78.00

ORDINANCE BOOK 6 PG 99

** OFFICIAL RECORDS **
BK 1350 PG 505

ORDINANCE 93-09

FILE# 9312567
RCD: MAY 3 1993 @ 11:19 AM

CIRCUIT COURT SANTA ROSA COUNTY, FLORIDA

AN ORDINANCE RELATING TO SANTA ROSA COUNTY, FLORIDA; RELATING TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE CREATION OF THE LOCAL HOUSING ASSISTANCE TRUST FUND; PROVIDING FOR THE DESIGNATION AND ESTABLISHMENT OF THE LOCAL HOUSING PARTNERSHIP; PROVIDING FOR THE INTENT AND PURPOSE OF THE LOCAL HOUSING ASSISTANCE PROGRAM; DESIGNATING THE RESPONSIBILITY FOR IMPLEMENTATION AND ADMINISTRATION OF THE LOCAL HOUSING ASSISTANCE PROGRAM; PROVIDING FOR THE DESIGNATION OF THE LOCAL AFFORDABLE HOUSING ADVISORY COMMITTEE AND THE DUTIES OF SAID COMMITTEE; PROVIDING GUIDELINES FOR DEVELOPMENT AND ADOPTION OF THE AFFORDABLE HOUSING INCENTIVE PLAN; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Santa Rosa County, Florida, and the citizenry of said jurisdiction recognize the necessity for provision of the opportunity for all persons to have access to safe, decent, and affordable housing; and,

WHEREAS, in 1992, the Legislature of the State of Florida approved the Sadowski Affordable Housing Act creating the State Housing Initiatives Partnership (SHIP) for the specific purpose of supporting and expanding the availability of affordable housing resources within the State; and,

WHEREAS, the Santa Rosa County Local Government Comprehensive Plan requires the support of actions designed to enhance the access to and availability of affordable housing for lower income families within said jurisdiction; and

WHEREAS, a local housing partnership has been created, which incorporates the resources of non-profit and for-profit agencies, homebuilders, realtors, financial institutions, and government organizations, which actively endorses activities to expand affordable housing opportunities for the local citizenry; and,

WHEREAS, the Sadowski Affordable Housing Act provides a continuing financial resource for the support of affordable housing activities.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA, PROVIDING FOR AUTHORITY AND PURPOSE:

SECTION I. SHORT TITLE

This Ordinance shall be known and may be cited as the SANTA ROSA COUNTY AFFORDABLE HOUSING ORDINANCE.

SECTION II. DECLARATION OF POLICY

It is hereby declared to be the policy of Santa Rosa County, in the exercise of its police power for the public safety, public health, and general welfare, to support and encourage the initiatives which enhance the availability of and accessibility to affordable housing for all citizens of Santa Rosa County, Florida. For purposes of this Ordinance and the provisions contained herein, housing is considered affordable to the extent that the monthly cost of such housing, including taxes and insurance, does not exceed thirty percent (30%) of the gross monthly income of persons or families with incomes at or below eighty percent (80%) of the median annual adjusted gross income for households within the Metropolitan Statistical Area (MSA).

SECTION III. PURPOSE

In accordance with and pursuant to the authority of the general laws of the State of Florida, and Chapters 125 and 420 of the Florida Statutes, this Ordinance specifies the requirements for the planning, implementation and receipt of funds under the State Housing Initiatives Partnership (SHIP) Program as governed by Chapter 420, Florida Statutes, and Rule 9I-37, Florida Administrative Code.

SECTION IV. DEFINITION OF TERMS

For purposes of their use in this Ordinance, specific terms shall be defined as follows:

1. Adjusted for Family Size - means adjusted in a manner which results in an income eligibility level that is lower for households having fewer than four people, or higher for households having more than four people, than the base income eligibility determined as provided in Florida Statutes, based upon a formula established by the U.S. Department of Housing and Urban Development.

2. Adjusted Gross Income - means wages, income from assets, regular cash or non-cash contributions, and any other resources and benefits determined to be income by the U.S. Department of Housing and Urban Development adjusted

for family size, minus the deductions under Section 61 of the Internal Revenue Code of 1986, as amended.

3. Affordable - means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed thirty percent (30%) of that amount which represents the percentage of the median adjusted gross annual income for the households qualifying under the definitions of very low-income, low-income, or moderate-income persons.

