

SUMTER COUNTY RESOLUTION 2010-

A RESOLUTION OF SUMTER COUNTY, FLORIDA, APPOINTING MEMBERS OF THE SUMTER COUNTY STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC), PROVIDING TERMS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that the prospective availability of State Housing Initiatives Partnership Program funds provides a valuable opportunity to improve the standard of living for eligible areas of Sumter County, and;

WHEREAS, Section 420.9076, Florida Statutes, mandates that Sumter County create an Affordable Housing Advisory Committee (AHAC) to provide input with regard to reviewing established policies and procedures, ordinances, land development regulation, and adopted local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value, and;

WHEREAS, Sumter County has established an Affordable Housing Advisory Committee (AHAC) in a manner consistent with statutory requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, that the following citizens are hereby appointed to the Affordable Housing Advisory Committee (AHAC):

Diana Couillard	Building Industry	7/13/10 - 7/12/12
Gary Schick	Banking Industry	7/13/10 - 7/12/13
Matthew Yoder	Areas of Labor Activity	7/13/10 - 7/12/12
Hilary Cook	Low Income Advocate	7/13/10 - 7/12/13
Priscilla Lewis	For-profit Housing Provider	7/13/10 - 7/12/12
Jacquelyn Smith	Non-profit Housing Provider	7/13/10 - 7/12/13
Virginia Watson	Real Estate Professional	7/13/10 - 7/12/13
Richard Cole	Local Planning Agency	7/13/10 - 7/12/13
Glenn Frazier	Sumter County Resident	7/13/10 - 7/12/12
Kelly Pisciotta	Employer Representative	7/13/10 - 7/12/13
Cecil Burris	Essential Service Personnel	7/13/10 - 7/12/12

Alternates:

Annette McCullough	Banking Industry	7/13/10 - 7/12/12
Lori Roscoe	Real Estate Professional	7/13/10 - 7/12/12

Effective Date. This Resolution shall take effect on July 13, 2010.

ATTEST: GLORIA HAYWARD
 CLERK OF CIRCUIT COURT

SUMTER COUNTY, FLORIDA

Deputy Clerk

By: Doug Gilpin
 Chairman

(SEAL)

SUMTER COUNTY ORDINANCE 2010-

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING THE ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING ADVISORY COMMITTEE, PROVIDING MEMBERSHIP STANDARDS, OUTLINING OBLIGATIONS OF THE BOARD OF COUNTY COMMISSIONERS WITH REGARD TO ADVISORY COMMITTEE RECOMMENDATIONS, PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that affordable housing is a necessary and desirable goal for Sumter County, and;

WHEREAS, Section 420.9076 requires that all counties in Florida establish an Affordable Housing Advisory Committee, and;

WHEREAS, to establish an Affordable Housing Advisory Committee in a manner consistent with statutory requirements, Sumter County passed Ordinance 2008-14, and;

WHEREAS, to maintain consistency with state statutes, the ordinance shall be amended as stated herein.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, that Chapter 12, Article III, Section 12-47 is hereby amended in its entirety to read as follows:

SECTION 1: *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 Section 420.9071(18), Florida Statutes:

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

- (5) One citizen who is a for profit provider of affordable housing;
- (6) One citizen who is 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 of the County;
- (9) One citizen chosen by the Board of County Commissioners from any profession or occupation.
- (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.

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 an individual may be chosen without regard to any connection with affordable housing.

SECTION 2: *Term.* Six 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 years.

SECTION 3: *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 Chapter 119, Florida Statutes, and the special provisions regarding notice of plan considerations found in Chapter 420, Florida Statutes. Minutes of the meeting will be kept by Sumter County staff and the meetings shall be recorded via audio recording.

SECTION 4: *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.

SECTION 5: *Support.* Staff, administrative and facility support for advisory committee shall be provided by the board of county commissioners and the county housing authority.

SECTION 6: *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 s. 163.3164(7) and (8), Florida Statutes, 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 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. .

SECTION 7. *Codification.* It is the intention of the Sumter County Board of County Commissioners that the provisions of this Ordinance shall become and be made a 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 8. *Severability.* If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given the effect without the invalid provision or application, and to this end, the provision of this act are declared severable.

SECTION 9. *Effective Date.* This Ordinance shall take effect on _____ 2010.

