A.8.a. of the RFA;
 - (4) At least one unit in each building;
 - (5) At least one unit of each bedroom-size configuration;
 - (6) All common areas; and
 - (7) For scattered sites, at least one unit from each site, but no less than the percentages specified above.
- f. The CNA provider will independently evaluate every aspect of the property including basic development information, evaluation of the Corporation's required construction features (if present), site conditions, building components and systems, amenities and program features and hazardous materials and conditions as indicated in Appendix A of the CNA Guide. The CNA provider should document representative conditions with photographs as prescribed in the CNA Guide and use reasonable efforts to document typical conditions present including material physical deficiencies, if any.
- g. The CNA provider shall also identify any known or observed deficiencies with the property, considering both individual units and common areas. The CNA provider should separately list in the CNA any existing conditions which threaten the life and safety of residents. Immediate needs of this nature should be brought to the attention of the property management, the Credit Underwriter, and the Corporation through the CNA report.
- h. The CNA provider shall conduct an accessibility survey using the format prescribed in Appendix B of the CNA Guide and the FHFC Accessibility requirements outlined in Sections Four A.8.a. and c. of the RFA.
- i. After the inspection and evaluation is complete, the CNA provider will deliver a CNA report to the Credit Underwriter and the Corporation. The CNA report shall follow the requirements and content as described in section 3.3 of the CNA Guide, and will reflect the CNA provider's independent professional opinion in regard to:

- (1) A summary of all Immediate needs which threaten health or life safety;
- (2) A summary of all known or observed deficiencies pursuant to the FHFC Accessibility requirements outlined in Sections Four A.8.a. and c. of the RFA, FHA, and/or ADA requirements, as well as outstanding and/or recorded building or fire code violations;
- (3) Confirmation that all items committed to in the Application (including all items required by the Corporation as outlined in Section Four A.8. of the RFA) are physically and financially feasible within the contemplated budget, which shall include the appropriateness of the rehabilitation measures selected by the Applicant, considering the remaining useful life and the current condition of the subject features;
- (4) A list of and associated costs of **immediate** repair items, critical repair items, deferred maintenance items for needs to be addressed in less than 12 months from the completion of the CNA, required accessibility items, and other items required by Section Four A.8 of the RFA, in a format prescribed in Appendix J of the CNA Guide;
- (5) A list and associated costs of all long-term physical needs between years 1 and 15 from completion of the CNA in a format prescribed in Appendix K of the CNA Guide. The cost estimate will include both current replacement cost and inflation adjusted replacement costs using a 3% annual inflation factor;
- (6) An estimate of the “reserves necessary for replacements”;
- (7) An estimate of the cost of rehabilitation based on one or more of the following sources:
 - (a) Applicant or Owner provided unit costs;
 - (b) Owner’s historical experience costs;
 - (c) Consultant’s cost database or cost files;
 - (d) Commercially available cost information or published commercial data;
 - (e) Third-party cost information from contractors, vendors, or suppliers; and/or
 - (f) Other qualified sources that the Corporation determines appropriate.
- (8) An executive summary as described in section 3.3 of the CNA Guide;
- (9) An evaluation of site conditions (as applicable) as indicated in Appendix A section III of the CNA guide;
- (10) An evaluation of building components and systems conditions (as applicable) as indicated in Appendix A section IV of the CNA guide;
- (11) An evaluation of conditions of any existing FHFC required construction features as indicated in Appendix A section II of the CNA guide;

- (12) An evaluation of fixtures, casework and equipment conditions (as applicable) as indicated in Appendix A section V of the CNA guide;
 - (13) Evaluation of conditions of any amenities and program features on the property as indicated in Appendix A section VI of the CNA guide;
 - (14) A description of directly observed or potential on-site hazardous materials and conditions as indicated in Appendix A section VII of the CNA guide;
 - (15) An analysis of the estimated remaining useful life of the property, which shall be in the format prescribed by Appendices H and I of the CNA Guide;
 - (16) The basis for identifying any item for repair or replacement;
 - (17) Appendices (photographs, site plans, maps, etc.); and
 - (18) Certification of the CNA provider's qualifications and acknowledgments of who prepared the report, when the report was prepared, and for whom the report was prepared.
- j. The CNA provider will confirm that it is **physically** feasible to meet the requirements of Sections Four A.8.a. and A.8.c. of the RFA within the contemplated budget, and provide an estimated cost for meeting those requirements.
 - k. The CNA provider will opine as to the physical and financial feasibility of the inclusion of full-size ranges and ovens in all rehabilitation units. The CNA provider shall include supporting documentation (plan sketch with dimensions, photographs, etc.) that support their conclusion.
 - l. The CNA provider will opine as to the physical and financial feasibility of all of the Green Features required in Section Four A.8.d. of the RFA.
 - m. Where appropriate, the CNA provider will comment on the proportions of physical needs that have resulted from accumulated deferred maintenance, and from ordinary use and decline of a properly maintained property. If, in the CNA provider's expert opinion, the deterioration of the property has been accelerated by poor management practices, that information must be disclosed to the Credit Underwriter and the Corporation.
 - n. The CNA provider will also comment on whether rehabilitation of a particular feature ordinarily requires relocation of the tenant.
3. The Scoping Stage (Steps 8-11)
 - a. The CNA provider will complete a draft of the Rehabilitation Scope of Work spreadsheet, utilizing the information gathered from steps 3-7 above and each Rehabilitation Scope of Work must include the measures listed below. The Rehabilitation Scope of Work spreadsheet (rev. 05-2020) is attached to this Exhibit.
 - (1) A minimum per unit hard cost budget of non-luxury improvements as specified in the RFA.

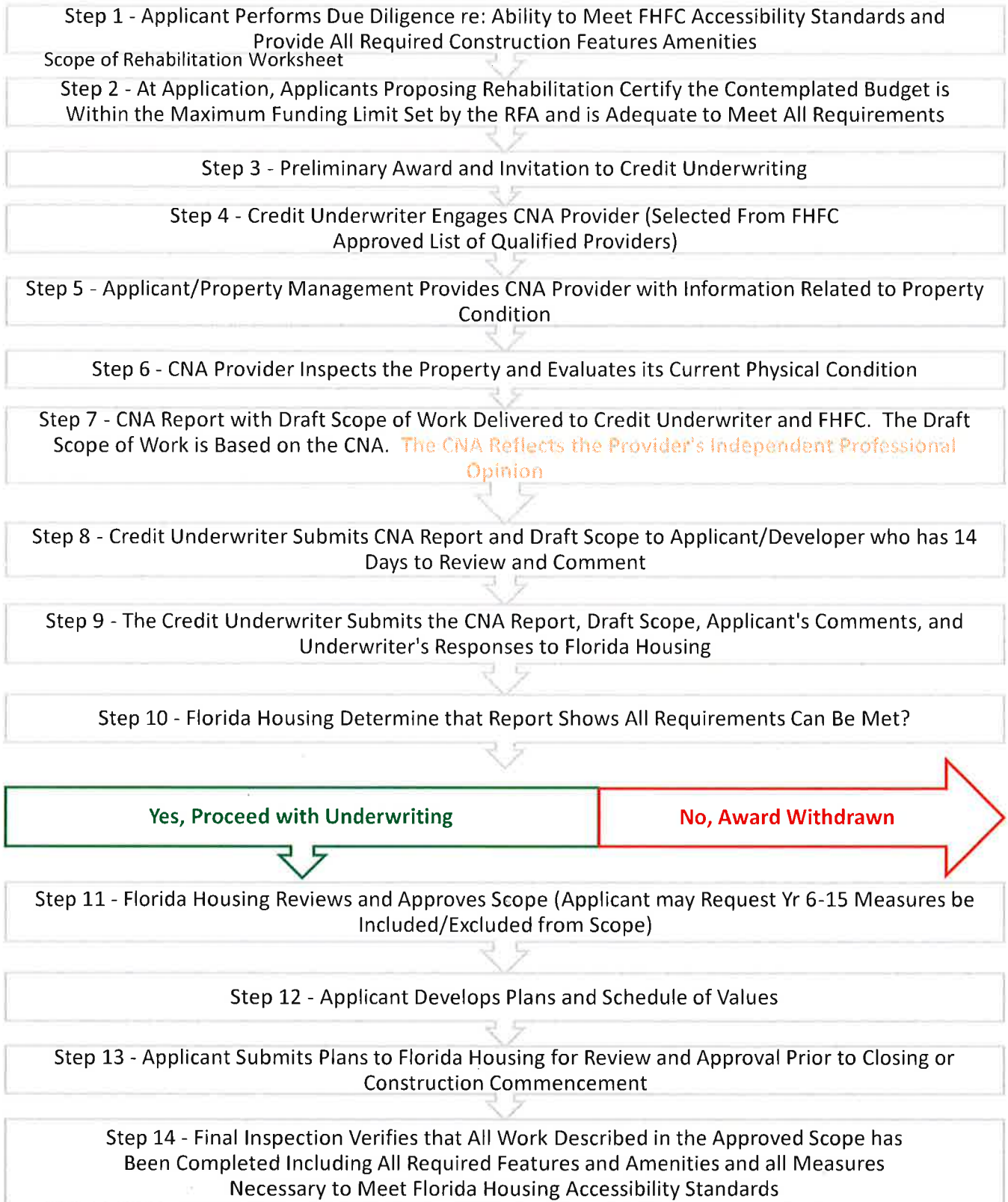
- (2) Corrective actions for all Immediate and Critical needs noted in the CNA including all deficiencies which threaten health and life safety, as well as observed and recorded building or fire code issues.
 - (3) The replacement of any component of the building or site with an effective remaining useful life, according to the Corporation's Estimated Useful Life Tables (Appendix F of the CNA Guide, of less than 5 years. The CNA will be used to determine which components meet this criterion.
 - (4) The replacement of any component of the building or site with an effective remaining useful life, according to the Corporation's Estimated Useful Life Tables (Appendix F of the CNA Guide, of less than 15 years, if determined appropriate for this rehabilitation and if there is remaining funding available. The CNA will be used to determine which components meet this criterion.
 - (5) Substantially the same scope of work in all units of the same type.
 - (6) Compliance with this Exhibit, the requirements of the applicable RFA, the Florida Administrative Code, and any other Florida Housing guidance upon completion of work.
 - (7) Compliance with applicable Florida building code and local fire code regulations, as well as FHA and ADA requirements upon completion of work.
 - (8) Compliance with all applicable Florida Housing accessibility requirements upon completion of work.
 - (9) Compliance with Uniform Physical Condition Standards (UPCS) upon completion of work.
- b. The CNA Provider will populate the Scope of Rehabilitation Worksheet with the measures identified in the CNA in the following order:
- (1) All Immediate needs noted in the CNA including all deficiencies which threaten health and life safety (Immediate Needs in the template), needs required to conform with applicable Florida building code and local fire code regulations, as well as FHA and ADA requirements;
 - (2) All Critical needs noted in the CNA (Critical Needs in the template);
 - (3) All work required to meet FHFC accessibility requirements (Accessibility Requirement in the worksheet);
 - (4) Any item required in the applicable RFA, or promised by the Applicant at the time of Application (RFA Requirement in the worksheet);
 - (5) Any component of the building or site with an effective remaining useful life of less than 5 years (5 yr Need in the worksheet);

- (6) To the extent that funding is available, replacement of any component of the building or site with an effective remaining useful life of less than 15 years (6-15 yr Need in the worksheet); and
 - (7) Enhancements required to make the property marketable (Marketability in the worksheet).
 - c. Systems and components with more than 5, but less than 15 years of remaining useful life should be prioritized in the following order:
 - (1) Site improvements;
 - (2) Structural components and building envelope;
 - (3) Mechanical, electrical, and plumbing systems;
 - (4) Unit improvements including fixtures and finishes;
 - (5) Common area improvements; and
 - (6) Other improvements.
 - d. Once the CNA report is completed by the CNA provider, the report will be sent to the Credit Underwriter and the Corporation, with the draft Rehabilitation Scope of Work spreadsheet, as soon as practicable, but no later than 30 days after the completion of the site inspection.
 - e. Upon receipt of the CNA report and draft Scope of Work, the Credit Underwriter will forward the documents to the Applicant. The Applicant shall then have a 14 Calendar Day review period in which the Applicant may provide addition information and comment on the draft Scope of Work.
 - f. Upon the close of the Applicant's 14 Calendar Day review and comment period, the Credit Underwriter shall have a 7 Calendar Day review period in which the Credit Underwriter may craft opinions and recommendations to the Corporation regarding the Applicant's comments on the draft Scope of Work. At the end of this 7 Calendar Day period, the Credit Underwriter shall submit the CNA report, the draft Scope of Work, the Applicant's comments (on the draft scope) and the Credit Underwriter's opinions and recommendations to the Corporation.
 - g. The Corporation shall review the material provided by the Credit Underwriter to first determine that all of the requirements of Sections Four A.8.a. and c. have been met within available sources for the proposed Rehabilitation of the Development. If the Corporation determines the above requirements cannot be met with available sources, the preliminary award will be rescinded.
4. Credit Underwriting and Beyond (Steps 12–15)
 - a. If the Corporation determines that all of the requirements of Sections Four A.8.a. and c. can be met, and that there are no other issues that would disqualify the Applicant, then the Credit Underwriting process may proceed.

- b. During the Credit Underwriting process, the Corporation will review and approve the final Scope of Work for the project.
- c. Once the Corporation has approved the final Scope of Work for the Development, the Applicant shall develop construction plans and the schedule of values for the Development. These construction plans shall be submitted to the Corporation for review and approval during the credit underwriting process.
- d. As with any funding, the Corporation will conduct a final inspection to verify that all work in the approved Scope of Work has been completed, including delivery of all required features, amenities and measures needed to meet the Corporation's Housing Accessibility Standards.

Complete RFA reflecting 8-20-21 and 10-8-21 modifications

Flowchart



Complete RFA reflecting 8-20-21 and 10-8-21 modifications

INSERT LINES AS NECESSARY & Copy formula in column G*

REHABILITATION WORK SCOPE

APPLICATION NUMBER:
RFA NUMBER:
DEMOGRAPHIC:
DEVELOPMENT NAME:
DEVELOPMENT LOCATION:
DEVELOPER:
APPLICANT NAME:

YEAR BUILT:
RESIDENTIAL UNIT COUNT:
GROSS SQUARE FOOTAGE:

NUMBER OF LINK UNITS:

TRADE ITEM	Need Category <small>(Insert into appropriate row)</small>	Description: materials, performance specifications	QUANTITY <small>(Enter # of Units)</small>	UNIT DESCRIPTION <small>(If not unit)</small>	UNIT COST <small>(Enter Cost Per Unit)</small>	TOTAL COSTS <small>(quantity * unit cost)</small>
Accessibility						
convert existing units to UFAS-compliant units						\$0.00
retrofit existing units for Fair Housing compliance						\$0.00
retrofit existing common areas to meet UFAS, Fair Housing, & ADA						\$0.00
retrofit existing site to meet Fair Housing, ADA						\$0.00
additional Florida Housing accessibility requirements						\$0.00
Total (Accessibility)						\$0.00
Demolition						
site						\$0.00
bdg exteriors: ceilings, walls, floor, plumbing, HVAC, etc						\$0.00
bdg exteriors: siding, roofing, poles, decks, stairs, breezeways						\$0.00
Total (Demolition)						\$0.00
Unusual site conditions (such as lead, asbestos, mold abatement)						
lead abatement						\$0.00
asbestos abatement						\$0.00
mold abatement						\$0.00
Total (Unusual site conditions (such as lead, asbestos, mold abatement))						\$0.00
Site Improvements						
lighting						\$0.00
parking surfaces						\$0.00
fencing						\$0.00
retaining walls						\$0.00
Total (Site Improvements)						\$0.00
Landscaping & Irrigation						
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
Total (Landscaping & irrigation)						\$0.00
Structure & Building Envelope						
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
Total (Structure & Building Envelope)						\$0.00
Mechanical, Electrical, Plumbing						
DEM						\$0.00
HVAC						\$0.00
						\$0.00
						\$0.00
Total (Mechanical, Electrical, Plumbing)						\$0.00
Utilities						
water service						\$0.00
fire service						\$0.00
storm water piping						\$0.00
sewer service						\$0.00
electrical service						\$0.00
gas service						\$0.00
Total (Utilities)						\$0.00
Common Area Interior Elements						
						\$0.00
						\$0.00
						\$0.00
						\$0.00
Total (Common Area Interior Elements)						\$0.00
Unit Interior Elements						
						\$0.00
						\$0.00
						\$0.00
						\$0.00
Total (Unit Interior Elements)						\$0.00
Total Costs						\$0.00
Total Costs Per Residential Unit						\$0.00
Total Costs Per Gross Square Foot						\$0.00
Total Costs for Specific Need Category	Immediate Need			0.0%		\$0
Total Costs for Specific Need Category	Critical Needs			0.0%		\$0
Total Costs for Specific Need Category	RFA Requirement			0.0%		\$0
Total Costs for Specific Need Category	Accessibility Requirement			0.0%		\$0
Total Costs for Specific Need Category	Deferred Maintenance			0.0%		\$0
Total Costs for Specific Need Category	Need in Years 1-5			0.0%		\$0
Total Costs for Specific Need Category	Need in Years 6-15			0.0%		\$0
Total Costs for Specific Need Category	Marketability			0.0%		\$0
Total Costs for Specific Need Category	Other			0.0%		\$0

*To Insert Rows, select a cell on the blank row immediately above the applicable subsection total row (for instance, row 20). Then, while in the "Home" tab of the menu ribbon at the top, click open the "Insert" icon within the Cells Menu Group and choose the "Insert Sheet Rows" menu option. This will insert one new row. If you want to insert more than one row, highlighting as many rows as you need to insert, but the first row must be the blank row identified above and follow the remaining instructions. Once you have inserted the number of rows needed, copy the cell in total column (column G) from the last row that has a row total (for instance, cell G19) onto column G of the newly inserted rows.

Exhibit G - Tenant Selection Plan Requirements

Extremely Low Income (ELI) Household's Tenant Selection Criteria

The Applicant must adhere to the following tenant selection criteria when evaluating the eligibility of a household applying for tenancy in a unit set aside for Extremely Low Income (ELI) Households:

- The credit history related to medical expenses, cable and internet services will not be taken into consideration when conducting credit checks.
- ELI Household's Income Requirement Policy – The household monthly income must not be required to be more than two times the monthly rent. (e.g., If the monthly rent is \$500, the household monthly income will not be required to exceed \$1,000.)
- The eviction history look-back period must not be more than 5 years. A household is permitted one eviction during the 5-year look-back period, unless the eviction was due to causing physical harm to development staff, tenants or intentional property damage.

Additional Tenant Selection Criteria for All Households

The Applicant must adhere to the following tenant selection criteria when evaluating the eligibility of all households applying for tenancy.

- The arrest record of a household member will not be considered when determining any household's application for tenancy.
- For households with publicly funded rental assistance, the income requirement will be based on the household's paid portion of the rent.

Tenant Application Fees and Deposits

The Applicant must adhere to the following tenant application fees and deposits requirements for a household applying for tenancy in a unit set aside for extremely low income households:

- It is prohibited to charge a fee to a household that is applying for tenancy in a unit that is set aside for extremely low-income households for the purposes of reserving or holding a unit.
- The application for tenancy fee will be no more than \$35 per adult in a household.
- A security deposit for new tenant households will be not more than the amount of one month's rent.

Application for Tenancy

The Applicant must include and prominently place the following information in the Development's application for tenancy packet that is provided to all interested households:

- The tenant selection approach and criteria used to evaluate and determine a household's application for tenancy. The criteria under which a household was screened and evaluated, as well as the determination, must be included in each tenant household's file.

The approach regarding a household's notification and appeal process and timeline, if the household's application is rejected or determined ineligible.

- A description of reasonable accommodations or reasonable modifications for persons with disabilities, pursuant to Section 504 of the Rehabilitation Act of 1973. The description shall include accommodations that must be considered by the Development such as physical dwelling unit modifications for greater accessibility and use, as well as individualized assessments of mitigating factors related to a disability that adversely affected a household's credit, eviction or criminal history. The description shall also include the process for requesting a reasonable accommodation, the determination approach, and decision-making timelines.

A description of an applying household's or existing tenant's housing protections pursuant to the Violence Against Women Reauthorization Act of 2013 (VAWA). The description will include that applying households may request that the Development conduct an individualized assessment of mitigating factors related to being a victim of domestic violence, dating violence, sexual assault, and stalking that adversely affected the household's credit, eviction, or criminal history.

Notification of Rejection or Ineligibility for Tenancy

The Applicant must, at a minimum, notify any household that their application for tenancy was rejected or determined ineligible through a documented process such as a written letter or email to the address provided by the household.

The notification will be provided to a household within 5 business days from the day the determination is made.

The notice must include information regarding:

- The reasons a household's application for tenancy was rejected or determined ineligible.
- A household's right to appeal the Development's decision, as well as complete instructions regarding how a household may appeal the decision.

Exhibit H – Credit Underwriting Procedures for the ELI Loan

The applicable credit underwriting, program requirements and loan terms and conditions are outlined in Rule Chapter 67-48, F.A.C., for the SAIL loan, and in Rule Chapter 67-21, F.A.C., for the Non-Competitive Housing Credits and, if applicable, the Corporation-issued MMRB loan.

The applicable credit underwriting, program requirements and loan terms and conditions for the ELI Loan are outlined below.

1. Credit Underwriting Procedures for the ELI Loan:

- a. The invitation to enter credit underwriting constitutes a preliminary commitment for the ELI Loan.
- b. The credit underwriting for the ELI Loan will be accomplished along with the credit underwriting for the SAIL loan. The Credit Underwriter may request additional information at any time during the credit underwriting process for the ELI Loan.
- c. The Credit Underwriter's loan recommendations for the ELI Loan will be sent to the Board for approval at the time the SAIL loan recommendations are sent.
- d. A firm loan commitment for the ELI Loan will be issued at the time the firm loan commitment for the SAIL loan is issued.
- e. The ELI Loan must close by the deadlines outlined in Rule Chapter 67-48, F.A.C., for the SAIL loan.

2. Terms and Conditions of the ELI Loan:

ELI Loans will be subject to the credit underwriting provisions outlined in Section 1 above and the loan provisions outlined below:

- a. The terms and conditions of the ELI Loan shall be as follows:
 - (1) The ELI Loan may be in a first, second, or other subordinated lien position;
 - (2) The ELI Loan shall:
 - (a) Have the amount based on the funding requirements set forth in this RFA; and
 - (b) Be non-amortizing at 0 percent simple interest per annum over the life of the ELI Loan, with the principal forgivable at maturity provided the units for which the ELI Loan amount is awarded are targeted to ELI Households for the first 15 years of the Compliance Period. The minimum term of the ELI Loan is 15 years.
 - (3) Any sale, conveyance, assignment, or other transfer of interest or the grant of a security interest in all or any part of the title to the Development other than a

superior mortgage shall be subject to the Corporation's prior written approval. The Board shall consider the facts and circumstances of each Applicant's request and any credit underwriting report, if available, prior to determining whether to grant such request;

- (4) The ELI Loan shall be serviced either directly by the Corporation or by the Corporation's servicer on behalf of the Corporation;
- (5) The Corporation and the Corporation's servicer shall monitor compliance of all terms and conditions of the loan and shall require that certain terms and conditions be embodied in the Land Use Restriction Agreement and recorded in the public records of the county wherein the Development is located. Violation of any material term or condition of the documents evidencing or securing the loan shall constitute a default during the term of the loan if not appropriately cured. The Corporation shall take appropriate legal action to effect compliance if a violation of any material term or condition relative to the set-aside of units for ELI Households is discovered during the course of compliance monitoring or by any other means;
- (6) The Corporation shall require adequate insurance to be maintained on the Development as determined by the Corporation or the Corporation's servicer sufficient to meet the standards established in the Florida Housing Finance Corporation (FHFC) Insurance Guide, dated August 30, 2016, as updated, as outlined Exhibit C of the RFA;
- (7) All ELI Loans shall be in conformance with applicable federal and state statutes, including the Fair Housing Act as implemented by 24 CFR Part 100, Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35, and Section 504 of the Rehabilitation Act of 1973 ("Section 504 and its related regulations"), as outlined in Section Four, A.8. of the RFA. The Corporation shall allow units dedicated to occupancy by the Elderly in a Development designed for occupancy by elderly households pursuant to authorization by HUD under the Fair Housing Amendments of 1988 as implemented by 24 CFR Part 100. To the extent that a Development is not otherwise subject to Section 504 and its related regulations, the Development shall nevertheless comply with Section 504 and its related regulations as requirements of the SAIL Program to the same extent as if the SAIL Development were subject to Section 504 and its related regulations in all respects. To that end, for purposes of the SAIL Program, SAIL funding shall be deemed "Federal financial assistance" within the meaning of that term as used in Section 504 and its related regulations for all SAIL Developments, as outlined in Section Four, A.8. of the RFA;
- (8) Rent controls for the ELI Set-Aside units for which the ELI Loan is issued shall be restricted at the level applicable for federal Housing Credits;
- (9) The documents creating, evidencing or securing each ELI Loan must provide that any violation of the terms and conditions described in this Exhibit to the RFA

constitutes a default under the ELI Loan documents allowing the Corporation to accelerate its loan and to seek foreclosure as well as any other remedies legally available to it;

- (10) The affordability period committed to in this RFA includes the units set aside for ELI Households. After 15 years, all of the ELI Set-Aside units may convert to serve residents at or below 60 percent AMI (as outlined in Section Four, A.6.d.(3)(a) and Section Four, A.6.g. of the RFA); however, the Persons with Special Needs set-aside commitment must be maintained throughout the entire affordability period; and
 - (11) If, after initial certification of ELI Households and move in, ELI Set-Aside units are no longer distributed across the unit mix on a pro-rata basis, the Development will not be in noncompliance so long as the next unit of required size that becomes vacant in the Development is rented to an ELI Household until the ELI Set-Aside units in the Development again meets its requirement to be distributed across the unit mix on a pro-rata basis.
- b. The ELI Loan shall be assumable upon sale or transfer of the Development if the following conditions are met:
- (1) The proposed transferee meets all specific Applicant identity criteria which were required as conditions of the original loan;
 - (2) The proposed transferee agrees to maintain all ELI Set-Asides and other requirements of the ELI Loan for the period originally specified or longer; and
 - (3) The proposed transferee and release of transferor receives a favorable recommendation from the Credit Underwriter and approval by the Board of Directors of the Corporation.

All assumption requests must be submitted in writing to the Director of Special Assets and contain the specific details of the transfer and assumption. In addition to any related professional fees, the Corporation shall charge a non-refundable assumption fee as outlined in this RFA.

- c. ELI Loan construction disbursements and permanent loan servicing shall be based on the following:
- (1) ELI Loan proceeds shall be disbursed during the construction phase in an amount per Draw which does not exceed the ratio of the ELI Loan to the Total Development Cost, unless approved by the Credit Underwriter;
 - (2) Ten (10) business days prior to each Draw, the Applicant shall supply the Corporation's servicer, as agent for the Corporation, with a written request executed by the Applicant for a Draw. The request shall set forth the amount to be paid and shall be accompanied by documentation specified by the Corporation's servicer including claims for labor and materials to date of the last inspection;

- (3) The Corporation and its servicer shall review the request for a Draw, and the servicer shall provide the Corporation with approval of the request or an alternative recommendation, after the title insurer provides an endorsement to the policy of title insurance updating the policy to the date of the current Draw and increasing the insurance coverage to an amount equal to the sum of all prior Draws and the current Draw;
- (4) The Corporation shall disburse construction Draws through Automated Clearing House (ACH). The Applicant may request disbursement of construction Draws via a wire transfer. The Applicant will be charged a fee of \$10 for each wire transfer requested. This charge will be netted against the Draw amount;
- (5) The Corporation shall elect to withhold any Draw or portion of any Draw, notwithstanding any documentation submitted by the Applicant in connection with the request for a Draw, if:
 - (a) The Corporation or the Corporation's servicer determines at any time that the actual cost budget or progress of construction differs from that as shown on the loan documents; or
 - (b) The percentage of progress of construction of the improvements differs from that shown on the request for a Draw;
- (6) The servicer may request submission of revised construction budgets;
- (7) Based on the Applicant's progress of construction, if the Corporation determines that further analysis by the Credit Underwriter is required prior to the release of the final Draw, the Applicant shall pay to the Credit Underwriter a fee based on an hourly rate determined pursuant to the contract between the Corporation and the Credit Underwriter; and
- (8) Retainage in the amount of 10 percent per Draw shall be held by the servicer during construction until the Development is 50 percent complete. At 50 percent completion, no additional retainage shall be held from the remaining Draws. Release of funds held by the Corporation's servicer as retainage shall occur pursuant to the ELI Loan Agreement.

Exhibit I – Credit Underwriting Procedures for the NHTF Forgivable Loan

The applicable credit underwriting, program requirements and loan terms and conditions are outlined in Rule Chapter 67-48, F.A.C., for the SAIL loan, and in Rule Chapter 67-21, F.A.C., for the Non-Competitive Housing Credits and, if applicable, the Corporation-issued MMRB loan. The applicable ELI Loan credit underwriting, program requirements and loan terms and conditions are outlined in Exhibit H of the RFA.

The applicable credit underwriting, program requirements and loan terms and conditions for the NHTF Loan are outlined below.

1. Credit Underwriting Procedures for the NHTF Loan

- a. The invitation to enter credit underwriting constitutes a preliminary commitment for the NHTF Loan.
- b. The credit underwriting for the NHTF Loan will be accomplished along with the credit underwriting for the SAIL Loan and ELI Loan. The Credit Underwriter may request additional information at any time during the credit underwriting process for the NHTF Loan.
- c. The Credit Underwriter's loan recommendations for the NHTF Loan will be sent to the Board for approval at the time the SAIL Loan and ELI Loan recommendation(s) are sent.
- d. A firm loan commitment for the NHTF Loan will be issued at the time the firm loan commitment(s) for the SAIL Loan and ELI Loan is issued.
- e. The NHTF Loan must close by the deadlines outlined in Rule Chapter 67-48, F.A.C., for the SAIL Loan.
- f. Each Development that is awarded a forgivable NHTF loan shall have the final amount of NHTF loan sized based on the following criteria:
 - (1) The initial amount will be based on providing five units if the proposed Development is located in a Large County and three units if the proposed Development is located in a Small or Medium County. Whereas the NHTF units can float throughout the Development and are not tied to any specific bedroom count, the intended households to be served would most likely align with the smaller bedroom count units, like Zero or one-bedroom units. The amount for each of these units shall equal the NHTF Set-Aside per unit minimums that are dependent upon the county where the proposed Development is located, as outlined on the chart below.

NHTF Set-Aside per unit minimums:

County	NHTF Request per Unit	County	NHTF Request per Unit	County	NHTF Request per Unit
Alachua	\$199,300	Hardee	\$151,200	Okaloosa	\$214,200
Baker	\$200,500	Hendry	\$151,200	Okeechobee	\$151,200
Bay	\$182,900	Hernando	\$201,200	Orange	\$207,700
Bradford	\$156,900	Highlands	\$151,200	Osceola	\$207,700
Brevard	\$197,800	Hillsborough	\$201,200	Palm Beach	\$232,900
Broward	\$239,400	Holmes	\$151,200	Pasco	\$201,200
Calhoun	\$151,200	Indian River	\$198,600	Pinellas	\$201,200
Charlotte	\$176,400	Jackson	\$151,200	Polk	\$168,000
Citrus	\$151,200	Jefferson	\$207,700	Putnam	\$151,200
Clay	\$203,900	Lafayette	\$155,400	Saint Johns	\$203,900
Collier	\$229,500	Lake	\$207,700	Saint Lucie	\$194,400
Columbia	\$160,400	Lee	\$195,900	Santa Rosa	\$187,900
DeSoto	\$151,200	Leon	\$207,700	Sarasota	\$210,400
Dixie	\$151,200	Levy	\$151,200	Seminole	\$207,700
Duval	\$203,900	Liberty	\$151,200	Sumter	\$183,300
Escambia	\$187,900	Madison	\$151,200	Suwannee	\$151,200
Flagler	\$187,100	Manatee	\$210,400	Taylor	\$151,200
Franklin	\$158,500	Marion	\$151,600	Union	\$151,200
Gadsden	\$207,700	Martin	\$194,400	Volusia	\$177,900
Gilchrist	\$199,300	Miami-Dade	\$245,900	Wakulla	\$198,900
Glades	\$151,200	Monroe	\$276,800	Walton	\$189,400
Gulf	\$159,600	Nassau	\$203,900	Washington	\$151,200
Hamilton	\$151,200				

- (2) If there is NHTF Loan pool funding remaining, then each of the Applications with NHTF Funding will be awarded a pro rata amount of the remaining NHTF loan pool, up to the NHTF Set-Aside per unit Maximum Limits, which are dependent upon the county where the proposed Development is located and the construction type of the proposed Development, as outlined in the chart below. If each of those Applications is awarded the NHTF Set-Aside per unit limit and there is NHTF Loan pool funding remaining, the remaining NHTF Loan pool will be distributed as approved by the Board.

NHTF Set-Aside per unit Maximum Limits

Maximum Subsidy Limits– New Construction Only		
Construction Type	Miami-Dade, Broward, Palm Beach Counties	Remainder of Florida
Garden – Non-ESS	N/A	\$185,500
Garden – Concrete	\$239,300	\$218,000
Mid-Rise – Non-ESS	N/A	\$218,000
Mid-Rise – Concrete	\$260,300	\$237,800
High-Rise	\$309,200	\$284,000
Add this factor to the all above limits if a development is subject to the requirements of the Davis-Bacon Act		\$5,000

*N/A means the Construction Type is not allowed or is inappropriate for the location.

- (3) If there is not enough NHTF Loan pool funding to provide the NHTF Set-Aside per unit minimums for each Large County Application awarded NHTF Funding to provide five NHTF Units and each Small or Medium County Application awarded NHTF Funding to provide three NHTF Units, then one NHTF unit will be removed in the sequence below until the total amount of NHTF funding awarded no longer exceeds the NHTF loan pool. If following this sequence creates an amount of total NHTF awards equal to the NHTF loan pool, then the process is completed. If following this sequence creates an amount of total NHTF awards less than the NHTF Loan pool, then a pro rata increase will be awarded as provided in (2) above.
- (a) The Proposed Development from the Small County with the highest amount of NHTF Funding per unit amount, and if two Small Counties are tied with the highest amount of NHTF Funding per unit amount, then the last one selected;
 - (b) The Proposed Development from the Small County with the next highest amount of NHTF Funding per unit amount, and if two Small Counties are tied with the next highest amount of NHTF Funding per unit amount, then the last one selected;
 - (c) The Proposed Development from the Small County with the smallest amount of NHTF Funding per unit amount, and if two Small Counties are tied with the smallest amount of NHTF Funding per unit amount, then the last one selected;
 - (d) Repeating this same sequence with the Medium County first, then Large County Applications that were awarded NHTF Funding.

2. Terms and Conditions of the NHTF Loan

NHTF Loans will be subject to the credit underwriting provisions outlined in Section 1 above and the loan provisions outlined below:

- a. The terms and conditions of the NHTF Loan shall be as follows:
 - (1) The NHTF Loan may be in a first, second, or other subordinated lien position;
 - (2) The NHTF Loan shall:
 - (a) Have the amount based on the funding requirements set forth in this RFA; and
 - (b) Be non-amortizing at 0 percent simple interest per annum over the life of the NHTF Loan, with the principal forgivable at maturity provided the units for which the NHTF Loan amount is awarded are targeted as NHTF Units for the first 30 years of the Compliance Period. The minimum term of the NHTF Loan is 30 years; and
 - (c) Up to 33.33 percent of the NHTF award can be used as an operating deficit reserve for operations associated with deeper income targeting for the NHTF units over 30 years.
 - (3) Any sale, conveyance, assignment, or other transfer of interest or the grant of a security interest in all or any part of the title to the Development other than a superior mortgage shall be subject to the Corporation's prior written approval. The Board shall consider the facts and circumstances of each Applicant's request and any credit underwriting report, if available, prior to determining whether to grant such request;
 - (4) The NHTF Loan shall be serviced either directly by the Corporation or by the Corporation's servicer on behalf of the Corporation;
 - (5) The Corporation and the Corporation's servicer shall monitor compliance of all terms and conditions of the loan and shall require that certain terms and conditions be embodied in the Land Use Restriction Agreement and recorded in the public records of the county wherein the Development is located. Violation of any material term or condition of the documents evidencing or securing the loan shall constitute a default during the term of the loan if not appropriately cured. The Corporation shall take appropriate legal action to effect compliance if a violation of any material term or condition relative to the set-aside of units for NHTF Units is discovered during the course of compliance monitoring or by any other means;
 - (6) Rent controls for the 22 percent AMI units for which the NHTF Loan is issued shall be restricted at the level applicable for federal Housing Credits;

- (7) The documents creating, evidencing or securing each NHTF Loan must provide that any violation of the terms and conditions described in this Exhibit to the RFA constitutes a default under the NHTF Loan documents allowing the Corporation to accelerate its loan and to seek foreclosure as well as any other remedies legally available to it; and
 - (8) The Compliance Period committed to in this RFA includes the units set aside at 22 percent AMI as NHTF Units. After 30 years, all of the NHTF Units may convert to serve residents at or below 60 percent AMI; however, the Persons with Special Needs set-aside commitment must be maintained throughout the entire affordability period.
- b. The NHTF Loan shall be assumable upon sale or transfer of the Development if the following conditions are met:
- (1) The proposed transferee meets all specific Applicant identity criteria which were required as conditions of the original loan;
 - (2) The proposed transferee agrees to maintain all ELI Set-Asides and other requirements of the NHTF Loan for the period originally specified or longer; and
 - (3) The proposed transferee and release of transferor receives a favorable recommendation from the Credit Underwriter and approval by the Board of Directors of the Corporation.