4. Award - means a loan, grant, or subsidy funded wholly or partially by the local housing distribution.

5. Community-Based Organization - means a non-profit organization that has among its purposes the provision of affordable housing to persons who have special housing needs or have very low-income, low-income, or moderate-income within a designated area, which may include a municipality, a county, or more than one municipality or county, and maintains, through at least one-third of the organization's governing board, accountability to housing program beneficiaries and residents of the designated area.

6. Eligible Housing - means any real and personal property which is designed and intended for the primary purpose of providing decent, safe and sanitary residential units that are designed to meet the standards of Chapter 553, Florida Statutes, for homeownership or rental for eligible persons as designated by the County or eligible municipality participating in the Local Housing Assistance Program.

7. Eligible Person - means one or more persons or a family determined by the county to be of very low-income, low-income or moderate-income according to the adjusted gross income of the resident with adjustment made for family size.

8. Eligible Sponsor - means a community-based organization, a person, or a private or public for-profit or not-for-profit entity that applies for assistance under the Local Housing Assistance Program for the purpose of providing eligible housing for eligible persons.

9. Grant - means a distribution of a portion of a local housing distribution to an eligible sponsor or eligible person to provide assistance under the Local Housing Assistance Program.

10. Homeownership - means a distribution of a portion of a local housing distribution to an eligible person or

eligible sponsor for construction, rehabilitation, purchase, or lease-purchase financing of owner-occupied eligible housing.

11. Interlocal Entity - means any entity created pursuant to the provisions of Chapter 163, Part I, Florida Statutes, for the purpose of a joint local housing assistance program pursuant to the provisions of Section 420.9075(5), Florida Statutes, or for the purpose of a joint affordable housing incentive plan pursuant to the provisions of Section 420.9076(2), Florida Statutes.

12. Loan - means a pledge of the local housing distribution monies to an eligible sponsor or eligible person to finance the acquisition, construction or rehabilitation of eligible housing.

13. Local Housing Assistance Plan - means a concise description of the Local Housing Assistance Program adopted by Ordinance with an explanation of the way in which the program meets the requirements of this Ordinance and Sections 420.907 through 420.9079, Florida Statutes, and Rule 9I-37, Florida Administrative Code.

14. Local Housing Partnership - means the implementation of the Local Housing Assistance Program in a manner that involves, but is not limited to: Santa Rosa County, community-based organizations, for-profit housing developers, lending institutions, providers of professional services relating to affordable housing, and service organizations working on behalf of persons with special housing needs. The term includes initiatives to provide support services for housing program beneficiaries such as training to prepare persons for the responsibility of homeownership, counseling of tenants, and the establishment of support services such as day care, health care, and transportation.

15. Low-Income Person - means one or more persons or a family, not including students, that has a total annual adjusted gross household income that does not exceed eighty percent (80%) of the median annual adjusted gross income for households within the Metropolitan Statistical Area (MSA). With respect to rental units, the low-income household's annual adjusted gross income at the time of initial occupancy may not exceed eighty percent (80%) of area median income adjusted for family size. While occupying the rental unit, the low-income household's annual gross income may increase to an amount not to exceed 140% of 80% of the State's median income adjusted for family size.

16. Moderate-Income Person - means one or more persons or a family, not including students, that has a total annual adjusted gross income for the household that does not exceed 120% of the median annual adjusted gross income for households within the Metropolitan Statistical Area (MSA). With respect to rental units, the moderate income household's annual adjusted gross income at the time of initial occupancy may not exceed 120% of the area median income adjusted for family size. While occupying the rental unit, a moderate income household's annual adjusted gross income may increase to an amount not to exceed 140% of 120% of the State's median income adjusted for family size.

17. Personal Property - means major appliances, including a freestanding refrigerator or stove, to be identified on the encumbering documents.

18. Persons Who Have Special Housing Needs - means persons who have incomes not exceeding moderate-income and who because of particular social, economic, or health related circumstances have greater difficulty acquiring or maintaining affordable housing. Such persons may, for example, encounter resistance to their residing in particular communities, increased housing costs resulting from unique needs, and high risk of institutionalization. Such persons may, but are not limited to, persons with developmental disabilities; persons with mental illness/chemical dependency; persons with AIDS and HIV disease; public assistance recipients; migrant and seasonal farmworkers; refugees and entrants; and the elderly and disabled adults.