ATTEST: GLORIA HAYWARD
 CLERK OF CIRCUIT COURT

SUMTER COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

Deputy Clerk

By: Doug Gilpin
 Chairman

(SEAL)

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: Sumter County Resolution - Advisory Committee (AHAC)

REQUESTED ACTION: Approve Resolution

Work Session (Report Only) **DATE OF MEETING:** 5/11/2010
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Community Services, Housing Department

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

A Resolution of Sumter County, Florida, appointing members of the Sumter County State Housing Initiatives partnership (SHIP) Affordable Housing Advisory Committee (AHAC), providing staggered terms, and providing an effective date.

Diana Couillard	Building Industry	Term 3 years
Gary Schick	Banking Industry	Term 3 years
Matthew Yoder	Areas of Labor Activity	Term 2 years
Hilary Cook	Low Income Advocate	Term 2 years
Priscilla Lewis	For-profit Housing Provider	Term 3 years
Jacquelyn Smith	Non-profit Housing Provider	Term 3 years
Virginia Watson	Real Estate Professional	Term 2 years
Richard Cole	Local Planning Agency	Term 2 years
Glenn Frazier	Sumter County Resident	Term 3 years
Kelly Piscotta	Employer Representative	Term 3 years
Cecil Burris	Essential Service Personnel	Term 2 year

Alternates:
Annette McCullough Banking Industry Term 2 years

See attached resolution

SUMTER COUNTY RESOLUTION 2010-

A RESOLUTION OF SUMTER COUNTY, FLORIDA, APPOINTING MEMBERS OF THE SUMTER COUNTY STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC), PROVIDING STAGGERED TERMS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners recognizes that the prospective availability of State Housing Initiatives Partnership Program funds provides a valuable opportunity to improve the standard of living for eligible areas of Sumter County, and;

WHEREAS, Section 420.9076, Florida Statutes, mandates that Sumter County create an Affordable Housing Advisory Committee (AHAC) to provide input with regard to reviewing established policies and procedures, ordinances, land development regulation, and adopted local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value, and;

WHEREAS, Sumter County has established an Affordable Housing Advisory Committee (AHAC) in a manner consistent with statutory requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, that the following citizens are hereby appointed to the Affordable Housing Advisory Committee (AHAC):

Diana Couillard	Building Industry	Term 3 years
Gary Schick	Banking Industry	Term 3 years
Matthew Yoder	Areas of Labor Activity	Term 2 years
Hilary Cook	Low Income Advocate	Term 2 years
Priscilla Lewis	For-profit Housing Provider	Term 3 years
Jacquelyn Smith	Non-profit Housing Provider	Term 3 years
Virginia Watson	Real Estate Professional	Term 2 years
Richard Cole	Local Planning Agency	Term 2 years
Glenn Frazier	Sumter County Resident	Term 3 years
Kelly Piscotta	Employer Representative	Term 3 years
Cecil Burris	Essential Service Personnel	Term 2 years

Alternates:

Annette McCullough	Banking Industry	Term 2 years
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Effective Date. This Resolution shall take effect on May 11, 2010.

ATTEST: GLORIA HAYWARD
 CLERK OF CIRCUIT COURT

SUMTER COUNTY, FLORIDA

Deputy Clerk

By: Doug Gilpin
 Chairman

(SEAL)

SUMTER COUNTY RESOLUTION 2008-

A RESOLUTION OF SUMTER COUNTY, FLORIDA, APPOINTING MEMBERS OF THE SUMTER COUNTY STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC), AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that the prospective availability of State Housing Initiatives Partnership Program funds provides a valuable opportunity to improve the standard of living for eligible areas of Sumter County, and;

WHEREAS, Section 420.9076, Florida Statutes, mandates that Sumter County create an Affordable Housing Advisory Committee (AHAC) to provide input with regard to reviewing established policies and procedures, ordinances, land development regulation, and adopted local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value, and;

WHEREAS, Sumter County has established an Affordable Housing Advisory Committee (AHAC) in a manner consistent with statutory requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, that the following citizens are hereby appointed to the Affordable Housing Advisory Committee (AHAC):