All assumption requests must be submitted in writing to the Director of Special Assets and contain the specific details of the transfer and assumption. In addition to any related professional fees, the Corporation shall charge a non-refundable assumption fee as outlined in this RFA.

- c. NHTF Loan construction disbursements and permanent loan servicing shall be based on the following:
- (1) NHTF Loan proceeds shall be disbursed during the construction phase in an amount per Draw which does not exceed the ratio of the NHTF Loan to the Total Development Cost, unless approved by the Credit Underwriter;
 - (2) Ten (10) business days prior to each Draw, the Applicant shall supply the Corporation's servicer, as agent for the Corporation, with a written request executed by the Applicant for a Draw. The request shall set forth the amount to be paid and shall be accompanied by documentation specified by the Corporation's servicer including claims for labor and materials to date of the last inspection;
 - (3) The Corporation and its servicer shall review the request for a Draw, and the servicer shall provide the Corporation with approval of the request or an alternative recommendation, after the title insurer provides an endorsement to the policy of title insurance updating the policy to the date of the current Draw

and increasing the insurance coverage to an amount equal to the sum of all prior Draws and the current Draw;

- (4) The Corporation shall disburse construction Draws through Automated Clearing House (ACH). The Applicant may request disbursement of construction Draws via a wire transfer. The Applicant will be charged a fee of \$10 for each wire transfer requested. This charge will be netted against the Draw amount;
- (5) The Corporation shall elect to withhold any Draw or portion of any Draw, notwithstanding any documentation submitted by the Applicant in connection with the request for a Draw, if:
 - (a) The Corporation or the Corporation's servicer determines at any time that the actual cost budget or progress of construction differs from that as shown on the loan documents; or
 - (b) The percentage of progress of construction of the improvements differs from that shown on the request for a Draw;
- (6) The servicer may request submission of revised construction budgets;
- (7) Based on the Applicant's progress of construction, if the Corporation determines that further analysis by the Credit Underwriter is required prior to the release of the final Draw, the Applicant shall pay to the Credit Underwriter a fee based on an hourly rate determined pursuant to the contract between the Corporation and the Credit Underwriter; and
- (8) Retainage in the amount of 10 percent per Draw shall be held by the servicer during construction until the Development is 50 percent complete. At 50 percent completion, no additional retainage shall be held from the remaining Draws. Release of funds held by the Corporation's servicer as retainage shall occur pursuant to the NHTF Loan Agreement.

3. Additional NHTF Unit Requirements

Applicants will be required to comply with the following requirements and provide the following information:

a. General Information Notice

In accordance with the Uniform Relocation Act (URA), as part of 24 CFR Part 92, a Development receiving NHTF funds must provide a notice to all tenants informing them of their rights under the URA in accordance with Chapter 2 of the HUD Handbook 1378*. The proper manner of notice is provided in this Handbook. A copy of each General Information Notice must be provided to each tenant, not just tenants in NHTF Units. By the due date outlined in the invitation to enter credit underwriting, the Applicant must provide to the Corporation a copy of each General Information Notice

for each occupied unit. Each notice must include proof of delivery by certified letter or by signed copy of the notice when hand delivered.

b. Certification of Consistency with the Consolidated Plan

During the credit underwriting process, the Applicant will be required to provide evidence demonstrating that the proposed Development is consistent with the applicable Consolidated Plan. Developments located in entitlement jurisdictions should request a certification of consistency letter from the appropriate authorities in that jurisdiction (typically, the community development staff). Developments located in non-entitlement jurisdictions (e.g. small non-entitlement cities or unincorporated areas of counties) should request a certification of consistency letter from the state. To request a certification of consistency letter from the state (or if you are not sure which Consolidated Plan applies to the location of your proposed HOME Development), please contact:

Florida Housing Finance Corporation
HOME staff
850-488-4197

c. Other Federal Requirements

(1) HUD Environmental Requirements

All Applicants awarded NHTF Funding will be required to comply with the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2). Applicants that qualify as Non-Profit Applicants will not be charged a fee for the environmental review.

(2) Debarment and Suspension

Owners and contractors are prohibited from employing, awarding contracts, or funding any contractors or subcontractors that have been debarred, suspended, proposed for debarment or placed on ineligibility status by HUD. In addition, any owners who are debarred, suspended, proposed for debarment, or ineligible will be ineligible for funding. Therefore, a certification must be executed by the contractor for compliance with debarment and suspension regulations. During the credit underwriting process the Applicant will be required to provide the executed certification form*.

(3) Lead Based Paint

If the Development was built before 1978, Lead Based Paint Regulations may apply. See 24 CFR Part 35 for exemptions. During the credit underwriting process, the Applicant must certify that it understands the requirements of the current HUD lead based paint regulations as identified in 24 CFR Part 92 and Rule Chapter 67-48, F.A.C.

If the Applicant is purchasing the property and the Development was built before 1978, provide a copy of the executed Disclosure of Information on Lead Based Paint and Lead Based Paint Hazards form*, signed by both the buyer and the seller.

(4) Section 3

Each Applicant shall encourage its contractors to hire qualified low- and moderate-income residents for any job openings that exist on funded projects in the community. The Applicant shall keep records to document the number of low- and moderate-income people who are hired to work on funded projects.

(5) Flood

The Applicant shall comply with the mandatory flood insurance purchase requirements of Section 102 of the Flood Disaster Protection Act of 1973, as amended by the National Flood Insurance Reform Act of 1994, 42 USC 4012a, as applicable.

(6) Historic Preservation

The Applicant shall comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended, codified in title 54 of the United States Code, as applicable. In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list.

*Documents can be found on the RFA Webpage.

Applicant Certification and Acknowledgement Form

1. The Applicant and all Financial Beneficiaries have read all applicable Corporation rules governing this RFA and have read the instructions for completing this RFA and will abide by the applicable Florida Statutes and the credit underwriting and program provisions outlined in Rule Chapter 67-48 and 67-21, F.A.C. The Applicant and all Financial Beneficiaries have read, understand and will comply with Section 42 of the Internal Revenue Code, as amended, and all related federal regulations.
2. The Applicant has reviewed subsection 67-48.009(5), F.A.C., rule 67-48.004, F.A.C. and rule 67-21.027, F.A.C., and certifies to its eligibility to apply for the funding offered in this RFA.
3. The Applicant certifies that the proposed Development can be completed and operating within the development schedule and budget submitted to the Corporation.
4. The Applicant acknowledges and certifies that it will abide by all commitments, requirements, and due dates outlined in the RFA, inclusive of all exhibits. Failure to provide the required information by any stated deadlines may result in the withdrawal of the invitation to enter credit underwriting, unless an extension is approved by the Corporation.
5. By submitting the Application, the Applicant acknowledges and certifies that the proposed Development will meet all state building codes, including the Florida Accessibility Code for Building Construction, adopted pursuant to Section 553.503, F.S., the Fair Housing Act as implemented by 24 CFR Part 100, including the Affirmative Fair Housing Marketing Plan; Violence Against Women Act Reauthorization Act of 2013; Section 504 of the Rehabilitation Act of 1973 as outlined in Section Four, A.8. of the RFA; and the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35, incorporating the most recent amendments, regulations and rules.
6. The Applicant acknowledges that any funding preliminarily secured by the Applicant is expressly conditioned upon any independent review, analysis and verification of all information contained in this Application that may be conducted by the Corporation, the successful completion of credit underwriting, and all necessary approvals by the Board of Directors, Corporation or other legal counsel, the Credit Underwriter, and Corporation staff.
7. If preliminary funding is approved, the Applicant will promptly furnish such other supporting information, documents, and fees as may be requested or required. The Applicant understands and agrees that the Corporation is not responsible for actions taken by the undersigned in reliance on a preliminary commitment by the Corporation. The Applicant commits that no qualified residents will be refused occupancy because they have Section 8 vouchers or certificates. The Applicant further commits to actively seek tenants from public housing authority waiting lists and tenants who are participating in and/or have successfully completed the training provided by welfare to work or self-sufficiency type programs.
8. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development Team's experience, past performance or financial capacity is satisfactory. The past performance record, financial capacity, and any and all other matters relating to the Development Team (which consists of Developer, Management Company, General Contractor, Architect, Attorney,

and Accountant) will be reviewed during credit underwriting. The Credit Underwriter may require additional information from any member of the Development Team including, without limitation, documentation on other past projects and financials. Development Teams with an unsatisfactory past performance record, inadequate financial capacity or any other unsatisfactory matters relating to their suitability may result in a negative recommendation from the Credit Underwriter.

9. The Applicant's commitments will be included in (i) a Land Use Restriction Agreement(s) for the SAIL loan(s) and, if applicable, the MMRB loan, and (ii) an Extended Use Agreement for the Housing Credits, and must be maintained in order for the Development to remain in compliance, unless the Board approves a change.
10. The Applicant certifies that there are no agreements, other than the letter of intent provided with this Application or the Limited Partnership Agreement, between the Applicant and the Housing Credit Syndicator/equity provider.
11. The Applicant certifies that the complete Limited Partnership Agreement, including any amendments thereto, will be divulged to the Corporation and the credit underwriter.
12. The Applicant understands and agrees that it will ensure that (i) none of the General Contractor duties to manage and control the construction of the Development are subcontracted; (ii) none of the construction or inspection work that is normally performed by subcontractors is performed by the General Contractor; (iii) no construction cost is subcontracted to any entity that has common ownership or is an Affiliate of the General Contractor or the Developer, as further described in subsection 67-48.0072(17), F.A.C.; and (iv) a provision is provided in the contract with General Contractor that it will comply with subsection 67-48.0072(17)F.A.C.
13. The Applicant, the Developer and all Principals are in good standing among all other states' housing agencies and have not been prohibited from applying for funding.
14. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third-party information included in this Application and/or provided during the credit underwriting process and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.
15. During the credit underwriting process, demonstrate that the Development meets the requirements of this RFA and Section 42 of the IRC.
16. All permanent sources designated on the Development Cost Pro Forma as self-sourced financing must remain as a source in the Development for a minimum of 15 years and may not be repaid to the Applicant from any funding source, including development cash flow. If self-sourced financing is repaid to the Applicant prior to the payment of the SAIL loan in full, the SAIL loan will be in default and must be paid in full, and the Applicant and any Applicant or Developer Principals and Affiliates may be subject to material misrepresentation consequences set forth in subsection 67-48.004(2), F.A.C.;

17. If a Self-Sourced Applicant transfers ownership of the Development within the first 15 years of the Compliance Period, the new owner must waive the right to seek a qualified contract;
18. The invitation to enter credit underwriting will be rescinded if it is determined that the proposed Development was placed in-service prior to the year in which it received its allocation.
19. The Applicant understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), F.S.
20. The Applicant has read, understands, and will comply with the Capital Needs Assessment requirements outlined in Exhibit F.
21. The Applicant has read, understands and will comply with the Tenant Selection Plan requirements outlined in Exhibit G.
22. The undersigned is authorized to bind the Applicant entity to this certification and warranty of truthfulness and completeness of the Application.

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.

Signature of Authorized Principal Representative

Name (typed or printed)

Title (typed or printed)

NOTE: Provide this form as Attachment 1 to the RFA. This form must be signed by the Authorized Principal Representative stated in Exhibit A.

Exhibit D

PROPERTY INFORMATION

Folio: 02-3203-007-1160

Sub-Division:
NORMANDY GOLF COURSE SUB

Property Address

Owner
HOUSING AUTHORITY OF
CITY OF MIAMI BEACH

Mailing Address
200 ALTON RD
MIAMI, FL 33139

PA Primary Zone
3900 MULTI-FAMILY - 38-62 U/A

Primary Land Use
8080 VACANT GOVERNMENTAL - VACANT LAND -
GOVERNMENTAL

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

Actual Area 0

Living Area 0

Adjusted Area 0

Lot Size 15 294 Sq Ft

Year Built 0



PROPERTY INFORMATION

Folio: 02-3203-007-1170

Sub-Division:
NORMANDY GOLF COURSE SUB

Property Address
280 S SHORE DR

Owner
HOUSING AUTHORITY OF
CITY OF MIAMI BEACH

Mailing Address
200 ALTON RD
MIAMI BEACH FL 33139

PA Primary Zone
3900 MULTI-FAMILY - 36-62 U/A

Primary Land Use
8080 VACANT GOVERNMENTAL VACANT LAND -
GOVERNMENTAL

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

Actual Area 0

Living Area 0

Adjusted Area 0

Lot Size 15,315 Sq Ft

Year Built 0



PROPERTY INFORMATION

Folio: 02-2203-007-1360

Sub-Division:
NORMANDY GOLF COURSE SUB

Property Address
165 S SHORE DR

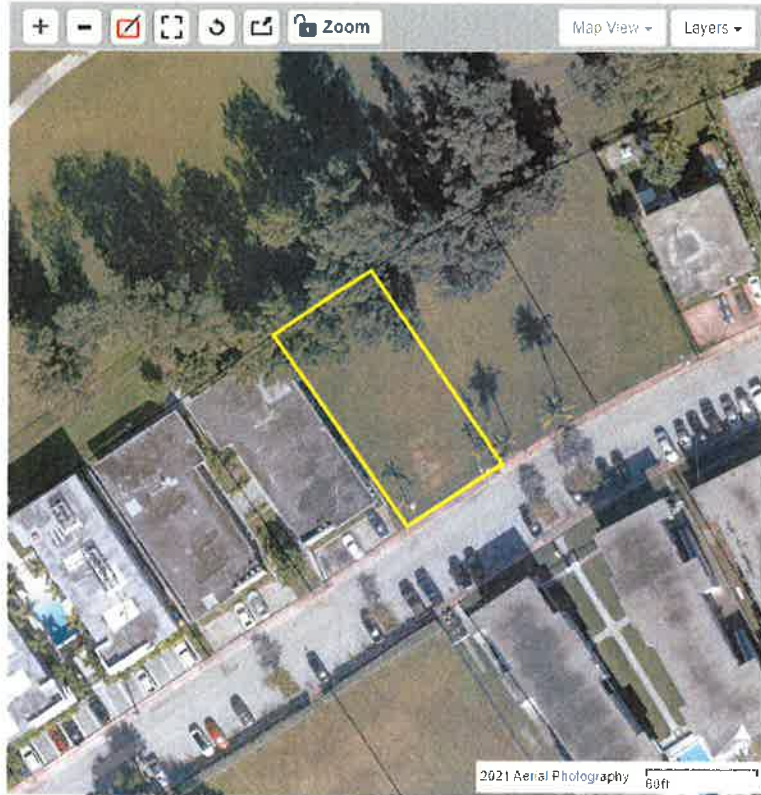
Owner
HOUSING AUTHORITY CITY OF MIAMI BEACH

Mailing Address
200 ALTON RD
MIAMI BEACH, FL 33139

PA Primary Zone
3900 MULTI-FAMILY - 38-62 GIA

Primary Land Use
1051 VACANT LAND - COMMERCIAL VACANT
LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	7,280 Sq Ft
Year Built	0



PROPERTY INFORMATION

Folio: 02-5203-007-1370

Sib-Division:
NORMANDY GOLF COURSE SUB

Property Address

Owner
HOUSING AUTHORITY CITY OF MIAMI BEACH

Mailing Address
200 ALTON RD
MIAMI BEACH FL 33139

PA Primary Zone
3900 MULTI-FAMILY - 38-62 U/A

Primary Land Use
1081 VACANT LAND - COMMERCIAL VACANT
LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	7,545 Sq Ft
Year Built	0



PROPERTY INFORMATION

Folio: 02-3203-007-1300

Sub-Division:
NORMANDY GOLF COURSE SUB

Property Address

Owner
HOUSING AUTHORITY CITY OF MIAMI BEACH

Mailing Address
200 ALTON RD
MIAMI BEACH FL 33139

PA Primary Zone
3900 MULTI-FAMILY - 33-62 U/A

Primary Land Use
1081 VACANT LAND - COMMERCIAL VACANT
LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	7,645 Sq Ft
Year Built	0



Exhibit E



2040 MIAMI BEACH COMPREHENSIVE PLAN



CONTENTS

Resilient Land Use & Development Element

Climate Resiliency & Sustainability Element

Transportation Element

Housing Element

Historic Preservation Element

Recreation & Open Space Element

Infrastructure Element

Intergovernmental Coordination Element

Public School Facilities Element

Capital Improvement Element

MAPS SERIES:

2040 Future Land Use Map

Flood Zones & Evacuation Routes

Coastal High Hazard Areas (CHHA)

Federal Functional Classification

Existing Roadway System

Existing Roadway Lane Count

Transit Corridors & Transit Intermodal Hubs

Existing Bike Facilities

Atlantic Greenway/Bikeway Network

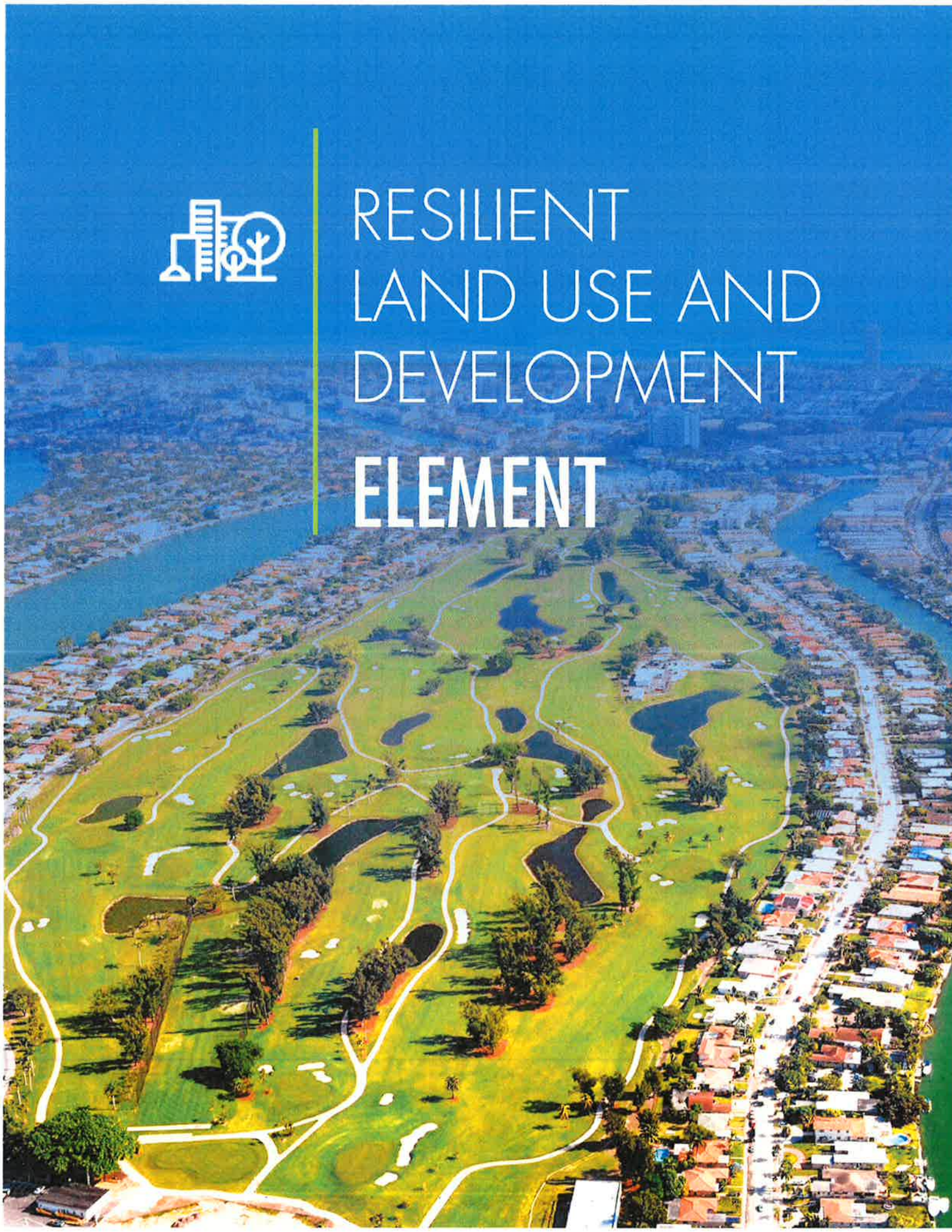
Neighborhood Map



Text Amendments	Amendment Summary	Ordinance	Adoption Date
	2019 EAR-based Amendments	2019-4302	10-16-2019
	Accessory Dwelling Units	2019-4304	10-16-2019
	PF Public-Private Redevelopment	2019-4349	7-29-2020
	Development Regulations for Hotels in the RM-1 District on Properties abutting Lincoln Lane South	2020-4367	10-14-2020
	Sunset Harbour Neighborhood Identity Overlay	2020-4377	11-18-2020
	RM-1 Hotel Uses at Designated Historic Sites in North Beach	2020-4375	11-18-2020
	Wolfsonian Arts District	2020-4381	12-9-2020



RESILIENT LAND USE AND DEVELOPMENT ELEMENT





RESILIENT LAND USE AND DEVELOPMENT ELEMENT

The Resilient Land Use and Development Element (RLU) of the Comprehensive Plan serves as a guide for future land development and redevelopment in a manner consistent with the City's vision of a vibrant and resilient Miami Beach, and the requirements of the Florida Statutes. The Principles, Goals, Objectives and Policies in the Resilient Land Use and Development Element are closely interrelated to most, if not all other elements in this Comprehensive Plan. Its function is to define future land uses and set their location, and to draw upon the core principles within the Comprehensive Plan to help ensure that growth is directed in a manner that is resilient, sustainable, supported by essential services, and improves the quality of life of the City and its residents.

LAND USE PRINCIPLES & GOALS

GUIDING PRINCIPLES

The intent of the guiding principles is to provide an overview of the priorities and objectives of the Element to aid in local government planning and decision making, including but not limited to the amendments to this Element and the City's Land Development Regulations, as well as applications for Future Land Use and Zoning map amendments.

GOAL RLU 1

LAND USE

Preserve and enhance the character of Miami Beach and its quality of life through the implementation of future land use and land development requirements that maximize the potential for economic benefit and the enjoyment of natural and man-made resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

GOAL RLU 2

INNOVATIVE, SUSTAINABLE AND RESILIENT DEVELOPMENT

Encourage innovative development consistent with the historic resources of the City, while ensuring that redevelopment, investment, and new development is constructed utilizing principles of sustainable and resilient development practices.

GOAL RLU 3

INTERGOVERNMENTAL COORDINATION AND PUBLIC FACILITIES

Support intergovernmental coordination efforts, strategic partnerships, and enforcement of concurrency management requirements and mobility fees to maintain required levels of service for public facilities and to mitigate potential adverse impacts of new development and redevelopment



GUIDING PRINCIPLES

The intent of the Guiding Principles is to provide an overview of the priorities and objectives of the Element to aid in local government planning and decision making, including but not limited to the amendments to this Element and the City's Land Development Regulations, as well as applications for Future Land Use and Zoning map amendments.

PRINCIPLE 1: DEVELOPING A RESILIENT FUTURE

The City shall encourage redevelopment that contributes to community resiliency by meeting all required peril of flood mitigation and storm hazard standards for on-site development and shall also prioritize energy efficient development that provides stormwater mitigation, and co-benefit features that contribute to the City's resiliency as a whole.

PRINCIPLE 2: RESPECTING THE ECOLOGICAL ENDOWMENT

The City shall encourage redevelopment that respects the City's ecological endowment and provides for context sensitive development that improves or enhances the City's natural environment where feasible.

PRINCIPLE 3: PRESERVING CULTURAL IDENTITY

The City shall encourage redevelopment that protects historic resources to the greatest extent feasible, while allowing for adaptation to a changing climate and efficient reuse of historic structures. Local area and incremental adaptation strategies shall be preferred as they allow for the greatest protection of historic resources and promote the preservation of the cultural identity of Miami Beach.

PRINCIPLE 4: PRIORITIZING ALTERNATIVE MODES OF TRANSIT

The City shall encourage redevelopment that support the City's efforts to promote a multi-modal transportation network.

PRINCIPLE 5: ENHANCE COMMUNITY CHARACTER

The City shall encourage redevelopment that enhances the character of existing development by maximizing context sensitive design through appropriate architecture, compatible scale, and pedestrian-friendly features.

PRINCIPLE 6: PRIORITIZING WORKFORCE HOUSING

The City shall encourage redevelopment that provides workforce and affordable housing.

GOAL RLU 1: LAND USE

Preserve and enhance the character of Miami Beach and its quality of life through the implementation of future land use and land development requirements that maximize the potential for economic benefit and the enjoyment of natural and man-made resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Objective RLU 1.1: Establishment of Future Land Use Categories

The City hereby adopts future land use map categories to provide for an efficient distribution and compatible pattern of land uses, and to maintain and enhance the character of the community.

Table RLU 1.1

The following table is a reference guide that depicts the policy number, and maximum densities and intensities for each future land use map (FLUM) category.
(* = Refer to policy for limits)

	FLUM Category	Density Limits (Units Per Acre)	Intensity Limits (Floor Area Ratio)	Reference (Policy #)
Residential	Single Family Residential (RS)	7 units per acre	*	RLU 1.1.1
	Townhouse Residential (TH)	30 units per acre	0.7	RLU 1.1.2
	Fisher Island Low Density Planned Residential (RM-PRD)	25 units per acre	1.6	RLU 1.1.3
	Allison Island Low Density Planned Residential Category (RM-PRD-2)	25 units per acre	1.45	RLU 1.1.4
	Low Density Multi Family Residential (RM-1)	60 units per acre	1.25*	RLU 1.1.5
	Medium Density Multi Family Residential (RM-2)	100 units per acre	2.0	RLU 1.1.6
	High Density Multi Family Residential (RM-3)	150 units per acre	2.25*	RLU 1.1.7
	Medium-Low Density Residential Performance Standard (R-PS-1)	57 units per acre	1.25	RLU 1.1.22
	Medium Density Residential Performance Standard (R-PS-2)	70 units per acre	1.5	RLU 1.1.23
	Medium-High Density Residential Performance Standard (R-PS-3)	85 units per acre	1.75	RLU 1.1.24
Commercial / Industrial	High Density Residential Performance Standard (R-PS-4)	102 units per acre	2.0	RLU 1.1.25
	Low Intensity Commercial (CD-1)	60 units per acre	1.0*	RLU 1.1.8
	Medium Intensity Commercial (CD-2)	100 units per acre	1.5*	RLU 1.1.9
	High Intensity Commercial (CD-3)	150 units per acre	2.0*	RLU 1.1.10
	Urban Light Industrial (I-1)	N/A	1.0	RLU 1.1.21

	FLUM Category	Density Limits (Units Per Acre)	Intensity Limits (Floor Area Ratio)	Reference (Policy #)
Mixed Use	Residential / Office (RO)	56 units per acre	1.25	RLU 1.1.11
	Mixed Use Entertainment (MXE)	100 units per acre	2.0	RLU 1.1.13
	Limited Mixed Use Commercial Performance Standard (C-PS1)	80 units per acre	2.0	RLU 1.1.27
	Limited Mixed Use Residential Performance Standard Category (RM-PS-1)	102 units per acre	1.50	RLU 1.1.26
	General Mixed Use Commercial Performance Standard (C-PS2)	106 units per acre	2.0	RLU 1.1.28
	Intensive Mixed use Commercial Performance Standard (C-PS3)	125 units per acre	2.5	RLU 1.1.29
	Bayside Intensive Mixed Use Commercial Performance Standard (C-PS4)	125 units per acre	2.5	RLU 1.1.30
	Town Center – Central Core (TC-C)	150 units per acre	3.5	RLU 1.1.31
	Town Center Core (TC-1)	150 units per acre	2.25*	RLU 1.1.32
	Town Center Commercial (TC-2)	100 units per acre	2.0*	RLU 1.1.33
Town Center Residential Office (TC-3)	60 units per acre	1.25*	RLU 1.1.34	
Public / Recreation	Public Facility: Educational (PFE)	N/A	2.0*	RLU 1.1.14
	Special Public Facilities: Educational (SPE)	N/A	2.5*	RLU 1.1.15
	Public Facility: Hospital – PF (PF-HD)	N/A	3.0	RLU 1.1.16
	Public Facility: Governmental Use (PF)	N/A	3.5*	RLU 1.1.17
	Public Facility: Convention Center Facilities (PF-CCC)	N/A	2.75	RLU 1.1.18
	Recreation and Open Space Including Waterways (ROS)	N/A	0.5	RLU 1.1.19
	Conservation Protected (C)	N/A	*	RLU 1.1.20
	Marine Recreation (MR)	N/A	0.25	RLU 1.1.12

POLICY RLU 1.1.1 SINGLE FAMILY RESIDENTIAL (RS)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and new single family residential development.

Uses which may be permitted: Single family detached dwellings.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, including Accessory Dwelling Units, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 7 residential units per acre. Accessory Dwelling Units shall not count towards the maximum density limit.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy.

POLICY RLU 1.1.2 TOWNHOME RESIDENTIAL (TH)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new townhome residential areas.

Uses which may be permitted: Single family detached dwellings and townhome dwellings. For the purposes of this use limitation, townhome dwellings are dwellings arranged on a site with other townhome dwellings in such a way that none of the townhome dwellings are above or below one another and so that each unit has its own ingress and egress.

Density Limits: 30 dwellings units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the base intensity exceed a floor area ratio of 0.7.

POLICY RLU 1.1.3 FISHER ISLAND LOW DENSITY PLANNED RESIDENTIAL (RM-PRD)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new low density single family and multiple family residential areas on Fisher Island in large scale developments which are carried out in accordance with an overall development master plan and which have a greater variety of height, set back and similar configurations than would be appropriate in lot-by-lot development, and which may contain a limited accessory commercial component, not to exceed one-percent (1%) of the lot area of the site.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, multiple family dwellings, and limited accessory commercial uses not to exceed one-percent (1%) of the lot area of the site.

Density Limits: 25 dwelling units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio on 1.6.

POLICY RLU 1.1.4 ALLISON ISLAND LOW DENSITY PLANNED RESIDENTIAL (RM-PRD-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new low-density multiple family planned residential areas on Allisson Island in large scale developments which are carried out in accordance with an overall development master plan and which have a greater variety of height, set back and similar configurations than would be appropriate in lot-by-lot development, and which may contain a limited accessory commercial component.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, multiple family dwellings, and limited accessory commercial uses.

Density Limits: 25 dwelling units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio on 1.45.

POLICY RLU 1.1.5 LOW DENSITY MULTI FAMILY RESIDENTIAL (RM-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium density multi-family residential areas.

Uses which may be permitted: Single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73rd Street on the south.

Non-conforming buildings containing non-conforming hotel uses, located on the north side of Belle Isle, and not within a local historic district, may be reconstructed to a maximum of 50% of the floor area of the existing building, provided that the uses contained within the hotel are not expanded in any way, including but not limited to, the number of hotel units and accessory food and beverage uses, the non-conformity of the building is lessened, and required parking for the surrounding neighborhoods with a minimum reduction of 50% of the daily trips on adjacent, two lane, arterial roadways, and improving the resiliency of the building.

Bed and breakfast inns are permitted in RM-1 only in the Flamingo Park Historic District and the West Avenue Bay Front Overlay District, both of which are described in the Land Development Regulations. Within the RM-1 future land use category, and only in the Flamingo Park Historic District, apartment hotels, hotels, and suite hotels are permitted for properties abutting Lincoln Lane South, between Drexel Avenue and Lenox Avenue. Residential office and suite hotel uses are permitted in the West Avenue Bay Front Overlay District only. Hotels, apartment hotels, and suite hotels are permitted on properties located north of Normandy Drive, having a lot area greater than 30,000 square feet, which are individually designated as an historic site, as described in the Land Development Regulations.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 60 dwellings units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 1.25, except for the following:

- the west side of Collins Avenue between 76th and 79th Streets shall not exceed a floor area ratio of 1.4; and
- Public and private institutions on a lot area equal to or less than 15,000 sq. ft shall not exceed a floor area ratio of 1.25, or for a lot area greater than 15,000 sq. ft. the floor area ratio shall not exceed 1.4.

POLICY RLU 1.1.6 MEDIUM DENSITY MULTI FAMILY RESIDENTIAL (RM-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium density multi-family residential areas.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, multiple family dwellings, apartment hotels and hotels. Residential office uses are permitted in RM-2 only in the West Avenue Bay Front Overlay District, as described in the Land Development Regulations. Places of assembly, restaurant, retail, and general office uses are main permitted uses in the Faena District Overlay as set forth in the Land Development Regulations.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.0.

POLICY RLU 1.1.7 HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new high density multi-family residential and hotel areas.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, multiple family dwellings, apartment hotels and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 150 dwelling units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the following:

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities.

POLICY RLU 1.1.8 LOW INTENSITY COMMERCIAL (CD-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new low intensity commercial areas which primarily serve surrounding residential neighborhoods.

Uses which may be permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments and apartment residential uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 60 dwelling units per acre.

Intensity Limits: a floor area ratio of 1.0 for commercial; 1.25 for residential or mixed use.

POLICY RLU 1.1.9 MEDIUM INTENSITY COMMERCIAL (CD-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which serve the entire City.

Uses which may be Permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: a floor area ratio of 1.5 for commercial; 2.0 for residential or mixed use; 3.25 in the Wolfsonian Arts District.

POLICY RLU 1.1.10 HIGH INTENSITY COMMERCIAL (CD-3)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which primarily serve the entire City.

Uses which may be permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 150 dwelling units per acre.

Intensity Limits:

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities may be available.

POLICY RLU 1.1.11 RESIDENTIAL / OFFICE (RO)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new office residential areas which are compatible with single family and other residential development.

Uses which may be permitted: Offices and certain residential uses including single family detached dwellings, single family attached dwellings, townhouse dwellings and multiple family dwellings.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 56 dwelling units per acre.

Intensity Limits: a floor area ratio of 1.25.

POLICY RLU 1.1.12 MARINE RECREATION (MR)

Purpose: To provide development opportunities for existing and new recreational boating activities and services facilities.

Uses which may be permitted: Marinas; boat docks; piers; etc. for noncommercial or commercial vessels and related upland structures; aquarium, restaurants, commercial uses.

Intensity Limits: Intensity may be limited by such setback, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complimentary public policy. However, in no case shall the intensity exceed a floor area ratio of 0.25.

POLICY RLU 1.1.13 MIXED USE ENTERTAINMENT (MXE)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new mixed use areas which accommodate residential, hotel and commercial development.

Uses which may be permitted: Apartments, apartment hotels, hotels and various types of commercial uses including, business and professional offices (but not medical or dental offices), retail sales and service establishments, and eating and drinking establishments.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development

Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: a floor area ratio of 2.0.

POLICY RLU 1.1.14 PUBLIC FACILITY: EDUCATIONAL (PFE)

Purpose: To provide development opportunities for existing and new public educational facilities.

Uses which may be permitted: Public educational facilities.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.0. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

POLICY RLU 1.1.15 SPECIAL PUBLIC FACILITIES EDUCATIONAL (SPE)

Purpose: To provide development opportunities for existing and new educational and religious facilities.

Uses which may be permitted: Public or private schools or educational or classroom facilities from pre-school through graduate and religious facilities including mikvehs.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.5 with the following exceptions: those sites as defined in the City of Miami Beach Zoning Ordinance as the Fana Holtz High School Parcel shall have a maximum floor area ratio of 3.0 and the Mikveh Parcel shall have a maximum floor area ratio of 1.0.

POLICY RLU 1.1.16 PUBLIC FACILITY HOSPITAL - PF (PF- HD)

Purpose: To provide development opportunities for existing hospital facilities.

Uses which may be permitted: Hospital facilities.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio on 3.0

POLICY RLU 1.1.17 PUBLIC FACILITY: GOVERNMENTAL USES (PF)

Purpose: To provide development opportunities for existing and new government uses, as well as provide public-private redevelopments.

Uses which may be permitted: Government uses, parking facilities, affordable or workforce housing, various types of commercial uses including business and professional offices, retail sales and service establishments, and eating and drinking establishments, and public-private marina redevelopments.

Public-private marina redevelopments shall include significant publicly accessible green and/or open space and may permit the following uses: Retail sales and service establishments;

commercial uses, including business and professional offices; eating and drinking establishments; apartment residential uses; and recreational uses.

Density Limits: The base density limit for affordable or workforce housing units shall be the average of the surrounding future land use categories. The density limit for market rate apartment residential uses in a public-private marina redevelopment shall be 15 units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 3.5.

POLICY 1.1.18 PUBLIC FACILITY: CONVENTION CENTER FACILITIES (PF-CCC)

Purpose: To provide development opportunities for existing convention center and facilities necessary to support the convention center.

Uses which may be permitted: Convention facilities.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.75.

POLICY RLU 1.1.19 RECREATION AND OPEN SPACE INCLUDING WATERWAYS (ROS)

Purpose: To provide development opportunities for existing and new recreation and open space facilities, including waterways.

Uses which may be permitted: Recreation and open space facilities, including waterways.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio on 0.5.

Undesignated Fisher Island Lots: Fisher Island lots that are not otherwise designated are hereby designated Recreation and Open Space.

POLICY RLU 1.1.20 CONSERVATION PROTECTED (C)

Purpose: To designate Atlantic dune locations which are protected from the inappropriate encroachment of development because they are a valuable natural resource that is unsuitable for most types of development in its natural state.

Uses which may be permitted: Open space.

POLICY RLU 1.1.21 URBAN LIGHT INDUSTRIAL (I-1)

Purpose: To provide development opportunities for existing and new light industrial facilities.

Uses which may be permitted: Light industrial and compatible retail and service facilities.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 1.0.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

POLICY RLU 1.1.22 MEDIUM-LOW DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels and institutional uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 57 dwelling units per acre.

Intensity Floor Area Ratio Limits: 1.25.

POLICY RLU 1.1.23 MEDIUM DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels and institutional uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 70 dwelling units per acre.