19. Student - means a person not living with his or her parent or guardian who is eligible to be claimed by the person's parent or guardian under the Federal Income Tax Code and who is enrolled at least half time in a secondary school, vocational school, community college, or university. The term does not include a person participating in a job training program approved by the County.

20. Very Low-Income Person - means one or more persons or a family, not including students, that has a total annual adjusted gross household income that does not exceed fifty percent (50%) of the median annual adjusted gross income for households within the Metropolitan Statistical Area (MSA). With respect to rental units, the very low-income person's annual income at the time of initial occupancy may not exceed 50% adjusted for family size. While occupying the rental unit, a very low income person's annual income may increase to an amount not to

exceed 140% of 50% of the State's median income adjusted for family size.

SECTION V. LOCAL HOUSING ASSISTANCE TRUST FUND

A. There shall be created within the official fiscal and accounting records of the Board of County Commissioners of Santa Rosa County, a specially designated and dedicated AFFORDABLE HOUSING TRUST FUND, hereinafter referred to as the "FUND." The FUND shall be created within thirty (30) days of the effective date of this Ordinance. Said FUND shall be solely reserved for the deposit and expenditure of funds in support of the Local Housing Assistance Program as required by Chapter 420, Florida Statutes, and Rule 9I-37, Florida Administrative Code. Said FUND shall be audited annually and the financial condition thereof shall be separately stated in the audited financial statements of the County. Copies of said audit shall be provided to the Florida Housing Finance Agency, the Florida Department of Community Affairs and/or other agencies as designated by the State of Florida.

B. Until utilized for the purposes thereof, monies in the AFFORDABLE HOUSING TRUST FUND shall be held in trust by the County solely for use pursuant to the Local Housing Assistance Program. All Local Housing Assistance Program income, including investment earnings, shall be retained in the Local AFFORDABLE HOUSING TRUST FUND and used for the purposes thereof. No expenditure, other than for administration and implementation of the Local Housing Assistance Program may be made from this trust fund.

SECTION VI. DESIGNATION AND ESTABLISHMENT OF LOCAL HOUSING PARTNERSHIP

A. There is hereby created, the SANTA ROSA COUNTY HOUSING ASSISTANCE PARTNERSHIP, hereinafter referred to as the "PARTNERSHIP," which shall support and assist in the development of the strategies, approaches and plans associated with the implementation of the SANTA ROSA COUNTY HOUSING ASSISTANCE PROGRAM, hereinafter referred to as the "PROGRAM," and shall ensure utilization of SHIP funds in conformity with provisions of Chapter 420.907-9079, Florida Statutes, and Rule 9I-37, Florida Administrative Code. Said PROGRAM requirements and guidelines shall be created and implemented by the Santa Rosa County Housing Assistance PARTNERSHIP, which shall be comprised of not more than twenty (20), but, not less than ten (10) members representing the various entities delineated in Rule 9I-37.002(18), Florida Administrative Code. The members shall be appointed by action of the Santa Rosa County Board of County Commissioners. All meetings of said PARTNERSHIP shall be open to the public and shall be in accessible locations within Santa Rosa County. The PROGRAM requirements and guidelines describing the utilization of SHIP funds shall be adopted by the Santa Rosa County Board of County Commissioners upon recommendation of the PARTNERSHIP. The

PARTNERSHIP shall implement the PROGRAM in a manner that provides support services for housing program beneficiaries such as training to prepare persons for the responsibility of homeownership, counseling of tenants, and the establishment of support services such as day care, health care, and transportation.

B. In implementing the local housing assistance PROGRAM the Local Housing PARTNERSHIP shall ensure to:

1. Advertise the availability of a housing assistance PROGRAM in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least thirty (30) days before the beginning of any application period.

2. Adopt a maximum award schedule or system of awards to comply with the following criteria:

a. Sixty-five percent (65%) of the funds shall be reserved for homeownership for eligible persons.

b. Seventy-five percent (75%) of the funds shall be reserved for construction, rehabilitation, or emergency repair of eligible housing.

c. The sales price of new or existing eligible housing shall not exceed ninety percent (90%) of the median area purchase price for the area where the eligible housing is located as established by the United States Department of Treasury in accordance with Section 3(b)(2) of the United States Housing Act of 1937.

d. All units constructed, rehabilitated, or otherwise assisted with PROGRAM funds shall be occupied by very low-income, low-income, or moderate-income persons and persons who have special housing needs. At least thirty percent (30%) of units must be occupied by very low-income persons and at least another thirty percent (30%) by low-income persons. The remainder shall be occupied by persons who have special housing needs, very low-income, low-income, or moderate-income persons.