✓ Diana Couillard	Building Industry ✓	Term 2 years
✓ Gary Schick	Banking Industry ✓	Term 2 years
✓ Matthew Yoder	Areas of Labor Activity ✓	Term 2 years
Hilary Cook	Low Income Advocate ✓	Term 2 years
Priscilla Lewis	For-profit Housing Provider ✓	Term 2 years
Jacquelyn Smith	Non-profit Housing Provider ✓	Term 2 years
Virginia Watson	Real Estate Professional ✓	Term 2 years
Richard Cole	Local Planning Agency ✓	Term 2 years
Larry Lawrence	Sumter County Resident ✓	Term 2 years
Lena Wasserman	Employer Representative ✓	Term 2 years
Cecil Burris	Essential Service Personnel ✓	Term 2 years

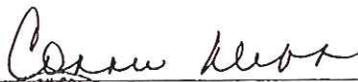
Alternates:

Annette McCullough	Banking Industry ✓	Term 2 years
Glenn Frazier	Real Estate Professional ✓	Term 2 years
Frank Topping	Local Planning Agency ✓	Term 2 years

Effective Date. This Resolution shall take effect on May 13, 2008.

ATTEST: GLORIA HAYWARD
CLERK OF CIRCUIT COURT

SUMTER COUNTY, FLORIDA



Clerk




By: Richard Hoffman
Chairman

SUMTER COUNTY ORDINANCE 2008-14

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, ESTABLISHING AN AFFORDABLE HOUSING ADVISORY COMMITTEE, PROVIDING MEMBERSHIP STANDARDS, OUTLINING OBLIGATIONS OF THE BOARD OF COUNTY COMMISSIONERS WITH REGARD TO ADVISORY COMMITTEE RECOMMENDATIONS, PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that affordable housing is a necessary and desirable goal for Sumter County, and;

WHEREAS, Section 420.9076 requires that all counties in Florida establish an Affordable Housing Advisory Committee, and;

WHEREAS, Sumter County wishes to establish an Affordable Housing Advisory Committee in a manner consistent with statutory requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, that Chapter 12, Article III, Section 12-47 is hereby amended in its entirety to read as follows:

SECTION 1: *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 nine (9) members. Five (5) 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 Section 420.9071(18), Florida Statutes:

- (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 of the County;

(9) One citizen who resides within the jurisdiction chosen by the Board of County Commissioners from any profession or occupation.

(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.

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 an individual may be chosen without regard to any connection with affordable housing.

SECTION 2: *Term.* Members shall serve for two-year terms and may be appointed for subsequent terms.

SECTION 3: *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 government in the Sunshine Law, the Public Records Law and the special provisions regarding notice of plan considerations found in Chapter 420, Florida Statutes. Minutes of the meeting will be kept by a Deputy Clerk of the Circuit Court.

SECTION 4: *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 law.

SECTION 5: *Support.* Staff, administrative and facility support for advisory committee shall be provided by the board of county commissioners and the county housing department.

SECTION 6: *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 s. 163.3164(7) and (8), Florida Statutes, 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 may also include other affordable housing incentives identified by the advisory committee.

(2) 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 paid 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 must also state the place where a copy of the tentative advisory committee recommendations can be obtained by interested persons.

SECTION 7. *Codification.* It is the intention of the Sumter County Board of County Commissioners that the provisions of this Ordinance shall become and be made a 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 re-lettered to accomplish such intention.

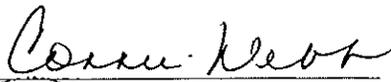
SECTION 8. *Severability.* If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given the effect without the invalid provision or application, and to this end, the provision of this act are declared severable.

SECTION 9. *Effective Date.* This Ordinance shall take effect on May 13, 2008.

DONE AND ORDAINED this 13 day of May, 2008, in regular session by the Sumter County Board of County Commissioners.

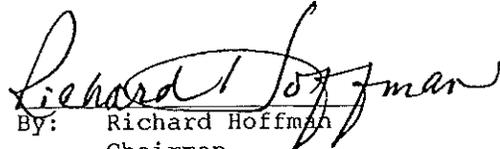
ATTEST: GLORIA HAYWARD
CLERK OF CIRCUIT COURT

SUMTER COUNTY, FLORIDA



Clerk




By: Richard Hoffman
Chairman

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

(a) *Establishment, Purpose and Intent.* The Sumter County Affordable Housing Advisory Committee (sometime referred to herein as the "committee") is hereby established for the purpose and intent of recommending to the board of county commissioners an affordable housing incentive plan (sometime referred to herein as the incentive plan).