Intensity Floor Area Ratio Limits: 1.50

POLICY RLU 1.1.24 MEDIUM-HIGH DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-3)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels and institutional uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 85 dwelling units per acre.

Intensity Floor Area Ratio Limits: 1.75

POLICY RLU 1.1.25 HIGH DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-4)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels, hotels and institutional uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 102 dwelling units per acre.

Intensity Floor Area Ratio Limits: 2.0

POLICY RLU 1.1.26 LIMITED MIXED USE RESIDENTIAL PERFORMANCE STANDARD (RM-PS-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, and accessory commercial uses.

Density Limits: 80 dwelling units per acre.

Intensity Floor Area Ratio Limits: 1.50.

POLICY RLU 1.1.27 LIMITED MIXED USE COMMERCIAL PERFORMANCE STANDARD (C-PS-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels, hotels, and commercial uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process

as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 80 dwelling units per acre.

Intensity Floor Area Ratio Limits: 2.0.

POLICY RLU 1.1.28 GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD (C-PS-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels, hotels, and commercial uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 106 dwelling units per acre.

Intensity Floor Area Ratio Limits: 2.0.

POLICY RLU 1.1.29 INTENSIVE MIXED USE COMMERCIAL PERFORMANCE STANDARD (C-PS-3)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels, hotels and commercial uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 125 dwelling units per acre.

Large Lot and Urban Design Bonus Intensity Floor Area Ratio Limits: 2.5.

POLICY RLU 1.1.30 BAYSIDE INTENSIVE MIXED USE COMMERCIAL PERFORMANCE STANDARD (C-PS-4)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new residential areas which accommodate a mix of different residential types developed in accordance with flexible design standards.

Uses which may be permitted: Single family detached dwellings, single family attached dwellings, townhouse dwellings, apartments, apartment hotels, hotels, and commercial uses.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate

to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 125 dwelling units per acre.

Intensity Floor Area Ratio Limits: 2.5.

POLICY RLU 1.1.31 TOWN CENTER – CENTRAL CORE CATEGORY (TC-C)

Purpose: To encourage and enhance the high-intensity commercial employment center function of the North Beach Town Center's Central Core area; support the Town Center's role as the hub of community-wide importance for business, office, retail, governmental services, culture and entertainment; promote development of a compact, pedestrian and transit oriented, mixed-use area; provide opportunities for live-work lifestyles; and create a place that represents a unique, attractive and memorable destination for residents and visitors.

Uses which may be Permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments, outdoor cafes, artisanal retail, neighborhood fulfillment centers; residential uses, including co-living units; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 150 dwelling units per acre; co-living units that are less than 550 square feet shall count as half a unit for the purposes of calculating the maximum density.

Intensity Limits: A floor area ratio of 3.5.

Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the floor area ratio identified above.

POLICY RLU 1.1.32 TOWN CENTER CORE CATEGORY (TC-1)

Purpose: To encourage and enhance the high-intensity commercial employment center function of the Town Center's core area, as well as, support the Town Center's role as the hub of community-wide importance for business, office, retail, governmental services, culture, and entertainment.

Uses which may be permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments; and apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses such as accessory outdoor bar counter, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care, museums, theaters, cultural and similar uses; parking lots and garages; commercial uses of an impact or intensity deemed to require additional review such as outdoor entertainment establishment, neighborhood impact establishment, open air entertainment establishment; and video arcades.

Density Limits: 150 dwelling units per acre.

Intensity Limits: A floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft. and a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the floor area ratio identified above.

POLICY RLU 1.1.33 TOWN CENTER COMMERCIAL CATEGORY (TC-2)

Purpose: To provide support for medium intensity mixed-use (residential/nonresidential) projects with active retail ground floor uses.

Uses which may be permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments, apartment residential uses, hotels, and apartment hotels.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses such as accessory outdoor bar counter, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care, museums, theaters, cultural and similar uses; parking lots and garages; commercial uses of an impact or intensity deemed to require additional review such as outdoor entertainment establishment, neighborhood impact establishment, open air entertainment establishment; and video arcades.

Density Limits: 100 dwelling units per acre

Intensity Limits: A floor area ratio of 1.5 for commercial; 2.0 for residential or mixed use. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the floor area ratio identified above.

POLICY RLU 1.1.34 TOWN CENTER RESIDENTIAL OFFICE (TC-3)

Purpose: To provide a transition between the high intensity Town Center Core and the surrounding low intensity residential multi-family districts, by providing for contextually compatible residential and mixed-use development within an established, pedestrian, bicycle, and transit oriented residential environment. Office and tourist lodging facilities are intended to provide a variety of employment opportunities to support the local economy and to reduce the need for long distance home to work vehicle trips. Neighborhood oriented retail and service uses are intended to provide opportunities for small business development and to enliven the pedestrian environment.

Uses which may be permitted: Existing single family detached dwellings; single family attached dwellings, townhouse dwellings, multiple family dwellings, offices, hotels, and neighborhood retail and services.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses specifically authorized in this land use category, including

dining room, health club or other services solely for use of the occupants of an apartment building, accessory restaurants, bars and services in a hotel, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care and similar institutional uses, hotels, parking lots and garages, and neighborhood-oriented retail and personal service uses.

Density Limits: 60 dwelling units per acre.

Intensity Limits: A floor area ratio of 1.25. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the floor area ratio identified above.

OBJECTIVE RLU 1.2: LAND USE REGULATION

Future growth and development, redevelopment and rehabilitation will be managed through the preparation, adoption, implementation, and enforcement of land development regulations (LDR) consistent with the Comprehensive Plan and with s.163.3202, F.S.

POLICY RLU 1.2.1

The City shall adopt and maintain Land Development Regulations and zoning districts that are based on the principles, goals, objectives, and policies; future land use categories; and maximum densities and intensities established by this plan.

POLICY RLU 1.2.2

Continue to administer Land Development Regulations (LDR) consistent with s.163.3202, F.S. that shall also contain specific and detailed provisions required to implement the adopted Comprehensive Plan and which as a minimum:

1. Regulate the subdivision of land;
2. Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses and provide for open space;
3. Protect the Conservation (beach) lands designated on the Future Land Use Map and in the Conservation Element;
4. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
5. Regulate design of architecturally significant and oceanfront buildings;
6. Regulate signage;
7. Ensure safe and convenient traffic flow and vehicle parking needs; and
8. Provide that development orders and permits shall not be issued which result in a reduction of the level of services for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.

POLICY RLU 1.2.3 DENSITY AND INTENSITY IMPLEMENTATION CRITERIA

The following criteria address the implementation of density and intensity maximums identified in this Plan:

- a. Interaction of Density and Intensity Limits on Individual Lots: Both density and intensity restrictions shall apply to residential uses. Only intensity restrictions shall apply to non-residential uses. No lot area which is counted toward meeting the lot area required for the residential uses on a lot shall also be counted toward meeting the lot area required for non-residential uses on the same lot.
- b. Apartment hotels are hereby defined as residential uses. Hotels are hereby defined as nonresidential uses. For the purpose of this policy, a hotel is a building occupied or intended to be occupied exclusively by transient residents or transient residents plus any live-in staff. An apartment hotel is a building occupied or intended to be occupied by transient residents in one or more hotel units and permanent residents in residential units.

POLICY RLU 1.2.4 CASINO AND GAMBLING

All casino and gambling operations, including but not limited to those casino and gambling operations authorized pursuant to chapters 550 and 551, Florida Statutes, are hereby prohibited in any land use category within the City of Miami Beach. Casino and gambling shall include but not be limited to: any machine of chance regulated by the state compact or chapters 550 and 551, as may be amended from time to time, pari-mutuel uses, horse racing, dog racing, jai alai, fantasy contests, and associated gambling or casino related uses. Certain exemptions pursuant to chapter 849, Florida Statutes relating to nonprofits, charitable organizations, veterans' organizations, homeowners associations, condominium associations, cooperative associations, bowling tournaments, or game promotion in connection with the sale of consumer products or services may be provided under the Land Development Regulations.

POLICY RLU 1.2.5 WORKFORCE HOUSING

Pursuant to the procedures and limitations of the Land Development Regulations, the maximum density of the underlying future land use category may be increased by up to 80 percent beyond the allowable density in the underlying future land use category for developments that incorporate workforce or affordable housing units. The additional density may only be utilized for workforce or affordable housing units.

POLICY RLU 1.2.6 RELIGIOUS INSTITUTIONS

The City shall process amendments to the land development regulations concerning religious institutions to bring such regulations into compliance with state and federal law, which amendments shall be considered consistent with the requirements of this comprehensive plan.

POLICY RLU 1.2.7 WATER SUPPLY

The City, through the land development regulations will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

OBJECTIVE RLU 1.3 LAND USE COMPATIBILITY

Land development regulations will be used to address the location, type, size, and intensity of land uses and to ensure adequate land use compatibility between residential and non-residential land uses.

POLICY RLU 1.3.1

Land development regulations shall continue to address the location and extent of non-residential land uses in accordance with

the Future Land Use map and the policies and descriptions of types, sizes and intensities of land uses contained in this Element.

POLICY RLU 1.3.2

Development in land use categories which permit both residential and non-residential uses shall be regulated by formalized land development regulations which are designed to ensure adequate land use compatibility.

Compatibility shall be achieved by one or more of the following:

1. enumeration of special land uses which may be particularly incompatible with residential uses and may be prohibited in specified areas or zoning districts;
2. enumeration of special land use administrative procedures such as Conditional Use approval, which require public hearings prior to special land use approval. In determining incompatibility consideration shall be given to noise, lighting, shadows, access, traffic, parking, height, bulk, landscaping, hours of operation, buffering and any other criteria that may be important to ensure that necessary safeguards are provided for the protection of surrounding property, persons, and neighborhood values;
3. enumeration of special land use criteria such as minimum required distance separations from residential districts or uses or allowable hours of operation, to ensure that non-residential special land uses are properly located with respect to any residential uses to which they may be incompatible; and
4. the vertical separation of residential and non-residential uses within mixed use buildings through the use of land use regulations on accessory uses within residential buildings, and the identification of those types of commercial uses which are particularly incompatible with residential uses and which shall therefore NOT be permitted in mixed use buildings.

POLICY RLU 1.3.3

Public educational facilities are an allowable use in all Future Land Use Categories.

OBJECTIVE RLU 1.4: INCONSISTENT USES

The City Land Development Regulations shall continue to provide for the discontinuation of non-conforming land and building uses which are incompatible or inconsistent with the Future Land Use Plan.

POLICY RLU 1.4.1

Expansion or replacement of land uses, which are incompatible with the Future Land Use Plan, shall be prohibited, unless otherwise specified within a future land use category or designation, and enforced through zoning decisions.

POLICY RLU 1.4.2

Regulations for buffering of incompatible land uses shall continue to be enforced as set forth in the City's land development regulations, consistent with s.163.3202, F.S.

OBJECTIVE RLU 1.5: NEIGHBORHOOD IDENTITY

The City will foster the continued development and preservation of distinctive neighborhoods that offer residents and visitors unique architectural, urban environment, historical, cultural, dining, retail, and personal service experiences, which are vital to the City's economy.



POLICY RLU 1.5.1

To encourage the establishment and continued development and enhancement of unique neighborhoods, the Land Development Regulations may utilize tools including, but not limited to, the establishment of new zoning districts, zoning overlay districts, special off-street parking requirement districts, special landscape requirements, use restrictions, scale limitations, architectural standards, design guidelines, and others as may be appropriate.

POLICY RLU 1.5.2

The City shall continue to study the inclusion of goals, objectives, and policies into the Comprehensive Plan which provide a vision and guidance for specific neighborhoods, as identified in the Neighborhoods Map, located in the Map Series of the Comprehensive Plan.

POLICY RLU 1.5.3: SUNSET HARBOUR NEIGHBORHOOD

The Sunset Harbour neighborhood is a vibrant neighborhood with a unique small-town, neighborhood-serving, and mixed-use character. The City shall maintain and adopt land development regulations for the Sunset Harbour neighborhood that achieve the following goals:

- a. Support the continued development of the neighborhood with a mixed-use nature, including light industrial, artisanal retail, small-scale commercial, and residential development; and
- b. Encourage the establishment of small-scale businesses and restaurants that are intended to serve the residents within the neighborhood and in surrounding neighborhoods; and
- c. Foster the establishment of businesses that create unique dining, retail, and personal service experiences; and
- d. Support the ability of small-scale business to adapt to climate change and sea level rise.



GOAL RLU 2: INNOVATIVE, SUSTAINABLE, AND RESILIENT DEVELOPMENT

Encourage innovative development consistent with the historic resources of the City, while ensuring that redevelopment, investment, and new development is constructed utilizing principles of sustainable and resilient development practices.

OBJECTIVE RLU 2.1: INNOVATIVE DEVELOPMENT

The land development regulations shall continue to be consistent with s.163.3202, F.S. and with the Future Land Use map, consistent with sound planning principles, minimal natural limitations, the goals, objectives and policies contained within this plan, and the desired community character, and which shall emphasize innovative land development techniques, such as mixed use development.

POLICY RLU 2.1.1

Innovative land use development patterns, including mixed uses shall continue to be permitted and encouraged through the provision of LDR incentives such as additional floor area when at least 25% of the total area of a building is residential or hotel as identified in specific future land use categories, and/or shared parking for mixed uses (commercial/office/residential).

POLICY RLU 2.1.2

Residential multifamily rehabilitation projects shall combine undersized units, if individual units consist of less than 200 square feet, to provide minimum unit size apartment units, as specified in the LDR.

POLICY RLU 2.1.3

Off-street parking requirements may be waived for uses within existing buildings in historic districts. In order to encourage the compatibility of new construction in historic districts, and the adaptive re-use of existing buildings outside of historic districts, off-street parking requirements may be satisfied through the payment of a fee in-lieu of parking.

POLICY RLU 2.1.4

Mixed use developments will continue to be encouraged in all areas designated as commercial/residential and MXE by creating districts in the land development regulations which are consistent with s.163.3202, F.S. and which will permit combined hotel, residential and commercial developments in accordance with Objective 1 of this Future Land Use Element.

POLICY RLU 2.1.5

The City of Miami Beach is designated as a dense urban land area pursuant to section 380.0651(3)(a), Florida Statutes and as such is exempt from the development of regional impact requirements in section 380.06, Florida Statutes.

POLICY RLU 2.1.6

Maximize unpaved landscape to allow for more stormwater infiltration. Encourage planting of vegetation that is highly water absorbent, Florida friendly or native, able to withstand the marine environment, and tropical storm winds. Encourage development measures that include innovative climate adaption and mitigation designs with creative co-benefits where possible, through the Land Development Regulations and regulations related to the "Care and Maintenance of Trees and Plants" within the City Code of Ordinances.



POLICY RLU 2.1.7

Within areas designated on the Future Land Use Map as conservation, no new development, or expansion or replacement of existing development shall be permitted except re-vegetation and construction of a beachfront promenade.

OBJECTIVE RLU 2.2: HISTORIC RESOURCE PROTECTION

The Land Development Regulations of the City Code shall continue to protect conservation and historic resources.

POLICY RLU 2.2.1

Areas designated as historic shall continue to have development reviewed under Chapter 118, Article X of the Land Development Regulations of the City Code as follows:

- a. Residential rehabilitation shall conform to adopted design standards;
- b. Recreational development must be compatible with the surrounding environment and shall be subject to performance standards adopted in the land development regulations;
- c. The clearing of trees shall be prohibited, except per the process identified in the City's tree preservation and protection ordinance;
- d. All applications for development approval shall be subject to site plan and design review;
- e. Demolition of historic buildings shall be limited by requirements to conform to applicable provisions of the City's historic preservation ordinance.

POLICY RLU 2.2.2

Historic resources shall continue to be protected through designation as historic sites by the City or State.

POLICY RLU 2.2.3

A list of designated historic resources shall be submitted to U.S. Department of Interior for inclusion on the National Register of Historic Places.

POLICY RLU 2.2.4

Miami Beach shall continue, with the assistance of preservationists, to update the new database of significant historic resources which need protection.

POLICY RLU 2.2.5

Adaptive reuse of historic structures shall be given priority over activities that would harm or destroy the historic value of such resources in conformance with the Land Development Regulations of the City Code.

OBJECTIVE RLU 2.3: EVACUATION DENSITY INCREASE LIMITATION

Continue to coordinate City (i.e., coastal area) population densities with the Miami-Dade County Emergency Operations Plan, which is the local hurricane evacuation plan for Miami Beach, and the Lower southeast Florida Hurricane Evacuation Plan, the regional hurricane evacuation plan by approving no Future Land Use map or zoning map amendments that increase density, except to foster the development of workforce or affordable housing.

POLICY RLU 2.3.1

Permitted City population densities achieved by the 1998-1999 down-planning shall be maintained in order to better conform to Coastal High Hazard area requirements

POLICY RLU 2.3.2

Permitted city population densities achieved by the 1999 down-planning shall be maintained in order to better conform to the Miami-Dade County Offices of Emergency Management's Emergency Operations Plan.

POLICY RLU 2.3.3

The City shall continue to coordinate with the Miami-Dade County Emergency Plan with regard to any amendments to the existing population densities.

OBJECTIVE RLU 2.4: RESILIENT AND SUSTAINABLE DEVELOPMENT

Identify and implement resilient and sustainable development best practices to encourage effective long-term investments that sustain and/or the quality of life for residents.

POLICY RLU 2.4.1

The City shall continue to require that first floor elevations be constructed at FEMA's required minimum flood elevation at mean low tide to allow maximum protection during flood conditions. This provision shall not apply within Historic Preservation Districts where first floor elevations may be set below the minimum flood elevations but shall be set at the highest level consistent with the historic character of the area.

POLICY RLU 2.4.2

The City shall maintain its existing redevelopment area program and implement adopted redevelopment plans and projects:

- City Center/Historic Convention Village Redevelopment Plan (2001)
- South Pointe Redevelopment Area projects

POLICY RLU 2.4.3

As a goal of the City to adopt policies and programs that implement in Miami Beach actions that strive to protect the environment, the City designated the entire municipality to participate in the "Energy Economic Zone Pilot Program Communities" Codified in Chapter 2009-89, Laws of Florida, Section 7.

POLICY RLU 2.4.4

The Miami Beach Strategic Plan shall be the guiding document that provides structure and focus to policies and initiatives in order to successfully enhance community sustainability.



GOAL RLU 3: INTERGOVERNMENTAL COORDINATION AND PUBLIC FACILITIES

Support intergovernmental coordination efforts, strategic partnerships and enforce concurrency management requirements to maintain required levels of service for essential public facilities, and to mitigate potential adverse impacts of new development and redevelopment.

OBJECTIVE RLU 3.1: CONCURRENCY MANAGEMENT AND MOBILITY FEES

Ensure consistency with adopted concurrency requirements of Section 163.3180, Florida Statutes and adequate land for public utilities.

POLICY RLU 3.1.1

The City shall continue to participate in the Miami-Dade County impact fee ordinance program.

POLICY RLU 3.1.2

Land Development Regulations pertaining to concurrency management shall be amended to reflect Ch. 163.3180, Florida Statutes and this policy. No development permit shall be issued unless the applicable Mobility Fees and public facilities necessitated by the project (in order to meet level of service standards specified in the Policies of the, Recreation, Public Schools and Infrastructure Elements, and the Water Supply Plan) will be in place concurrent with the impacts of the pursuant to the regulations established in the Land Development Regulations. The requirement that no development permit shall be issued unless applicable mobility fees are paid, and public facilities necessitated by the project are in place concurrent with the impacts of development shall be effective immediately.

Acceptable Level of Service Standards for public facilities in the City of Miami Beach are established in the Capital Improvements Program Element.

OBJECTIVE RLU 3.2: LAND FOR UTILITY FACILITIES

The city shall assure the ability to provide land needed for utility facilities to serve the Future Land Use Plan.

POLICY RLU 3.2.1

The LDRs shall continue to provide for the land needed by utility systems.

OBJECTIVE RLU 3.3: INTERGOVERNMENTAL COORDINATION

The City shall improve coordination with affected and appropriate governments and agencies to maximize their input into the development process and mitigate potential adverse impacts of future development and redevelopment activities, particularly relative to Biscayne Bay.

POLICY RLU 3.3.1

Recommendations and corrective actions described in the Intergovernmental Coordination Element are hereby incorporated by reference and shall continue to be implemented.



POLICY RLU 3.3.2

Requests for development orders or permits shall be coordinated, as appropriate, with Miami-Dade County, Miami-Dade County Public Schools, special districts, the Regional Planning Council, the Water Management District and state and federal agencies. Special emphasis shall be placed on conformance with the Biscayne Bay Aquatic Preserve Management Plan and by achieving Biscayne Bay Shoreline Development Review Committee review of 100 percent of applicable projects.

OBJECTIVE RLU 3.4: COOPERATION WITH MILITARY INSTALLATIONS

The City will cooperate with the U.S. Coast Guard station located within its jurisdiction by exchanging and providing information to prevent encroachment of incompatible land uses in order to facilitate its continued presence in the City.

POLICY RLU 3.4.1

The City will transmit to the commanding officer information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the U.S. Coast Guard Station.

POLICY RLU 3.4.2

The City will provide the commanding officer or his or her designee an opportunity to review and submit comments on the proposed changes regarding the impact such proposed changes may have on the mission of the U.S. Coast Guard Station.

POLICY RLU 3.4.3

The City will take into consideration any comments provided by the commanding officer or his or her designee when making such decision regarding comprehensive planning or land development regulation and will forward a copy of any such comments to the state land planning agency.



CLIMATE RESILIENCY AND SUSTAINABILITY ELEMENT





CLIMATE RESILIENCY AND SUSTAINABILITY ELEMENT

The Resiliency and Sustainability Element consolidates the principles of sustainability and resiliency that were previously located in studies and other planning efforts commissioned by the City, as well as adopted objectives and policies that were previously located in other elements of the Comprehensive Plan. The element's central purpose is to centralize these objectives and policies regarding climate change and sea level rise. The element includes goals, objectives and policies that address interdisciplinary nature of resiliency planning, including natural resource protection, land development, city operations and emergency preparedness. This element also houses the goals, objectives and policies required for consistency with the Florida Statutes for the Conservation and Coastal Management Elements.

CLIMATE RESILIENCY AND SUSTAINABILITY PRINCIPLES & GOALS

GUIDING PRINCIPLES

The intent of the guiding principles is to provide an overview of the priorities and objectives of the Element to aid in local government planning and decision making to promote a resilient Miami Beach.

GOAL RSE 1

RESILIENT DEVELOPMENT / ADAPTATION ACTION AREA

GOAL RSE 2

PROACTIVE PLANNING TO INCREASE RESILIENCE TO SEA LEVEL RISE AND WEATHER RELATED EVENTS

GOAL RSE 3

PROTECT AND CONSERVE NATURAL AND CULTURAL RESOURCES

GOAL RSE 4

PROMOTE ENERGY EFFICIENT PRIVATE AND PUBLIC DEVELOPMENT AND INFRASTRUCTURE

GOAL RSE 5

SUPPORT SUSTAINABLE AND RESILIENT CITY OPERATIONS

GOAL RSE 6

EMERGENCY PREPAREDNESS

GOAL RSE 7

POST DISASTER PLANNING



GUIDING PRINCIPLES

The intent of the guiding principles is to provide an overview of the priorities and objectives of the Element to aid in local government planning and decision making to promote a Miami Beach that is resilient to climate change and sea level rise.

PRINCIPLE 1: MAINTAINING URGENCY

The City will continue to prioritize climate adaptation efforts and policies that enhances public and private infrastructure, and shall encourage other coastal communities to be proactive and innovative in their efforts to mitigate against climate change.

PRINCIPLE 2: USING INCREMENTALISM

The City shall design all future infrastructure plans to be adaptive to emerging technologies and data on climate change and sea-level rise, as well as input from effected community members to develop inclusive and innovative solutions.

PRINCIPLE 3: ENSURING TRANSPARENCY

The City shall provide access to information related to climate change science and climate adaption efforts to residents and other stakeholders, and shall engage in outreach activities as appropriate so that the community is knowledgeable in making adaptation investments.

PRINCIPLE 4: RESPECTING the CITY'S ECOLOGICAL ENDOWMENT

The City shall encourage management and adaptation actions that respects the City's natural environment by evaluating the sustainable usage of resources and the proficient management and monitoring of resources.

PRINCIPLE 5: PRIORITIZING SOCIAL EQUITY

The City shall raise awareness to vulnerable populations when performing stormwater and other climate adaptation analysis and actions to ensure that the entire City's population is resilient to climate change.

PRINCIPLE 6: RECOGNIZING CO-BENEFITS

The City shall recognize and act on the opportunities presented with resiliency related projects to holistically improve the City.

PRINCIPLE 7: PRESERVING CULTURAL IDENTITY

The City shall embrace its unique character and history by incorporating art into adaptation efforts.

PRINCIPLE 8: PRESERVING HISTORIC STRUCTURES

The City shall employ creative strategies and adaptation actions to preserve historic structures and district character.

PRINCIPLE 9: MANAGING WATER

The City shall continue to strive to be a leader in adapting to a changing climate and sea-level rise by preserving and sustainably managing the City's water environmental and recreational resources.

PRINCIPLE 10: TAKING A LONG-TERM AND REGIONAL PERSPECTIVE

The City shall take an incremental approach to climate adaptation investment by accomplishing short term goals that are part of the City's and region's long term vision to mitigate the impacts of increasing flood-related risks.

GOAL RSE 1: Resilient Development / Adaptation Action Area

OBJECTIVE RSE 1.1

Increase the City's resiliency to the impacts of climate change and rising sea levels by developing and implementing adaptation strategies and measures in order to protect human life, natural systems and resources and adapt public infrastructure, services, and public and private property

POLICY RSE 1.1.1

The City shall continue to review and amend its Comprehensive Plan, Land Development Regulations, City Code of Ordinances, and other documents where feasible and appropriate in order to implement best practices that are identified through the review of adaption strategy publications, including the Resilient 305 Strategy, Miami Beach Strategic Plan Through the Lens of Resiliency, Miami-Dade County GreenPrint, Southeast Florida Regional Climate Action Plan, and The President's Climate Action Plan as well as other regional strategic plans, disaster mitigation plans, water management plans, transportation/transit plans, and climate change plans.

POLICY RSE 1.1.2

Based on evolving rising seas data and associated vulnerabilities, to allow for flexible adjustments, preserve future strategic adaptation implementation options to maintain maximum resiliency in response to new risks and vulnerabilities. The City will take advantage of new emerging data and technological opportunities. The City's basis for measuring sea level rise shall be as per the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact.

POLICY RSE 1.1.3

The City shall support and engage with educational institutions researching climate change, urban resilience, and adaptation strategies to attract and foster innovation and promote the City as a living laboratory.

POLICY RSE 1.1.4

The City will develop and implement adaptation strategies to coastal flooding, extreme precipitation, tidal events, storm surge, flash floods, stormwater runoff, salt water intrusion and other impacts related to climate change or exacerbated by sea level rise, with the intent to increase the community's comprehensive adaptability and resiliency capacities, which include:

- a. **Adaptation Strategies:** Strategies that involve "hard" and "soft" structurally defensive measures to mitigate impacts of rising seas in order to decrease vulnerability while allowing structures and infrastructure to remain unaltered. Two examples are shoreline armoring and beach re-nourishment. Protection strategies may be targeted for areas of a community that are location-dependent and cannot be significantly altered or relocated, such as areas of historical significance, or water-dependent uses. Protection is the priority and initial response by City government and the preferred response.
- b. **Living with Water Strategies:** Strategies that reduce the risk of damage from water by altering the design through measures such as elevation or stormwater improvements, to allow the structure of infrastructure system to stay intact. Rather than preventing flooding or inundation, these strategies aim to reduce potential risks, and accommodate water.
- c. **Management Strategies:** Strategies that involve the actual removal of existing development, their possible relocation to other areas, and/or prevention of further development in

high-risk areas. This is intended to be a long-term strategy and reduce the risk when making development decisions.

d. Avoidance: Strategies that involve ensuring development does not take place in areas subject to coastal hazards associated with sea level rise or where the risk is low at present but will increase over time.

e. Other options within this Element.

POLICY RSE 1.1.5

The City will prioritize strategies in areas, which currently experience or are projected to experience tidal flooding, storm surge, or both as a priority for the development and implementation of adaption strategies.

POLICY RSE 1.1.6

The City shall prioritize Protection and Accommodation strategies to respond to the projected impacts of increasing flood-related risks.

OBJECTIVE RSE 1.2

The City shall employ creative place-making strategies to complement sea-level rise mitigation, while enhancing and preserving community character and social cohesion.

POLICY RSE 1.2.1

The City shall identify locations to create open or other public spaces that also address the impacts of sea-level rise and climate change, including, creating projects and sites that provide a co-benefit related to decreasing flood-related risks.

POLICY RSE 1.2.2

The City shall incorporate public art on co-benefit sites and to enhance public infrastructure improvements to preserve and enhance the artistic character of the City and its open spaces where feasible.

POLICY RSE 1.2.3

The City shall actively seek opportunities to partner with local arts and culture stakeholders and to incorporate public art in public spaces that highlight the resiliency efforts within the City.


POLICY RSE 1.2.4

The City shall evaluate new area plans and land development regulations for their impacts on stormwater management and sea-level rise, including prioritizing increasing permeable surfaces, maximizing on-site water management, enhancing walkability, encouraging alternative modes of transportation, and preserving neighborhood character.

POLICY RSE 1.2.5

The City shall allow for the establishment of Resiliency Districts that allow for the creation of neighborhood/sub-area/district based regulations that codify localized resiliency and adaptation strategies, including locating new green space co-benefit sites, local character preservation, historic resources preservation and design guidelines for adapting structures.

POLICY RSE 1.2.6



The City shall engage in public-private partnerships that provide enhanced adaptation impacts while maximizing fiscal resources.

OBJECTIVE RSE 1.3

Incentivize and support private property adaptation and storm hardening efforts through living with water outreach and support projects.

POLICY RSE 1.3.1

The City's webpage shall be routinely updated with information to guide property owners desiring to make improvements to mitigate flood-risk and other impacts of climate change, including sea-level rise projection timelines, adaptation practices, and design guidance on adapting structures.

POLICY RSE 1.3.2

Land development regulations shall be evaluated at least every seven (7) years to ensure that water management and resilient design principles and adaptation practices are incentivized while balancing existing neighborhood or district character and development patterns.

POLICY RSE 1.3.3

The City shall encourage residents and businesses to retrofit existing structures so that they become more resilient.

POLICY RSE 1.3.4

The City shall strive to maintain or improve its FEMA community rating system (CRS) score, in order to provide discounted flood insurance premiums to residents and businesses.



GOAL RSE 2: Proactive Planning to Increase Resilience to Sea Level Rise and Weather Related Events

The City shall establish policies and approaches that address the ongoing environmental challenges facing the city and shall engage in proactive planning

OBJECTIVE RSE 2.1

Vulnerability of public facilities, infrastructure and services shall be assessed to address investments high levels of risk and/or high cost-benefit returns.

POLICY RSE 2.1.1

The City shall maintain its inventory of public investments and infrastructure at risk to sea level rise and other climate related impacts, including but not limited to water and wastewater facilities, stormwater systems, roads, bridges, governmental buildings, hospitals, transit infrastructure and other assets.

POLICY RSE 2.1.2

The City will use an integrated water management approach in dealing with stormwater management, climate change, sea level rise, and environmental challenges.

POLICY RSE 2.1.3

Evaluate single-function uses like roadways and golf-courses to be utilized for water management purposes in effort to increase co-benefit public facilities and infrastructure.

POLICY RSE 2.1.4

The City shall require that all proposed infrastructure and public facility improvement project address the feasibility of implementing a blue and green infrastructure component.

POLICY RSE 2.1.5

Living seawalls and hybrid seawalls should be used in areas where such specifications are applicable and will further enhance the natural shoreline processes to prevent erosion, increase habitat, and improve water quality through sediment trapping and nutrient reductions.

POLICY RSE 2.1.6


The City will work to improve the resilience of seawalls through higher elevations, living seawalls, and hybrid approaches.

OBJECTIVE RSE 2.2

Efforts to reduce pollution and improve water quality shall be prioritized within the City on both private and public properties.

POLICY RSE 2.2.1

Stormwater management techniques to meet the drainage level-of-service standards of this plan shall be required for all new development and shall be incorporated in the City's concurrency requirements of the Land Development Regulations.



POLICY RSE 2.2.2

The City shall continue to enforce the City Code which prohibits the deposit of solid waste or industrial waste including spent oils, gasoline by-products or greases accumulated at garages, grease traps, filling stations and similar establishments that create a health or environmental hazard upon any vacant, occupied or unoccupied premises, parkway or park, and in any canal, waterway, bay or the ocean within the City.

POLICY RSE 2.2.3

All new wet and dry slip marina facilities, and existing facilities with more than 50 wet or dry slips that provide fueling facilities, shall be equipped with dockside pumpout facilities. The City shall coordinate with Miami-Dade County to ensure that these facilities are inspected by the appropriate agency and monitored annually to comply with Best Management Practices for marine facilities and other pertinent provisions of Chapter 24 of the Miami-Dade County Code.



GOAL RSE 3: PROTECT AND CONSERVE NATURAL AND CULTURAL RESOURCES

The City shall provide public improvements and restrict development activities to prevent damage to coastal resources, protect human life and limit public expenditures in areas subject to destruction by natural disasters in a manner maintaining or improving the marine and terrestrial animal habitats, vegetation, land, air, water, and the visual, aesthetic quality of Miami Beach for present and projected, future populations.

OBJECTIVE RSE 3.1: PROTECTION OF CULTURAL AND HISTORIC RESOURCES

The City shall evaluate and implement policies that will allow for the effective adaptation of historic resources and keep the City's history above water as consistent with the Historic Preservation Element.

POLICY RSE 3.1.1

The City shall consider new strategies to align historic preservation and climate adaptation, including the establishment of resiliency or conservation districts.

POLICY RSE 3.1.2

The City shall review redevelopment for consistency with the provisions of this element to promote energy efficient and resilient reuse and adaptation of historic structures to preserve the character of Miami Beach.

OBJECTIVE RSE 3.2: PROTECTION OF NATURAL RESOURCES

The City shall, in coordination with local, state, and federal agencies, protect the conservation of, and provide for the appropriate use of the natural functions of existing soils, fisheries, wildlife and their habitats, bays and waterways which flow into estuarine waters, floodplains, beaches and shores, marine habitats, air quality, water resources, and scenic beauty by adopting the following measurable policies.

POLICY RSE 3.2.1

Salt tolerant landscaping and highly water-absorbent, native of Florida friendly plants shall continue to be given preference over other planting materials in the plant materials list used in the administration of the landscape section of the Land Development Regulations and the design review process.

POLICY RSE 3.2.2

Through the landscape section of the Land Development Regulations, the City shall prohibit the propagation and planting of prohibited and controlled trees, as identified in the Miami-Dade County Landscape Manual.

POLICY RSE 3.2.3

All development activities that adversely affect habitat that may be critical to endangered, threatened or rare species, or species of special concern, including native vegetative communities, shall be prohibited by the City through the development review process as may be prescribed in the Land Development Regulations of the City Code.



POLICY RSE 3.2.4

In conformance with the City Charter establishing the City as a bird sanctuary, it is prohibited for any person to injure, kill, hunt, destroy, capture or molest any endangered, threatened, rare, or species of special concern or any bird in the City of Miami Beach; except those persons holding a valid permit to destroy birds for scientific purposes issued by the U.S. Fish and Wildlife Service, and the Department of the Interior.

POLICY RSE 3.2.5

In coordination with local, state, and federal agencies, continue to post and maintain Manatee Protection Area signage throughout the waterways of the City and increase enforcement of safe boating requirements through the City Marine Patrol.

POLICY RSE 3.2.6

Continue to designate the beach front along the Atlantic Ocean as a Conservation-Protection Area on the Future Land Use Map.

POLICY RSE 3.2.7

Preserve and improve the environmental quality of Biscayne Bay by continuing to (1) have a City of Miami Beach representative on the Biscayne Bay Shoreline Development Review Committee, (2) provide staff to the Committee through an interlocal agreement and (3) have all appropriate bayfront projects reviewed by the Committee.

POLICY RSE 3.2.8

Continue to require all new shoreline development involving marine habitats to be reviewed by the City's Environment & Sustainability Department and the Miami-Dade County Environmental Resources Management Department.

POLICY RSE 3.2.9

Continue to improve the region's ambient air quality through increased cooperation with Miami-Dade County and the City of Miami to provide efficient mass transportation and support County initiatives to utilize alternative fuels.

POLICY RSE 3.2.10

The City will coordinate with the Miami-Dade County and the Florida Department of Environmental Protection in the monitoring of coastal waters.

POLICY RSE 3.2.11

The City shall improve the study and use of resilience metrics.

POLICY RSE 3.2.12

The City shall consider current and future ecologies in all projects.

POLICY RSE 3.2.13

The City shall support green business initiatives when feasible that promote environmental stewardship.



OBJECTIVE RSE 3.3: BEACH AND DUNES

The City shall protect and enhance its beach and dunes system.

POLICY RSE 3.3.1

Continue cooperative program with Miami-Dade County, State of Florida, and the U.S. Army Corps of Engineers for beach re-nourishment. Where beach restoration or re-nourishment is necessary, the project should be designed and managed to minimize damage to the offshore benthic resources, terrestrial and marine animal habitats and dune vegetation.

POLICY RSE 3.3.2

The City shall maintain a dune management plan to stabilize the dune system by planting appropriate dune vegetation; to grade and contour the dunes; and to reduce pedestrian impacts by providing on-grade footpaths where feasible. All subsequent activities on or bordering the restored beach shall be compatible with long-term beach management and maintenance; the city will continue to cooperate with the state and county.

POLICY RSE 3.3.3

Discourage non-water oriented activities and developments from encroaching on beach front parks, new beach areas and dunes by continuing to designate the beach as a Conservation-Protected Area on the Future Land Use Map.

