ORDINANCE 2011-_____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-47 OF THE SUMTER COUNTY CODE, ESTABLISHING THE SUMTER COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE, PURSUANT TO SECTION 420.076, FLORIDA STATUTES, TO INCLUDE THE DUTIES AND RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY TASK FORCE, PURSUANT TO SECTION 290.046, FLORIDA STATUTES; AND PROVIDING FOR THE DELETION OF CHAPTER 12, ARTICLE III, SECTION 12-49 OF THE SUMTER COUNTY CODE TO ELIMINATE THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY TASK FORCE AS AN INDEPENDENT COMMITTEE; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Ordinance 2010-11, adopted by the Board of County Commissioners Sumter County, Florida (Board) established the Affordable Housing Advisory Committee ("AHAC"), pursuant to Section 420.076, Florida Statutes, which was codified in Chapter 12, Article III, Section 12-47 of the Sumter County Code; and

WHEREAS, Ordinance 2008-15, adopted by the Board established the Community Development Block Grant Citizen Advisory Committee ("CATF"), pursuant to Section 290.046, Florida Statutes, which was codified in Chapter 12, Article III, Section 12-49 of the Sumter County Code; and

WHEREAS, the Board finds that the roles and responsibilities of the AHAC and CATF are similar and complementary, which provides for the opportunity to merge these two committees into a single multi-functional committee; and

WHEREAS, the AHAC, as established in the Sumter County Code, includes appointed members who represent a diverse cross-section of the county who are well suited to meet the duties and responsibilities of the AHAC and CATF; and

WHEREAS, the Board finds the merging of the AHAC and the CATF into one committee is beneficial to the citizens of the county by streamlining and eliminating duplicative services.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners Sumter County, Florida as follows:

Section 1. Chapter 12, Article III, Section 12-47, Sumter County Code is hereby amended as shown in Exhibit "A" attached hereto.

Section 2. Chapter 12, Article III, Section 12-49, Sumter County Code is herby repealed in its entirety.

Section 3. The appointed members of the AHAC, as of the date of adoption of this Ordinance, shall continue to serve their terms as initially appointed.

Section 4. The appointed members of the CATF, as of the date of adoption of this ordinance, shall vacate their appointed positions.

Section 5. It is the intention of the Board that the provisions of this Ordinance shall become and be made part of the Sumter County Code and the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

Section 6. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 8. This Ordinance shall become effective upon its adoption.

PASSED this 12th day of July, 2011.

ATTEST: GLORIA HAYWARD
CLERK OF CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
SUMTER COUNTY, FLORIDA

DEPUTY CLERK

DON BURGESS, CHAIRMAN

EXHIBIT "A"

~~Red strikethrough text is deleted.~~
Blue underline text is added.

Sec. 12-47. Sumter County Affordable Housing Advisory Committee.

(a) *Establishment, Purpose and Intent.* There is hereby created the Sumter County Affordable Housing Advisory Committee (hereinafter referred to as the "committee" or "advisory committee"), whose members shall be appointed by resolution of the board of county commissioners. The committee shall consist of eleven (11) members and at least one (1) but not more than four (4) alternates. Six (6) members shall constitute a quorum. The committee may not take formal actions unless a quorum is present, but may meet to hear presentations if duly noticed. The committee shall include the following, which individuals may overlap with, or be a part of, the local housing partnership referred to in F.S. § 420.9071(18).

(1) One (1) citizen who is actively engaged in the residential home building industry in connection with affordable housing;

(2) One (1) citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing;

(3) One (1) citizen who is a representative of those areas of labor engaged in home building in connection with affordable housing;

(4) One (1) citizen who is designated as an advocate for low-income persons in connection with affordable housing;

(5) One (1) citizen who is a for-profit provider of affordable housing;

(6) One (1) citizen who is a not-for-profit provider of affordable housing;

(7) One (1) citizen who is actively engaged as a real estate professional in connection with affordable housing;

(8) One (1) citizen who actively serves on the local planning agency of the county;

(9) One (1) citizen chosen by the board of county commissioners from any profession or occupation;

(10) One (1) citizen who represents employers within the jurisdiction;

(11) One (1) citizen who represents essential services personnel, as defined in the local housing assistance plan.

At least three (3) of the individuals shall be full-time residents of Sumter County, Florida.

With regard to the occupation requirements noted above, if an individual cannot be found in the noted occupations who has a "connection with affordable housing", then such and individual may be chosen without regard to any connection with affordable housing.

(b) *Term.* Six (6) initial members shall serve three-year terms following their appointment by resolution, while the remaining initial members shall serve two-year terms following their appointment. All members or their successors may thereafter be appointed for two-year terms at the sole discretion of the board of county commissioners. If a member is unable to finish his or her term, his or her replacement shall serve the remainder of the departed member's existing term before being eligible for an appointment to a new two-year term. Alternates shall serve a term of two (2) years.

(c) *Meetings.* Meetings shall be held monthly for the first year of committee existence and quarterly, or more frequently, as necessary thereafter. The committee shall comply with the Florida Government in the Sunshine Law, the Florida Public Records Laws including F.S. Ch. 119, and the special provisions regarding notice of plan considerations found in F.S. Ch. 420. Minutes of the meeting will be kept by Sumter County staff and the meetings shall be recorded via audio recording.

(d) *Officers.* The committee shall annually elect a chairperson, vice chairperson, and such other offices as it deems necessary. The chairperson is charged with the duty of conducting the meeting in a manner consistent with Florida law and Roberts Rules of Order.

(e) *Support.* Staff, administrative and facility support for advisory committee shall be provided by the board of county commissioners and the county housing authority.

(f) *Duties.* The advisory committee shall have the following duties:

(1) Review established policies and procedures, ordinances, land development regulations, and the adopted county comprehensive plan, and recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or plan provisions; those creations of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances or plan provisions. At a minimum, the advisory committee shall make recommendations on affordable housing incentives in the following areas to the board of county commissioners:

a. The processing of approvals of development orders or permits, as defined in F.S. § 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.

b. The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

c. The allowance of flexibility in densities for affordable housing.

d. The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

e. The allowance of affordable accessory residential units in residential zoning districts.

f. The reduction of parking and setback requirements for affordable housing.

g. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

h. The modification of street requirements for affordable housing.

i. The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

j. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

k. The support of development near transportation hubs and major employment centers and mixed-use developments.

The committee recommendations must also include other affordable housing incentives identified by the advisory committee.

(2) The committee shall serve as the Community Development Block Grant Citizen Advisory Task Force (CATF), pursuant to Section 290.046, Florida Statues. The committee shall meet as the CATF as needed to review and monitor Community Development Block Grant projects consistent with the requirements of Section 290.046, Florida Statutes. Only members of the committee who are residents of the county shall participate in the CATF meetings.

~~(2)~~ (3) The committee shall make recommendations approved by a majority of its membership at a public hearing. Notice of the time, date and place of the public hearing of the advisory committee to adopt final affordable housing incentive recommendations shall be advertised in a newspaper of general

circulation in the county before the scheduled hearing. The notice of the public hearing must contain a short, concise summary of the affordable housing initiative recommendations to be considered by the advisory committee. The notice shall also state the place where a copy of the tentative advisory committee recommendations can be obtained.