(b) *Duties and Authority.*

- (1) 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 be included in the incentive plan, which encourages or facilitates affordable housing while protecting the ability of the property to appreciate in value.
- (2) Recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions and the establishment or enactment of new ones. To the maximum extent feasible, the approved affordable housing incentive recommendations submitted to the board of county commissioners must quantify the affordable housing cost reduction anticipated from implementing the specific recommendation. At a minimum, the committee shall make recommendations on affordable housing incentives in the following areas:
 - a. The affordable housing definition in the appointing resolution.
 - b. The expedited processing of permits for affordable housing projects.
 - c. When applicable, the modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment.
 - d. The allowance of increased density levels.
 - e. The reservation of infrastructure capacity for housing for very-low-income persons and low-income persons.
 - f. The transfer of development rights as a financing mechanism for housing for very-low-income persons and low-income persons.
 - g. The reduction of parking and setback requirements.
 - h. The allowance of zero-lot-line configurations.
 - i. The modifications of sidewalk and street requirements.
 - j. The establishment of a process by which the county considers, before adoption, requirements, procedures and policies that have a significant impact on the cost of housing.
 - k. Other affordable housing incentives identified by the committee.
- (3) Within nine (9) months from the adoption of this article [April 13, 1993], 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 committee to adopt final affordable housing incentive recommendations shall be published in a newspaper of general paid circulation in the county. Such notice shall contain a short and concise summary of the affordable housing incentive recommen-

dations to be considered by the committee. The notice shall also state the public place where a copy of the tentative committee recommendation can be obtained by interested persons.

(c) *Membership.*

- (1) The committee shall consist of nine (9) members, appointed by the board of county commissioners. Each member shall be a resident of the unincorporated area of Sumter County if the grants involved apply only to the unincorporated area. If any grant includes any municipality, then a member may reside within that municipality.
- (2) The terms of the committee members shall be as follows:
 - a. The initial appointments shall be as follows: -
 1. Three (3) members shall be appointed for one-year terms.
 2. Three (3) members shall be appointed for two-year terms.
 3. Three (3) members shall be appointed for three-year terms.
 - b. ~~★~~ Succeeding appointments or reappointments shall be for a term of three (3) years. Members may be reappointed for successive terms.
 - * c. An appointment to fill any vacancy on the committee shall be for the remainder of the unexpired term of office.
- (3) At its initial meeting, and at its first meeting in each calendar year thereafter, the committee shall elect, by majority vote of its membership, one (1) of its members to serve as chair, one (1) to serve as vice-chair, and such other officers as it deems necessary. The chair is charged with the duty of conducting meetings in a manner consistent with law. These officers shall serve for terms of one (1) year; however, vacancies in these offices shall be filled for the unexpired terms only. The chair and vice-chair may take part in all deliberations and vote on all issues.
- (4) Committee members serve at the pleasure of the board of county commissioners and may be suspended or removed for cause at any time. If any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chair, the committee shall declare the members office vacant; and the commission shall promptly fill such vacancy. Removal for other good cause related to performance or qualifications are grounds for dismissal. A member who ceases to be a resident of the county shall be automatically dismissed.

(d) *Meetings.*

- (1) The committee shall establish a regular meeting schedule. Meetings shall be held monthly for the first year after appointments are made, and quarterly or as needed thereafter. In addition to regularly scheduled meetings, additional meetings may be called by the chair or board of county commissioners as necessary.
- (2) The committee may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this article and Florida law.

- (3) Minutes shall be kept of all proceedings.
- (4) The committee shall comply with the Government in the Sunshine Law, the public records law, and the special provisions regarding notice of affordable housing incentive plan considerations found in F.S. § 420.9076.

(e) *Quorum and Voting.*

- (1) The presence of five (5) or more members shall constitute a quorum. A quorum is necessary for any official action; however, a quorum is not necessary to hear presentations if duly noticed.
- (2) Voting shall be conducted as follows:
 - a. All members shall vote on each motion unless a conflict of interest form is filed, or unless otherwise prohibited by law.
 - b. All actions shall be taken by majority vote, a quorum being present.
 - c. A roll call vote shall be taken upon the request of any member.

(f) *Compensation.* Members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by the commission or as are otherwise provided by law.

(g) *Administrative Staff.* The director of public services shall provide clerical and administrative support, including a secretary, to the committee as may be reasonably required for the proper performance of its duties.

(Ord. No. 93-1, § 7, 4-13-93; Ord. No. 2000-4, § 1, 4-11-00)

Sec. 12-48. Sumter County Affordable Housing Incentive Plan.