POLICY RSE 3.3.4

The City shall apply for State and Federal grants to include shoreline features such as pedestrian walkways which are designed to minimally impact beach or dune systems on public property; ensure the public access requirements of the Coastal Zone Management Act, as amended, and continue to provide development regulations and incentives for such features on private property in the Land Development Regulations of the City Code.

POLICY RSE 3.3.5

The use of causeways, road rights-of-way, canal easements, and the Baywalk at shorelines shall continue to be expanded to provide public access for water-dependent and water-related activities and to protect public access to beaches re-nourished with public funds.

POLICY RSE 3.3.6

Coordinate with local, state, and federal agencies regarding mandates for no further dredging or filling that may result in the destruction of grass/algal flats, hard bottom or other benthic communities shall be permitted in any waters within the City limits of Miami Beach.

POLICY RSE 3.3.7

Water conserving irrigation and other landscape practices such as xeriscape shall be incorporated into the Design Review Board guidelines where public water is used to water lawns, golf courses and landscaped green spaces.

POLICY RSE 3.3.8

The City shall establish standards in the City's code that protect and restore beaches or dunes.

OBJECTIVE RSE 3.4: WATER-DEPENDENT AND RELATED USES

The amount of shoreline devoted to water-dependent and water-related uses shall be maintained or increased provided that proposed new development will not create a negative environmental impact.

POLICY RSE 3.4.1

Those public access areas including street ends, municipal parking facilities and municipal parks along coastal waters will be or redesigned to provide greater public access to Biscayne Bay and the Atlantic Ocean beach area regardless of the land use designation of those areas.

POLICY RSE 3.4.2

To minimize impacts of man-made structures and activities on shoreline resources, no filling, spoiling or placement of structures in or over coastal waters shall be permitted in the City without proper local, state and federal agency approvals, and as specified in the Land Development Regulations, i.e. action which will diminish water surface areas traditionally used by the general public for activities such as fishing, swimming and boating.

POLICY RSE 3.4.3

The City shall continue to construct and install signage along major thoroughfares to direct the public's attention to public shoreline parks and water-related facilities.

POLICY RSE 3.4.4

Proposed marina/water dependent facility siting shall be compatible with both county plans and surrounding land uses, and shall preserve or improve traditional public shoreline uses and public access to coastal waters. This shall be accomplished through the Conditional Use process as prescribed in the Land Development Regulations of the City Code.

POLICY RSE 3.4.5

Any proposed marina/water dependent facility shall be required to preserve or improve the quality of the coastal waters, water circulation, tidal flushing, light penetration, and provide a hurricane or contingency plan to the appropriate agency all in conformance with Miami-Dade County, State and Federal rules and regulations.

POLICY RSE 3.4.6

All proposed marinas shall be reviewed pursuant to the process prescribed in the Land Development Regulations of the City Code. In coordination with the County, State, and Federal agencies, if Conditional Use approval is required, the Planning Board shall not issue conditional use approvals unless the applicant demonstrates the following: 1) land use compatibility; 2) availability of upland support services; 3) existing protective status/ownership; 4) hurricane contingency planning; 5) protection of water quality; 6) water depth; 7) environmental disruptions and mitigation actions; 8) availability for public use; and 9) economic need and feasibility.



GOAL RSE 4: PROMOTE ENERGY EFFICIENT PRIVATE AND PUBLIC DEVELOPMENT AND INFRASTRUCTURE

OBJECTIVE RSE 4.1

The City shall pursue opportunities for greenhouse gas reductions through the promotion of solar and renewable energy alternatives, and improved energy efficiency.

POLICY RSE 4.1.1

Maintain an educational web based information platform on existing City and regional resiliency and sustainability incentive programs that promote renewable energy alternatives and energy efficiency buildings.

POLICY RSE 4.1.2

The City shall establish a green building program in the land development regulations that promotes the development of energy efficient green buildings, and that provides energy efficient green building thresholds for structures proposed for redevelopment.

POLICY RSE 4.1.3

The City shall continue to develop innovative solutions to create an urban canopy, and reduces the intensity of the urban heat island effect and provide shade to improve walkability.

POLICY RSE 4.1.4

The City shall encourage composting of organic waste in order to reduce the production of greenhouse gases generated from waste.

OBJECTIVE RSE 4.2

Implement energy efficient transportation infrastructure improvements, transportation plans, and fleet management policies within the City.

POLICY RSE 4.2.1

The City shall encourage the development of energy efficient alternative modes of transportation.

POLICY RSE 4.2.2

The City shall conduct a right size fleet analysis every 5 years to ensure that vehicles are appropriate sized for safety, function and energy, carbon and fuel efficiency.

POLICY RSE 4.2.3

The City shall incorporate prioritizing the creation of an energy efficient and low emission vehicle fleet as a priority of for the City budget.

GOAL RSE 5: SUPPORT SUSTAINABLE AND RESILIENT CITY OPERATIONS

OBJECTIVE RSE 5.1

The City shall continue to comprehensively evaluate cost and benefits of existing and proposed resilience programs and improvements, and seek funding sources for financially sound improvements.

POLICY RSE 5.1.1

The City shall pursue funding sources for the implementation of AAA associated adaptation strategies including the following:

- a. Federal and State grants and technical expertise assistance (in-kind)
- b. Local Stormwater Utility Fees and CIP (Capital Improvement Plan) prioritization
- c. Public/Private Partnerships
- d. Other sources

POLICY RSE 5.1.2

The City shall participate in, when appropriate, coordinated governmental, non-governmental and other appropriate agencies' proposed application requests for funding adaptation implementation projects.

POLICY RSE 5.1.3

The City will potential fee and funding models for adaptation projects that incentivize on-site water retention/detention and water quality improvements.

OBJECTIVE RSE 5.2

The City shall incorporate adaptation strategies and principles into city processes and plans to allow for consistent implementation of resiliency efforts in all City functions.

POLICY RSE 5.2.1

The City shall integrate adaptation and resiliency goals, principles and strategies into existing and future City processes and city-wide plans and documents which may include, but are not limited to, the City's:

- a. Strategic plans;
- b. Climate action and resiliency plans;
- c. Stormwater plans;
- d. Emergency management plans;
- e. Land Development Regulations;
- f. Capital Improvement Plan and projects;
- g. Agreements with public or private utility and infrastructure providers;
- h. Agreements with public health providers;
- i. Interlocal agreements with other government agencies;
- j. Transportation Master Plan; and
- k. Other processes, plans and documents.



POLICY RSE 5.2.2

The City shall collaborate and coordinate with appropriate local, regional, state, and national governmental agencies, to the extent possible, toward the implementation of AAA adaptation strategies and to identify risks, vulnerabilities and opportunities associated with coastal hazards and the impacts from sea level rise.

POLICY RSE 5.2.3

The City shall collaborate with neighborhood associations, civic groups, and local service providers to identify and address neighborhood-specific needs within neighborhood and commercial areas.

POLICY RSE 5.2.4

The City shall continue routinely review and update resiliency information available on the City's website.



OBJECTIVE RSE 5.3

The City shall leverage and reform regulatory boards to support adaptation and resiliency efforts.

POLICY RSE 5.3.1

The City shall establish and periodically review resiliency criteria, measurable water management goals and/or board member requirements as applicable for its municipal regulatory boards to prioritize the consideration of adaptation and resiliency efforts.

POLICY RSE 5.3.2

The City shall periodically provide training sessions to all land use related boards to enhance consistency in the application of applicable resiliency criteria and water management related goals.

GOAL RSE 6: EMERGENCY PREPAREDNESS

The City shall collaborate and coordinate with appropriate local, regional, state, and national governmental agencies, to the extent possible, toward the implementation of AAA adaptation strategies and to identify risks, vulnerabilities and opportunities associated with coastal hazards and the impacts from sea level rise.

OBJECTIVE RSE 6.1: HURRICANE EVACUATION

The City shall strive to maintain the existing time period required to complete the evacuation of people from Miami Beach prior to the arrival of sustained tropical storm force winds.

POLICY RSE 6.1.1

All future improvements to evacuation routes shall include remedies for flooding problems and the anticipated increase in the level of the water of Biscayne Bay, local waterways, and the Atlantic Ocean programming transportation improvements to increase the capacity of evacuation routes, eliminating congestion at critical links and intersections, implementation of a traffic plan on the MacArthur Causeway and other critical intersections, adjusting traffic signalization or use directional signage, and public information programs to expedite safe evacuation.

POLICY RSE 6.1.2

The City shall create and maintain policies and a central repository for all hurricane response related information for staff and the public that includes detailed emergency operation instructions and hurricane evacuation information, evacuation centers and pick-up sites, preparedness information, procedures for boat owners, and other resources.

POLICY RSE 6.1.3

The City will continue to work with the Miami-Dade Public Works Department to rate all local bridges for structural and operational sufficiency. Local bridges with unsatisfactory sufficiency ratings shall continue to be programmed for improvements or replacement.

POLICY RSE 6.1.4

All trees susceptible to damage by gale force winds shall be removed from the right-of-way of evacuation routes and replaced with suitable, preferably native, species.

POLICY RSE 6.1.5

The City will coordinate with Miami-Dade Transit Agency and the Office of Emergency Management to ensure that adequate buses are available to safely evacuate neighborhoods with large concentrations of households without private transportation.

POLICY RSE 6.1.6

The City of Miami Beach Fire Department in coordination with Miami-Dade County Office of Emergency Management shall maintain and annually update the list of people with special needs, who may need assistance due to physical or medical limitations in the event of an evacuation order to ensure their safe mobilization.

POLICY RSE 6.1.7

The City of Miami Beach Fire Department shall review and update the Miami Beach Hurricane Evacuation Plan on an ongoing basis and maintain or enhance the resources and capabilities of

the plan to provide effective implementation of evacuation procedures to ensure that evacuation times are maintained or reduced.

POLICY RSE 6.1.8

The Transportation Element shall include policies that facilitate hurricane evacuation for those areas of the City that are classified as a Coastal High Hazard Area (CHHA). According to Section 163.3178(2) (h), F.S., the coastal high-hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

GOAL RSE 7: POST DISASTER PLANNING

OBJECTIVE RSE 7.1: POST-DISASTER REDEVELOPMENT PLAN

During post-disaster recovery and redevelopment, the City of Miami Beach and Miami-Dade County shall implement their Comprehensive Emergency Management Plans (CEMP) and applicable Comprehensive Plan policies and assist hurricane damaged areas with recovery and hazard mitigation measures that reduce the potential for future loss of life and property.

POLICY RSE 7.1.1

Except as provided in Policy 7.1.2 below, the City shall not fund any public infrastructure capacity expansion if such funding and such expansion would have the effect of directly subsidizing a private development.

POLICY RSE 7.1.2

Notwithstanding Policy 8.1.1 the City may fund infrastructure capacity expansion to achieve: 1) adopted level-of-service standards for facilities that serve the current and projected population; 2) recreational and natural resource enhancement; 3) any development directly supporting the Convention Center; 4) amelioration of parking or mass transit deficiencies; 5) the provision of desirable parking or mass transit facilities and services; and/or 6) redevelopment in redevelopment areas established in accordance with state statute. Expenditures pursuant to 3), 4), 5) and 6) preceding shall be limited to the Convention Center Village Redevelopment area as shown on the Future Land Use Map.

POLICY RSE 7.1.3


New private use facilities along the beach shall conform to the strict setback, open space and accessory use requirements of the Land Development Regulations of the City Code, as well as the requirements of the floodplain ordinance.

POLICY RSE 7.1.4

The City shall not issue any building permits for projects proposed east of the coastal construction control line until jurisdictional state and county agencies have issued a permit and/or approval as may be deemed appropriate by such agencies.

POLICY RSE 7.1.5

The adopted plan shall specify that during post-disaster redevelopment, the Building Department will distinguish between those actions needed to protect public health and safety with immediate repair/cleanup and long term repair activities and redevelopment areas. Removal or relocation of damaged infrastructure and unsafe structures shall be by the Miami Beach Public Works



Department in accordance with local procedures and those agencies and practices specified in the Miami Beach and Miami-Dade County Comprehensive Emergency Management Plans (CEMP).

POLICY RSE 7.1.6

During post-disaster recovery periods, after damaged areas and infrastructure requiring rehabilitation or redevelopment have been identified, appropriate City departments shall use the post-disaster redevelopment plan to reduce or eliminate the future exposure of life and property to hurricanes; incorporate recommendations of interagency hazard mitigation reports; analyze and recommend to the City Commission hazard mitigation options for damaged public facilities; and recommend amendments, if required, to the City's Comprehensive Plan.

POLICY RSE 7.1.7

Unsafe conditions and inappropriate uses identified in the post-disaster recovery phase will be eliminated as opportunities arise, in accordance to the requirements of the Land Development Regulations of the City Code. If rebuilt, structures with damage exceeding 50 percent of pre-storm market value shall be reconstructed to ensure compliance with the High Velocity Hurricane Zone portion of the Florida Building Code for structures located in the "V" Zone and the 100-year floodplain.



TRANSPORTATION ELEMENT





The Transportation Element (TE) outlines a proactive approach to moving residents, commuters, and tourists around the City of Miami Beach in a safe and accessible manner. This Element's policies are complimentary to the Goals, Objectives and Policies in the City's Resilient Land Use and Development Element and the Resiliency and Sustainability Element. The Element promotes mobility, economic growth and resiliency within the limited land area of the City, and supports the City's efforts in storm hardening and decreasing the City's carbon footprint.

TRANSPORTATION GOALS

GOAL TE 1

MOBILITY & MULTI-MODAL TRANSPORTATION

Proactively address mobility related challenges facing the Miami Beach transportation system while continuing to provide and maintain an energy efficient transportation system that promotes the use of multiple transportation modes.

GOAL TE 2

PUTTING PEOPLE FIRST

Prioritize the people of Miami Beach by encouraging more equitable transportation options, healthy modes of travel, and ensure safe evacuation routes.

GOAL TE 3

TRANSPORTATION RESILIENCY

Improve transportation resiliency in Miami Beach through sustainable and adaptive improvements that are consistent with regional transportation plans and support hurricane evacuation.



GOAL TE 1: MOBILITY & MULTI-MODAL TRANSPORTATION

Proactively address mobility related challenges facing the Miami Beach transportation system while continuing to provide and maintain an energy efficient transportation system that promotes the use of multiple transportation modes.

OBJECTIVE TE 1.1: MOBILITY FEES

Establish mobility fees in lieu of transportation concurrency management to facilitate the funding of the City's multi-modal transportation system within the City-wide Transportation Concurrency Exception Area to provide safe, convenient, balanced, efficient and effective multi-modal transportation.

POLICY TE 1.1.1

Due to the multimodal nature of the City's transportation system and adopted mode share goals, transportation concurrency is not an appropriate methodology for funding transportation improvements. As such, the City of Miami Beach is a transportation concurrency exception area (TCEA). Pursuant to section 163.3180 (j), Florida Statutes, the City has adopted Mobility Fees as an alternative mobility funding system.

POLICY TE 1.1.2

The City shall establish Mobility Fees through the Land Development Regulations, in order to fund multi-modal mobility improvements that prioritize a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit and alternative modes of transportation, and consistent with the adopted Transportation Master Plan.

POLICY TE 1.1.3

The Land Development Regulations shall establish procedures for calculating fees and credits, timeframes for required payments, deposit of funds, vesting, exemptions, incentives, and other procedures necessary to administer the fee.

POLICY TE 1.1.4

In order to encourage infill development and redevelopment that is consistent with the goals, objectives, and policies of this element, the City Commission may authorize mobility fee reductions for specific designated areas through the Land Development Regulations.

POLICY TE 1.1.5

Mobility Fees are intended to fund mobility improvements. Mobility fee funding shall be prioritized for projects identified in the adopted Transportation Master Plan.

POLICY TE 1.1.6

The City will continue to utilize and seek other funding mechanisms including, but not limited to, the Transportation Planning Organization (TPO) process, Citizens' Independent Transportation Trust process, and others to address transportation needs.

OBJECTIVE TE 1.2: COORDINATION WITH LAND USE

The City shall evaluate its transportation system as it relates to the Resilient Land Use and Development Element of this comprehensive plan in an effort to encourage commercial development which is mixed use, multi-modal (intermodal transit facility, transit center, or transit stop) in nature and which ultimately enhances mobility.

POLICY TE 1.2.1: OFFICIAL TRANSPORTATION PLANNING MAP

The City shall use the "Existing Lane Count Map" in order to identify future rights-of-way based upon the Resilient Land Use and Development Element and the Transportation Element of this plan.

POLICY TE 1.2.2: IMPACT OF LAND USE CHANGES ON THE MULTI-MODAL SYSTEM

The City shall assess the impacts of future land use changes on the overall transportation system, including roadway, transit (including but not limited to light rail transit/modern street car, bus, trolley, rail, and marine), bicycle and pedestrian facilities.

POLICY TE 1.2.3: TRANSIT ORIENTED DESIGN (TOD)

The City shall examine potential incentives and design guidelines for TODs within the City. The City shall include transit intermodal facilities, transfer centers and transfer stops into Land Use and Design Guidelines to achieve context-sensitive integration with residential and commercial land uses. Locations for maintenance and storage of transit infrastructure may be incorporated into such facilities.

POLICY TE 1.2.4: TRANSFER LOCATIONS

The City shall maintain regular coordination with Miami-Dade Transit to construct transit intermodal facilities and transfer centers to serve existing and future multi-modal transportation uses. The City shall ensure success of the transit environment and transfer options to facilitate safe, efficient and convenient transfers and highest standards of passenger amenities to serve transit riders. Transfers are an essential part of an effective transit system because they maximize the coverage area and mobility options. Hence, in order to obtain a successful transit environment, it is of critical importance to provide safe, efficient and attractive transfer stops/centers to enhance mobility, provide safe and amenity-rich transit services that support the surrounding community through context-sensitive design and integration. In designing transfer locations, the City shall take into consideration adjacent projects, integrate the culture of the surrounding community, and potentially venture into joint development with private land owners to create a mixed use transfer locations, as appropriate. Furthermore, the City shall ensure that potential noise, air quality, and other environmental impacts are identified and mitigated as appropriate.

OBJECTIVE TE 1.3: ROADWAY PLANNING, DESIGN AND CONSTRUCTION

The City shall continue to provide for a safe, convenient, efficient and effective transportation system, which sustains the city's natural, aesthetic, social and economic resources.

POLICY TE 1.3.1: VEHICULAR AND PEDESTRIAN BRIDGES

The City shall continue to monitor the condition of the many vehicular and pedestrian bridges and restore or replace as needed coordination with FDOT and Miami-Dade County where appropriate.

POLICY TE 1.3.2: ROADWAY PROJECTS

The City shall undertake necessary steps to improve the links and intersections included in the City's transportation network, consistent with the 2015 Transportation Master Plan, the 2015 Bicycle Pedestrian Master Plan, and the Miami Beach Street Design Guidelines (2016). The proposed projects are a result of the needs assessment performed as part of this Transportation Element and included in the Data, Inventory and Analysis section.

POLICY TE 1.3.3: CONTEXT SENSITIVE DESIGN (CSD)

All roadway, planning and design projects shall follow context sensitive design defined as a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility.

POLICY TE 1.3.4: PEDESTRIAN PRIORITY ZONES (PPZ)

The City should designate areas as Pedestrian Priority Zones (PPZ) where specific design guidelines apply to prioritize the pedestrian mode of transportation on roadway planning, design and construction projects, including addressing the speed limit on all automobile and transit facilities within the PPZ.

OBJECTIVE TE 1.4: MASS TRANSIT

The City shall work with transportation partners, specifically Miami-Dade Transit, to provide residents and visitors with convenient, reliable, safe and comfortable public mass transportation system, including transit intermodal facilities, transit centers or transit stops.

POLICY TE 1.4.1: MEETING TRANSIT LEVEL OF SERVICE

The City shall maintain consistency with the transit level of service standard of Miami-Dade County Comprehensive Plan. The City will continue to perform studies which examine the use of Light Rail/Modern Streetcar, Bus Rapid Transit, trolleys, preemptive traffic signals and any other technologies appropriate for Miami Beach. The City shall continue to follow the guidelines and standards as outlined in recent planning studies such as the Coastal Communities Transportation Management Plan, the Coastal Communities Transit Study, and the 2015 Transportation Master Plan.

POLICY TE 1.4.2: RELIANCE ON TRANSIT SERVICES

Transit services within the City of Miami Beach consist of regional and local routes operated and maintained by Miami-Dade County (MDC), and a local trolley service provided by City. The City's 2015 Transportation Master Plan prioritizes continued expansion of transit services, as there is a growing portion of the City's daily population that is reliant on these transit services to enter, travel within, and/or leave Miami Beach. The City desires to continually increase the number of persons within the City and region to use Transit Services, and for the City to provide more convenient, reliable, safe, and comfortable mobility options.

POLICY TE 1.4.3: MINIMUM PEAK HOUR SERVICE STANDARD

The City shall continue to coordinate with Miami-Dade Transit so that the minimum peak hour mass transit level of service standards provided by Miami-Dade Transit within the City shall be done with public transit service having no greater than 15 minute headways and an average route spacing of ¼ mile provided that:

1. The average combined population and employment density along the corridor between the existing transit network and the area of expansion exceeds 4,000 people per square mile,

and the service corridor is 1/2 mile on either side of any necessary new routes or route extensions to the area of expansion;

2. It is estimated that there is sufficient demand to warrant the service; and
3. The service is economically feasible.

POLICY TE 1.4.4: ENHANCED TRANSIT AMENITIES

The City shall coordinate with Miami-Dade Transit to provide enhanced transit passenger amenities, such as bus shelters, real time transit location information at shelters, bicycle facilities, and at intermodal terminals, more comfortable bus seating.

POLICY TE 1.4.5: TRANSIT INTERMODAL FACILITIES/TRANSFER CENTERS/TRANSIT STOPS

The City shall continue to coordinate with Miami-Dade Transit to construct intermodal transit facilities to serve transportation uses that support the future exclusive transit lanes identified in the 2015 Transportation Master Plan for Rapid Transit Systems at intercept locations entering the City and shown in the map entitled "Miami Beach Transit Corridors and Transit Intermodal Facilities". The City shall develop transfer centers and stops to ensure that longer distance travel, not readily accessible by foot or bicycle, are accommodated to provide enhanced mobility between the City of Miami Beach, Downtown Miami and beyond.

POLICY TE 1.4.6: RAPID TRANSIT CONNECTIVITY

The City of Miami Beach shall partner with the City of Miami to increase transportation connectivity between both city centers for public transit passengers whenever feasible.

POLICY TE 1.4.7: NORTH BEACH AND MIDDLE BEACH CIRCULATORS (LOCAL CIRCULATORS SYSTEMS)

The City shall plan, design, seek funding for and implement local circulator systems in North Beach and Middle Beach. The City shall continue to plan and coordinate with Miami-Dade Transit (MDT) and the Florida Department of Transportation (FDOT) to develop a connected circulator system that feeds regional routes and future rapid transit connections.

POLICY TE 1.4.8: COASTAL COMMUNITIES TRANSIT PLAN

The City shall pursue relevant transit recommendations included in the 2015 Transportation Master Plan, including working with Miami-Dade Transit to implement recommendations requiring County participation as outlined below:

- a. Implementing non capital projects using existing resources
- b. Implementing express routes using existing bus resources along the A1A corridor
- c. Implementing circulators to complement the A1A express routes.
 - i. Both the North Beach and Middle Beach circulators could be reconfigured from existing MDT routes
 - ii. The South Beach Local could be extended from existing MDT routes
- d. Develop transfer stations and intermodal centers to connect the routes
- e. Determine the initial capital requirements for a BRT System on Miami Beach
- f. Enhance MDT east/west routes from existing MDT routes

POLICY TE 1.4.9: TRANSIT ROUTES

The City shall continue to coordinate with Miami-Dade Transit to ensure that transit services maximize mobility and reflects routes that facilitate movement within the City, while preserving the historic character of the community.

POLICY TE 1.4.10: SPECIAL TRANSIT SERVICES

The City shall continue to encourage Miami-Dade Transit to provide a more convenient, accessible, and equitable paratransit services to all eligible users within Miami Beach including the elderly, handicapped, low income and other transit dependent users.

POLICY TE 1.4.11: BEACH CORRIDOR TRANSIT CONNECTION PROJECT (FORMERLY KNOWN AS BAYLINK)

The City shall continue to pursue the component of the Transportation Planning Organization (TPO) 2015 Beach Corridor Transit Connection Study that is located in the South Beach portion of Miami Dade (south of Dade Blvd and east of Biscayne Bay). This study provided an update to and reaffirmed the 2014 Bay Link Study which recommended a mass transit connection from downtown Miami the Miami Beach Convention Center across the MacArthur Causeway.

The City encourages FDOT, CTPW, the City of Miami and the Transportation Planning Organization (TPO) to move forward with the recommendations of the Policy Executive Committee for the 2015 Beach Corridor Transit Connection Study to complete the Project Development and Engineering for McArthur Causeway portion of the Project as expeditiously as possible.

OBJECTIVE TE 1.5: PEDESTRIAN AND BICYCLE CIRCULATION

The City shall strive to increase and promote the safe and convenient use of its bicycle and pedestrian networks including the creation, extension, and improvements of bicycle and pedestrian facilities between and among present and potential major generators of bicycle and pedestrian traffic.

POLICY TE 1.5.1: BICYCLE NETWORK

The City shall provide a safe bicycle network as specified in the Recreation and Open Space Element.

POLICY TE 1.5.2: PEDESTRIAN SAFETY

The City shall provide curb cuts and barrier free walkways enabling all pedestrians, specifically the elderly and handicapped, to cross intersections safely and easily.

POLICY TE 1.5.3: PEDESTRIAN, BICYCLE AND SPECIAL NEEDS PROJECTS

Projects to be included in the Capital Improvement Program Element shall consider the accommodation of pedestrians, bicyclists, and disabled traveler needs into all projects where non-motorized travel is consistent with adopted current regional and local plans.

POLICY TE 1.5.4: BICYCLE FACILITIES

The further development of thoroughfares shall consider the creation, extension and improvement of bicycle lanes, paths, boulevards, and other bicycle facilities as an effort to develop "complete streets." The City will continue to follow the guidelines and standards as outlined in recent planning studies such as the Coastal Communities Transportation Management Plan.

POLICY TE 1.5.5: SYSTEM CONNECTIONS

The City shall continue to seek opportunities to complete connections between existing bicycle facilities, sidewalks and/or shared use paths in all future transportation improvements and plans.

POLICY TE 1.5.6: PEDESTRIAN SAFETY FACILITIES AT INTERSECTIONS

The City shall undertake specific evaluation of individual intersections in an attempt to determine if vehicular or pedestrian priority is needed, so that the appropriate intersection treatments can be implemented. All intersections should be outfitted with pedestrian-friendly amenities including, but not limited to: countdown pedestrian signals, high visibility pedestrian crosswalks, and/or crosswalk lighting as appropriate and pedestrian-oriented treatments. These treatments maximize pedestrian safety by utilizing design strategies that mitigate the impact of high-volume traffic and enhance roadway safety for pedestrian crossings. In the commercial districts for commercial uses, the strategies include locating buildings at all intersection corners close to the street to provide a perception of enclosure and safety for pedestrians, clearly striping cross-walks and using different paving materials, as well as reducing the distance between curb corners to reduce pedestrian crossing distance.

POLICY TE 1.5.7: BEACHWALK AND BAYWALK PROJECTS

The City shall continue the implementation of the Beachwalk and Baywalk Projects in order to further the City's vision of having a continuous on-grade recreational path running north/south along the coast linking the City's South, Middle and North Beach Neighborhoods. Such Projects would combine to form one interconnected recreational path that is ADA accessible and environmentally compatible with the dune and marine environment.

POLICY TE 1.5.8: ATLANTIC GREENWAY NETWORK (AGN)

The City shall continue to implement the AGN as a means of promoting alternative transportation and community enhancements throughout Miami Beach. This will increase safety for pedestrians and bicyclists, and will diminish gaps in the system, while improving network connectivity and establishing future pedestrian paths and bikeways.

POLICY TE 1.5.9: PEDESTRIAN PRIORITY ZONES

The City shall define and adopt pedestrian priority zones, as described in the Transportation Master Plan, and their design standards in order to ensure pedestrian safety, mobility, and accessibility in targeted areas.

POLICY TE 1.5.10: BICYCLE PAVEMENT MARKINGS

The City shall adopt new pavement markings, presented in the Bicycle and Pedestrian Master Plan (i.e Bicycle boulevard pavement marking), and study the possibility for implementing colored bicycle boxes at intersections, points of conflicts, and other recommended locations citywide.

POLICY TE 1.5.11:

The City shall continue to implement continuous bicycle paths, and connect bikeways that are fragmented, to increase bicycle trips in the City and decrease the carbon footprint of the City's transportation network.

POLICY TE 1.5.12:

The City shall continue to include design features that will facilitate low stress, comfortable bike rides into bicycle path projects. Features include greenways, protected bike lanes, off-road paths, and consistent shade.

POLICY TE 1.5.13:

The City shall continue to increase the accessibility and frequency of bicycle parking.

OBJECTIVE TE 1.6: TRANSIT MODE

An essential component to meet the mobility needs of Miami Beach's residents, visitors, and employees, improve and sustain the City's economic vitality, and support the growth and development of urban mixed-use centers, is providing a system of interconnected transit services.

POLICY TE 1.6.1: TRANSIT SERVES AS AN ALTERNATIVE TO THE PRIVATE AUTOMOBILE

Transit should serve as an alternative to the private automobile in reaching the City from the mainland and be able to make longer trips to connect between many of the City's important destinations that may be too far for people to walk or bicycle. Therefore, providing high quality transit service is an important part of developing a sustainable transportation system and providing options to travel to and within the City without the need to rely on a private vehicle.

POLICY TE 1.6.2: RELIANCE ON TRANSIT SERVICES

Transit services within the City of Miami Beach consist of regional and local routes operated and maintained by Miami-Dade Transit, and a local trolley service provided by City. The City should continue to expand transit services, as there is a growing proportion of the City's daily population that is reliant on these transit services to enter, travel within, and/or leave Miami Beach. The City desires to continually increase the number of persons within the City and region to use Transit Services, and for the City to provide more reliable mobility options.

POLICY TE 1.6.3: TRANSIT INFRASTRUCTURE

The City should explore mobility benefit, cost effectiveness and design of exclusive transit lanes, including but not limited to, concurrent flow bus lanes and contra flow bus lanes.

POLICY TE 1.6.4: CAPACITY AND OPERATIONAL STRATEGIES

The City should encourage and explore various operational strategies including:

- a. Realigned transit service schedules.
- b. Monitoring the security of transit patrons, stations, and vehicles.
- c. Enhanced transit amenities and safety.
- d. Universal fare cards for regions with multiple transit agencies.
- e. Installation of bus-priority traffic signals.
- f. Provision, if feasible, of queue-jumper lanes at intersections where there are no stops.
- g. Consolidation of stops.

POLICY TE 1.6.5: TRANSFER LOCATIONS

The City shall maintain constant coordination with Miami-Dade Transit to construct intermodal transit facilities to serve existing and future multi-modal transportation uses. The City shall ensure success of the transit environment with proper management and transfer options to minimize delays, missed departures, long wait times, and/or bus crowding by ensuring adequate or sufficient infrastructure. Transfers are an essential part of an effective transit system because they maximize the coverage area and diversity of active transportation services. Hence, in order to obtain a successful transit environment, it is of critical importance to provide efficient and attractive transfer

stops/centers to improve the quality of transit services as well as support the surrounding community. In designing transfer locations the City shall take into consideration adjacent projects, integrate the culture of the surrounding community, and potentially venture into joint development with other sectors (such as retail and/or civic spaces). Further, the City shall ensure that the transfer locations do not contribute to unwanted noise, emissions, and potentially loitering passengers.

POLICY TE 1.6.6: TRANSFER STOPS/CENTER

Through transfer stops or centers the City seeks to improve livability, mobility, and accessibility. The City shall identify key locations based on existing transit activity, boardings and deboardings, converging transit routes, available right-of-way (ROW), existing infrastructure, surrounding neighborhoods, transportation priorities, and existing and future land use. The City shall also consider ridership data and converging transit routes locations as to where transfer stops/centers are likely to be needed within the City.

POLICY TE 1.6.7: ENHANCED TRANSIT AMENITIES

The City shall coordinate with Miami-Dade Transit to provide enhanced transit amenities, such as bus shelters, intermodal facilities, parking, park and ride amenities, transfer stations/centers, buses, implementation of bus rapid transit (BRT) along selected corridors, real time transit location information at shelters, exclusive bus lanes, and at intermodal terminals, more comfortable bus seating, and passenger amenities, etc.

POLICY TE 1.6.8: PROVIDING BASIC TRANSIT INFRASTRUCTURE

The City shall seek opportunities to improve transit infrastructure as part of the review of development proposals located on main thoroughfares within existing transit routes.

POLICY TE 1.6.9: NORTH BEACH AND MIDDLE BEACH CIRCULATORS (LOCAL CIRCULATORS SYSTEMS)

The City shall plan, design, seek funding for and implement local circulator systems in North Beach and Middle Beach. The City shall continue to plan and coordinate with Miami-Dade Transit (MDT) and the Florida Department of Transportation (FDOT) to develop a connected circulator system that feeds regional routes and future rapid transit connections.

OBJECTIVE TE 1.7: MULTI-MODAL TRANSPORTATION

The City shall continue to support and promote multiple modes of transportation by considering Transportation Demand Management (TDM), Transportation Systems Management (TSM), and other techniques.

POLICY TE 1.7.1: TRANSPORTATION SYSTEMS MANAGEMENT

Through the site plan review process, the City shall require appropriate TSM strategies to improve the mobility systems efficiency, effectiveness and safety. These may include but are not limited to:

- Site access management and safety
- Parking facilities and programs
- The implementation of programs that support carpools, vanpools or ridesharing

POLICY TE 1.7.2: TRANSPORTATION DEMAND MANAGEMENT

The City shall develop and implement a Transportation Demand Management (TDM) program, intended to reduce the dependence on single-occupant vehicle trips, and the encouragement of

the use of bicycle, pedestrian and transit modes as a means of commuting and recreational mobility. These may include, but are not limited to:

- carpools,
- van pools,
- demand response service,
- public/private provision of transit service,
- bicycle sharing, or shared car initiatives, transfer hubs, transfer stops, parking facilities dedicated to transit patrons, and carpools
- provision of short term and long term bicycle parking, showers and changing facilities,
- provision of parking for carpools,
- alternative hours of travel, including flexible work hours, staggered work shifts, compressed work weeks and telecommuting options,
- subsidy of transit fares,
- use of long term parking to be developed at City's entry points,
- shared vehicular and pedestrian access for compatible land uses, where possible,
- shared parking agreements for compatible land uses, where possible.

POLICY TE 1.7.3: INTELLIGENT TRANSPORTATION SYSTEMS

The City shall coordinate with and support FDOT and MDC in the pursuit of Intelligent Transportation Systems (ITS), to help manage congestion on facilities within Miami Beach as well as those facilities connecting the City with the mainland transportation system. This may include using various forms of technology, not limited to cameras, and electronic signage, to inform travelers of the condition of the transportation system, roadway level of service, adaptive signal controls, and availability of parking citywide. Additionally, the City is currently pursuing FDOT independent ITS projects and shall continue to pursue such independent projects to better manage the movement of traffic within the City's transportation network.

POLICY TE 1.7.4: BALANCING MODAL SPLIT

The City shall attempt to better balance the mode split between automobiles and alternative modes of transportation, such as bicycling and transit, particularly in the morning, afternoon and evening peak hour periods. In the meantime, the City will use the TPO's regional model to establish the modal split within the City. The City shall create transit hubs, transit centers and stops to integrate the various modes at one location according to modal priority.

POLICY TE 1.7.5: MODE SPLIT ANALYSIS

The City currently has a transportation mode split of its daily population of 64% private vehicles, 11% mass transit, 10% walking, 5% biking, and 10% others. The City shall strive to achieve its 2035 vision of a minimum transportation mode split of 20% mass transit, 17% walking, 8% bicycling, and 12% other modes through support of and implementation of multimodal transportation improvements.

POLICY TE 1.7.6: MODAL SPLIT DATA COLLECTION

As a tool for accomplishing the desired modal split envisioned for 2035, the city shall perform and retain a series of origin-destination studies in which the modes of transportation used within the city and by different people are recorded. These studies could be performed through surveys of tourists, residents, and commuters provided electronically and capturing a desired sample size.

POLICY TE 1.7.7: FUNDING MULTIMODAL IMPROVEMENTS

The City's transportation is funded in part from a portion of the Quality of Life Resort Tax. The City shall examine the feasibility of expanding sources of revenue for a transportation trust fund in which to invest its revenue generated via taxes or development fees, etc. and which will be earmarked towards the implementation of scheduled transportation improvements, in coordination with long-term master planning efforts.

POLICY TE 1.7.8: PRIORITIZING MULTIMODAL IMPROVEMENTS

The City shall continue implementation of prioritized multimodal improvements, as documented in the 2015 Transportation Master Plan (TMP).

POLICY TE 1.7.9: MULTIMODALISM AS A CONDITION OF DEVELOPMENT APPROVAL

As part of the plan review and approval process, the City shall negotiate with applicants for necessary improvements and enhancements on the private property, such as, but not limited to, dedications or easements for transit bus stops as part of the City's multimodal network.

POLICY TE 1.7.10: REDUCING MODAL CONFLICT

The City will work to reduce conflicts among various modes of transportation. This shall be done through:

- a. Establishment of enhanced intersections with more pedestrian-friendly and safe crosswalks with enhanced signage;
- b. The development of bicycle paths and lanes with bollards and raised islands to increase safety at intersections by preventing vehicles from entering special lanes.
- c. Develop transit hubs, centers and stops to ensure user safety and convenience.
- d. Adopt new pavement markings, presented in the 2016 Bicycle-Pedestrian Master Plan (i.e. bicycle boulevard pavement marking), and continue to implement colored bicycle boxes at intersections, points of conflicts, and other recommended locations citywide.

