

1 to amend Chapter 16, Article III (Housing Assistance Program and Trust Fund) to provide for
2 administrative services and expenses for the SHIP program, and to comport with Fla. Stat. §
3 420.9076; and

4 **WHEREAS**, it is in the best interests of the County to amend the Hernando County Housing
5 Assistance Program and Trust Fund Ordinance as shown herein; and

6 **WHEREAS**, notice of the public hearing on the matter of amending this ordinance was
7 properly and timely published; and

8 **WHEREAS**, the County has considered the record of the public hearing.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
10 **COMMISSIONERS OF HERNANDO COUNTY:**

11 **Section 1.** Chapter 16, Article III (Housing Assistance Program and Trust Fund), of the
12 Hernando County Code is hereby amended as follows:

13 **Sec. 16-54. Establishment of county housing assistance program.**

14 The Hernando County Housing Assistance Program (“the program”) is hereby
15 established by this article. The program as described by this section is a blueprint of
16 affordable housing projects the Hernando County Board of County Commissioners (“the
17 board”) will use to construct its final goal of affordable housing for eligible persons. The
18 detailed design specifications for the use of the trust fund monies will be adopted by
19 resolution in the Hernando County Local Housing Assistance Plan (attached as Exhibit I to
20 Ordinance No. 2008-10) (“LHAP”), after review of the statutory requirements and the local

1 needs. The ~~county commissioners~~board will, after giving due deliberation to the
2 recommendations of its designated administrator and the comments of the public, adopt this
3 ~~Hernando County Local Housing Assistance Plan~~LHAP.

4 **Sec. 16-55. Implementation and administration of the program.**

5 The ~~Hernando County Board of County Commissioners~~board hereby assumes
6 responsibility for the implementation and administration of the ~~Hernando County~~
7 ~~Housing Assistance Program~~program. The county will work with the Local Housing
8 Partnership to monitor the success of the program, and provide advice and suggestions as
9 to whether and in what ways the program might be improved from year to year. ~~The~~
10 ~~Hernando County Housing Authority ("Housing Authority") shall provide administrative~~
11 ~~services to the county in connection with the SHIP Program, as agreed in writing between~~
12 ~~the county and the housing authority. The Housing Authority will submit itemized~~
13 ~~invoices to the county for such administrative services, pursuant to an agreed-upon fee~~
14 ~~schedule.~~

15 **Sec. 16-56. County housing assistance trust fund.**

16 There is hereby established a separate trust fund to be known as the Hernando
17 County Housing Assistance Trust Fund ("trust fund"). All monies received from the state
18 pursuant to the State Housing Initiative Partnership ("SHIP") Act or the federal
19 government and any local or private monies contributed for the purposes established by

1 the ~~Hernando County Housing Assistance Program~~program shall be deposited into this
2 trust fund. The assets in the trust fund may be deposited or invested as provided by law.
3 No expenditure, other than for the administration and implementation of the ~~Hernando~~
4 ~~County Housing Assistance Program~~program, may be made from this trust fund. Until
5 utilized for the purposes thereof, monies in the trust fund shall be held in trust by the
6 ~~c~~County solely for usage pursuant to the program. All program income, including
7 investment earnings, shall be retained in the ~~Hernando County Assistance Trust Fund~~
8 trust fund and used for the purposes hereof. ~~The county agrees that the administrative~~
9 Administrative expenses ~~paid to the Housing Authority (as described in Section 16.55~~
10 ~~herein)~~ in connection with the ~~SHHP~~ LHAP shall not exceed five (5) percent of the
11 ~~proceeds of the SHHP funds~~ local housing distribution funds and program income
12 deposited into the trust fund, unless the board finds by resolution that five (5) percent of
13 the local housing distribution plus five (5) percent of the program income is insufficient
14 to adequately pay the necessary costs of administering the LHAP, in which case the cost
15 of administering the LHAP may not exceed ten (10) percent of the local housing
16 distribution plus five (5) of the program income deposited in the local housing trust fund.
17 The ~~c~~County will not treat as administrative expenses any costs previously borne by
18 another funding source which continue to be available at the time the ~~Hernando County~~
19 ~~Local Housing Assistance Plan~~LHAP is submitted.

20 **Sec. 16-57. County affordable housing advisory committee.**

1 (a) There is hereby created the Hernando County Affordable Housing
2 Advisory Committee (“the committee”), whose members shall be appointed by ~~resolution~~
3 ~~of the board of county commissioners.~~

4 (b) Pursuant to F.S. § 420.9076, The ~~the~~ committee shall consist of at least
5 eight (8) but not more than eleven (11) members, one of whom shall be a locally-elected
6 official of the County. The remaining committee members shall consist of one
7 representative from at least six of the categories below: ~~Six (6) members shall constitute a~~
8 ~~quorum. The committee may not take formal actions unless a quorum is present but may~~
9 ~~meet to hear presentations if duly noticed. The committee shall include the following,~~
10 ~~which individuals may overlap with or be a part of the Local Housing Partnership referred~~
11 ~~to in F.S. § 420.9071(16):~~

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

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

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

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

1 (5) One (1) citizen who is actively engaged as a not-for-profit provider
2 of affordable housing;

3 (6) One (1) citizen who is actively engaged as a for-profit provider of
4 affordable housing;

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

7 (8) One (1) citizen who actively serves on the local planning agency
8 pursuant to F.S. § 163.3174;

9 (9) One (1) citizen who resides within the jurisdiction of the local
10 governing body making the appointments~~;~~_;

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

12 (11) One (1) citizen who represents essential services personnel, as
13 defined in the local housing assistance plan~~;~~_;

14 (c) The committee may not take formal actions unless a quorum is present but
15 may meet to hear presentations if duly noticed.