(a) *Description.* The Sumter County Affordable Housing Incentive Plan shall be a plan of regulatory incentives directed toward the goal of making housing available at affordable prices by means such as cost reduction in the development process.

(b) *Adoption.* Within ninety (90) days after the date of the receipt of the affordable housing incentive recommendations from the affordable housing advisory committee, the board of county commissioners shall adopt an affordable housing incentive plan (sometime referred to herein as the incentive plan). The incentive plan shall consist of the adoption of specific initiatives to encourage or facilitate affordable housing and a schedule for implementation and must include, at a minimum:

- (1) Specific incentives encouraging and facilitating affordable housing, including expedited permit processing for affordable housing projects where feasible.
- (2) Schedule for implementation of adopted incentives.
- (3) An ongoing process for review of local policies, articles, regulations, and comprehensive plan provisions that significantly impact the cost of housing.

(c) *Notification.* Upon adoption of the incentive plan, the board of county commissioners shall so notify the Florida Housing Finance Agency by certified mail. The notice shall include a certified copy of the approved incentive plan.

(Ord. No. 93-1, § 8, 4-13-93)

SUMTER COUNTY ORDINANCE 2000-4

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING SECTION 12-47 OF THE SUMTER COUNTY CODE TO CHANGE THE MEMBERSHIP OF THE SUMTER COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE TO PROVIDE MORE FLEXIBILITY, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith, PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, Sumter County has an aggressive affordable housing initiative involving grant funds, and

WHEREAS, one of the requirements is to have an advisory committee to give public input to the process, and

WHEREAS, the existing code provision sets forth a laundry list of individuals who must be selected to serve on this committee which makes it difficult to find persons meeting the specific requirements, and

WHEREAS, state law only requires the members of the committee reside in the county and the Board desires to remove the more restrictive membership regulation,

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Sumter County, Florida, as follows:

1. Section 12-47(c)(1) of the Sumter County code is amended to read as follows:

Section 12-47(c). Membership.

(1) The committee shall consist of nine (9) members, appointed by the Board of County Commissioners. Each member shall be a resident of the unincorporated area of Sumter County if the grants involved apply only to the unincorporated area. If any grant includes any municipality, then a member may reside within that municipality.

2. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a 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.

3. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

4. This ordinance shall take effect as provided by law.

5. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not effect the validity of the remaining portion.

DONE AND ORDAINED this 11th day of April, 2000, at Bushnell, Sumter County, Florida.



GLORIA HAYWARD
Clerk of Circuit Court

DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS
OF SUMTER COUNTY, FLORIDA

By: Benny Strickland
Benny Strickland, Chair

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420.9076 Adoption of affordable housing incentive strategies; committees.--

(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program, including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. [420.9071\(16\)](#).

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory **committee by resolution**. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee to prepare a joint plan. The ordinance adopted pursuant to s. [420.9072](#) which creates the advisory committee or the resolution appointing the advisory committee members **must provide for 11 committee members and their terms**. The committee must include:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to s. [163.3174](#). If the local planning agency is comprised of the governing board of the county or municipality, the governing board

may appoint a designee who is knowledgeable in the local planning process.

- (i) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) One citizen who represents employers within the jurisdiction.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If a county or eligible municipality whether due to its small size, the presence of a conflict of interest by prospective appointees, or other reasonable factor, is unable to appoint a citizen actively engaged in these activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program may elect to appoint an affordable housing advisory committee with fewer than 11 representatives if they are unable to find representatives who meet the criteria of paragraphs (a)-(k).

(3) All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible municipality.

(4) Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or 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; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit a report to the local governing body that includes recommendations on, and triennially thereafter evaluates the implementation of, affordable housing incentives in the following areas:

- (a) The processing of 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.
- (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 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 the initial review but may elect to not perform the triennial review.

(5) The approval by the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and place of the public hearing of the advisory committee to adopt its evaluation and final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the evaluation and local housing incentives strategies recommendations to be considered by the advisory committee. The notice must 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.

(6) Within 90 days after the date of receipt of the evaluation and local housing incentive strategies recommendations from the advisory committee, the governing body of the appointing local government shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at a minimum, the local housing incentive strategies required under s. 420.9071(16). The local government must consider the strategies specified in paragraphs (4)(a)-(k) as recommended by the advisory committee.