POLICY TE 1.7.11: MULTIMODAL TRANSPORTATION

Infill and redevelopment shall be encouraged which is supportive of mobility alternatives including walking, bicycling and use of transit, as defined in 2016 Transportation Master Plan.

POLICY TE 1.7.12: MULTIMODAL TRANSPORTATION ANALYSIS AND MITIGATION PLAN

The City shall require all commercial and mixed-use developments over 5,000 gross square feet and multi-family projects with more than four (4) units or 15,000 gross square feet, to submit a transportation analysis and mitigation plan, prepared by a professional traffic engineer, licensed and registered in the State of Florida. The analysis and plan shall at a minimum provide the following:

- a. Details the impact of projected traffic on the adjacent corridors, intersections, and areas to be determined by the City.
- b. The analysis and plan will include strategies to mitigate the impact of the proposed development on the adjacent transportation network to the maximum extent feasible in a manner consistent with the adopted 2015 Transportation Master Plan and adopted mode share goals.

- c. Whenever possible, driveways shall be minimized and use common access points to reduce potential turn movements and conflict points with pedestrians.
- d. Applicable treatments may include, but not be limited to TDM strategies included in Policy 1.7.2 and TSM policies included in Policy 1.7.1 of the Transportation Element.
- e. Additional requirements analyses and mitigation strategies, as may be required by the Transportation Department and Land Development Regulations.
- f. The Land Development Regulations may establish additional requirements for traffic mitigation for Conditional Uses.

POLICY TE 1.7.13: TRANSPORTATION PLANNING

The City is currently using the 2015 Transportation Master Plan as a basis for capital budgeting and transportation planning efforts. The City shall treat its Municipal Mobility Plan, its Transportation Master Plan, and Bicycle Pedestrian Master Plan as living documents, which should be updated on a regular basis. The City should update the Transportation Master Plan every five years.

POLICY TE 1.7.14: CAUSEWAY CAPACITY

The City shall evaluate the methods for maximizing mobility on the causeways connecting the City and the mainland. Alternatives may include physical capacity improvements, the addition of lanes, or sharing of lanes for BRT or other mass transit modes connecting with intermodal centers, or other congestion management improvements.

POLICY TE 1.7.15: CORRIDOR SAFETY

The City shall undertake an evaluation of the existing transportation corridors in an attempt to enhance safety and optimize mobility for all modes of transportation. In addition, the City should encourage the development of an intersection safety program in which intersections with skewed geometries or high crash intensities are specifically reviewed and analyzed by a traffic engineer to improve safety for all modes of transportation.

POLICY TE 1.7.16: MAC ARTHUR CAUSEWAY

There shall be a full facility impact review of any request for a development permit to be issued by the City for the expansion of the existing cargo port facility in order to preserve the limited traffic capacity of the MacArthur Causeway and the ferry service to Fisher Island and ensure consistency with the Conservation/Coastal Management Element. Conversely, the existing MacArthur Causeway cargo terminal shall continue to be designated Light Industrial on the Future Land Use Map as to protect the facility from the encroachment of incompatible land uses.

POLICY TE 1.7.17: VENETIAN CAUSEWAY

The Venetian Causeway shall not be used as an option for connective multimodal capacity improvements above regular needed local bus service.

OBJECTIVE TE 1.8: FREIGHT

The City shall periodically review existing freight routes to improve transportation network efficiency, delivery times, and safety.

POLICY TE 1.8.1: FLZ PROGRAM

The City should continue its effort in developing and determining FLZ (Freight Logistics Zone) on all regions of the city and as substitutes for the commercial loading zones where appropriate.

POLICY TE 1.8.2: COLORED CURB PROGRAM

FLZ should be classified according to their time restrictions and should be easily identifiable by drivers through a colored pavement program, appropriate signage and way-finding elements.

POLICY TE 1.8.3: COMMERCIAL LOADING ZONES

Commercial loading zones should be periodically reevaluated and standardized to serve as compliments to the FLZ by providing zones for smaller vehicles, taxis, and/or school drop offs/pick-ups.

POLICY TE 1.8.4: FREIGHT ROUTING

Freight should be routed in a logical way through major corridors by providing loading zones on side streets and alleyways that serve a route which provides access to commercial and transient residences.

POLICY TE 1.8.5: FREIGHT AMENITIES

The City shall encourage and analyze the potential of providing curb ramps and/or dolly/handcarts/hand trucks on FLZs to provide improved access for delivery activities and for quicker loading/unloading.

POLICY TE 1.8.6: LOADING HOURS

The City shall explore the use of limitations on hours for loading through the Land Development Regulations, Conditional Use procedures, or other methods, as applicable to minimize the impacts of loading during peak hours.

OBJECTIVE TE 1.9: PARKING

The City shall provide clean, safe, and affordable parking, by continuing to explore and implement creative and technologically advanced methods of parking provision and management to satisfy the need.

POLICY TE 1.9.1: CONTINUED DEVELOPMENT OF PARKING

The City shall continue with the acquisition, construction and improvements to municipal parking facilities as may be needed. The City shall also continue to monitor parking demand, and assess feasibility, where applicable, of potentially responsive strategies.

POLICY TE 1.9.2: PUBLIC PRIVATE PARTNERSHIPS

The City shall continue to seek public-private partnerships in the development of its parking facilities and intermodal centers. Preferably, these ventures shall encourage off-street parking on centralized parcels that serve multiple land-use and should prioritize the development of surface parking lots into parking garages.

POLICY TE 1.9.3: CONTEXT SENSITIVE PARKING DEVELOPMENT

Off-street parking areas shall be located and designed in a manner that supports and does not conflict with pedestrian and bicycle activity, such as to the side or rear of buildings.

POLICY TE 1.9.4: MAXIMUM PARKING STANDARDS

The City shall examine the economic, transportation and recreational impact of strategically limiting parking in certain areas, as a means to reinforce alternative modes of transportation.

POLICY TE 1.9.5: PARKING INTERCEPT FACILITIES AND INTERMODAL CENTERS

The City shall support the creation of park and ride lots and/or intermodal centers either at the ingress and egress points to the City, or at transfer locations.

POLICY TE 1.9.6: BICYCLE PARKING

The City shall require all new developments to provide secure short term and long term bicycle parking in the form of bicycle racks, bicycle lockers, locked rooms or other appropriate enclosures as a way of reducing the demand for automobile parking.

POLICY TE 1.9.7: INCENTIVIZING TRANSIT THROUGH PARKING

The City shall encourage long-term daily parking and use of the local circulators as a way of minimizing internal trips within the various neighborhood districts.

POLICY TE 1.9.8: PUBLIC ACCESS TO PARKING

The City shall continue to maximize optimal use of public parking spaces by promoting shared parking programs, wayfinding to parking facilities, and use of Smart Parking Systems (SPS) to identify locations of available parking.

POLICY TE 1.9.9: PARKING STRATEGIES

The City shall implement parking management best practices, including the following:

- a. Placement of future public and private parking facilities related to the support of alternative modes of transportation;
- b. Reduction of on-site parking requirements within the City's land development regulations in order to encourage multi-modal use;
- c. Commercial delivery issues including the provision of loading zones within alleys to improve street flow and emergency vehicle access.

POLICY TE 1.9.10: CONVERTIBLE PARKING GARAGES

Due to ongoing reductions in demands for parking, as a result of ridesharing services, increased use of alternative modes of travel, and eventually improved technology for automated vehicles, the City shall encourage designs for parking garages that can be converted to other uses in the future, if demand for parking declines significantly.

GOAL TE 2: PUTTING PEOPLE FIRST

Prioritize the people of Miami Beach by encouraging more equitable transportation options, healthy modes of travel, and ensure safe evacuation routes.

OBJECTIVE TE 2.1: ENHANCE, PROTECT, AND PRESERVE THE CITY'S NEIGHBORHOODS

To provide a safe and attractive transportation system throughout the City that meets the needs of the users of the right-of-way, the neighborhoods, the neighboring communities, and the environment.

POLICY TE 2.1.1: PUBLIC INVOLVEMENT IN THE TRANSPORTATION PROCESS

All projects shall include key stakeholders at early stages to ensure continuous commitment to public involvement, flexibility in exploring new solutions, and an openness to new ideas. Community members shall play an important role in identifying local and regional identification of issues and solutions that may better meet and balance the needs of all stakeholders.

POLICY TE 2.1.2: NEIGHBORHOOD PROTECTION

The City shall strive to protect the residential neighborhoods from unnecessary traffic intrusion through the evaluation and implementation of traffic calming, regulatory or operational alternatives identified in the adopted Street-Design Guidelines which would provide incentives for non-local traffic to remain on the designated arterial network.

POLICY TE 2.1.3: DISCOURAGE CUT-THROUGH TRAFFIC

The City will work with Miami-Dade County and FDOT to recommend changes to its engineering design criteria to provide appropriate access management techniques to discourage neighborhood cut-through traffic. These may include but shall not be limited to:

- Access on the highest-classified street where City or FDOT standards can be met;
- Joint access, cross access, and shared access;
- Raised median diverters;
- Pedestrian access to encourage walking, rather than driving, short distances;
- Transit orientation, including safe and convenient pedestrian routes to the nearest bus stop;
- Speed tables

POLICY TE 2.1.4: TRAFFIC CALMING

The City will continue to maintain a traffic calming program to provide for safe and viable neighborhoods and discourage speeding and cut-through traffic. It shall put together a menu of preferred traffic calming methods. This will detail their purpose, ideal implementation scenario, effectiveness and cost. This can be used as a menu to guide and streamline the process. To the extent possible, the City shall maintain local control over the implementation of traffic calming measures.

POLICY TE 2.1.5: ROADWAY SAFETY

The City will coordinate with Miami-Dade Transit and FDOT to ensure that short-term and maintenance of traffic signals and signage are continuously monitored and updated.

POLICY TE 2.1.6: EMERGENCY VEHICLE ACCESS

Emergency vehicle access shall be considered during any modification of the transportation system, including access to parcels and the design and construction of roads and traffic calming devices.

POLICY TE 2.1.7: ACCESS MANAGEMENT

The City shall work with FDOT and Miami-Dade Transit to impose access location requirements onto City, County and State streets through the implementation of its Public Works Manual, in order to reduce existing or potential congestion and safety problems. The City shall coordinate with other agencies to ensure connectivity impacts to the adjacent transportation system are properly mitigated, adjacent land uses are properly connected, and that mobility needs are met for all modes of transportation. The City, at its own discretion, may require a transportation impact study to aid in the decision on the location and design of the access to serve a land development.

POLICY TE 2.1.8: SAFE ROADWAY DESIGNS

The City shall use design review procedures in the land development regulations to control roadway access points in conjunction with development. Such procedures shall include provisions requiring that all access points on state roads be approved by the Florida Department of Transportation, that all access points on county roads be approved by the Miami-Dade Transit and that all other access points be in accordance with the best professional standards consistent with the protection of property rights.

POLICY TE 2.1.9: EVALUATING CRASH DATA TO IMPROVE INTERSECTION SAFETY

The City shall prepare annual accident frequency reports for all collector and arterial roads and coordinate with the FDOT's Traffic Operations Department to mitigate problems at high crash locations.

POLICY TE 2.1.10: NEW CONNECTIONS TO THE ROADWAY NETWORK

The City of Miami Beach, the Miami-Dade Transit or FDOT, depending on jurisdiction, will monitor all new connections and access points to roadways to ensure safe design. All new connections shall comply with the City's, County's and FDOT's access management standards.

POLICY TE 2.1.11: CONSTRUCTION IMPACTS ON MOBILITY

The City shall monitor the impact of construction on mobility, and coordinate with developers to minimize the impacts to automobile, pedestrian, bicycle and transit facilities. When appropriate, the City shall require a construction staging plan, and a maintenance of traffic plan which may include mitigation efforts, such as off-site parking, and staging of multiple projects to address these impacts.

POLICY TE 2.1.12: COMPLETE STREETS

The City shall consider all aspects of the "Complete Streets" initiative when considering improvements to public rights of way. Complete streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities, so that they can safely move along and across the right of way no matter what mode is being used. In doing so all roadway projects shall provide for appropriate widths for sidewalk or bicycle facilities where right of way is available. The City and reviewing agencies shall ensure that the new construction projects are safe for both the user and the community and that the project adds a lasting value to both motorized and nonmotorized users.

POLICY TE 2.1.13: THE USE OF ALLEYS AND SERVICE VEHICLES

The City shall encourage access for parking and service vehicles to be from alleys. Additionally, the City shall evaluate the feasibility of developing scheduled delivery and trash removal hours to ensure that these services are not accomplished on public streets during the peak hours.

POLICY TE 2.1.14: ROADWAYS LANDSCAPING, LIGHTING AND SIGNAGE

When new facilities are planned, their design shall be aesthetically compatible with the surrounding community, whenever practical. The City of Miami Beach shall continue to landscape and improve entrances to the City. It shall also continue implementing programs to landscape and maintain existing median strips and rights-of-way.

POLICY TE 2.1.15 STREET LIGHTING

Using the Miami Beach Citematrix™ Analysis Report as a guide, the City of Miami Beach should alter street lighting to be compliant with best practice lighting illuminance standards. Expressways, major and collector roadways should be evaluated to improve their street lighting uniformity, while overall local roadway lighting should be dimmed.

POLICY TE 2.1.16: AWARENESS MOBILITY OPTIONS

To improve citizen and visitor awareness of mobility options, the City shall establish mechanisms to highlight information regarding the availability of mobility options.

POLICY TE 2.1.17: MULTIMODAL STRATEGIES

Through the site plan review process, the City shall educate the development community and promote TSM and/or TDM strategies and incentives to use alternate modes of transportation (such as parking policies and provision of intermodal transfers), that will accomplish mobility within and through each transportation concurrency management area.

OBJECTIVE TE 2.2: DEVELOPMENT REVIEW

Consideration of safe and convenient access to all modes of travel shall be included for proposed projects through the development review process.

POLICY TE 2.2.1

During the development review process the City shall include right-of-way needed to implement planned improvements. The City shall consider the historic context, the built-out environment and the future demands when evaluating future improvements.

POLICY TE 2.2.2: PROVIDING BASIC TRANSIT INFRASTRUCTURE

Development approval for sites located on main thoroughfares within existing transit routes shall be required, where appropriate, to construct a concrete pad and dedicate an easement to Miami Beach or Miami-Dade Transit (or its successor agencies) for public transit uses. The dedicated easement shall be of sufficient size to allow for Americans with Disabilities Act (ADA) access to transit and for future shelter placement. Fair share contributions in lieu of easement dedication may be granted when an existing bus shelter or pad is located within ¼ mile from the proposed development on the same side of the roadway. Appropriate bus stop facility locations shall be determined by analyzing the existing need on established routes and assessing the existing built environment such as the width of the sidewalk, the presence of the sidewalk, and/or the location of any existing structures. Bus routes with the highest ridership and located on an existing bicycle route will be the highest priority for facility placement.



POLICY TE 2.2.3: DEVELOPMENT COMPLIANCE WITH TRANSIT LEVEL OF SERVICE

Issuance of all development orders for new development or significant expansions of existing development shall be contingent upon compliance with the level of service standards within the Transportation Element.

POLICY TE 2.2.4: ALLEYWAYS IN SITE DESIGN

The City shall encourage new development and redevelopment to provide alleys through dedication of right-of-way or access easements in order to prevent roadway congestion and encourage pedestrian safety.

POLICY TE 2.2.5 BICYCLE STORAGE

The City shall establish guidelines for the provision of short term and long term bicycle parking areas, including bicycle racks for multifamily residential areas, commercial areas, and recreational areas. All new garages shall include long-term bicycle parking (bicycle lockers).

GOAL TE 3: TRANSPORTATION RESILIENCY

Improve transportation resiliency in Miami Beach through sustainable and adaptive improvements that are consistent with regional transportation plans and support hurricane evacuation.

OBJECTIVE TE 3.1

Sustainable and adaptive transportation facility design priorities and construction methodologies shall be incorporated into future transportation infrastructure investments as feasible and effective.

POLICY TE 3.1.1: ELEVATION OF ROADWAYS

The City of Miami Beach shall study the feasibility of elevating streets and avenues within the City that could also be utilized for conveyance, absorption, and storage of stormwater.

POLICY TE 3.1.2: BLUE AND GREEN TRANSPORTATION INFRASTRUCTURE

Roadway and other transportation related improvement projects shall address the feasibility of including a blue and green infrastructure component that enhances water management and increases co-benefit uses on transportation public facilities and infrastructure within the City.

POLICY TE 3.1.3: PAVER BLOCK ALLEYWAYS

The City shall evaluate the use of porous pavements or paver block for alleys to enhance hydrological, environmental, and public functions on an individual project basis.

POLICY TE 3.1.4: PERVIOUS ROADWAY SURFACES

To improve coastal resilience and improve existing roads, the City of Miami shall consider the feasibility of using pervious pavement materials on an individual project basis.

POLICY TE 3.1.5: REDUCTION OF CARBON EMISSIONS

Incentivize alternative transportation options whenever feasible for commercial and residential use throughout the Miami Beach community, to substantially minimize carbon emissions created through transportation uses.

POLICY TE 3.1.6: REDUCTION OF URBAN HEAT ISLAND EFFECT

The City shall evaluate the use of high albedo paving materials and asphalts to reduce the urban heat island effect generated from roadways.

POLICY TE 3.1.7: SUSTAINABLE DEVELOPMENT

The City shall plan, design and construct roadway projects and provide approval for commercial roadway projects that minimize consumption of non-renewable resources, limit consumption of renewable resources to sustainable yield levels, reuse and recycle its components, and minimize the use of land and production of noise. To this end, the City shall integrate multimodal transportation facilities to reduce reliance on automobiles through initiatives such as:

- Trolley system expansion.
- Transit development throughout the City to enable access to longer distances without the need for a private vehicle.
- Integration of Trolley and Transit service to achieve optimal connectivity.
- Exclusive Transit Lanes. As a way to incorporate the overall vision for an interconnected and reliable transit network for the City, exclusive transit lanes were considered for corridors with prioritized transit modes. The provision of a lane(s) solely dedicated to transit offers a range

of operations and economic opportunities for a corridor. Exclusive transit lanes allow for the implementation of Rapid Transit systems and improve the reliability of traditional bus service. Light Rail/Modern Streetcars, Bus Rapid Transit (BRT) and Enhanced Bus systems are forms of rapid transit that combine stations, vehicles, services, and ITS elements into an integrated system. The City is studying Rapid Transit Systems to determine demand, cost, benefit, and impact.

- Concurrent flow bus lanes should allow at least two (2) adjacent general traffic lanes in the same direction of travel.
- Contra flow bus lanes should allow at least two (2) traffic lanes in the opposite direction of travel, as deemed technically feasible.
- Expansion of the Atlantic Greenway Network by continued negotiation with property owners along the Atlantic Ocean and along Biscayne Bay.
- Bicycle rack installations. City will maintain the approximately 500 bicycle racks installed in 2015-2016, and continue to install additional bicycle racks as recommended in the 2015 Bicycle Pedestrian Master Plan in safe, convenient locations along commercial corridors, residential areas and public facilities. Bicycling as an alternative form of transportation will increase the quality of life for our community by reducing traffic congestion.
- The City will adhere to the policy governing protected bicycle lanes as contained in the 2015 Bicycle Pedestrian Master Plan.
- Bicycle rental program – The City already started this program with a proposal to install up to 85 kiosks of approximately 16 bicycles per kiosks. The benefits of this program include reduced traffic congestion, improved air quality, quieter and more livable streets and the opportunity for citizens to improve their health through exercise.
- Shared car program will allow for the short term access to vehicles by residents and visitors reducing the need for vehicle ownership and encouraging the use of alternative modes of transportation.

OBJECTIVE TE 3.2: TRANSPORTATION COORDINATION WITH OTHER JURISDICTIONS

Transportation efforts in the City will be coordinated with the plans and programs of other state and local jurisdictions including; the Miami-Dade Transportation Planning Organization (TPO), the Florida Department of Transportation (FDOT), Miami-Dade County Public Works (MDCPW), and Miami Dade Transit (MDT), and other local jurisdictions.

POLICY TE 3.2.1: COORDINATE WITH THE TPO AND FDOT

The City shall review the annual versions of the LRTP and the Transportation Improvement Program (TIP) to coordinate this element with the plans of the TPO and FDOT.

POLICY TE 3.2.2: COORDINATE WITH MIAMI-DADE COUNTY

The City shall review the annual versions of the MDC Transit Service Development Plan to coordinate this element with the plans of the MDT.

POLICY TE 3.2.3: COORDINATION WITH OTHER CITIES

The City shall review for compatibility with this element the transportation plans and programs of Miami-Dade County and neighboring municipalities as they are amended in the future.

POLICY TE 3.2.4: COORDINATION OF BICYCLE AND PEDESTRIAN FACILITIES

The City shall work with adjacent jurisdictions to coordinate regional interconnection of bicycle, transit and pedestrian facilities.

POLICY TE 3.2.5: COORDINATION WITH TRANSPORTATION MANAGEMENT ORGANIZATION

The City shall assign a liaison with South Florida Commuter Services to the citizens and employees traveling to and from Miami Beach on a regular basis.

POLICY TE 3.2.6: MULTIMODAL COMPONENTS OF ROADWAY PROJECTS

During the design stages of roadway improvements, the location of transit facilities such as transit intermodal facilities, transit centers, transit stops, turn-out bays, transit amenities and transit shelter locations, shall be included in the roadway design proposal. These improvements shall be coordinated with the agency(ies) that have jurisdiction over the facilities being designed.

OBJECTIVE TE 3.3: HURRICANE EVACUATION

To address hurricane evacuation within the City of Miami Beach, the City shall coordinate with responsible agencies including the Florida Department of Community Affairs, Miami- Dade Office of Emergency Management, South Florida Regional Planning Council and Miami-Dade Transit.

POLICY TE 3.3.1: AWARENESS OF EVACUATION ROUTES

The City shall continue to coordinate with Miami-Dade Transit to evaluate the need for establishment of increased evacuation pick up sites within the City and promote community awareness of the location of these site and evacuation routes.

POLICY TE 3.3.2: IMPROVING EVACUATION CLEARANCE TIMES

The City shall coordinate with the Miami-Dade Office of Emergency Management to improve evacuation clearance times of its routes including 5th Street/Alton Road through a change to the hurricane evacuation route zones to take advantage of available capacity on alternative evacuation routes.

POLICY TE 3.3.3: ASSISTANCE WITH EVACUATION

During the design stages of roadway improvements, the location of transit facilities such as transit intermodal facilities, transit centers, transit stops, turn-out bays, transit amenities and transit shelter locations, shall be included in the roadway design proposal. These improvements shall be coordinated with the agency(ies) that have jurisdiction over the facilities being designed.


GLOSSARY OF TERMS

- **Atlantic Greenway Network:** Is a multi-modal network that will knit together elements of the Miami Beach bicycle/pedestrian transportation system: the north-south Beach Corridors running parallel to the dunes, and the Neighborhood Trails that provide access to the beach, parks, schools, and the commercial, cultural and civic destinations.
- **Bay Walk Network:** Is a series of multi-use paths along the bayfront in South Beach. This network is implemented as redevelopment occurs in the area.
- **Bus Rapid Transit (BRT):** is an enhanced bus system that operates on bus lanes or other transit ways in order to combine the flexibility of buses with the efficiency of rail. By doing so, BRT operates at faster speeds, provides greater service reliability and increased customer convenience. It also utilizes a combination of advanced technologies, infrastructure and operational investments that provide significantly better service than traditional bus service.¹
- **Complete Streets:** The Complete Streets concept is an initiative to design and build roads that adequately accommodate all users of a corridor, including pedestrians, bicyclists, users of mass transit, people with disabilities, the elderly, motorists, freight providers, emergency responders, and adjacent land users.
- **Context Sensitive Design (CSD) or Context Sensitive Solutions (CSS):** is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist. CSS principles include the employment of early, continuous and meaningful involvement of the public and all stakeholders throughout the project development process.
- **Development Order:** Granting, denying or granting with conditions an application for zoning approval, division of lots, rezoning, conditional use, variance, certificate of use, occupational license, design approval, or any other official action having the effect of permitting the development of land which exceeds the intensity of development which exists on the property at the time of application.
- **Federal Interstate Highway System (FIHS):** It is a statewide transportation network that provides for high-speed and high-volume traffic movements within the state. The system also accommodates High-Occupancy Vehicles (HOVs), express bus transit and, in some corridors, passenger rail service. The primary function of the system is to serve interstate and regional commerce and long-distance trips.
- **Intelligent Transportation Systems (ITS):** apply well-established technologies of communications, control, electronics and computer hardware and software to the surface transportation system.
- **Mobility Fee:** is an impact fee on new development and increases in density and/or intensity that are based on predicted vehicles miles traveled (VMT).
- **Multimodal Level of Service:** explores a method for assessing how well an urban street serves the needs of all of its users. The method for evaluating the multimodal level of service (MMLOS) estimates the auto, bus, bicycle, and pedestrian level of service on an

¹ Federal Transit Administration


urban street using a combination of readily available data and data normally gathered by an agency to assess auto, transit, pedestrian and bicycle level of service.

- **Northeast Corridor:** It is planned to provide a high-capacity transit connection along a 13.6-mile corridor extending from downtown Miami, through Little Haiti, to NE 215th Street, generally along the Biscayne Boulevard/U.S. 1 Corridor and FEC Railroad right-of-way. The corridor has been identified as part of the Peoples Transportation Plan for possible funding by the half-cent sales revenues established by referenda 2002 and identified in the Miami-Dade TPO 2019 SMART Plan.
- **Strategic Intermodal System:** is a statewide network of high-priority transportation facilities, including the state's largest and most significant commercial service airports, spaceport, deepwater seaports, freight rail terminals, passenger rail and intercity bus terminals, rail corridors, waterways and highways. These facilities are the workhorses of Florida's transportation system, carrying more than 99 percent of all commercial air passengers, virtually all waterborne freight tonnage, almost all rail freight, and more than 68 percent of all truck traffic and 54 percent of total traffic on the State Highway System.
- **Sustainable Development:** Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
- **Transportation Concurrency Exception Area:** The 2011 Community Planning Act removed the state-mandated requirement for transportation concurrency, and provides local governments with the option of continuing to apply concurrency within their jurisdictions. Miami-Dade County continues require transportation concurrency outside of it Urban Infill Areas. Miami Beach has an existing TCEAs since 1994 and is exempt from the local County-wide transportation concurrency provisions.
- **Transportation Demand Management:** (TDM): is a general term for strategies that result in more efficient use of our transportation system and that markets alternative forms of transportation for commuters, in order to reduce traffic congestion and air pollution and to increase efficiency of the transportation system.
- **Transit Intermodal Facilities:** are transfer facility that provides convenient connections between streetcars, bus rapid transit (BRT), or another public transit mode such as busways, bus lines, while offering some pedestrian and bicycle amenities and services; provides access to more than two (2) buses or light rail/streetcars; provides accessory parking spaces at intercept locations, generally between 75 and 500 spaces; and may include amenities such as retail, restrooms and lounge areas.
- **Transportation Mitigation Plan:** Is a transportation plan to be developed by applicants of all new major developments that will include strategies to mitigate the impacts of the traffic generated by these developments. Strategies to be developed will be pursuant to the provisions of the policies contained in the Transportation Element and the City's Land Development Regulations.
- **Transit Oriented Design:** or Transit Oriented Development (TOD) is moderate to higher density development, located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping opportunities designed for pedestrians without excluding the auto. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit use.
- **Transportation Regional Incentive Program: (TRIP)** is a program that was created to improve regionally significant transportation facilities in "regional transportation areas". State funds are available throughout Florida to provide incentives for local governments and the private sector to help pay for critically needed projects that benefit regional travel and commerce. The Florida Department of Transportation (FDOT) will pay for 50 percent of project costs, or up to 50 percent of the nonfederal share of project costs for public transportation facility projects.

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- **Transportation Systems Management: (TSM)** approach to congestion mitigation seeks to identify improvements to enhance the capacity of existing system of an operational nature. Through better management and operation of existing transportation facilities, these techniques are designed to improve traffic flow, air quality, and movement of vehicles and goods, as well as enhance system accessibility and safety.

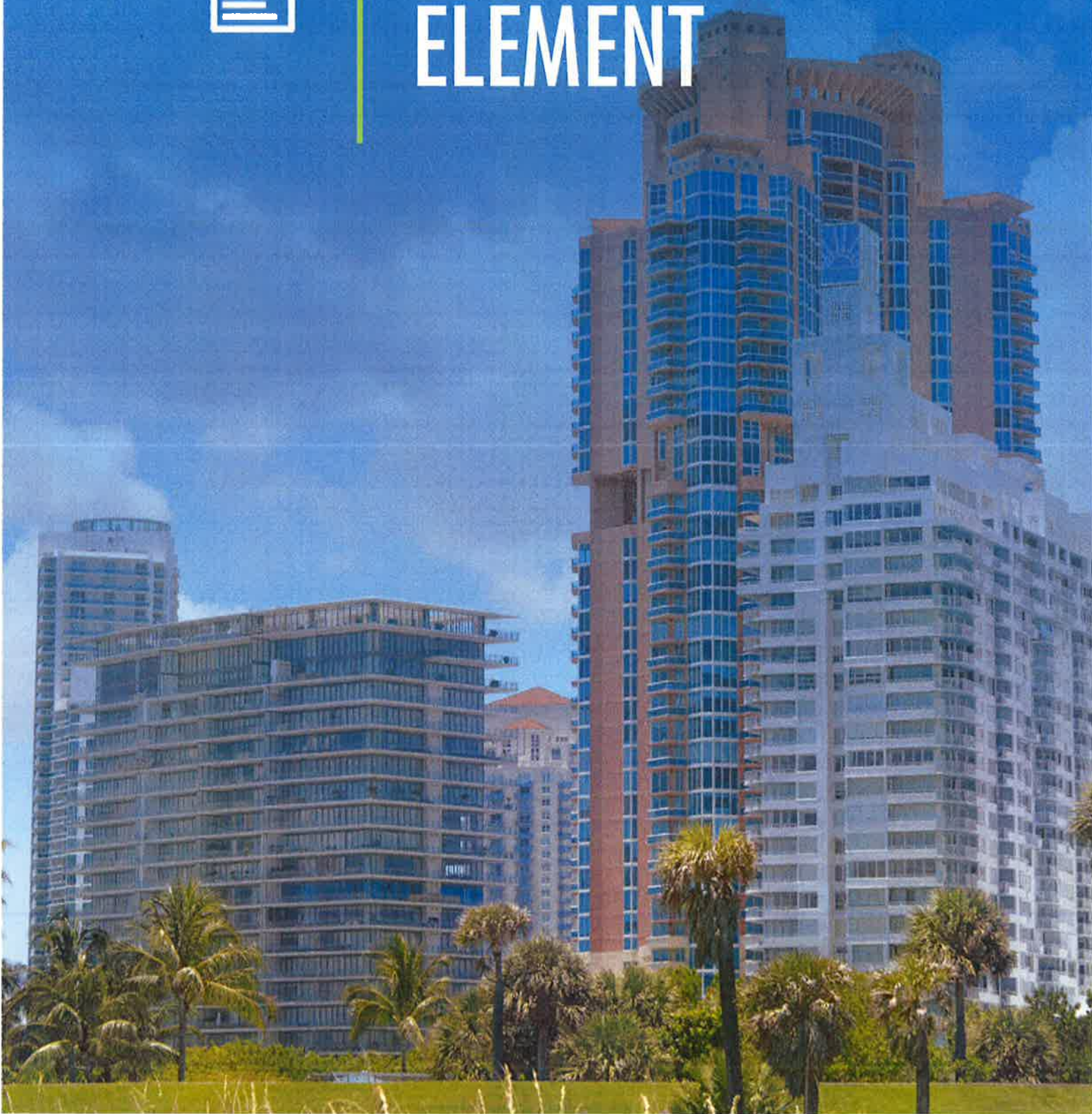


List of Acronyms

- ADA: American with Disabilities Act
 - AGN: Atlantic Greenway Network
 - BRT: Bus Rapid Transit
 - CIP: Capital Improvement Program
 - CSD: Context Sensitive Design
 - CSS: Context Sensitive Solutions
 - FDOT: Florida Department of Transportation
 - FIHS: Florida Interstate Highway System
 - FLZ: Freight Logistics Zone
 - ITE: Institute of Transportation Engineers
 - ITS: Intelligent Transportation Systems
 - LOS: Level of Service
 - LRTP: Long Range Transportation Plan
 - MDC: Miami-Dade County
 - MDPWD: Miami-Dade Public Works Department
 - MDT: Miami-Dade Transit
 - SIS: Strategic Intermodal System
 - SMART: Strategic Miami Area Rapid Transit
 - TDM: Transportation Demand Management
 - TIP: Transportation Improvement Program
 - TMP: Transportation Master Plan
 - TOD: Transit Oriented Design
 - TPO: Miami-Dade Transportation Planning Organization
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HOUSING ELEMENT





The Housing Element (HE) of the Comprehensive Plan serves as a guide to achieve an inclusive and vibrant community. The Goals, Objectives and Policies in the Housing Element work to provide equitable housing options to support the City's socio-economically diverse population and ensures that all residents of the City have access to quality, energy efficient housing.

HOUSING GOALS

GOAL HE 1

EQUITABLE COMMUNITY

Provide vulnerable populations with affordable housing options that are proximate to transportation services and basic needs to improve economic mobility within the community.

GOAL HE 2

NEIGHBORHOOD SUSTAINABILITY

Establish and maintain an energy efficient housing stock that is resilient to a changing climate while maintaining a strong neighborhood and cultural identity.

GOAL HE 1: EQUITABLE COMMUNITY

Support vulnerable populations with attainable housing options that are proximate to transportation services and basic needs to improve economic mobility within the community.

OBJECTIVE HE 1.1: CREATION AND/OR PRESERVATION OF WORKFORCE AND AFFORDABLE HOUSING

Have available a minimum of 6,800 housing units of workforce, affordable low and moderate income households and special need populations during the period through 2030.

NOTE: The City of Miami Beach does not contain rural property or farmland, thus does not have a need for rural or farm-worker housing.

POLICY HE 1.1.1

Due to the built-out conditions within Miami Beach, continue to emphasize policies under Objective HE 2.2 designed to preserve and/or rehabilitate existing housing and the re-use of historical structures as housing.

POLICY HE 1.1.2

Continue to pursue and utilize state and federal sources of funding which can be used to assist in creating and/or preserving housing affordable to very low to workforce households, moderate-income households and for special need populations, including State Housing Initiatives Partnership (SHIP), CDBG, HOME, and NSP funds.

POLICY HE 1.1.3

Cooperate with affordable and workforce housing developers' efforts to leverage Miami-Dade County Surtax funds and other financial incentives for the provision of housing affordable to workforce, very low to moderate-income households, including those with special needs, in Miami Beach.

POLICY HE 1.1.4

Direct available City and federal sources of funds toward mixed-income and workforce housing projects to promote an economically diverse community that avoids over-concentration of low-income housing and for the development of workforce housing.

POLICY HE 1.1.5

The City's Land Development Regulations and housing activities shall be administered in accordance with Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, the Florida Fair Housing Act, Chapter 760 F.S., and Section 62-88 of the City of Miami Beach Code of Ordinances.

POLICY HE 1.1.6

The Planning Department, which includes zoning review, will continue to streamline the housing approval and permitting process in coordination with the Building Department through the expedited processing of permits for affordable and workforce housing projects, as defined in the Land Development Regulations. This incentive gives priority to designated affordable and workforce housing projects when scheduling Pre-Design Conferences with all relevant agencies.

POLICY HE 1.1.7

Maintain the potable water, sanitary sewer, storm sewer, transportation, solid waste, and recreation facilities above the level of service standards established in the City's comprehensive plan in all areas of the City so that there will be no restrictions due to inadequate infrastructure or public facilities on the location of housing for workforce, low and moderate income families or any other category of housing.

POLICY HE 1.1.8

Provide density increases for developments that incorporate workforce or affordable housing units pursuant to the regulations and limitations in the Resilient Land Use and Development Element and the Land Development Regulations.

POLICY HE 1.1.9

Locate affordable and workforce housing in locations where residents are proximate to areas of employment.

POLICY HE 1.1.10

Improve equitable access to needs and amenities including transit services, health care, nourishing food, education, and recreational facilities for residents living in affordable and workforce housing.

POLICY HE 1.1.11

The City shall explore strategies to increase the resiliency within neighborhoods, while limiting involuntary displacement and increasing housing stability.

POLICY HE 1.1.12

The City shall provide for the development of Accessory Dwelling Units in the "Single Family Residential Category" future land use designation in order to encourage the development of housing that is affordable to the workforce, and very low to moderate-income persons, subject to the restriction in the Land Development Regulations.

OBJECTIVE HE 1.2: ADEQUATE SITES AND DISTRIBUTION OF HOUSING FOR VERY LOW TO MODERATE-INCOME HOUSEHOLDS; AND ADEQUATE SITES FOR MOBILE AND MANUFACTURED HOMES

Maintain a minimum of 40 percent of the City's land area that is designated so as to permit residential uses (excluding rights-of-way) and 25 percent of the City's total land area (excluding rights-of-way) as areas in which land use policies are either intended to encourage, or mitigated to allow for, housing affordable to very low to moderate-income families, as well as to workforce housing families.

Conserve the City's stock of single-family houses (attached and detached) by maintaining a minimum of 35 percent of the City's total land area (excluding rights-of-way) in zoning districts that permit only single-family houses uses.

Maintain a minimum of 30 percent of the City's total land area (excluding rights-of-way) as areas in which manufactured housing is permitted.