e. The amount of monthly mortgage payments or the amount of monthly rents charged by the eligible sponsor or its designee must be affordable to eligible persons.

f. Loans shall be provided for periods not exceeding thirty (30) years except for deferred payment loans.

g. Eligible owner-occupied housing constructed, rehabilitated, or otherwise assisted from proceeds provided from the Local Housing Assistance PROGRAM shall be subject to subsidy recapture provisions which are identical to those specified in Section 143(m) of the Internal Revenue Code of 1986.

h. Eligible rental housing constructed, rehabilitated, or otherwise assisted from proceeds provided from the Local Housing Assistance PROGRAM shall be reserved for eligible persons for the greater of fifteen (15) years or the term of the assistance, whichever is longer. Eligible sponsors who offer eligible rental housing for sale before fifteen (15) years or that have remaining mortgages funded under the Local Housing Assistance PROGRAM must give a first right of refusal to eligible non-profit organizations for purchase at current market value for continued occupancy by eligible persons.

i. The cost per unit and the maximum cost per unit for eligible housing benefiting from awards made pursuant to the Local Housing Assistance PROGRAM shall be established by Resolution of the Santa Rosa County Board of County Commissioners.

j. The County shall approve the qualification system for applications for awards as recommended by the PARTNERSHIP for consistency with the intent of its Local Housing Assistance PROGRAM and Section 420.907-9079, Florida Statutes, and Rule 9I-37, Florida Administrative Code.

k. The Local Housing PARTNERSHIP shall, through the local administrative entity, annually monitor and determine tenant eligibility and amount of subsidy for rental projects/developments pursuant to the provisions of this Ordinance, Sections 420.907-9079, Florida Statutes, and Rule 9I-37.015, Florida Administrative Code.

SECTION VII. INTENT AND PURPOSE OF THE LOCAL HOUSING ASSISTANCE PROGRAM

A. The intent and purpose of the Local Housing Assistance PROGRAM is:

1. To increase the availability of affordable housing units by combining local resources and cost-saving measures into a Local Housing PARTNERSHIP and using private and public funds to reduce the cost of housing;

2. To promote more compact urban development and assist in achieving the growth management goals contained in the adopted local comprehensive plan, by allowing more efficient use of land so as to provide housing units that are affordable to persons who have special housing needs, very low-income, low-income, or moderate-income;

3. To promote innovative design of eligible housing that provides cost savings; flexible design options for housing and development such as the combination of architectural styles, building forms, and development requirements; and positive design

alternatives, without compromising the quality of the eligible housing;

4. To promote mixed-income housing in urban, suburban, and rural areas so as to provide increased housing and economic opportunities for persons who have special housing needs and who are very low-income, low-income, or moderate-income; and,

5. To develop the organizational and technical capacity of community-based organizations so as to optimize the role of such organizations in the production of affordable housing.

SECTION VIII. ESTABLISHMENT OF THE LOCAL HOUSING ASSISTANCE PROGRAM

A. There is hereby created, the SANTA ROSA COUNTY HOUSING ASSISTANCE PROGRAM, hereinafter referred to as the "PROGRAM," which shall designate the strategies, approaches, and plans associated with the utilization of SHIP funds in conformity with provisions of Chapter 420, Florida Statutes, and Rule 9I-37.006, Florida Administrative Code.

B. The PARTNERSHIP shall use the funds received from the State pursuant to the SHIP Act to implement the PROGRAM. The SHIP funds shall be generally distributed among the following locally designed strategies:

1. SHIP funds may be utilized to provide local cash matching for obtaining federal housing grants or programs. SHIP funds expended for this purpose shall be allocated only for activities which are dually eligible under Chapter 420, Florida Statutes, and the governing Federal Regulations or Florida Statutes.