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(a) If the corporation fails to receive timely the approved amended local housing assistance plan to incorporate local housing incentive strategies, a notice of termination of its share of the local housing

distribution shall be sent by certified mail by the corporation to the affected county or eligible municipality. The notice of termination must specify a date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or the eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after receipt of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. [420.9072](#).

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. [420.9072](#).

(8) The advisory committee may perform other duties at the request of the local government, including:

(a) The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.

(b) The creation of best practices for the development of affordable housing in the community.

(9) The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee.

History.--s. 32, ch. 92-317; s. 15, ch. 93-181; s. 38, ch. 97-167; s. 24, ch. 2006-69; s. 19, ch. 2007-198; s. 117, ch. 2008-4; s. 30, ch. 2009-96.

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420.9072 State Housing Initiatives Partnership Program.--The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(1)(a) In addition to the legislative findings set forth in s. [420.6015](#), the Legislature finds that affordable housing is most effectively provided by combining available public and private resources to conserve and improve existing housing and provide new housing for very-low-income households, low-income households, and moderate-income households. The Legislature intends to encourage partnerships in order to secure the benefits of cooperation by the public and private sectors and to reduce the cost of housing for the target group by effectively combining all available resources and cost-saving measures. The Legislature further intends that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons, and community groups to produce affordable housing and provide related services. Extending the partnership concept to encompass cooperative efforts among small counties as defined in s. [120.52\(19\)](#), and among counties and municipalities is specifically encouraged. Local governments are also intended to establish an affordable housing advisory committee to recommend monetary and nonmonetary incentives for affordable housing as provided in s. [420.9076](#).

(b) The Legislature further intends that the State Housing Initiatives Partnership Program provide the maximum flexibility to local governments to determine the use of funds for housing programs while ensuring accountability for the efficient use of public resources and guaranteeing that benefits are provided to those in need.

(2)(a) To be eligible to receive funds under the program, a county or eligible municipality must:

1. Submit to the corporation its local housing assistance plan describing the local housing assistance strategies established pursuant to s. [420.9075](#);
2. Within 12 months after adopting the local housing assistance plan, amend the plan to incorporate the local housing incentive strategies defined in s. [420.9071\(16\)](#) and described in s. [420.9076](#); and
3. Within 24 months after adopting the amended local housing assistance plan to incorporate the local

housing incentive strategies, amend its land development regulations or establish local policies and procedures, as necessary, to implement the local housing incentive strategies adopted by the local governing body. A county or an eligible municipality that has adopted a housing incentive strategy pursuant to s. 420.9076 before the effective date of this act shall review the status of implementation of the plan according to its adopted schedule for implementation and report its findings in the annual report required by s. 420.9075(10). If, as a result of the review, a county or an eligible municipality determines that the implementation is complete and in accordance with its schedule, no further action is necessary. If a county or an eligible municipality determines that implementation according to its schedule is not complete, it must amend its land development regulations or establish local policies and procedures, as necessary, to implement the housing incentive plan within 12 months after the effective date of this act, or if extenuating circumstances prevent implementation within 12 months, pursuant to s. 420.9075(13), enter into an extension agreement with the corporation.

(b) A county or an eligible municipality seeking approval to receive its share of the local housing distribution must adopt an ordinance containing the following provisions:

1. Creation of a local housing assistance trust fund as described in s. 420.9075(6).
2. Adoption by resolution of a local housing assistance plan as defined in s. 420.9071(14) to be implemented through a local housing partnership as defined in s. 420.9071(18).
3. Designation of the responsibility for the administration of the local housing assistance plan. Such ordinance may also provide for the contracting of all or part of the administrative or other functions of the program to a third person or entity.
4. Creation of the affordable housing advisory committee as provided in s. 420.9076.

The ordinance must not take effect until at least 30 days after the date of formal adoption. Ordinances in effect prior to the effective date of amendments to this section shall be amended as needed to conform to new provisions.

(3)(a) The governing board of the county or of an eligible municipality must submit to the corporation one copy of its local housing assistance plan. The transmittal of the plan must include a copy of the ordinance, the adopting resolution, the local housing assistance plan, and such other information as the corporation requires by rule; however, information to be included in the plan is intended to demonstrate consistency with the requirements of ss. 420.907-420.9079 and corporation rule without posing an undue burden on the local government. Plans shall be reviewed by a committee composed of corporation staff as established by corporation rule.