POLICY HE 1.2.1

The City shall mitigate zoning regulations such as reduced parking requirements or shared parking in the case of a mixed use building that impede housing affordable to workforce, and very low to moderate-income families in all zoning districts which permit multifamily housing, including multifamily residential, commercial and overlay districts and retain the new multifamily districts, e.g. TH Townhome residential and RO Residential/Office.

POLICY HE 1.2.2

The City's zoning map will provide that a minimum of 35 percent of the City's total land area (excluding rights-of-way) will be zoned to permit only single-family houses (attached and detached) recreational facilities and municipal uses.

POLICY HE 1.2.3

Manufactured housing will be permitted in areas designated as "Single Family Residential" on the adopted Future Land Use Map, provided they are permanently anchored, meet the minimum floor area requirements, and satisfy all other provisions contained in the City's land development regulations for areas designated as "Single Family Residential" on the Future Land Use Map.

POLICY HE 1.2.4

Continue to prohibit non-residential main permitted uses in RS, single-family and RM, residential multi-family zoning districts in compliance with the provisions of s.163.3202, F.S. to prevent conversion or redevelopment of residential structures to non-residential uses, except for "community residential homes" and similar uses intended to assist permanent residents in consistent with the provisions of s. 419.001, F.S.

POLICY HE 1.2.5

Maintain the potable water, sanitary sewer, storm sewer, transportation, solid waste and recreation facilities above the level of service standards established in the Infrastructure Element of the City's Comprehensive Plan in all areas of the City so that there will be no restrictions due to inadequate infrastructure or public facilities on the location of housing for workforce, very low, to moderate-income families, manufactured housing or any other category of housing.

POLICY HE 1.2.6

The City shall provide for the development of Accessory Dwelling Units in the "Single Family Residential Category" future land use designation in order to encourage the development of housing that is affordable to the workforce, and very low to moderate-income persons that is distributed throughout the City, subject to the restriction in the Land Development Regulations.

OBJECTIVE HE 1.3: ADEQUATE SITES FOR GROUP HOMES AND FOSTER CARE FACILITIES

Maintain a minimum of 20% of the City's total land area (excluding rights-of-way) designated so as to permit "community residential homes" licensed or funded by the Florida Department of Children and Family Services and assisted living facilities for the elderly and other special need populations.

POLICY HE 1.3.1

The Land Development Regulations of the City Code will permit adult congregate living facilities in excess of 14 beds as a conditional use.

POLICY HE 1.3.2

The City will ensure that its Land Development Regulations are in compliance with Florida Statutes, Chapter 419, and any other statutory requirements regarding the siting of community residential homes, including group homes and foster care facilities.

POLICY HE 1.3.3

The City will comply with Florida Statutes, Chapter 419, when considering the integration of community residential homes, care facilities and retirement homes into residential neighborhoods.

POLICY HE 1.3.4

Maintain the potable water, sanitary sewer, storm sewer, transportation, solid waste, and recreation facilities above the level of service standards, as set forth in Capital Improvement Program and Infrastructure elements of the Comprehensive Plan, established in the City's comprehensive plan in all areas of the City so that there will be no restrictions due to inadequate infrastructure or public facilities on the location of adult congregate living facilities or any other group categories of housing.

OBJECTIVE HE 1.4: RELOCATION

Ensure that relocation services are provided to 100 percent of the persons who are displaced as a result of activities funded by federal programs or due to a property being declared inhabitable.

POLICY HE 1.4.1

The City shall comply with all provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended, whenever required by federal or state law.

POLICY HE 1.4.2

In the event that an occupied building is declared unfit for human habitation in accordance with the City of Miami Beach City Code, the City shall enforce Section 58-362, as may be amended, to ensure residents' prompt relocation.

OBJECTIVE HE 1.5: HOUSING IMPLEMENTATION PROGRAMS

Implement housing activities or programs ("housing programs") as set forth in the City's five-year Consolidated Plan submittals to U.S. Department of Housing and Urban Development and five-year Local Housing Assistance Plan (LHAP) submittals to the State of Florida, as amended from time to time, which are incorporated by reference.

POLICY HE 1.5.1

The City's five-year federal and state Housing Plans will form the basis for housing goals and objectives to address housing need for very low to moderate-income housing and special need populations.

POLICY HE 1.5.2

The City will utilize available federal, and state funds as specified in the Housing Plans and other funds as may become available to implement the City's housing programs.

POLICY HE 1.5.3

The City will continue to involve affordable housing developers and/or community development corporations (CDCs) in the preparation of the CHAS; and utilize affordable housing developers and non-profit CDCs to carry out affordable housing programs when appropriate.

POLICY HE 1.5.4

In furtherance of its housing goals and objectives, the City will support housing developers' efforts to leverage Miami-Dade County Surtax funds and other financial incentives for the development and rehabilitation of residential housing affordable to low and moderate income households in Miami Beach.



POLICY HE 1.5.5

The Planning Department, which includes zoning review, should continue to streamline the housing approval and permitting process in coordination with the Building Department as set forth in the City's LHAP.

GOAL HE 2: NEIGHBORHOOD SUSTAINABILITY

Establish and maintain an energy efficient housing stock that is resilient to a changing climate while maintaining a strong neighborhood and cultural identity.

OBJECTIVE HE 2.1: SUBSTANDARD HOUSING AND STRUCTURAL AND AESTHETIC IMPROVEMENTS TO EXISTING HOUSING

The City will continue its efforts to eliminate substandard housing conditions, to improve the structural and aesthetic quality of its existing housing stock, and improve its neighborhood.

POLICY HE 2.1.1

Continue to address the predominate cause of substandard housing conditions, overcrowding, by using state and federal funding sources such as the City's SHIP, CDBG, HOME and NSP programs for construction and/or rehabilitation of affordable residential structures.

POLICY HE 2.1.2

Cooperate with housing developers' efforts to leverage Miami-Dade County Surtax funds and other financial incentives for the construction and/or rehabilitation of residential housing affordable to very low to moderate-income households in Miami Beach by providing technical assistance as necessary.

POLICY HE 2.1.3

Require conformance by all residential structures to the standards of the South Florida Building Code (new structures), National Fire Protection Administration Code, and the City's Minimum Housing and Property Maintenance Standards.

POLICY HE 2.1.4

Require that all multifamily buildings must obtain a Certificate of Use in order to be lawfully occupied and require regular inspection to determine compliance with all applicable codes.

POLICY HE 2.1.5

Encourage preventative property maintenance and rehabilitation methodologies rather than demolition in order to promote sustainability, workforce, and affordable housing through the preservation and adaptive re-use of historic structures.

POLICY HE 2.1.6

Use all available legal means to compel demolition of dilapidated structures as expeditiously as possible by complying with the Florida Building Code; the City's Minimum Housing Standards; and the Intergovernmental Coordination Element (Dade County Unsafe Structures Board).

POLICY HE 2.1.7

The City will continue to improve the structural and aesthetic qualities of its housing stock through its Land Development Regulations, Building Code, Minimum Housing and Property Maintenance Standards and its Historic Preservation Board.

POLICY HE 2.1.8

The City Building Inspector shall continue to have the authority to require removal of asbestos in residential and non-residential structures to prevent threat to human health.

OBJECTIVE HE 2.2: CONSERVATION, REHABILITATION OR DEMOLITION OF HOUSING, INCLUDING IDENTIFICATION OF HISTORICALLY SIGNIFICANT HOUSING

The City will continue to promote preservation or rehabilitation of housing, including identification of historically significant housing and the re-use of historic structures as housing.

POLICY HE 2.2.1

Encourage preventative property maintenance and rehabilitation methodologies rather than demolition in order to promote sustainability, workforce housing and affordable housing through the preservation and adaptive re-use of historic structures.

POLICY HE 2.2.2

Use all available legal means to compel demolition of dilapidated structures as expeditiously as possible by complying with the Florida Building Code; the City's Minimum Housing Standards; and the Intergovernmental Coordination Element (Dade County Unsafe Structures Board).

POLICY HE 2.2.3

Continue the incentives in the Land Development Regulations that apply with the provisions of s.163.3202, F.S. by encouraging the rehabilitation of residential structures to prevent the unintended loss of housing units due to deteriorated conditions.

POLICY HE 2.2.4

Enforce all minimum housing and structural conditions codes to prevent the unintended loss of housing units due to deteriorated conditions.

POLICY HE 2.2.5

Continue to use state and federal funding sources such as the City's SHIP, CDBG, HOME and NSP programs for rehabilitation of residential structures.

POLICY HE 2.2.6

Cooperate with housing developers' efforts to leverage Miami-Dade County Surtax funds and other financial incentives for the rehabilitation of residential housing affordable to workforce, very low to moderate-income households in Miami Beach by providing technical assistance as necessary.

POLICY HE 2.2.7

Maintain the legal status of the City's National Register Historic Districts, local historic districts, and individually designated historic sites and structures so that owners of designated properties can benefit from the applicable federal and local tax incentives.

POLICY HE 2.2.8

Continue to provide incentives in the Land Development Regulations, in compliance with s.163.3202, F.S., that permit within the Historic Preservation Districts a wide selection of accessory uses in residential buildings when the building being renovated is a designated historic structure or is a structure contributing to the Historic Preservation District.

POLICY HE 2.2.9

Continue to provide incentives in the Land Development Regulations, in compliance with s.163.3202, F.S. that provide greater flexibility in meeting parking requirements in the Historic Preservation Districts when renovating designated structures and to provide workforce and low and moderate-income housing incentives by providing greater flexibility in meeting parking requirements when associated with those uses.

POLICY HE 2.2.10

The City shall continue to use its guidelines and established policies to guide appropriate restoration, rehabilitation and adaptive re-use of historically designated properties.

POLICY HE 2.2.11

The City shall continue to encourage the owners of historic single family homes to have their homes historically designated by continuing the City's local Historic Ad Valorem Tax Exemption for single family residences.

POLICY HE 2.2.12

The City shall continue to encourage the retention of architecturally significant single family homes built prior to 1942 by requiring that substantial alteration or demolition of such homes shall obtain Design Review Board approval for all major new construction of subject projects.

POLICY HE 2.2.13

The City will provide resources available to ensure that all historically significant residential structures continue to be identified.

OBJECTIVE HE 2.3: ENERGY EFFICIENCY AND RENEWABLE RESOURCES

The City shall promote energy efficiency and use of renewable energy resources in the design and construction or the rehabilitation of housing and other measures to promote energy efficiency in existing residential properties.

POLICY HE 2.3.1

The City shall rely upon, and ensure consistency with, the provisions of Chapter 553, Florida Statutes, when implementing policies to promote energy efficiency and use of renewable energy resources under this objective.

POLICY HE 2.3.2

The City shall establish requirements for "green buildings" through the Land Development Regulations. The Regulations shall include standards, including, but not limited to the following:

- a. Building permit applications for a green building project submitted or resubmitted for review shall be given priority review over projects that are not green building projects by the city's departments reviewing such applications;
- b. All building inspections requested for green building projects shall be given priority over projects that are not green building projects; and
- c. Establishing minimum thresholds for mandatory "green building" certification or providing for an alternative "sustainability fee program."

POLICY HE 2.3.3

The City shall collaborate with local builders and community development corporations to determine ways builders may incorporate "Sustainable Building" technologies in the construction of housing, through the following means:

- a. Water (e.g., indoor water conservation, low-flow/low-flush fixtures, pervious materials, xeriscaping, reclaimed water irrigation, harvested rainwater, water budget).

- b. Energy (e.g. Energy Star ratings, traditional, local vernacular techniques of climate sensitive design, passive solar design, landscaping for energy conservation, site development) and unit orientation (e.g. north/south rather than east/west windows) that takes advantage of the natural shade and lighting available, radiant barrier and ridge venting, solar heating and cooling systems, gas heating/cooling systems and appliances, photovoltaic systems, ductwork, fans, energy recovery ventilators programmable thermostats, energy efficient appliances.
- c. Building materials (e.g., dimensional lumber, wood treatment, engineered structural materials, engineered siding and trim, non-toxic termite control, floor coverings, wood flooring, roofing structural wall panels, insulation, windows and doors, cabinets, finishes and adhesives).
- d. Solid Waste Management (e.g., home recycling, construction waste recycling).

POLICY HE 2.3.4

The City shall promote energy conservation techniques that incorporate Federal Energy Star standards as consistent with the requirements of the state energy code. Periodic reviews of development regulations and building codes shall be conducted to determine if there are modifications needed to incorporate energy conservation measures in addition to the requirements of the state energy code.

POLICY HE 2.3.5

The City shall provide developers/ builders with information on how to incorporate Federal Energy Star Standards, state energy code and other energy efficiency measures into construction.

POLICY HE 2.3.6

The City shall encourage the construction of energy efficient and water conserving housing through public education programs and regulations that promote innovative and environmentally sensitive building technologies.

POLICY HE 2.3.7

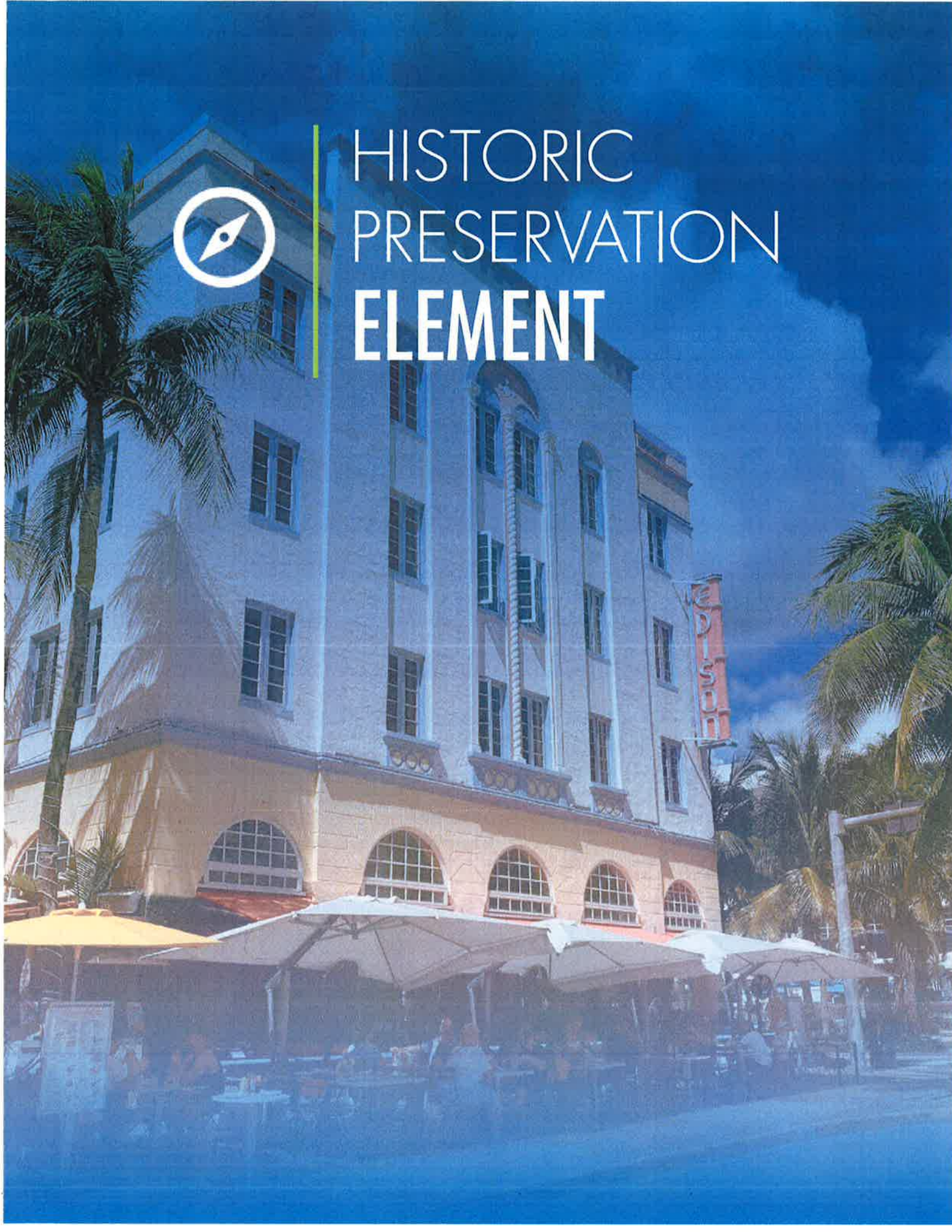
The City shall coordinate with low income households to decrease their utility bills by providing them with education and tools necessary to operate their home with improved energy efficiency.

POLICY HE 2.3.8

The City will provide resources available to ensure that all historically significant residential structures continue to be identified.



HISTORIC PRESERVATION ELEMENT





The Historic Preservation Element (HP) of the Comprehensive Plan supports the conservation of the unique character and heritage of the City by preserving historic structures, sites, and neighborhoods. The Goals, Objectives, and Policies of this element serve to protect the City's unique history and heritage through the preservation of structures and places, while supporting educational outreach, economic development, and resiliency and adaptation.

HISTORIC PRESERVATION GOALS

GOAL HP 1

Secure for future generations the opportunity to share in the unique heritage of Miami Beach through the promotion of the City's history and heritage

GOAL HP 2

Encourage the retention, protection, rehabilitation, and continued use of contributing buildings within historic districts and the development of quality and architecturally significant new buildings that are compatible with the contributing buildings, in order to preserve the City's past and unique identity while providing for continued architectural excellence.

GOAL HP 3

Continue the perseveration of historic structures and districts that are important to the City's urban fabric and cultural identity.

GOAL HP 4

Incentivize the preservation of structures, building and districts through efficient policy tools that allow for continued investment in the City and the rehabilitation of buildings, while preserving the City's historic character.



GOAL HP 1: HISTORIC AND HERITAGE PRESERVATION

Secure for future generations the opportunity to share in the unique heritage of Miami Beach through the promotion of the City's history and heritage

OBJECTIVE HP 1.1: COMMUNITY PARTICIPATION AND EDUCATION

Increase community awareness of, interest in, and support for the continued success of the City's historic preservation efforts in building a sustainable, vibrant and economically vital urban environment.

POLICY HP 1.1.1

Promote new ways to inform and educate the community about the City's preservation efforts by creating an interactive City of Miami Beach Historic Preservation .com website readily accessible to the public through popular search engines.

POLICY HP 1.1.2

Promote an appreciation and understanding of the City's historical resources by seeking public and private funding for the strategic placement of historic markers and historic district maps throughout the city.

OBJECTIVE HP 1.2: EDUCATION AND DATA SHARING

Share data and knowledge about Miami Beach's Historic Buildings with academics, professionals, and enthusiasts.

POLICY HP 1.2.1

Develop a user friendly program to implement and maintain a comprehensive inventory of historic sites on a Geographic Information Systems Database available to the public, including local property owners, scholars and students.

POLICY HP 1.2.2

Continue to provide staff assisted access to Planning Department's historical documentation files and resources to property owners, scholars and the general public.

POLICY HP 1.2.3

Continue to work with local historic preservation organizations in the assembly and dissemination of historical educational materials and participation in workshops, seminars and lectures.



GOAL HP 2: ARCHITECTURAL EXCELLENCE & ENHANCEMENT OF THE PUBLIC HISTORIC ENVIRONMENT

Encourage the retention, protection, rehabilitation, and continued use of contributing buildings within historic districts and the development of quality and architecturally significant new buildings that are compatible with the contributing buildings, in order to preserve the City's past and unique identity while providing for continued architectural excellence.

OBJECTIVE HP 2.1: ARCHITECTURAL CHARACTER

Continue to support the City's historic and new architectural character by maintaining architecturally significant structures and districts and providing design guidelines for preservation, rehabilitation, restoration, adaptive reuse, and new construction.

POLICY HP 2.1.1

Expand the City's Design Guidelines, as necessary, to address the needs of specific architectural styles throughout the City.

POLICY HP 2.1.2

Promote cutting-edge contemporary urban infill which is sustainable and compatible with the City's historic architecture, through the Development Review Process at administrative and board levels.

POLICY HP 2.1.3

Indicate through wayfinding and signage valuable historic structures and buildings, including MiMo Designs, to foster an understanding and appreciation of the City's historic resources.



GOAL HP 3: DESIGNATED HISTORIC STRUCTURES AND HISTORIC DISTRICTS

Continue the perseverance of historic structures and districts that are important to the City's urban fabric and cultural identity.

OBJECTIVE HP 3.1

Identify and evaluate sites, buildings, structures, monuments and districts that are associated with the historical development of the City as feasible.

POLICY HP 3.1.1

Continue to fund full-time Historic Preservation Staff in order to ensure proper preservation efforts for the City's architectural and historic resources.

POLICY HP 3.1.2

Encourage private individuals and neighborhood groups to participate in identifying districts, sites, landmarks, and structures, which are suitable for local historic recognition and/or nomination to the National Register of Historic Places.

POLICY HP 3.1.3

Continue to maintain the City's historic preservation regulatory authority as provided for in the Historic Preservation Section of the City Code.

POLICY HP 3.1.4

Continue to update the City's Historic Properties database and refer applications to the City's Historic Preservation Board for reclassification to contributing or non-contributing when changes in classification are determined to be warranted by staff.

OBJECTIVE HP 3.2: HISTORIC STRUCTURES AND DISTRICTS

Facilitate the improvement of historic structures and districts in the City, especially with respect to the impacts of sea level rise and climate change.

POLICY HP 3.2.1

Create and maintain a database of local, state and federal financial tools and incentives available for qualifying historic preservation rehabilitation projects.

POLICY HP 3.2.2

Develop Historic Districts Resiliency Guidelines for districts for the rehabilitation of historic buildings, as well as for new construction in historic districts, and work towards establishing resiliency guidelines for every district.



OBJECTIVE HP 3.3: NEIGHBORHOOD CONSERVATION DISTRICTS

While preserving the City's historical characteristics is important, neighborhood conservation districts will allow for a balance between preservation of neighborhood character and historic building, while allow for adaption to a changing climate.

POLICY HP 3.3.1

Establish Neighborhood Conservation Districts in areas with historical significance in order to balance preservation of essential characteristics while still allowing appropriate, compatible redevelopment and adaptation to sea-level rise.

POLICY HP 3.3.2

Establish Resiliency Districts based regulations that codify localized resiliency and adaptation strategies, including locating new green space co-benefit sites, local character preservation, historic resources preservation and design guidelines for adapting structures.



GOAL HP 4: PRESERVATION TOOLS

Incentivize the preservation of structures, building and districts through efficient policy tools that allow for continued investment in the City and the rehabilitation of buildings, while preserving the City's historic character.

OBJECTIVE HP 4.1: PRESERVATION TOOLS

Utilize preservation tools that incentivize historical preservation

POLICY HP 4.1.1

Continue to encourage and assist owners of historic properties, including single family homes, to apply for individual local designation or listing on the National Register of Historic Places and to take advantage of, where available, local and/or federal preservation tax benefits for the restoration and preservation of historic properties.

POLICY HP 4.1.2

Continue to provide incentives to qualifying historically designated single-family homes to use the City's Historic Ad Valorem Tax Exemption Program for Single Family Homes.

POLICY HP 4.1.3

Create programs that address resiliency and Sea Level Rise impacts to historic structures.

OBJECTIVE HP 4.2: ECONOMIC DEVELOPMENT

Promote sound economic development through the purposeful retention, protection and continued use of buildings, structures and districts which are associated with important events in the City's history or exhibit significant architectural qualities.

POLICY HP 4.2.1

Continue to identify city-owned historic sites and structures and determine the potential of all sites for heritage tourism, as a progressive economic development tool.

POLICY HP 4.2.2

Promote the City's National Register Historic Districts as a destination for heritage tourism.

POLICY HP 4.2.3

Continue funding physical streetscape improvements, as identified in the Capital Improvement Element, to complement and enhance the quality of life in the City's historic neighborhoods.

POLICY HP 4.2.4

Continue to identify and improve bicycle and pedestrian facilities in order to enhance connectivity of the City's historical districts.



RECREATION AND OPEN SPACE ELEMENT





The Recreation and Open Space Element (ROS) of the Comprehensive Plan addresses the needs for active and passive parks, recreational facilities, open space, and access to waterways. The ROS element supports other elements within the Comprehensive Plan to help ensure that development continues to provide areas for recreation and open space uses for permanent and seasonal residents of all ages. The City's level of service requirements for recreation and open space are located in the Capital Improvement Program Element (CIE).

RECREATION AND OPEN SPACE GOALS

GOAL ROS 1

PARKS AND RECREATIONAL OPEN SPACES

Develop and maintain a comprehensive system of parks and recreational open spaces to meet the needs of the existing and future population by maximizing the potential benefits of existing facilities and open space while encouraging the preservation and enhancement of the natural environment.

GOAL ROS 1: PARKS AND RECREATIONAL OPEN SPACES

Develop and maintain a comprehensive system of parks and recreational open spaces to meet the needs of the existing and future population by maximizing the potential benefits of existing facilities and open space while encouraging the preservation and enhancement of the natural environment.

OBJECTIVE ROS 1.1: WATERFRONT PARKS

Preserve beach and waterfront parks and continue to improve park access to water-related recreation activities and facilities.

POLICY ROS 1.1.1

The City shall complete and maintain the beachfront park walkway promenade system along the Atlantic Ocean.

POLICY ROS 1.1.2

The City shall identify and program opportunities to improve the Collins Canal as a pedestrian linear park and boating waterway through the proposed City Center/Historic Village Redevelopment Area program.

POLICY ROS 1.1.3

Continue to preserve and enhance the beachfront access and parking facility at Nikki Beach.

POLICY ROS 1.1.4

The City shall continue to replant and maintain Brittany Bay Park as necessary with native or other appropriate vegetation in order to maintain a clear view of Indian Creek Waterway from the Park.

POLICY ROS 1.1.5

Waterfront access in non-single-family development: Public pedestrian access to Biscayne Bay, all shorelines, and the oceanfront shall be required, in compliance with applicable law, in the review of proposed non-single-family developments.

POLICY ROS 1.1.6

Pedestrian Access to Shoreline: Public pedestrian access to the waterfront and shoreline shall be required in compliance with applicable law incident to the development of properties for non-residential uses unless waived at the time of plan review whether at any of the land use boards or staff approval.

POLICY ROS 1.1.7

Living and Hybrid Shorelines: Encourage the development of living and hybrid shorelines that provide public access to the waterfront and educational opportunities on the natural environment for users.

OBJECTIVE ROS 1.2: LEVEL OF SERVICE STANDARDS

Ensure that parks and recreational facilities are adequately and efficiently provided by enforcing the following level of service standards and related guidelines through the concurrency management system.

POLICY ROS 1.2.1

The National Recreation and Park Association's suggested minimum requirement for recreation and open space ten (10) acres of recreation and open space per one thousand (1,000) permanent and seasonal¹ residents is established as the minimum Level of Service Standard for the entire system to ensure adequate provisions are maintained for the projected population.

POLICY ROS 1.2.2

The minimum Level of Service Standard for each facility type shall be based on a minimum number of units per population, permanent and seasonal,² by specific facility types as follows:

Facility Type	Minimum Number Required
Swimming Pool	1 per 50,000 persons
Golf Course (min. 9 holes)	1 per 50,000 persons
Basketball Court	1 per 5,000 persons
Tennis or Pickleball Court	1 per 2,000 persons
Multiple-Use Facility (park, picnic, sports)	1 per 4,000 persons
Designated Field Area (baseball, softball, soccer, etc.)	1 per 10,000 persons
Tot Lots or Playground	1 per 10,000 persons
Vitacourse	1 per 40,000 persons
Boat Ramp	1 per 100,000 persons
Outdoor Amphitheater	1 per 50,000 persons
Activity Building for Multiple Uses	1 per 10,000 persons

OBJECTIVE ROS 1.3: COORDINATION OF PUBLIC AND PRIVATE RESOURCES

The City of Miami Beach shall continue to work with public agencies, such as Miami Metro-Dade County Department of Environmental Resources Management, the Army Corps of Engineers, the Florida Department of Environmental Protection and private sector organizations and corporations, through the zoning process, to enhance and improve existing recreation/open space facilities in Miami Beach.

POLICY ROS 1.3.1

The City should continue to improve landscaping in redevelopment areas, including along 17th Street and other streets entering into convention center district.

POLICY ROS 1.3.2

A landscaping program shall be included as part of the repaving and other improvements to major corridors with the City.

POLICY ROS 1.3.3

Continue to provide specific private open space definitions and requirements in the Land Development Regulations of the City Code.

¹ As the seasonal population primarily utilizes private recreation and open space facilities, 20 percent of the actual total seasonal population is used to determine demand for public recreation and open space facilities.



POLICY ROS 1.3.4

The City of Miami Beach shall inform Miami-Dade County and the Army Corps of Engineers when maintenance re-nourishment of the beach is necessary.

POLICY ROS 1.3.5

The City of Miami Beach shall continue to use the Land Development Regulations of the City Code as standards and incentives which encourage private sector development projects to landscape required open space, develop private recreation facilities on site, and through the impact fee requirement, contribute to the enhancement of adjacent public recreation and open space.

POLICY ROS 1.3.6

The City of Miami Beach shall continue to apply for grant funds from various sources, including Federal, State and County agencies and private providers, for the improvement of public recreation and open space, including, but not limited to nature trails or boardwalks, greenways, waterway trails, interpretive displays, educational programs, wildlife observation areas, or picnic areas.

POLICY ROS 1.3.7

The City of Miami Beach shall support State landscape and recreational improvements on the causeways connecting Miami Beach to the mainland, including I-195 (the Julia Tuttle Causeway) and I-395 (the MacArthur Causeway).

OBJECTIVE ROS 1.4: OPEN SPACE

To require open space in conjunction with every new public and private sector development project (measurability dependent upon development applications) to maintain levels of service, as well as for increased pervious area to support natural stormwater collection during extreme rain events.

POLICY ROS 1.4.1

The City Land Development Regulations shall continue to provide side, front and rear minimum setback requirements to insure that all non-commercial development projects have property available for recreation and open space.

POLICY ROS 1.4.2

The Land Development Regulations of the City Code shall continue to provide some open space in conjunction with all new commercial development projects through setback or other requirements.

POLICY ROS 1.4.3

The City of Miami Beach public property shall continue to be subject to the open space and setback requirements of adjacent private properties pursuant to the Land Development Regulations of the City Code.

POLICY ROS 1.4.4

The Recreation and Open Space Future Land Use category shall continue to be used to preserve the ocean beach and adjacent parks, the City's principal open space/passive park resource system.



POLICY ROS 1.4.5

To ensure environmental sustainability, protection of natural areas and quality of urban life the city shall continue to protect publicly accessible urban greenspace and scenic open space vistas.

OBJECTIVE ROS 1.5: PUBLIC ACCESS CORRIDORS

To develop a network of greenways, scenic open space vistas, beachfront promenades, bicycle and pedestrian trails, and multi-purpose public access corridors to waterways, the beach and outdoor recreational opportunities in order to preserve natural eco-systems and to enhance the quality of urban life.

POLICY ROS 1.5.1

The City shall continue to implement the Atlantic Greenway Corridor Initiative which includes, but is not limited to, implementing the following projects: the Indian Creek Greenway Corridor; North Beach Recreational Corridor, Bath Club Historic Site Corridor and Scenic Vista; Beach Walk Corridor; Dade Boulevard Corridor; Collins Canal Reconstruction; Venetian Way Corridor; Lummus Park Corridor; South Beach Corridor; South Pointe Corridor and Bay Walk Corridor.

POLICY ROS 1.5.2

The City shall expand upon the interpretive signage throughout the City's greenways to provide historical, cultural and environmental information about the area to the general public.

POLICY ROS 1.5.3

The City shall continue to implement policies to increase the interaction of residents and tourists with the waterways in and around the City, including, but not limited to, implementing kayak launches, landscape improvements, artificial habitat creation, establishing living shorelines, improve pedestrian connectivity, and create pedestrian promenades, where appropriate.



INFRASTRUCTURE ELEMENT





The Infrastructure Element (INF) of the Comprehensive Plan addresses the services of potable water, sanitary sewer, drainage, and solid waste. The Goals, Objectives and Policies in the Infrastructure Element establish the level of service and maintenance standards of infrastructure, based on the best available climate science and engineering, within the City of Miami Beach. The INF element supports other elements within the Comprehensive Plan to help ensure that development continues to be adequately served by utilities while conserving water and protecting floodplains.

INFRASTRUCTURE GOALS

GOAL INF 1

PROVISION OF INFRASTRUCTURE

Provide for potable water, sanitary sewer, drainage and solid waste facilities which meet the City's needs in a manner which promotes the public health, sanitation, environmental protection, operational efficiency, and beneficial land uses and redevelopment patterns.

GOAL INF 1: PROVISION OF INFRASTRUCTURE

Provide for potable water, sanitary sewer, drainage and solid waste facilities which meet the City's needs in a manner which promotes the public health, sanitation, environmental protection, operational efficiency, and beneficial land uses and redevelopment patterns.

OBJECTIVE INF 1.1: PRIORITIES

The City will continue to provide potable water supply, sanitary sewage disposal, solid waste disposal and drainage services to meet both existing and projected needs as identified in this plan through coordination and implementation of those projects listed in the Capital Improvements Element. All improvements for replacement, expansion or increase in capacity of facilities shall conform with the adopted policies of this Plan including level of service standards for the facilities.

POLICY INF 1.1.1

Continue to participate with Miami-Dade County WASD through program cooperation with the Virginia Key Wastewater plant, the Hialeah/Preston Water Treatment Plant and the Resource Recovery Plant and continue to accept wastewater from municipalities north of the City of Miami Beach.

POLICY INF 1.1.2

Continue to monitor established guidelines for private collectors of solid waste and recycling; continue to provide for policing, servicing and collecting of oversized wastes.

POLICY INF 1.1.3

The potable water network is an interconnected, countywide system, therefore, the City will cooperate with MDWASD to jointly develop methodologies and procedures for biannually updating estimates of system demand and capacity, and ensure that sufficient capacity to serve development exists. The City will prepare and submit a Water Conservation Plan to the County at the same time as the City submits the updated 5-Year Water Supply Facilities Work Plan.

OBJECTIVE INF 1.2: INFRASTRUCTURE REPLACEMENT

Potable water supply, sanitary sewage disposal, and solid waste disposal services shall continue to be planned and provided in conformance with the Resilient Land Use and Development Element of the comprehensive plan.

POLICY INF 1.2.1

Continue to plan and provide infrastructure to serve redevelopment activities, including infill projects, as directed by the City Commission.

POLICY INF 1.2.2

Infrastructure plans shall assist in furthering the goals of the Climate Resiliency and Sustainability Element.

POLICY INF 1.2.3

Continue the on-going program to repair and replace existing water, sewer and storm sewer lines through the utilization of bond funds Community Development Block Grant funds and other available funding sources, particularly obsolete and undersized water lines.

POLICY INF 1.2.4

Incorporate stormwater storage and infiltration into all infrastructure replacement activities.

OBJECTIVE INF 1.3 : DRAINAGE

Implement the new program to identify and correct any environmentally detrimental storm sewer discharges that may exist in Miami Beach. The measurable standards for implementing this program are set forth in the inter-local agreement between co-permittees named in National Pollutant Discharge Elimination System Permit No. FLS000003 and Miami-Dade County approved by City Resolution 2005-25925, hereby incorporated by reference. Stormwater point source discharges will be handled so as to not have an adverse impact on area surface or groundwater and to not violate water quality standards set by the Florida Department of Environmental Protection.

POLICY INF 1.3.1

In coordination with and in addition to the above policies, the City shall improve and maintain catch basins and other pollution control devices in a way to minimize storm water contamination of surface waters. Techniques shall include, but not necessarily be limited to:

Rebuild catch basins in problem areas with deep sumps to entrap sediment.

Construct new catch basins with open bottoms to provide for percolation when deep sumps to entrap sediment is not possible.

Maintain a catch basin cleaning program to help prevent roadway pollutants (run-off) from entering Biscayne Bay via the storm sewer system.

The City shall also maintain stormwater pumps that have been installed to mitigate sea level rise, and improve water quality.

POLICY INF 1.3.2

The City will continue compliance with all Federal, State and County regulations concerning land use and development to protect Biscayne Bay.

OBJECTIVE INF 1.4: FLOODPLAIN MANAGEMENT

Enforce minimum floor level building elevations in accordance with FEMA requirements and flood zone maps as updated from time to time.

POLICY INF 1.4.1

Continue site plan review for new construction with the requirement that the minimum first floor elevation for habitable space in residential be at least at the City of Miami Beach Freeboard, as adopted in the Code of the City of Miami Beach, above the minimum FEMA requirement, to allow for maximum protection during flood conditions and from sea level rise.

POLICY INF 1.4.2

Continue site plan review for new construction with the requirement that the minimum first floor elevation for habitable space for commercial uses be at least at the City of Miami Beach Freeboard, as adopted in the Code of the City of Miami Beach, or in the alternative to utilize approved flood proofing techniques and have sufficient height clearance where the first floor could be raised to the City of Miami Beach Freeboard in the future, above the minimum FEMA requirement, to allow for maximum protection during flood conditions and from sea level rise.

OBJECTIVE INF 1.5: LEVEL OF SERVICE STANDARDS

The City shall continue to maintain and provide potable water, sanitary sewer, solid waste disposal and drainage facilities at adopted level of service standards to ensure that adequate facility capacity is available for proposed and existing commercial and residential developments within its jurisdiction.

POLICY INF 1.5.1

The following City-wide Level of Service Standards shall be used as the basis for determining the availability of facility capacity for residential uses; the systems shall be able to provide/accommodate at least the minimums specified:

Facility/Service Area	Level of Service Standard
Sanitary Sewer Facilities	Sewage Generation Standard 140 Average gallons per capita per day
Solid Waste Facilities	Solid Waste Generation Standard 1.275 tons per capita per year
Drainage Facilities	Design Storm Standard per Storm Water Master Plan as updated from time to time.
Potable Water Facilities	Water Consumption Standard 246 Average gallons per capita per day

The average gallons per capita rate applies to the year-round standard, while the peak gallons per capita rate applies to the City during peak tourist period due to the significant seasonal influx of temporary residents. The City uses a multiplier of 1.2, which gives a 20% increase in population to estimate required services and facilities.