2. SHIP funds may be used to provide down-payment assistance, construction subsidies, mortgage reduction payments, mortgage interest rate subsidies, and/or direct mortgage loans to very low, low and/or moderate-income families to allow said families to purchase newly constructed or existing affordable housing in accordance with provisions of Chapter 420, Florida Statutes. Specific activities may include:

a. Rehabilitation/Reconstruction: Funds may be used to provide flexible low interest loan and deferred loan/grant assistance to eligible homeowners living in severely substandard housing as necessary to rehabilitate the housing unit in conformance with local building codes and/or to construct a replacement unit if rehabilitation is not economically viable.

b. Impact Fee Assistance: Funds may be made available for the payment of impact fees for eligible housing for eligible persons.

c. New Construction: Eligible sponsors may be awarded funds to construct eligible housing for eligible low and moderate income first time homebuyers. This strategy will involve the participation of local lenders providing mortgage financing and local for-profit and non-profit developers/builders providing housing development and construction services.

d. Homebuyer Assistance: Funds may be utilized to assist eligible persons in attaining homeownership through mortgage subsidy/write-down, interest rate reductions, and/or low or no interest loans for down payments and closing costs associated with the purchase of newly constructed or existing affordable housing. This strategy shall require the participation of local financial institutions for private mortgage financing for eligible families. The capability of this program to aid in meeting the Community Reinvestment Act requirements for such lenders will be a primary focus.

e. Acquisition/Rehabilitation: Funds may be used to acquire existing properties and to the extent necessary rehabilitate such properties for resale at discounted prices to eligible families.

3. SHIP funds may be used to supplement existing Florida Housing Finance Agency projects or activities undertaken within Santa Rosa County, such as the State Apartment Incentive Loan Program established under Section 420.5087, Florida Statutes, and Homeownership Assistance Program established under Section 420.5088, Florida Statutes.

4. SHIP funds may be used to provide emergency housing repairs through existing weatherization program service providers pursuant to Sections 409.509-5093, Florida Statutes.

C. Based upon program plans and objectives, Santa Rosa County shall generally utilize the available SHIP non-administrative funds during the Fiscal Years 1992-1995 PROGRAM period in support of the above noted strategies as follows:

a. Approximately 75% of available SHIP funds shall target housing rehabilitation/reconstruction for eligible very low, low and moderate-income homeowners.

b. Approximately 20% of available SHIP funds shall be reserved for use in support of and/or as local matching for existing federal housing programs, such as the Farmers Home Administration, Section 504 Homeowner Rehabilitation Program, and to provide emergency housing repairs through existing weatherization program service providers currently operating in Santa Rosa County.

c. Approximately 05% of available SHIP funds shall be reserved for use in support of and/or as local matching for obtaining Federal housing grants or programs and/or State financed housing programs administered by the Florida Housing Finance Agency, Florida Department of Community Affairs, or their respective offices or affiliated agencies.

The Santa Rosa County Board of County Commissioners shall have the authority to alter the percentage distribution of SHIP funds, not more frequently than annually, by duly approved Resolution of the Board, without necessity for formal amendment of this enabling Ordinance. Such alteration shall be completed and submitted to the Florida Housing Finance Agency in conformity with the SHIP Plan amendment process provided for in Rule 9I-37, Florida Administrative Code.

D. The County hereby specifically finds the cost of administering the Local Housing Assistance PROGRAM shall not exceed ten percent (10%) of the funding received from the State pursuant to the State Housing Initiatives Partnership Act. The County finds that up to ten percent (10%) of the available funds may be required to support administrative costs based upon: paperwork and reporting requirements for application and receipt of funds, program monitoring requirements, staff support for advisory committee activities, fiscal management and control, level of on-going staff liaison with various organizations and agencies, administrative effort necessary to legally integrate varied rules and regulations of SHIP and other housing programs, and general project management and data collection.

E. The Local Housing Assistance PROGRAM shall include all other lawful objectives not previously listed if said objectives have been adopted by Resolution of the Board of County Commissioners into the Local Housing Assistance PLAN in the manner provided for by Sections 420.907-9079, Florida Statutes and Rule 9I-37, Florida Administrative Code.

SECTION IX. SHIP PROGRAM ADMINISTRATION AND IMPLEMENTATION

A. The Local Housing PARTNERSHIP shall be responsible for general oversight of the Local Housing Assistance PROGRAM.

B. Responsibility for the planning, implementation and administration of the Santa Rosa County Affordable Housing PROGRAM, on behalf of Santa Rosa County, shall be provided under contract and denoted as follows:

WEST FLORIDA REGIONAL PLANNING COUNCIL
P.O. Box 486
Pensacola, Florida 32593-0486
(904) 444-8910
SUNCOM: (904) 693-8910
1-800-226-8914
FAX: (904) 444-8967

The Board of County Commissioners may change the designated administering entity by Resolution approved by majority vote of the Board. Such action shall not require amendment of this Ordinance. The designated administering entity shall have the following responsibilities:

1. To work with the Local Housing PARTNERSHIP to monitor the success of the PROGRAM and provide advice and suggestions regarding the potential for improvement of the PROGRAM from year to year.

