

**ORDINANCE NO. 20- 28**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 9.3 HOUSING, ARTICLE III OF THE MARION COUNTY CODE RELATING TO LOCAL HOUSING ASSISTANCE, SECTION 9.3-46, MEMBERSHIP, TERMS, QUORUM AND VOTING REQUIREMENTS OF SAID COMMITTEE; AMENDING SECTION 9.3-47, MEETINGS, PUBLIC RECORDS AND SUPPORT SERVICES OF SAID COMMITTEE; AMENDING SECTION 9.3-48, THE ADOPTION OF AFFORDABLE HOUSING INCENTIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE MARION COUNTY CODE; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Marion County, Florida previously adopted Ordinance No. 98-11 establishing a local affordable housing assistance program to provide for the housing needs of its citizens; and

**WHEREAS**, the Board of County Commissioners of Marion County, Florida, then adopted Ordinance No. 08-16, amending Ordinance No. 98-11 by providing for an Affordable Housing Advisory Committee to recommend monetary and nonmonetary incentives for the affordable housing incentive plan as required in Section 420.9076(2) Florida Statutes ; and

**WHEREAS**, Section 420.09076(2), Florida Statutes as amended in Florida House Bill 1339 now requires one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program to be on the Affordable Housing Advisory Committee as well as additional reporting requirements; and

**WHEREAS**, the Board of County Commissioners of Marion County, Florida, now desires to amend Chapter 9.3 Housing, Article III, Local Housing Assistance of the Marion County Code to ensure compliance with Section 420.09076(2), Florida Statutes and the adoption of this ordinance will promote the health, safety, and welfare of the citizens of Marion County, Florida.

**BE IT ORDAINED**, by the Board of County Commissioners of Marion County, Florida, as follows:

**SECTION 1.**

Chapter 9.3 Housing, Article III, Local Housing Assistance of the Marion County Code is hereby amended as follows:

Section 9.3-46. MEMBERSHIP, TERMS, QUORUM AND VOTING REQUIREMENTS.

- (a) The Affordable Housing Advisory Committee shall consist of at least eight (8) but not more than eleven (11) members. The term of service on the committee shall be for three (3) years. Terms can be extended for an additional three (3) years by a majority vote of the ~~committee~~ Board of County Commissioner of Marion County, Florida.
- (b) ~~Seven members~~ A majority of the members shall constitute a quorum sufficient to permit the committee to take any formal action. However, if formal action is not taken, the committee may meet to hear presentations with less than a quorum in attendance, if the meeting is duly noticed. A majority of concurring votes of the entire membership of the committee shall be necessary for a decision or recommendation by the committee.
- (c) The Affordable Housing Advisory Committee may elect a chairperson or presiding officer.
- (d) The Board of County Commissioners shall appoint by resolution the members to the committee from recommendations submitted to the County Administrator. The composition of the committee shall include one locally elected official and one representative from at least six (6) of the categories below following individuals, who may also serve on the local housing partnership:
  - (1) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
  - (2) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
  - (3) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
  - (4) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

- (5) One citizen who is actively engaged as a for-profit provider of affordable housing.
  - (6) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
  - (7) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
  - (8) One citizen who actively serves on the local planning agency pursuant to s. 163.3174.
  - (9) One citizen who resides within the jurisdiction of the local governing body making the appointments.
  - (10) One citizen who represents employers within the jurisdiction.
  - (11) One citizen who represents essential services personnel, as defined in the local housing assistance plan.
- (e) The locally elected official serving on the advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in s.420.531(2). If the locally elected official or a locally elected designee fails to attend three consecutive regional workshops the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

Section 9.3-47. MEETINGS, PUBLIC RECORDS, SUPPORT SERVICES.

All meetings of the affordable housing advisory committee are public meetings, and all committee records are public records. Staff, administrative and facility support for the affordable housing advisory committee shall be provided by the Housing Community Services department.

Section 9.3-48. ADOPTION OF AFFORDABLE HOUSING INCENTIVE PLAN.

- (a) Annually~~Triennially~~, the affordable housing advisory committee shall hold public meetings in which it reviews the established policies and procedures, ordinances, land development regulations and the county comprehensive plan. The committee shall recommend specific actions or initiatives to encourage or facilitate

affordable housing while protecting the ability of the property to appreciate in value.

- (b) Recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or comprehensive plan provisions: the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances or comprehensive plan provisions. At a minimum, the Affordable Housing Advisory Committee shall submit an annual report to the county and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which includes recommendations on the implementation of ~~At a minimum, the committee recommends~~ affordable housing incentives in the following areas:
- (c) The processing approvals of development orders or permits, as ~~defined in s. 163.3164(7) and (8)~~, for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.
- (d) All allowable fee waivers provided ~~The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for the development or construction of~~ affordable housing.
- (e) The allowance of flexibility in densities for affordable housing.
- (f) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
- (g) ~~The allowance of a~~ Affordable accessory residential units ~~in residential zoning districts.~~
- (h) The reduction of parking and setback requirements for affordable housing.
- (i) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (j) The modification of street requirements for affordable housing.
- (k) The establishment of a process by which the Board of County Commissioners considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of

housing.

- (l) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (m) The support of development near transportation hubs and major employment centers and mixed use developments. The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform an the initial review but may elect to not perform the annual triennial review.
- (n) To the maximum extent feasible, the recommendations for an affordable housing incentive plan submitted to the Board of County Commissioners shall quantify the affordable housing cost reduction anticipated from implementing the specific recommendations.
- (o) The Affordable Housing Advisory Committee shall submit its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies approved by an affirmative vote of a majority of its entire membership at a public hearing. Public notice of committee meeting shall include the time, date and place and shall be published in a newspaper of general paid circulation in the county. The notice shall provide a short and concise summary of the evaluation and affordable housing incentive plan recommendations to be considered by the committee. The notice shall state the public place where a copy of the evaluation and tentative advisory committee recommendations can be obtained by interested persons. The final report, evaluation, and recommendations shall be submitted to the corporation.
- (p) Within 90 days after the date of the receipt of the evaluation and affordable housing incentive recommendations from the Affordable Housing Advisory Committee, the Board of County Commissioners shall adopt an amendment to its Affordable Housing Incentive Plan to incorporate the local housing incentive strategies it will implement. The incentive plan amendment shall adopt specific initiatives and consider the strategies as recommended by the advisory committee to encourage or facilitate affordable housing and a schedule for implementation of the incentive strategies and must include, at a minimum:

- (1) A schedule for implementation of expedited permit processing for affordable housing projects as provided in s. 163.3177(6)(f)3.
- (2) A process for review of local policies, procedures, ordinances, regulations, and incentive plan provisions that increase the cost of housing prior to their adoption.

**SECTION 2. SEVERABILITY.** It is the declared intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 3. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Marion County, Florida, that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

**SECTION 4. REPEAL.** All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

**SECTION 5. EFFECTIVE DATE.** A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in F.S. § 125.66(2)(b).

**DULY ADOPTED** this 20<sup>th</sup> day of October, 2020.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

  
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DAVID R. ELLSPERMANN, CLERK

  
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KATHY BRYANT, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY  
OF STATE ON OCTOBER 21, 2020  
ADVISING ORDINANCE WAS FILED ON  
OCTOBER 21, 2020.