The following City-wide Level of Service Standards shall be used as the basis for determining the availability of facility capacity for non-residential uses; the systems shall be able to provide/accommodate at least the minimums specified:

Hotel:	75 gallons per day per room
Office:	0.084 gallons per day per square foot
Retail:	0.18 gallons per day per square foot
Industrial:	0.084 gallons per day per square foot
Restaurant:	65 gallons per day per seat
School:	12 gallons per day per student



OBJECTIVE INF 1.6: WATER CONSERVATION

Cooperate with WASD to continue to implement the City's comprehensive water conservation program to insure that a sufficient, economical supply of fresh water is available to meet current and future demand for potable water.

POLICY INF 1.6.1

All potable water distribution systems shall maintain the unaccounted for water loss to less than 10 percent of the water entering the system.

POLICY INF 1.6.2

Continue to promote the education program for residential, commercial and industrial consumers which will discourage waste and conserve potable water.

POLICY INF 1.6.3

The Parks Department shall continue to install underground irrigation systems thereby, conserving potable water while watering public spaces.

POLICY INF 1.6.4

Consistent with the policies of Miami-Dade County, water shall be delivered for general use at a pressure not to exceed 100 psi.

POLICY INF 1.6.5

Within one year of the effective date of this policy, the City shall review existing water conservation regulations and revise the land development code as necessary and effective to ensure implementation of water conserving techniques, including: 1) subsurface and other water conserving irrigation techniques, 2) Florida-friendly landscape techniques, 3) lawn watering restrictions, 4) the use of low water use plumbing fixtures in all construction, and 5) any other effective methods commonly in practice or required by law. In addition, the City Manager shall immediately, upon the effective date of this policy, direct appropriate City departments to implement all such techniques as may be implemented by the City in its normal operations and require private property owners to implement all such techniques.

POLICY INF 1.6.6

The City, through the Building Department, will continue to enforce the requirement to use high efficiency volume water saving devices for substantial rehabilitation and new construction projects as specified in the standard plumbing code. All future development within the City will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-83.1, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, all future development will be required to comply with the landscape standards in Section 18-A and 18-B of the Miami-Dade County Code.

POLICY INF 1.6.7

The City shall encourage planting of vegetation that is highly water absorbent, Florida friendly or native, able to withstand the marine environment, and tropical storm winds, through the use of minimum landscape standards in the land development regulations.

POLICY INF 1.6.8

The City shall provide educational resources and workshops regarding water conservation that are accessible to the public.

OBJECTIVE INF 1.7: INFRASTRUCTURE DEFICIENCIES

The City will implement procedures to ensure that existing facility deficiencies are corrected thereby maximizing the use of existing public facilities to maintain the level of service standards as adopted for future needs in accord with the time frames established under Section 163.302, Florida Statutes.

POLICY INF 1.7.1

The City shall continue to inspect and correct any potable water, sanitary sewer and drainage facilities deficiencies to maintain level of service standards; i.e., continue the daily inspection program.

POLICY INF 1.7.2

Cooperate with WASD to continue programs which address recycling of solid wastes to include such items as paper, aluminum, glass, plastic and potentially food waste, metals, tires and waste oils.

POLICY INF 1.7.3

Cooperate with WASD to promote the reduction of volume of yard and tree waste going into landfills through the program to compost vegetation materials.

POLICY INF 1.7.4

Cooperate with WASD and other County agencies to design standards for improvements of water distribution, sewer collection, garbage removal and drainage systems within the City that provide maximum efficient operations.

POLICY INF 1.7.5

If in the future there are issues associated with water supply, conservation or reuse the City will immediately contact WASD to address the corresponding issue(s). In addition, the City will follow adopted communication protocols with WASD to communicate and/or prepare an appropriate action plan to address any relevant issue associated with water supply, conservation or reuse.

OBJECTIVE INF 1.8: WATER SUPPLY PLANNING

The City of Miami Beach shall comply with its 10-year Water Supply Facilities Work Plan, as required by section 163.3177(6)(c), F.S. The Work Plan will be updated, at a minimum, every 5 years. The City of Miami Beach Water Supply Facilities Work Plan is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the City's water demands for a 10-year period.

POLICY INF 1.8.1

The City will comply with the "City of Miami Beach, Florida 10-year Water Supply Facilities Work Plan," adopted on October 27th, 2010, and incorporate such work plan into the Miami Beach Comprehensive Plan.

POLICY INF 1.8.2

Coordinate appropriate aspects of its comprehensive plan with the South Florida Water Management District's regional water supply plan adopted November 8, 2018 and with the Miami-Dade County 20-Year Water Supply Facilities Work Plan adopted February 5, 2015, and as

updated. The City shall amend its Comprehensive Plan and Work Plan as required to provide consistency with the District and County plans.

POLICY INF 1.8.3

The City shall coordinate the planning of potable water and sanitary sewer facilities and services and level-of-service standards within the Miami-Dade County Water and Sewer Department, DERM, the South Florida Water Management District, and will update the City's Work Plan within 18 months after the South Florida Water Management District updates the Lower East Coast Water Supply Plan Update.

POLICY INF 1.8.4

The City shall coordinate with Miami-Dade County WASD by requiring applications to be reviewed by WASD during the site plan review process prior to approving a Building Permit, in order to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy for properties located within the City of Miami Beach.

Additional coordination efforts will occur between WASD and the City through the water allocation system. Monthly Building Permit data will be provided to WASD to track development activity within the City. The City will monitor proposed amendments to the Miami-Dade County Comprehensive Development Master Plan as they relate to water supply planning in the adjacent beach communities and provide input as necessary.

POLICY INF 1.8.5

The City Planning Director or a representative will attend the Miami-Dade Planners Technical Committee meeting to share information regarding water supply needs and coordinate water use issues as needed. The Planners Technical Committee is a council of professional planners representing local governments and public regulatory/review agencies in Miami-Dade County that addresses common concerns and shares resources toward solving planning problems.

OBJECTIVE INF 1.9

Implementation of the 10-year Water Supply Facilities Work Plan will ensure that adequate water supplies and public facilities are available to serve the water supply demands of the City's population.

POLICY INF 1.9.1

If in the future there are issues associated with water supply, conservation or reuse the City will immediately contact WASD to address the corresponding issue(s). In addition, the City will follow adopted communication protocols with WASD to communicate and/or prepare an appropriate action plan to address any relevant issue associated with water supply, conservation or reuse.

POLICY INF 1.9.2

The City will require the use of High Efficiency Toilets; High Efficiency Showerheads; High Efficiency Faucets; High Efficiency Clothes Washers; and Dishwashers that are Energy Star rated and Water Sense certified in all new and redeveloped residential projects.



POLICY INF 1.9.3

The City should educate the development community on the benefits of sub-metering for multi-family residential retrofit projects which will include: separate water meters and monthly records kept of all major water-using functions such as cooling towers and individual units. The City will explore starting a pilot incentive program as a means of encouraging developers that retrofit units to install separate meters and high efficiency appliances. The City will require new multi-family residential developments to install separate water meters for each unit.

POLICY INF 1.9.4

The City will educate the development community on the water saving benefits of the use of Florida Friendly Landscapes guidelines and principles; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc) on walkways, driveways and patios.

POLICY INF 1.9.5

The City will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the Lower East Coast Water Supply Plan.

POLICY INF 1.9.6

The City will continue to enforce the landscape watering restrictions mandated by the South Florida Water Management District. The City will continue to use code enforcement measures such as issuing warning and fines to enforce the water restrictions.

POLICY INF 1.9.7

The City will continue to coordinate with Miami-Dade Water and Sewer Department related to leak detection and repair of water lines throughout the City.



INTERGOVERNMENTAL COORDINATION ELEMENT

CONVENTION CENTER

BEACH
ON CENTER



The Intergovernmental Coordination Element (ICE) of the Comprehensive Plan establishes standards for coordination with the plans of other government agencies at the Federal, State, Regional, and Local levels, including adjacent municipalities. Such coordination is necessary for the provision of services as well as ongoing maintenance of infrastructure and to provide a regional approach to climate resiliency to support the quality of life in the City of Miami Beach.

INTERGOVERNMENTAL COORDINATION GOALS

GOAL ICE 1

COORDINATION MECHANISMS

Establish strategic partnerships and coordinate development and policy review processes among the various governmental, public and private entities to address service needs, infrastructure, and climate resiliency in the region.



GOAL ICE 1

Establish strategic partnerships and coordinate development and policy review processes among the various governmental, public and private entities to address service needs, infrastructure, and climate resiliency in the region.

OBJECTIVE ICE 1.1: COORDINATION MECHANISMS

Provide a formal process for intergovernmental coordination among the city and local, regional, State and Federal governmental entities and agencies to establish specific coordination activities to occur on a regular basis.

POLICY ICE 1.1.1

The City Manager shall be responsible for ensuring an effective intergovernmental coordination program for Miami Beach including dissemination of public information about County programs operating within the City.

POLICY ICE 1.1.2

The City shall continue to invite appropriate public and private entities with which it shares coordination responsibilities to appoint ad hoc representatives to its various Boards and Committees.

POLICY ICE 1.1.3

The City shall continue to make elected commissioners and staff available to participate in intergovernmental coordination activities with other public and private entities.

POLICY ICE 1.1.4

The City shall offer to participate in the local government review proceedings of comprehensive plans and relevant plan amendments for Miami-Dade County, City of Miami, North Bay Village and Surfside and shall provide copies of the City's comprehensive plan, executive summary, and related information to these and other applicable agencies.

POLICY ICE 1.1.5

Ensure continued countywide support for the operation of the Miami Beach Convention Center Complex by working with and supporting local and regional partners.

POLICY ICE 1.1.6

The City shall continue to use (and expand where necessary) memoranda of agreement or similar user's agreement with Miami-Dade County relative to water supply, sewage disposal, solid waste disposal and the ocean beach, among others and with the Miami-Dade County School Board on the planning of school facilities; collaborative planning and decision making is the intent.

POLICY ICE 1.1.7

In terms of City-State coordination, particularly concentrate on liaison with Department of Environmental Protection relative to achieving and maintaining the quality of the City's beaches and dunes.

POLICY ICE 1.1.8

The City will coordinate with Miami-Dade County WASD in the review of site plans prior to the issuance of a building permit to determine whether adequate water supplies will be available to serve new development no later than the date of the certificate of occupancy.

POLICY ICE 1.1.9

The City shall coordinate the planning of potable water and sanitary sewer facilities and services and level of service standards within the Miami-Dade County WASD, DERM, the South Florida Water Management District, and the Lower East Coast Water Supply Plan Update.

POLICY ICE 1.1.10

The City will collaborate and coordinate with appropriate local, regional, state, and national governmental agencies, to the extent possible, toward the implementation of Adaptation Action Areas adaptation strategies and to identify risks, vulnerabilities and opportunities associated with coastal hazards and the impacts from sea level rise and participate in, when appropriate, coordinated governmental, non-governmental and other appropriate agencies' proposed application requests for funding adaptation implementation projects.

POLICY ICE 1.1.11

The City shall coordinate the planning and development of Transit Facilities with Miami-Dade County, the Miami-Dade Transportation Planning Organization (TPO), and surrounding municipalities, as applicable.

POLICY ICE 1.1.12

The City will collaborate and coordinate with appropriate local, regional, state, and national governmental agencies and establish strategic partnerships where feasible to address climate resiliency as guided by the Goals, Objectives, and Policies of the Resiliency and Sustainability Element.

POLICY ICE 1.1.13

The City will continue to coordinate with Miami-Dade County and the City of Miami to implement the Resilient 305 Strategy.

POLICY ICE 1.1.14

The City will continue to coordinate with the South Florida Climate Change Compact partners for climate change adaptation and mitigation planning.

OBJECTIVE ICE 1.2: COMPREHENSIVE PLAN COORDINATION

Coordinate the City's Comprehensive Plan with the plans of the Miami-Dade County Public Schools, Miami-Dade County Planning Department and adjacent municipalities.

POLICY ICE 1.2.1

Provide copies of the City's Comprehensive Plan, proposed amendments, executive summary, informational updates, public meeting notices to the Miami-Dade County Public Schools, Miami-Dade County Planning Department and adjacent municipalities.

POLICY ICE 1.2.2

During pre-development program planning and site selection activities, the City shall coordinate with the Miami-Dade Public Schools, and continue to seek, where feasible and mutually acceptable,

to collocate schools with other public facilities such as parks, libraries and community centers to the extent possible.

POLICY ICE 1.2.3

The City and the Miami-Dade County Public Schools shall follow the procedures established in the adopted Amended and Restated “Interlocal Agreement for Public School Facilities Planning in Miami-Dade County” for coordination and collaborative planning and decision making of land uses, public school facilities siting, decision making on population projections, location and extension of public facilities subject to concurrency.

POLICY ICE 1.2.4

The City shall coordinate with the Miami-Dade County Public Schools and other parties to the adopted Amended and Restated Interlocal Agreement for Public School Facility Planning to establish Level of Service Standards (including Interim LOS standards) for public school facilities and any amendments affecting public school concurrency.

POLICY ICE 1.2.5

The City shall coordinate with the following entities with respect to refining and adjusting local Levels of Service:

- State and Federal Highways - Florida Department of Transportation
- County roads – Miami-Dade County Department of Public Works
- Drainage – South Florida Water Management District and Miami-Dade County Public Works
- Potable water supply - South Florida Water Management District and Miami-Dade County WASD
- Regional Policies - South Florida Regional Planning Council
- Public educational facilities – Miami-Dade County Public Schools

POLICY ICE 1.2.6

The Miami-Dade County Public Schools shall coordinate with the City at the planning stage to determine whether the new construction or renovation of existing educational facilities meet the adopted Level of Service Standard adopted in the Infrastructure Element of the City's Comprehensive Plan and Miami-Dade County Public Schools will distribute a fair share cost of infrastructure improvements necessary to meet the adopted Level of Service.

OBJECTIVE ICE 1.3: CITY PLAN IMPACTS ON OTHER ENTITIES

Continue to utilize the intergovernmental coordination mechanisms built into the intergovernmental review and comment provisions of the Local Government Comprehensive Planning and Land Development Regulation Act to ensure that full consideration is given to the impacts of map and text amendments proposed in the City Comprehensive Plan on other governmental entities and adjacent municipalities.

POLICY ICE 1.3.1

Continue formal liaison with state agencies that have permitting responsibility in Miami Beach.



POLICY ICE 1.3.2

Use the South Florida Regional Planning Council (SFRPC) for mediation when development issues cross jurisdictional boundaries (or impact state or regional resources) and cannot be resolved by the City alone; the City shall work with the SFRPC to determine the process.

POLICY ICE 1.3.3

The City Commission shall continue to work with the South Florida Regional Planning Council to identify regional issues and to assist in the periodic updating of the Strategic Regional Policy Plan.

POLICY ICE 1.3.4

Attend and participate on the Miami-Dade County Planners' Technical Committee for the purpose of better interpreting and coordinating local government planning issues and processes with other local jurisdictions and agencies in Miami-Dade County, the South Florida Regional Planning Council and the Florida Department of Economic Opportunity.

POLICY ICE 1.3.5

Continue to participate in the review process of the Biscayne Bay (Aquatic Preserve) Shoreline Development Review Committee as it pertains to development/construction on the Miami Beach bayfront.

POLICY ICE 1.3.6

The City of Miami Beach shall provide copies of this revised Comprehensive Plan to the adjacent municipalities of Surfside, North Bay Village and Miami and a cover letter to each municipality stating that proposed development in adjacent portions of Miami Beach has been reviewed for its relationship to the comprehensive plans of each municipality and that no negative impacts of said proposed developments are anticipated.

OBJECTIVE ICE 1.4: LEVEL OF SERVICE STANDARD COORDINATION

Continue to coordinate with local (adjacent municipalities), county, regional and state entities in the establishment of Level of Service Standards for public facilities.

POLICY ICE 1.4.1

Utilize the FDOT "Level of Service Standards and Guidelines Manual," as updated from time to time, in concurrency reviews of projects on State roads and otherwise continue to ensure that the level of service standards for public facilities are coordinated with those governmental entities having operational maintenance responsibility for such facilities.

OBJECTIVE ICE 1.5: COUNTY SUBSTANDARD HOUSING BOARD

Further increase the responsiveness of the Miami-Dade County Unsafe Structures Board to the City's especially Policy HE 2.1.6 of the Housing Element.

POLICY ICE 1.5.1

Continue the relationship between the City's Building Department and the Unsafe Structures Board to ensure coordination in addition to use of the special master process.



OBJECTIVE ICE 1.6: HOUSING AUTHORITY

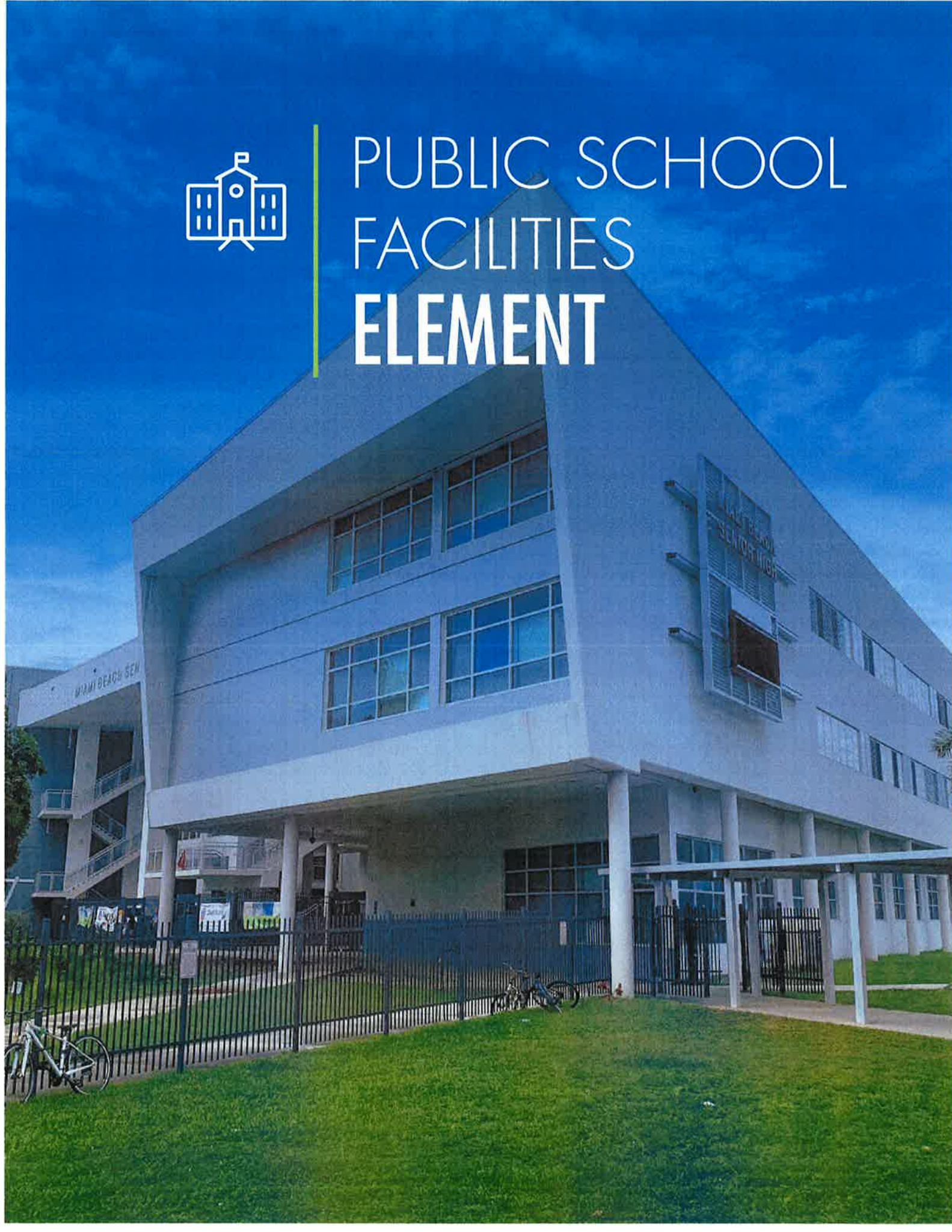
Continue the coordination with the Housing Authority of the City of Miami Beach in order to achieve the goals of the Housing Element and the City's Consolidated Plan.

POLICY ICE 1.6.1

Continue the regular meetings between the City Administration, especially the Housing and Community Development Department and Housing Authority staff to ensure mutual assistance and consistency of objectives.



PUBLIC SCHOOL FACILITIES ELEMENT





The Public School Facilities Element (PSF) of the Comprehensive Plan corresponds with the interlocal agreement requirements established between Miami-Dade County Public Schools and municipalities in Miami-Dade County to provide for adequate public education facilities for the current and future students in Miami Beach.

PUBLIC SCHOOL FACILITIES GOALS

GOAL PSF 1

Cooperate with the Miami-Dade County Public Schools to develop, operate, and maintain a system of public education, in cooperation with other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of the City of Miami Beach, Florida.

GOAL PSF 1

Cooperate with the Miami-Dade County Public Schools to develop, operate, and maintain a system of public education, in cooperation with other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of the City of Miami Beach, Florida.

OBJECTIVE PSF 1.1: REDUCTION OF OVERCROWDING

Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to Objective 2. This Objective shall be monitored through a comparison by the Miami-Dade County Public Schools of the official enrollment of the school system with the number of student stations available to determine the current operating LOS.

POLICY PSF 1.1.1

Cooperate with the Miami-Dade County Public Schools in their efforts to continue to provide new student stations through their Capital Outlay program, in so far as funding is available.

POLICY PSF 1.1.2

Cooperate with the Miami-Dade County Public Schools in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

POLICY PSF 1.1.3

Cooperate with the Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at optimum capacity, in so far as funding is available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

POLICY PSF 1.1.4

The Miami-Dade County School Board (School Board) comments shall be sought and considered on comprehensive plan amendments and other land use and zoning decisions which could impact the school district, in order to be consistent with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33 and 163.31777, Florida Statutes.

POLICY PSF 1.1.5

Capital improvement programming by the Miami-Dade Public Schools should be based on future enrollment projections and demographic shifts and targeted to enhance the effectiveness of the learning environment. The future enrollment projections should utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments, the State Office of Educational Facilities and the State SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such a request, the School Board will coordinate with the City regarding development trends and future population projections.

POLICY PSF 1.1.6

The City, through the Staff Working Group of the Interlocal Agreement for Public School Facility Planning, will coordinate with Miami-Dade County Public Schools, and applicable Cities to review annually the Educational Element and school enrollment projections.

OBJECTIVE PSF 1.2: COORDINATION OF DEVELOPMENT AND AVAILABILITY

The City shall coordinate new residential development with the future availability of public school facilities¹ consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.

This Objective will be measured through an annual review of the latest adopted Miami-Dade County Public Schools Facility Work Program to determine if the adopted concurrency level of service standard is being achieved.

POLICY PSF 1.2.1

Beginning January 1, 2008, the adopted level of service (LOS) standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This LOS standard shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools.

The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms), which shall be calculated on a districtwide basis.

POLICY PSF 1.2.2

It is the goal of Miami-Dade County Public Schools and the City of Miami Beach for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) capacity by January 1, 2018. To help achieve the desired 100% utilization of Permanent FISH by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public schools facilities that achieve 100% utilization of Permanent FISH capacity should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution.²

By December 2010, the Miami-Dade County Public Schools in cooperation with the county and other affected agencies will assess the viability of modifying the adopted LOS standard to 100% utilization of Permanent FISH for all CSAs.

POLICY PSF 1.2.3

In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least one of the following conditions is met:

- a) The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Geographic Areas (Northwest, Northeast, Southwest, or Southeast) as the proposed development; or

¹ Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by the Miami-Dade County Public Schools, that are required to serve the residential development within their established Concurrency Service Area. Level of Service standards do not apply to charter schools. However, the capacity of both charter and magnet schools will be credited against the impact of development. No credit against the impact of development shall be given for either magnet or charter schools if their enrollment is at, or above, 100% FISH capacity.

² Relocatable classrooms may be used by the Miami-Dade County Public Schools as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility.

b) The development's impact is mitigated, proportionate to the demand for public schools it created, through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The proportionate share mitigation agreement is subject to approval by Miami-Dade County School Board and the City of Miami Beach and must be identified in the Miami-Dade County Public Schools Facilities Work Program.

c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved.

POLICY PSF 1.2.4

Concurrency Service Areas (CSA) shall be delineated to: 1) maximize capacity utilization of the facility, 2) limit maximum travel times and reduce transportation costs, 3) acknowledge the effect of court-approved desegregation plans, 4) achieve socio-economic, racial, cultural and diversity objectives, and 5) achieve other relevant objectives as determined by the School Board's policy on maximization of capacity. Periodic adjustments to the boundary or area of a CSA may be made by the School Board to achieve the above stated factors. Other potential amendments to the CSAs shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, consistent with Section 9 of the Interlocal Agreement for Public School Facility Planning.

POLICY PSF 1.2.5

The City, through the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities, shall ensure that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards throughout the planning period in the 5-year schedule of capital improvements.

POLICY PSF 1.2.6

The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

POLICY PSF 1.2.7

Miami-Dade County Public Schools shall coordinate with the City to annually update its Facilities Work Program to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard, including interim standards, will continue to be achieved and maintained. The City, through its annual update to the Capital Improvements Schedule, will incorporate by reference the latest adopted Miami-Dade County Public Schools Facilities Work Program and concurrency maps.

OBJECTIVE PSF 1.3: SUITABLE SITES

Assist and cooperate with the Miami-Dade County Public Schools to obtain suitable sites for the development and expansion of public education facilities.

This Objective will be monitored through the annual inventory and assessment by the Miami-Dade County Public Schools of School Board owned property

POLICY PSF 1.3.1

In the selection of sites for future educational facility development, the City encourages the Miami-Dade County Public Schools to consider whether a school is in close proximity to residential areas and is in a location that would provide a logical focal point for community activities.

POLICY PSF 1.3.2

Where possible, the Miami-Dade County Public Schools should seek sites which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.

POLICY PSF 1.3.3

The City concurs that, when selecting a site, the Miami-Dade County Public Schools district should consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.

POLICY PSF 1.3.4

When considering a site for possible use as an educational facility, the Miami-Dade County Public Schools should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and potable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.

POLICY PSF 1.3.5

When considering a site for possible use as an educational facility the Miami Dade County Public Schools should consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.

POLICY PSF 1.3.6

The City shall encourage and cooperate with the Miami-Dade County Public Schools in their effort for public school siting reviews to help accomplish the objectives and policies of this element and other elements of the City's Comprehensive Plan. The City shall cooperate with the Public Schools to establish provisions for a scoping or pre-application meeting as part of the educational facilities review process, if determined to be warranted.

POLICY PSF 1.3.7

Public educational facilities are an allowable use in all Future Land Use Categories.

OBJECTIVE PSF 1.4: IMPROVE SECURITY AND SAFETY

Miami-Dade County Public Schools, in conjunction with the City and other appropriate agencies, will strive to improve security and safety for students and staff.

This Objective will be monitored through the review and analysis of the statistics relating to school safety, as compiled annually, by the Miami-Dade County Public Schools' Division of Police.

POLICY PSF 1.4.1

Continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not promote criminal behavior and provide clear sight lines from the street.

POLICY PSF 1.4.2

Continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protection Agency (EPA), the fire marshal, the State Department of Education (DOE), and other appropriate sources.

POLICY PSF 1.4.3

Coordinate with the Miami-Dade County Public Schools to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.

POLICY PSF 1.4.4

Coordinate with the Miami-Dade County Public Schools' Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.

OBJECTIVE PSF 1.5: COOPERATION WITH PROGRAMS AND OPPORTUNITIES

Cooperate with the Miami-Dade County Public Schools to develop programs and opportunities to bring the schools and community closer together.

This Objective will be monitored by the Miami-Dade County Public Schools System by reporting and reviewing the progress and number of new and existing community oriented programs, including an enrollment analysis, by age and ethnicity, of adult, community and vocational programs.

POLICY PSF 1.5.1

Cooperate with the Miami-Dade County Public Schools in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.

POLICY PSF 1.5.2

Cooperate with the Miami-Dade County Public Schools in their efforts to continue to provide opportunities for community and business leaders to serve on committees and task forces, which relate to the development of improved provision of public educational facilities.

POLICY PSF 1.5.3

Cooperate with the Miami-Dade County Public Schools to continue to work with the development industry to encourage partnerships in the provision of sites and educational facilities including early childhood centers.

POLICY PSF 1.5.4

Cooperate with the Miami-Dade County Public Schools through agreement with appropriate agencies to increase medical, psychological, and social services for children and their families as appropriate.

POLICY PSF 1.5.5

The City will continue to cooperate with Miami-Dade County Public Schools and adjacent local governments in utilizing Miami-Dade County Public Schools as emergency shelters during emergencies.

OBJECTIVE PSF 1.6: LEARNING ENVIRONMENT

Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.

This Objective will be monitored by the Miami-Dade County Public Schools by reporting the number of educational facility enhancements.

POLICY PSF 1.6.1

Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.

POLICY PSF 1.6.2

The Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.

POLICY PSF 1.6.3

The Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available, through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.

POLICY PSF 1.6.4

The School Board shall be encouraged to preserve, maintain and continue the use of historic schools.

OBJECTIVE PSF 1.7: INTERGOVERNMENTAL COORDINATION

The School Board, the City, and other appropriate jurisdictions shall establish and implement mechanism(s) for on-going coordination and communication to ensure the adequate provision of public educational facilities.

This Objective will be addressed by tracking the development of appropriate mechanisms, including interlocal agreements and coordination efforts.

POLICY PSF 1.7.1

Pursuant to the terms of the state mandated Interlocal Agreement, the City will coordinate and cooperate with the Miami-Dade County Public Schools, the State, the County and other appropriate agencies, to develop processes to expedite proposed new educational facility developments and renovations.

POLICY PSF 1.7.2

The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.

POLICY PSF 1.7.3

The Miami-Dade County Public Schools should coordinate school capital improvement plans with the planned capital improvement projects of other County and municipal agencies.

POLICY PSF 1.7.4

The City shall coordinate and cooperate with the Miami-Dade County Public Schools to ensure that they are obligated to pay for their fair share of the costs of necessary off-site infrastructure improvements.

POLICY PSF 1.7.5

Miami-Dade County Public Schools, the City, the County, and any other jurisdictional agency shall coordinate to eliminate infrastructure deficiencies surrounding existing school sites.

POLICY PSF 1.7.6

The City and the Miami-Dade County Public Schools shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.

POLICY PSF 1.7.7

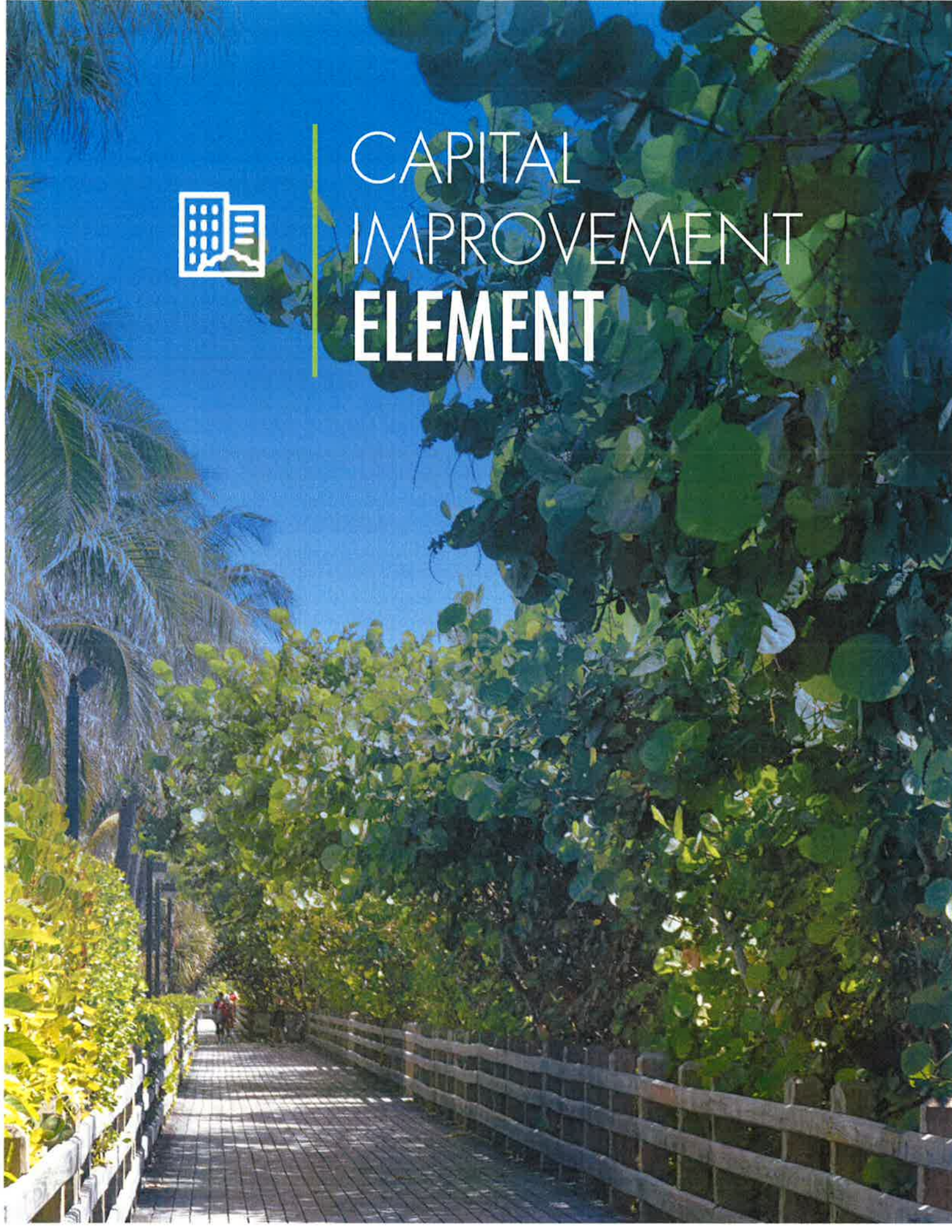
The City shall afford representatives of the Miami-Dade County Public Schools the opportunity to review and comment on proposed developments adjacent to schools.

POLICY PSF 1.7.8

The City and the Miami-Dade County Public Schools will annually review the Educational Element and the City will make amendments if necessary.



CAPITAL IMPROVEMENT ELEMENT





CAPITAL IMPROVEMENT PROGRAM ELEMENT

The Capital Improvement Program Element (CIP) of the Comprehensive Plan addresses the level of service and funding of the City's capital facilities. The Goals, Objectives and Policies in the Capital Improvement Program Element support other elements within the Comprehensive Plan to help ensure that development and redevelopment does not commence without adequate capital facilities in place.

CAPITAL IMPROVEMENT PROGRAM GOAL

GOAL CIP 1

MAINTENANCE OF LEVEL OF SERVICE

Ensure that all development and locations in the City are served by public facilities at established levels of service, currently and at all times in the future

GOAL CIP 1: MAINTENANCE OF LEVEL OF SERVICE

Ensure that all development and locations in the City are served by public facilities at established levels of service, currently and at all times in the future.

OBJECTIVE CIP 1.1: CAPITAL FACILITIES

Maintain all existing potable water, sanitary sewer, storm water, transportation, solid waste, and recreational facilities at permitted levels as of Date of Adoption of this Comprehensive Plan Amendment.

POLICY CIP 1.1.1

The City will maintain a current inventory of all City-owned capital facilities, to include information on type, capacity, location and condition.

POLICY CIP 1.1.2

The City will continue its program of regularly scheduled inspections of all capital facilities to monitor and record the condition of each.

POLICY CIP 1.1.3

The City will continue to prepare and adopt each year a five year capital improvements program and a one-year capital budget, to include all projects which entail expenditures of at least \$25,000 and a life of at least three years.

POLICY CIP 1.1.4

The City will implement the projects listed in the capital improvement program and in the Implementation Schedule of this capital improvements element according to the schedule listed in this Element.

POLICY CIP 1.1.5

When budgeting capital expenditures, the City will evaluate and assign priority to projects according to the following criteria, listed in order of importance:

1. Elimination of existing or impending public hazards;
2. Repair or replacement of damaged capital facilities which do not fit the definition in Number 1 above;
3. Prevent service from any existing part of a system from falling below the level of service standards established in this Comprehensive Plan, due to failure of any component of the system;
4. Accommodate existing, expanding or new capital facilities within Miami Beach which are provided by other governmental agencies so as to avoid needless repetition of expenditures;
5. Accommodate new construction or rehabilitation projects which are approved by the City pursuant to all applicable development regulations and which are consistent with the elements of this Comprehensive Plan and its amendments, specifically to include projected growth patterns, level of service standards, and requirements for financial participation by the party seeking development approval in meeting the costs of the capital facility;

6. Elimination of existing capacity deficits;
7. The project's impact on the local budget;
8. The project's financial feasibility within the City's budget; and
9. The project, if applicable, shall be coordinated with DOT and County plans.

POLICY CIP 1.1.6

The City will cooperate with all other governmental agencies, including the school board and public health care providers, to treat their existing capital facilities located in the City in a manner similar to that outlined in Policy 1.1.1 through 1.1.5 above.

POLICY CIP 1.1.7

The City shall limit the use of revenue bonds as a percent of total debt.

OBJECTIVE CIP 1.2: CAPITAL IMPROVEMENT PROGRAM

The City shall not issue any building permits or development orders for new development or redevelopment unless the existing infrastructure (i.e. water, green infrastructure, sanitary and storm sewer, transportation, recreation and solid waste) meets or is upgraded to meet the permitted level of service to support the increase in demand by the proposed development.