2. To coordinate with the Florida Housing Finance Agency in facilitating the funding of the State Apartment Incentive Loan (SAIL) Program loans, in setting up advertisements and workshops to advise potential homebuyers of the Homeownership Assistance Program (HAP), and informing non-profit developers and community-based organizations of the Housing Predevelopment Trust Fund (HPTF) program, as necessary.

3. To work with the Local Housing PARTNERSHIP to coordinate local programs such as community loan funds, inclusionary housing programs, and linkage programs, with State programs such as the Housing Predevelopment Trust Fund, Homeownership Assistance Program (HAP), Single Family Mortgage Revenue Bond (MRB) Program, and State Apartment Incentive Loan (SAIL) Program, and with federal programs such as the Community Development Block Grant (CDBG) Program and the Farmers Home Administration homeowner programs so as to maximize the preservation and/or production of eligible housing through the PROGRAM.

C. The total amount paid for any administrative expenses in connection with the Local Housing Assistance, PROGRAM shall not exceed ten percent (10%) of the proceeds of the local SHIP funding distribution.

D. The County shall not treat as administrative expenses any costs previously borne by another funding source which could or may continue to be available from or paid by the said funding source at the time the Local Housing Assistance PLAN is submitted.

E. The County, the Local Housing PARTNERSHIP, and all eligible sponsors shall not discriminate in the loan application process involving eligible persons and eligible housing on the

basis of race, creed, religion, color, age, sex, sexual preference, marital status, familial status, national origin, or handicap.

F. The County shall comply with rules and regulations of the Florida Housing Finance Agency in connection with required reporting by the County of compliance with its Local Housing Assistance PROGRAM.

G. Prior to receiving an award, all eligible persons or eligible sponsors shall enter into an agreement to comply with the affordable housing criteria provided under Sections 420.907-9079, Florida Statutes, and this Ordinance. All eligible persons or eligible sponsors shall include in the deed transferring ownership of the property to the eligible person or eligible sponsor a covenant agreeing to comply with the terms of the above described laws which covenant will run with the land, or in the alternative, the agreement shall be made part of the mortgage agreement. Failure to comply with the covenant in the mortgage shall result in a default of the mortgage with all remedies and rights for enforcement incuring to the benefit of the County.

H. Eligible sponsors receiving assistance from both the State Housing Initiatives Partnership (SHIP) Program and the Low Income Housing Tax Credit (LIHTC) Program, shall be required to comply with the income, affordability, and other LIHTC requirements. Similarly, any eligible housing receiving assistance from SHIP and other Federal programs shall be required to comply with any requirements specified by the Federal program in addition to SHIP requirements.

SECTION X. AFFORDABLE HOUSING ADVISORY COMMITTEE

A. The SANTA ROSA COUNTY AFFORDABLE HOUSING COMMITTEE, hereinafter referred to as the "COMMITTEE," has been created consisting of a total of nine (9) members meeting the approval of the Santa Rosa County Board of County Commissioners. Appointment of individual members to the COMMITTEE shall be by Resolution of the Board of County Commissioners. A majority of the membership of said COMMITTEE shall be required to conduct official business, and all COMMITTEE meetings shall be publicly advertised or noticed in the local print media having the largest county-wide circulation.

B. Said COMMITTEE shall be comprised of one representative of each of the following interests, plus three (3) at-large members:

1. Labor engaged in homebuilding.
2. Advocacy for low income persons.
3. Affordable housing providers.
4. Real estate professionals.
5. Residential homebuilders.
6. Banking or mortgage banking industry.

C. The COMMITTEE shall serve in an advisory capacity and shall minimally perform the review functions stipulated in Section 420.9076, Florida Statutes, including the development of recommendations to the Santa Rosa County Board of County Commissioners regarding actions to address impediments to the provision of affordable housing, and/or to create incentives or support expansion of affordable housing opportunities within the local area. Said recommendations shall be in the form of a LOCAL AFFORDABLE HOUSING INCENTIVE PLAN, hereinafter referred to as the "PLAN," which shall be presented to the Santa Rosa County Board of County Commissioners. Within ninety (90) days of official presentation of the PLAN to the Board, the PLAN shall be adopted by Ordinance of the Santa Rosa County Board of County Commissioners.