16 (ed) Members shall serve ~~for~~ two-year terms and may be reappointed for
17 subsequent terms.

1 (~~d~~e) Meetings shall be held monthly for the first year of committee existence
2 and quarterly, or more frequently as necessary thereafter.

3 (~~e~~f) The committee shall comply with the government in the Sunshine Law,
4 the public records law and the special provisions regarding notice of plan considerations
5 found in F.S. ch. 420. Minutes of the meeting will be kept by the clerk to the board.

6 (~~f~~g) The committee shall annually elect a chairperson, vice chairperson and
7 such other offices as it deems necessary. The chairperson is charged with the duty of
8 conducting the meetings in a manner consistent with law.

9 (~~g~~h) Staff, administrative and facility support for the advisory committee shall
10 be provided by the board ~~of county commissioners and the Hernando County Housing~~
11 ~~Authority.~~

12 (~~h~~i) The ~~advisory~~ committee shall have the following duties:

13 (1) ~~Triennially~~Annually review the established policies and
14 procedures, ordinances, land development regulations, and adopted local comprehensive
15 plan and shall recommend specific actions or initiatives to encourage or facilitate
16 affordable housing while protecting the ability of the property to appreciate in value. The
17 recommendations may include the modification or repeal of existing policies, procedures,
18 ordinances, regulations, or plan provisions; the creation of exceptions applicable to
19 affordable housing; or the adoption of new policies, procedures, regulations, ordinances,

1 or plan provisions, including recommendations to amend the comprehensive plan and
2 corresponding regulations, ordinances, and other policies. At a minimum, the committee
3 shall submit an annual report to the board ~~county commission~~ and to the entity providing
4 statewide training and technical assistance for the Affordable Housing Catalyst Program
5 that includes recommendations on, ~~and triennially thereafter evaluates~~ the implementation
6 of; affordable housing incentives in the following areas;

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

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

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

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

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

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

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

5 h. The modification of street requirements for affordable
6 housing.

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

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

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

14 (2) Make recommendations ~~approval~~ approved by a majority of its
15 membership at a public hearing. Notice of the time, date and place of the public hearing
16 of the advisory committee to adopt ~~a~~ final affordable housing incentive recommendations
17 shall be advertised in a newspaper of general circulation in the county before the
18 scheduled hearing. The notice of the public hearing must contain a short, concise
19 summary of the affordable housing initiative recommendations to be considered by the

1 advisory committee. The notice shall also state the place where a copy of the tentative
2 advisory committee recommendations can be obtained.

3 **Sec. 16-58. County affordable housing incentive plan adoption.**

4 Within ninety (90) days after the date of the receipt of the affordable housing
5 incentive recommendations from the ~~advisory~~ committee, the board ~~of county~~
6 ~~commissioners~~ shall adopt by ordinance, ~~the Hernando County Affordable Housing~~
7 ~~Incentive Plan.~~ an amendment to the LHAP to incorporate the local housing incentive
8 strategies it will implement within its jurisdiction. The amendment must include,
9 ~~incentive plan shall~~ at a minimum, the local housing strategies required under F.S.
10 § 420.9071(18). ~~consist of specific initiatives encouraging and facilitating affordable~~
11 ~~housing, scheduling the implementation of the initiatives and scheduling implementation~~
12 ~~of expedited permit processing for affordable housing projects and finally, shall include a~~
13 ~~process for review of local policies, ordinances, regulations and planned provisions that~~
14 ~~significantly impact the cost of housing.~~ The board must consider the strategies specified
15 in F.S. §§ 420.9076(4)(a)-(k) as recommended by the committee. The board ~~of county~~
16 ~~commissioners~~ shall, upon adoption of an amendment of its LHAP to incorporate local
17 housing incentive strategies, ~~the incentive plan~~ send a certified copy of the approved
18 amended LHAP to the Florida Housing Finance ~~Agency~~ Corporation.

1 **Section 2. Severability.** It is declared to be the intent of the Board of County
2 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
3 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
4 the validity of the remaining portions of this ordinance.

5 **Section 3. Inclusion in the Code.** It is the intention of the Board of County
6 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of
7 this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,
8 Florida. To this end, the sections of this Ordinance may be renumbered or relettered to
9 accomplish such intention, and that the word “ordinance” may be changed to “section,” “article,”
10 or any other appropriate designation.

11 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
12 conflict with the provisions of this ordinance are hereby repealed.

13 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of
14 official acknowledgment from the office of the Secretary of State of Florida that this ordinance
15 has been filed with said office.