POLICY CIP 1.2.1

The City will continue to prepare and adopt a five-year capital improvements program. It will include all capital improvements identified in the comprehensive plan elements, specifically including those to upgrade facilities in the North Beach Area and the Convention Center Area.

POLICY CIP 1.2.2

During the annual preparation of the five-year capital improvements program, the need for additional or revised upgrading of projects will be analyzed by the city staff and those determined to be necessary to fulfill Objective 1.2 above, and which are found to have an identified funding source, will be added to the capital improvements program.

POLICY CIP 1.2.3

The City will pursue the creation and operation of special assessment districts to provide funding for the proposed improvements in the Alton Road, Washington Avenue, Lincoln Road, and Espanola Way areas of the Architectural District, and in the North Beach Area in accordance with the adopted Neighborhood Special Area Studies for each of the specified areas.

POLICY CIP 1.2.4

In order to assure that adequate water supplies are available to all water users prior to approval of a building permit, the City of Miami Beach shall continue to provide monthly building permit data to WASD to be used for monitoring the availability of water supplies for all water users of the Miami-Dade County Water and Sewer Department, and for implementing a system that links water supplies to the permitting of new development.

POLICY CIP 1.2.5

The City shall incorporate capital improvements affecting City levels of service for water supply by including City funded projects and by referencing the Capital Improvements Schedules of Miami-

Dade County, state agencies, regional water supply authorities and other units of government providing services but not having regulatory authority over the use of land into its Capital Improvements Element via reference during periodic updates of the Comprehensive Plan.

POLICY CIP 1.2.6

As a part of the capital improvement program process, public facilities and utilities shall be located to:

- a) maximize the efficiency of services provided;
- b) minimize their cost; and
- c) minimize their impacts on the natural environment

POLICY CIP 1.2.7

The 5-Year Capital Improvement Plan (CIP) is a schedule of capital improvements which is revised and adopted annually by ordinance of the City Commission per F.S 163.3177(3)(a). The CIP, including the current FY 2020-2024 Capital Improvement Plan, includes projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period and are identified as either funded or unfunded and given a level of priority for future funding.

OBJECTIVE CIP 1.3: IMPACT FEE PROGRAM

Continue to participate in the Miami-Dade County Development Impact Fee Program to secure a financial contribution from any development that necessitates new or expanded potable water, sanitary and storm sewer, transportation, and solid waste based on a proportional share of the cost of the improvements.

POLICY CIP 1.3.1

The City will not give development approval to any new construction, redevelopment or renovation project which creates a need for new or expanded public capital improvements unless the project pays a proportional share of the costs of these improvements in accordance with the Development Impact Fee Program.

OBJECTIVE CIP 1.4: BOND RATING AND DEBT SERVICE

Return the City's overall bond rating as established by Moody's Investor's Service at A or higher.

POLICY CIP 1.4.1

The City shall maintain a function responsible for soliciting federal and state programs, private contributions and joint venture approaches to be used to reduce costs the City must bear for capital improvements.

POLICY CIP 1.4.2

The City will limit the total amount of outstanding debt in general obligation bonds to no greater than 15 percent of the assessed taxable real property value in the City.

POLICY CIP 1.4.3

The ratio of the City's total debt service on general obligation bonds shall not be greater than 35 percent of the City's total ad valorem, real property tax revenue.

POLICY CIP 1.4.4

The City will continue to prepare and adopt each year a 5 year capital improvements program and one year capital budget to, among other things, help assess future needs for debt financing of capital improvements.

OBJECTIVE CIP 1.5: LEVEL OF SERVICE STANDARDS

Continue the established level of service standards for capital facilities for which the City has financial responsibility.

POLICY CIP 1.5.1

Level of service standards established in the Capital Improvements Element shall be, upon adoption of the comprehensive plan by the City Commission, the level of service standards for the designated capital improvements.

POLICY CIP 1.5.2

The City of Miami Beach is a Transportation Concurrency Exception Area; as such, Mobility Fees shall be assessed to fund mobility improvements. The Land Development Regulations shall establish procedures to grandfather projects approved prior to the adoption of Mobility Fees under the previous concurrency mitigation system.

POLICY CIP 1.5.3

The City shall continue to maintain and provide potable water, sanitary sewer, solid waste disposal and drainage facilities at adopted level of service standards to ensure that adequate facility capacity is available for proposed and existing commercial and residential developments within its jurisdiction. These level of service standards are established in this Plan's Infrastructure Element.

POLICY CIP 1.5.4

As a general guideline, each facility type as defined by the data and analysis in the Recreation and Open Space Element shall be based on a minimum number of units per permanent and seasonal¹ population, by specific facility type.

Facility Type	Minimum Number Required
Swimming Pool	1 per 50,000 persons
Golf Course (min. 9 holes)	1 per 50,000 persons
Basketball Court	1 per 5,000 persons
Tennis or Pickleball Court	1 per 2,000 persons
Multiple-Use Facility (park, picnic, sports)	1 per 4,000 persons
Designated Field Area (baseball, soccer, etc.)	1 per 10,000 persons
Tot Lot or Playground	1 per 10,000 persons
Vitacourse	1 per 40,000 persons
Boat Ramp	1 per 100,000 persons
Outdoor Amphitheater	1 per 50,000 persons
Activity Building for Multiple Uses	1 per 10,000 persons

¹ As the seasonal population primarily utilizes private recreation and open space facilities, 20 percent of the actual total seasonal population is used to determine demand for public recreation and open space facilities.

POLICY CIP 1.5.5

The National Park Association's suggested minimum requirement for recreation and open space is established as the minimum Level of Service Standard for the entire system to ensure adequate provisions are maintained for the future projected population: Ten (10) acres of recreation and open space per one-thousand (1,000) permanent and seasonal residents. (This requirement excludes public landscape open space and the Atlantic beachfront area.)

POLICY CIP 1.5.6

Due to the built-out nature of the City, the City shall explore the feasibility of replacing recreation and open space concurrency Level of Service Standards with a Parks and Recreation Impact Fee to allow for greater flexibility in meeting the needs of residents and visitors to the City.

OBJECTIVE CIP 1.6: INFRASTRUCTURE EXPENDITURES

Limit public infrastructure expenditures that subsidize development in the City-wide Coastal High Hazard Area except for restoration and enhancement of natural resources; the measure shall be 0 projects inconsistent with Policies 1.6.1 through 1.6.5 and 1.8.1 in the Capital Improvement Schedule.

POLICY CIP 1.6.1

Except as provided in Policy CIP 1.6.2 through CIP 1.6.5 below, the City shall not fund any public infrastructure capacity expansion if such funding and such expansion would have the effect of directly subsidizing a private development.

POLICY CIP 1.6.2

Notwithstanding Policy 1.6.1 above, the City may fund infrastructure capacity expansion to achieve:

1. adopted level-of-service standards for facilities which serve the current and projected population;
2. recreational and natural resource enhancement;
3. any development directly supporting the Convention Center;
4. amelioration of parking or mass transit deficiencies;
5. the provision of desirable parking or mass transit facilities and services; and/or
6. redevelopment in redevelopment areas established in accordance with state statute.

POLICY CIP 1.6.3

The City will continue to expend funds as needed to maintain, repair, renew, replace or expand storm water drainage and pump system facilities.

POLICY CIP 1.6.4

The City will continue to expend funds as needed to maintain, repair, renew, replace or expand recreational, beach access and water access facilities.

POLICY CIP 1.6.5

The City will continue to expend funds as needed to maintain, repair, renew, replace or expand facilities that protect the dune system or other environmental assets to support efforts of climate resiliency and natural habitat preservation.

OBJECTIVE CIP 1.7: CONCURRENCY COMPLIANCE

Land Development Regulations pertaining to concurrency management shall be amended to reflect Ch. 163.3180, Florida Statutes and this policy. No new development, shall be issued unless the applicable Mobility Fees and public facilities necessitated by the project (in order to meet level of service standards specified in the Policies of the, Recreation, Public Schools and Infrastructure Elements, and the Water Supply Plan) will be in place concurrent with the impacts of the pursuant to the regulations established in the Land Development Regulations. The requirement that no development permit shall be issued unless applicable mobility fees are paid and public facilities necessitated by the project are in place concurrent with the impacts of development shall be effective immediately.

POLICY CIP 1.7.1

After adoption of the City's Comprehensive Plan, the City shall not issue a certificate of occupancy or use for any new development unless it is determined that the needed public facilities are available at the time of issuance, or a legally binding commitment to construct the facilities exists at the time of issuance and it can be demonstrated that construction of the public facilities is both technically and fiscally feasible for the committed party or parties.

POLICY CIP 1.7.2

Phasing of a development or phasing the implementation of the needed public facilities shall be permitted to satisfy the requirement that the needed public facilities be available concurrent with the effects of the development.

POLICY CIP 1.7.3

Developments for which building permits were issued prior to adoption of this Comprehensive Plan shall be allowed to begin construction without regard to level of service standards established in this capital improvements element, except that if a public hazard would be created, construction of the development shall be prohibited until measures to prevent the public hazard are implemented. Provided, however, that should any permit expire and not be renewable, issuance of a new permit for the development shall be subject to the requirements of a new application.

POLICY CIP 1.7.4

Public facility capacity availability shall be determined by the Concurrency Management User's Procedural Guide (a supplement to the Land Development Code), which contains the formulas for calculating compliance with the level of service. The capacity of new facilities may be counted only if one or more of the following can be demonstrated:

- (A) For water, sewer, solid waste and drainage:
 - (1) Prior to approval of a building permit or its functional equivalent, the City shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.

- (2) The necessary facilities are in place and available at the time a certificate of occupancy is issued, or
- (3) The new facilities are guaranteed in an enforceable development agreement to be in place when the impacts of development occur. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order pursuant to Chapter 380, Florida Statutes (the Development of Regional Impact authorization).

In the case of water, sewers, solid waste and recreation, the formulas must reflect the latest population vis a vis flows or park acreage.

Design capacity shall be determined as follows:

Sewage: the capacity of the County sewage treatment system.

Water: the capacity of the County water treatment and storage system.

Solid waste: the capacity of the County disposal system.

Drainage: The on-site detention capability and/or storm sewer capacity.

(B) For recreation:

- (1) Parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1 year after issuance of a certificate of occupancy or its functional equivalent.
- (2) The new facilities are the subject of a binding executed contract for the construction of facilities to be completed within one year of the time the certificate of occupancy is issued, or
- (3) A development agreement as outlined in (A) (3) above but requiring construction to begin within one year of certificate of occupancy issuance.

Recreation: Measurement shall be based on recreation data in the Comprehensive Plan plus the latest City population estimate with any necessary interpretation provided by the City manager or designee thereof.

POLICY CIP 1.7.5

The manager or designee thereof shall be responsible for monitoring facility capacities and development activity to ensure that the concurrency management system data base is kept current, i.e., includes all existing and committed development. This data base shall be used to systematically update the formulas used to assess projects. An annual report shall be prepared.

POLICY CIP 1.7.6

Any development permit application which includes a specific plan for development, including densities and intensities, shall require a concurrency review per Part III, Chapter 33G of the Miami-Dade County Code of Ordinances. Compliance will be finally calculated and capacity reserved at time of final action of building permit, certificate of occupancy, business tax receipt, or similar permit, whichever comes first. Phasing of development is authorized. Applications for development permits shall be chronologically logged upon approval to determine rights to available capacity. A capacity reservation shall be valid for a time to be specified in the land development code; if construction is not initiated during this period, the reservation shall be terminated.

POLICY CIP 1.7.7

The City manager (or designee thereof) shall be responsible for concurrency management. The land development code shall specify administrative procedures, including an appeals mechanism, exemptions, plan modifications, burden of proof, etc.

POLICY CIP 1.7.8

The Land Development Regulations will contain the formulas for calculating compliance plus tables which provide generation rates for water use, sewer use, solid waste and traffic, by land use category. Alternative methods acceptable to the Director may also be used by the applicant for levels of service subject to concurrency requirements.

OBJECTIVE CIP 1.8: FUTURE DEVELOPMENTS

Capital improvements will be provided to accommodate future developments and to replace worn out or obsolete facilities, as indicated in the City's annually updated five-year Capital Improvement Program.

POLICY CIP 1.8.1

The City shall as a matter of priority, schedule and fund all capital improvement projects in the Five Year Schedule of Improvements which are designed to correct anticipated deficiencies.

OBJECTIVE CIP 1.9: PROVISION FOR NEEDED IMPROVEMENTS

The City shall require the provision of needed improvements identified in other elements of the Comprehensive Plan and shall manage the land development process (see Resilient Land Use and Development and Infrastructure elements) such that the previous and future developments do not exceed the City's ability to fund and provide the corresponding public facilities necessary to accommodate the development.

POLICY CIP 1.9.1

Development and redevelopment projects shall be consistent with public facilities necessary to meet service standards and remain within the proposed municipal budget.

POLICY CIP 1.9.2

Recommendations described in the Resilient Land Use and Development Element are incorporated by reference and shall be implemented as part of the Capital Improvement Element.

OBJECTIVE CIP 1.10 - COORDINATION WITH PUBLIC SCHOOLS

The City shall coordinate new residential development with the future availability of public school facilities² consistent with the adopted level of service standards for public school concurrency, by reviewing residential development orders for their impact on level of service standards, and to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements in the Miami-Dade County Public School Facilities Work Program.

Those capital improvements for educational facilities, as listed in the Miami-Dade County Public Schools Facilities Work Program dated September 2007 and adopted by the Miami-Dade School Board are incorporated by reference into the CIP.

POLICY CIP 1.10.1

The Miami-Dade County Public Schools and the City have the responsibility for providing school concurrency related capital improvements and should continually seek to expand the funding sources available to meet those requirements.

POLICY CIP 1.10.2

Capital improvements associated with the construction of educational facilities are the responsibility of the Miami-Dade County Public Schools. To address financial feasibility associated with school concurrency, those necessary capital improvements for educational facilities, as listed in the Miami-Dade County Public School Facilities Work Program, dated September 6, 2007 and adopted by the Miami-Dade School Board, are incorporated by reference into the CIE.

POLICY CIP 1.10.3

The Miami Dade County Public Schools shall coordinate with the City at the planning stage to determine whether the new construction or renovation of existing educational facilities meet the adopted Level of Service Standard adopted in the Infrastructure Element of the City's Comprehensive Plan and distribute a fair share cost of infrastructure improvements necessary to meet the adopted Level of Service.

POLICY CIP 1.10.4

The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

POLICY CIP 1.10.5

Beginning January 1, 2008, the adopted level of service (LOS) standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This LOS standard shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools.

The adopted LOS standard for Magnet Schools is 100% of FISH (with Relocatable Classrooms), which shall be calculated on a districtwide basis.

² Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by the Miami-Dade County Public Schools, that are required to serve the residential development within their established Concurrency Service Area. Levels of Service standards do not apply to charter schools. However, the capacity of both charter and magnet schools will be credited against the impact of development. No credit against the impact of development shall be given for either magnet or charter schools if their enrollment is at, or above, 100% FISH capacity.



POLICY CIP 1.10.6

The City in coordination with the Miami-Dade County Public Schools shall by ordinance, include proportionate share mitigation methodologies and options for public school facilities in its measuring program and Interlocal Agreement for Public Facility Planning between Miami-Dade County Public Schools, Miami-Dade County and the Cities in Miami-Dade County, consistent with the requirements of Chapter 163, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities through mechanisms that might include, but are not limited to, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits.

POLICY CIP 1.10.7

Miami-Dade County Public Schools shall coordinate with the City to annually update its Facilities Work Program to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard, including interim standards, will continue to be achieved and maintained. The City, through its annual update to the Capital Improvements Schedule, will incorporate by reference the latest adopted Miami-Dade County Public Schools Facilities Work Program and concurrency maps.

Maps Series

2040 Future Land Use Map

Flood Zones & Evacuation Routes

Coastal High Hazard Areas (CHHA)

Federal Functional Classification

Existing Roadway System

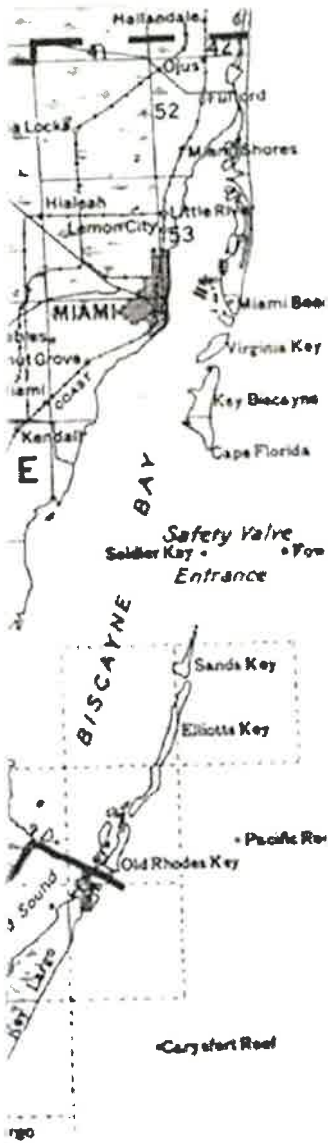
Existing Roadway Lane Count

Transit Corridors & Transit Intermodal Hubs

Existing Bike Facilities

Atlantic Greenway/Bikeway Network

Neighborhood Map



2040 Future Land Use Map

North Beach Town Center Area Close-up



0 0.25 0.5 1 1.5 Miles

Data Sources: Future Land Use Categories and Overlay Districts data provided by the City of Miami Beach Planning Department
Last Update: December 9, 2020







- | | | | |
|---|---|---|--|
| <ul style="list-style-type: none"> Faena District Overlay North Beach Town Center Revitalization Overlay Wolfsonian Arts District | <ul style="list-style-type: none"> Single Family Residential (RS) Townhome Residential (TH) Fisher Island Low Density Planned Residential (RM-PRD) Allison Island Low Density Planned Residential (RM-PRD-2) Low Density Multi Family Residential (RM-1) Medium Density Multi Family Residential (RM-2) High Density Multi Family Residential (RM-3) Medium-Low Density Residential Performance Standard (R-PS-1) Medium Density Residential Performance Standard (R-PS-2) Medium-High Density Residential Performance Standard (R-PS-3) High Density Residential Performance Standard (R-PS-4) Low Intensity Commercial (CD-1) | <ul style="list-style-type: none"> High Intensity Commercial (CD-2) High Intensity Commercial (CD-3) Urban Light Industrial (I-1) Residential / Office (RO) Mixed Use Entertainment (MXE) Limited Mixed Use Commercial Performance Standard (C-PS-1) Limited Mixed Use Residential Performance Standard (RM-PS-1) Medium Intensity Commercial (CD-2) General Mixed Use Commercial Performance Standard (C-PS-2) Intensive Mixed Use Commercial Performance Standard (C-PS-3) Bayside Intensive Mixed Use Commercial Performance Standard (C-PS-4) Town Center - Central Core (TC-C) Town Center Core (TC-1) Town Center Commercial (TC-2) Town Center Residential Office (TC-3) | <ul style="list-style-type: none"> Public Facility: Educational (PFE) Special Public Facilities: Educational (SPE) Public Facility Hospital - PF (PF-HD) Public Facility: Governmental Uses (PF) Public Facility: Convention Center Facilities (PF-CCC) Recreation and Open Space including Waterways (ROS) Marine Recreation (MR) |
|---|---|---|--|

Flood Zones and Evacuation Routes

MIAMI BEACH



Legend

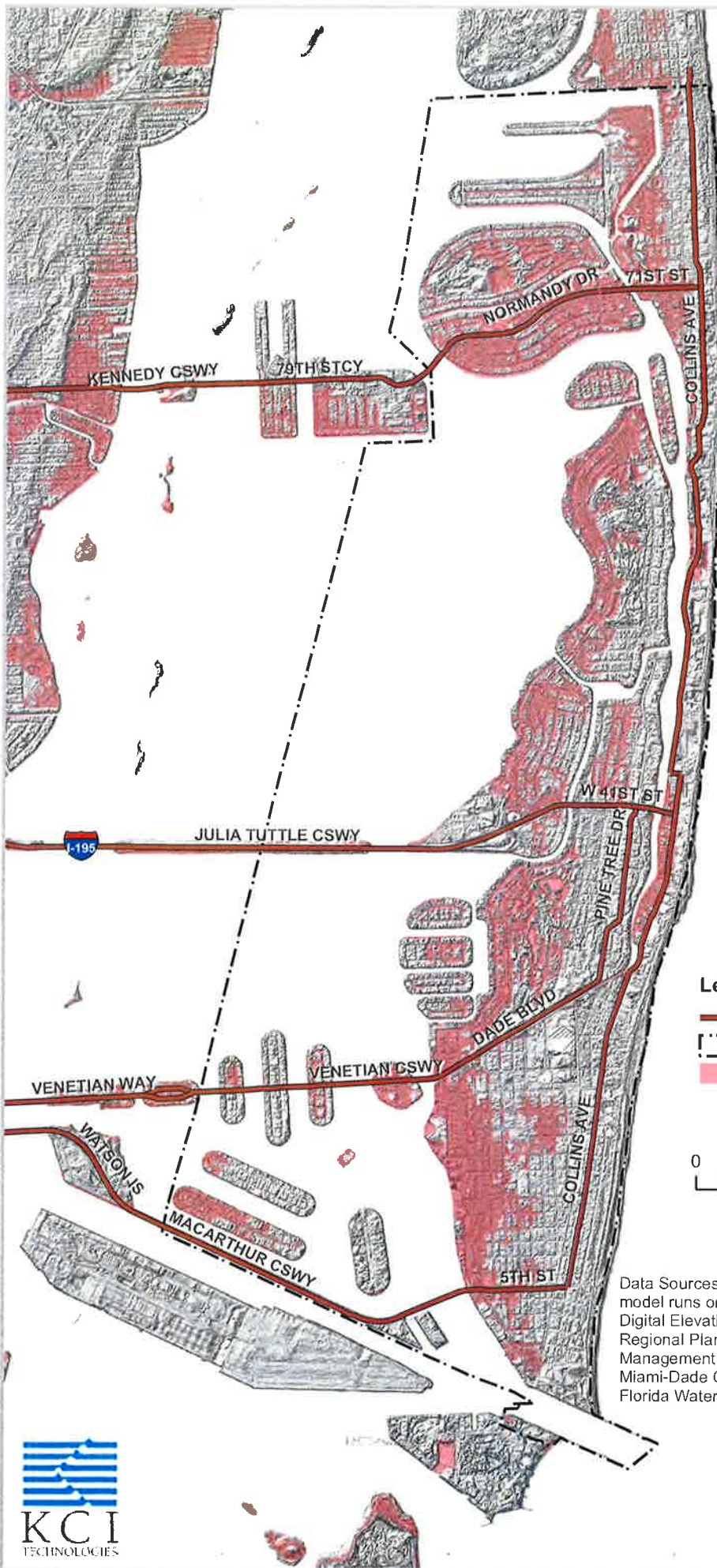
-  Hurricane Bus Stops
-  Primary Evacuation Route
-  Municipal Boundary
- FEMA Flood Zone 1994**
-  AE
-  VE
-  Coastal A Zone






Date: 7/16/2019

Data Sources: Evacuation Routes and FEMA floodplain data from Miami-Dade Open Data Hub.
 Service Layer Credits: Sources: Esri, GEBCO, NOAA, National Geographic, Garmin, HERE, Geonames.org, and other contributors
 Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

Coastal High Hazard Areas (CHHA) MIAMIBEACH



Legend

-  Miami Beach Category 1 Hurricane Evacuation Routes
-  Municipal Boundary
-  CHHA Inundation (Category 1 Hurricane)



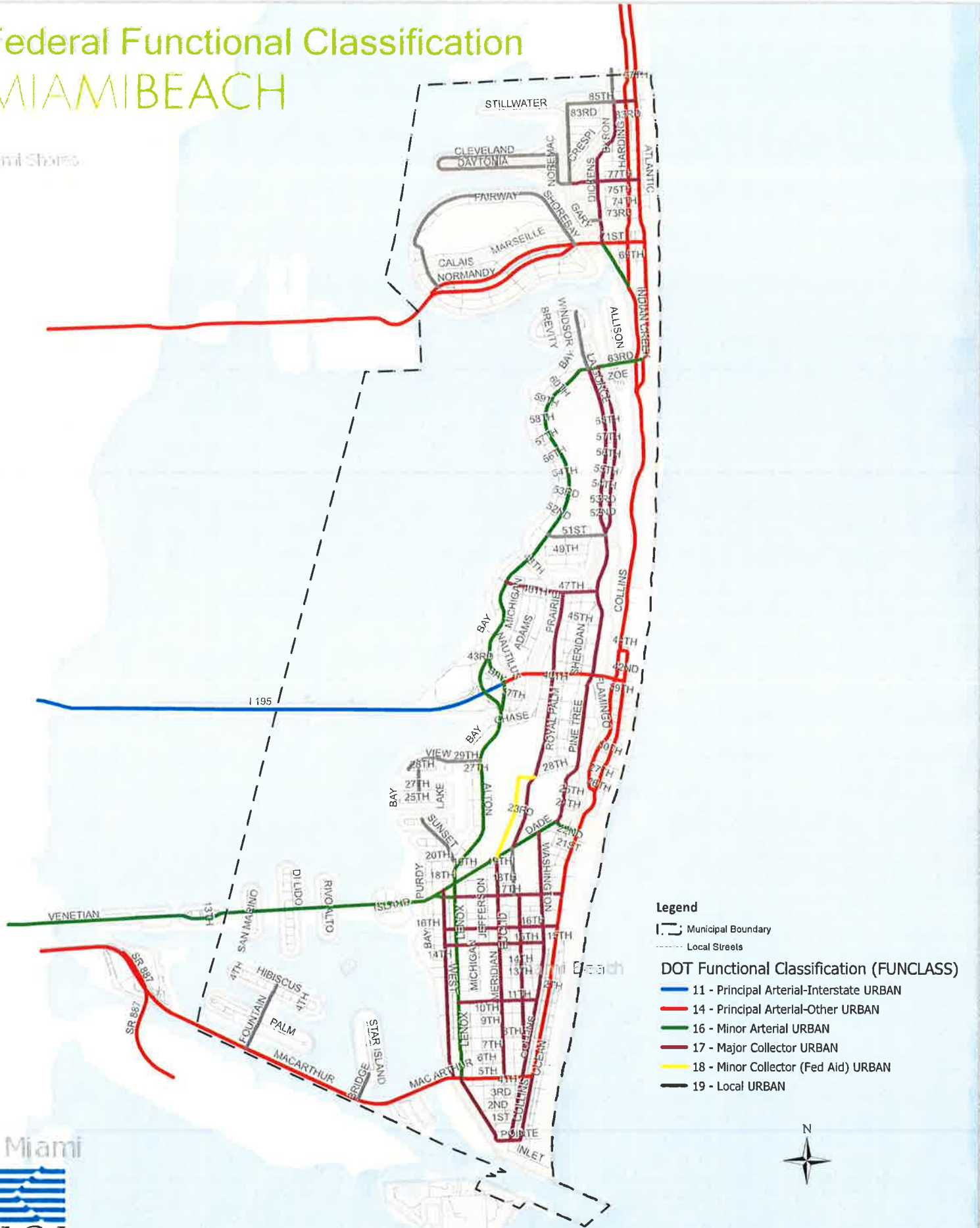
Date: 10/7/2019

Data Sources: CHHA data is derived from National Hurricane Center SLOSH model runs on all the NOAA SLOSH basins throughout Florida, using 2017/18 Digital Elevation Model (DEM) derived LIDAR and obtained from Florida Regional Planning Councils and Florida Division of Emergency Management - <http://www.floridadisaster.org/res>; Evacuation Routes from Miami-Dade Open Data Hub. Hillshad mosaic data generated from South Florida Water Management District DEM, 2015.

Federal Functional Classification

MIAMIBEACH

Miami Shores



- Legend**
- Municipal Boundary
 - Local Streets
 - DOT Functional Classification (FUNCLASS)**
 - 11 - Principal Arterial-Interstate URBAN
 - 14 - Principal Arterial-Other URBAN
 - 16 - Minor Arterial URBAN
 - 17 - Major Collector URBAN
 - 18 - Minor Collector (Fed Aid) URBAN
 - 19 - Local URBAN




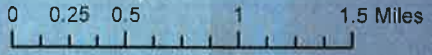
Existing Roadway System

MIAMI BEACH



Legend

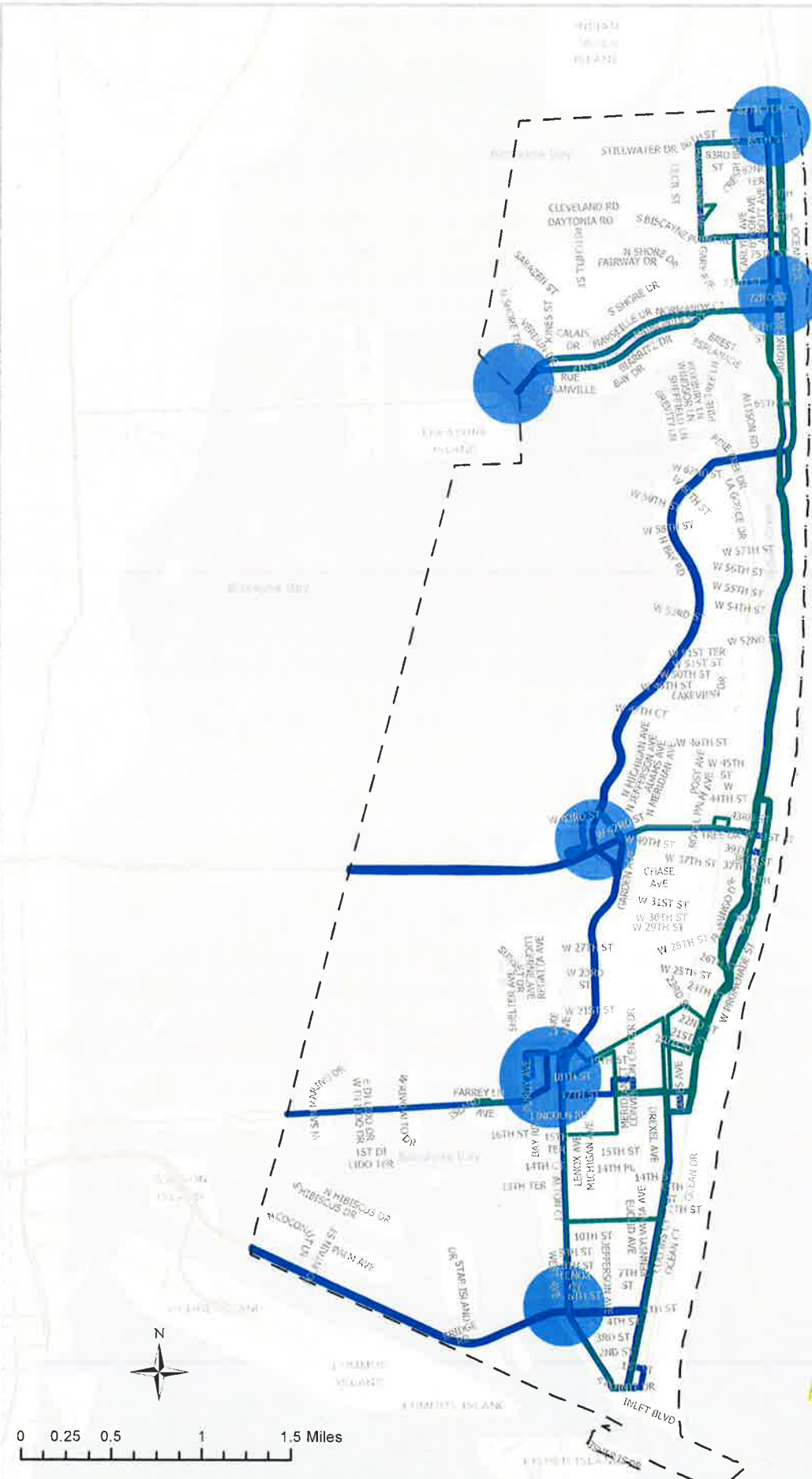
-  Municipal Boundary
-  Local Alleyways
-  Streets of Miami Beach



Date: 7/11/2019

Service Layer Credits: World Imagery, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 Other Data Sources: Streets of Miami Beach Miami-Dade Open Data Hub, downloaded on 5/31/2019.

Transit Corridors and Transit Intermodal Hubs



Legend

Potential/Existing Transit Hubs



Transit Corridors

— Trolley/Street Car Corridors

— Bus Routes

- - - Municipal Boundary






MIAMIBEACH

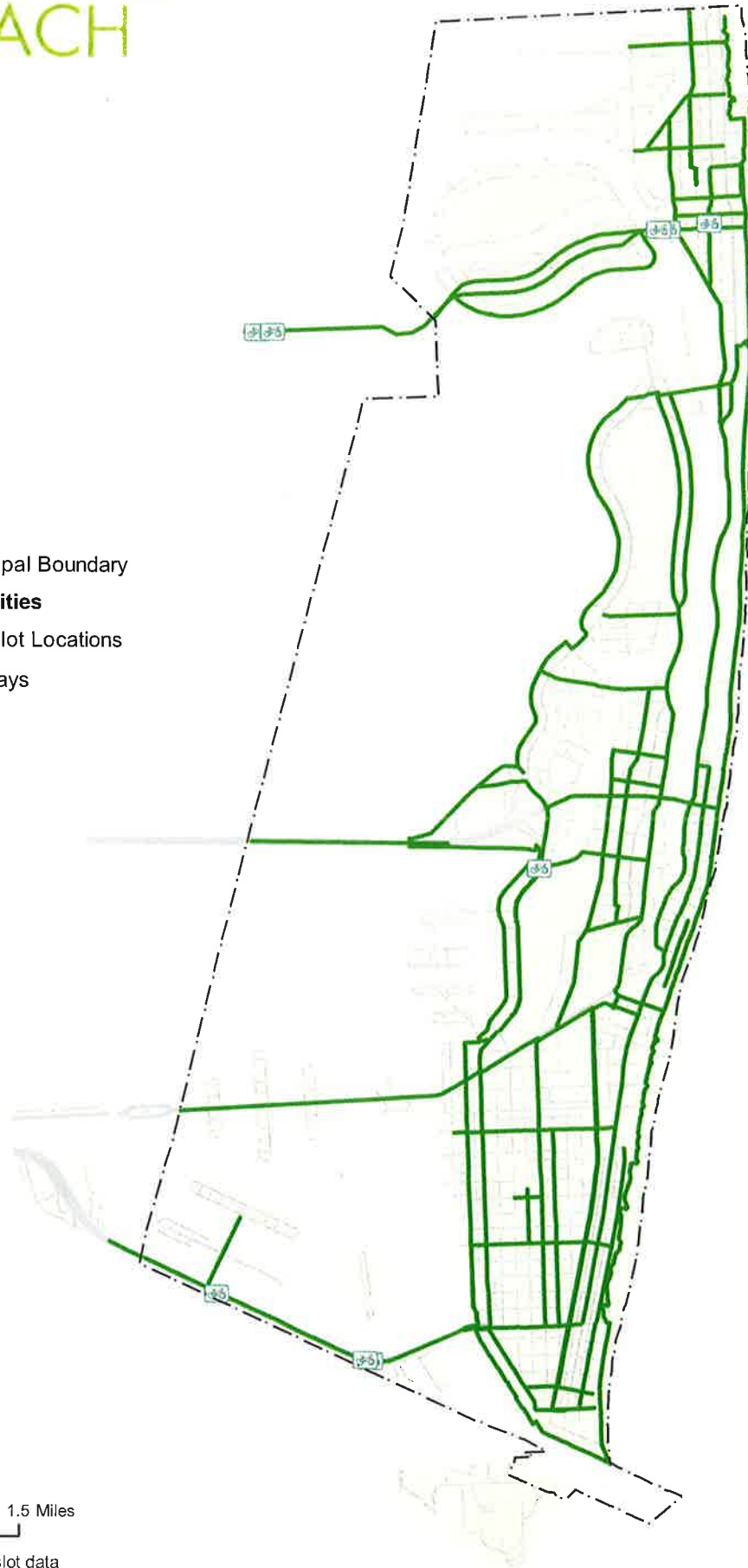


Data Sources: Transit Hubs created by KCI at the direction of City of Miami Beach, Transit Corridors based on bus and trolley routes of Miami Beach and provided by the City of Miami Beach, 07/2019.
 Service Layer Credits: World Light Gray Canvas Base: Esri, HERE, Garmin, (c) OpenStreetMap contributors,

Existing Bicycle Facilities MIAMI BEACH

Legend

-  Municipal Boundary
- Bicycle Facilities**
-  Bike Slot Locations
-  Bikeways



0 0.25 0.5 1 1.5 Miles

Data Sources: Bikeways and bike slot data
downloaded on 5/31/2019 from Miami-Dade Open Data Hub










Date: 7/11/2019

Atlantic Greenway/Bikeway Network

MIAMI BEACH

Legend

-  Bike Slot Locations
-  Florida Greenways Existing Trails
-  Florida Greenways Trail Priorities
-  Florida Greenways Trail Opportunities
-  Bikeways
-  Park Areas
-  Municipal Boundary



0 0.25 0.5 1 1.5 Miles

Data Sources: Parks, Bikeways, Bike Slot, from Miami-Dade Open Data Hub downloaded on 5/31/2019; Greenways and Trails data from Florida Greenways Planning Project, Florida Department of Environmental Protection, downloaded on 5/31/2019



Date: 7/11/2019

Neighborhoods Map

MIAMI BEACH



Legend

- Municipal Boundary
- Streets
- Designated Neighborhoods**
- Sunset Harbour



Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Other Data Sources: Streets of Miami Beach, Miami-Dade Open Data Hub, downloaded on 5/31/2019;

MIAMI BEACH
RISING
ABOVE



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