D. Members shall initially serve for three-year terms and may be reappointed for subsequent terms.

E. Meetings shall be held monthly for the first year of COMMITTEE existence and quarterly, or more freqently, thereafter.

F. The COMMITTEE shall comply with the Government in the Sunshine Law, the public records law, and the special provisions regarding notice of the Local Affordable Housing Incentive PLAN considerations found in Chapter 420.9076, Florida Statutes. Minutes of the meeting shall be kept by the designated administering entity.

G. 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 meetings in a manner consistent with law.

H. Staff, administrative and facility support for the COMMITTEE shall be provided by the designated administrative entity of the Santa Rosa County Board of County Commissioners.

I. The COMMITTEE shall review the established policies and procedures, ordinances, land development regulations, and adopted local comprehensive plan of the County, and shall recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.

J. Recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions. At a minimum, the COMMITTEE shall make recommendations on affordable housing incentives in the following areas:

1. The affordable housing definition in the appointing resolution.

2. The expedited processing of permits for affordable housing projects.

3. The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment.

4. The allowance of increased density levels.

5. The reservation of infrastructure capacity for housing for very low-income persons.

6. The transfer of development rights as a financing mechanism for housing for very low-income persons and low-income persons.

7. The reduction of parking and setback requirements.

8. The allowance of zero lot-line configurations.

9. The modifications of sidewalk and street requirements.

10. The establishment of a process by which the County considers, before adoption, procedures and policies that have a significant impact on the cost of housing.

K. The COMMITTEE recommendations shall also include other affordable housing incentives identified by the Affordable Housing Advisory COMMITTEE.

L. To the maximum extent feasible, the approved affordable housing incentive recommendations submitted to the Santa Rosa County Board of County Commissioners must quantify the affordable housing cost reduction anticipated from implementing the specific recommendations.

M. Within nine (9) months from the adoption of this Ordinance, the COMMITTEE shall make recommendations approved by a majority of its membership at a public meeting. Notice of the time, date, and place of the public hearing of the COMMITTEE to adopt final affordable housing incentive recommendations shall be published in a newspaper of general circulation in the County. Such notice shall contain a short and concise summary of the affordable housing incentive recommendations to be considered by the COMMITTEE. The notice shall also state the public place where a copy of the tentative COMMITTEE recommendations may be obtained by interested persons.

SECTION XI. DEVELOPMENT AND ADOPTION OF THE AFFORDABLE HOUSING INCENTIVE PLAN

A. Within ninety (90) days after the receipt of the affordable housing incentive recommendations from the COMMITTEE, the Santa Rosa County Board of County Commissioners shall adopt the Affordable Housing Incentive PLAN. The Affordable Housing Incentive PLAN shall consist of specific initiatives which are designed to encourage, support or ease the processes associated with the provision of affordable housing. The PLAN must include a schedule for implementation, which must at a minimum encompass:

1. A schedule for implementation of expedited permit processing for affordable housing projects.

2. A continuous process incorporating the review of local procedures, policies, regulations, actions, and comprehensive plan provisions which significantly impact upon the cost of housing.

SECTION XII. SEVERABILITY

If any section, subsection, paragraph, sentence or clause or other provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

SECTION XIII. EFFECTIVE DATE

In accordance with Section 125.66(2)(a), Florida Statutes, and Section 420.9072(2)(b), Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Santa Rosa County Board of County Commissioners within ten (10) days after enactment, and this Ordinance shall take effect thirty (30) days after the date of formal adoption hereof.

PASSED AND ADOPTED by the Board of County Commissioners of Santa Rosa County, Florida, this 22 day of April, 1993, by a vote of 4 yeas, 0 nays and 1 absent.

ORDINANCE BOOK 6 PG 115

** OFFICIAL RECORDS **
BK 1350 PG 521

BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA

By _____
Chairman

ATTEST:

Irene Kicker Deputy
Clerk of Court

I, William M. McLellan, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and a copy deposited in the Postal Department of the United States of America for delivery by registered mail to the Secretary of the State of Florida, on this 26 day of April, 1993.

Irene Kicker Deputy
Clerk of Court

SANTA ROSA COUNTY, FLORIDA
WILLIAM M MCLELLAN, CLERK