(b) Within 30 days after receiving a plan, the review committee shall review the plan and either approve it or identify inconsistencies with the requirements of the program. The corporation shall assist a local government in revising its plan if it initially proves to be inconsistent with program requirements. A plan that is revised by the local government to achieve consistency with program requirements shall be reviewed within 30 days after submission. The deadlines for submitting original and revised plans

shall be established by corporation rule; however, the corporation shall not require submission of a new local housing assistance plan to implement amendments to this act until the currently effective plan expires.

(c) The Legislature intends that approval of plans be expedited to ensure that the production of needed housing and the related creation of jobs occur as quickly as possible. After being approved for funding, a local government may amend by resolution its local housing assistance plan if the plan as amended complies with program requirements; however, a local government must submit its amended plan for review according to the process established in this subsection in order to ensure continued consistency with the requirements of the State Housing Initiatives Partnership Program.

(4) Moneys in the Local Government Housing Trust Fund shall be distributed by the corporation to each approved county and eligible municipality within the county as provided in s. 420.9073. Distributions shall be allocated to the participating county and to each eligible municipality within the county according to an interlocal agreement between the county governing authority and the governing body of the eligible municipality or, if there is no interlocal agreement, according to population. The portion for each eligible municipality is computed by multiplying the total moneys earmarked for a county by a fraction, the numerator of which is the population of the eligible municipality and the denominator of which is the total population of the county. The remaining revenues shall be distributed to the governing body of the county.

(5)(a) Local governments are encouraged to make the most efficient use of their resources by cooperating to provide affordable housing assistance. Local governments may enter into an interlocal agreement for the purpose of establishing a joint local housing assistance plan subject to the requirements of ss. 420.907-420.9079. The local housing distributions for such counties and eligible municipalities shall be directly disbursed on a monthly basis to each county or eligible municipality to be administered in conformity with the interlocal agreement providing for a joint local housing assistance plan.

(b) If a county or eligible municipality enters into an interlocal agreement with a municipality that becomes eligible as a result of entering into that interlocal agreement, the county or eligible municipality that has agreed to transfer the control of funds to a municipality that was not originally eligible must ensure through its local housing assistance plan and through the interlocal agreement that all program funds are used in a manner consistent with ss. 420.907-420.9079. This must be accomplished by:

1. Providing that the use of the portion of funds transferred to the municipality meets all requirements of ss. 420.907-420.9079, or
2. Providing that the use of the portion of funds transferred to the municipality, when taken in combination with the use of the local housing distribution from which funds were transferred, meets all requirements of ss. 420.907-420.9079.

(6) The moneys that otherwise would be distributed pursuant to s. 420.9073 to a local government that

does not meet the program's requirements for receipts of such distributions shall remain in the Local Government Housing Trust Fund to be administered by the corporation.

(7) A county or an eligible municipality must expend its portion of the local housing distribution only to implement a local housing assistance plan or as provided in this subsection.

(a) A county or an eligible municipality may not expend its portion of the local housing distribution to provide rent subsidies; however, this does not prohibit the use of funds for security and utility deposit assistance.

(b) A county or an eligible municipality may expend a portion of the local housing distribution to provide a one-time relocation grant to persons who meet the income requirements of the State Housing Initiatives Partnership Program and who are subject to eviction from rental property located in the county or eligible municipality due to the foreclosure of the rental property. In order to receive a grant under this paragraph, a person must provide the county or eligible municipality with proof of meeting the income requirements of a very-low-income household, a low-income household, or a moderate-income household; a notice of eviction; and proof that the rent has been paid for at least 3 months before the date of eviction, including the month that the notice of eviction was served. Relocation assistance under this paragraph is limited to a one-time grant of not more than \$5,000 and is not limited to persons who are subject to eviction from projects funded under the State Housing Initiatives Partnership Program. This paragraph expires July 1, 2010.

(8) Funds distributed under this program may not be pledged to pay the debt service on any bonds.

(9) The corporation shall adopt rules necessary to implement ss. [420.907-420.9079](#).

History.--s. 32, ch. 92-317; s. 13, ch. 93-181; s. 35, ch. 97-167; s. 81, ch. 2000-153; s. 22, ch. 2006-69; s. 19, ch. 2008-104; s. 27, ch. 2009-96.

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420.9071 Definitions.--As used in ss. 420.907-420.9079, the term:

(1) "Adjusted for family size" means adjusted in a manner that 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 subsection (19), subsection (20), or subsection (28), based upon a formula established by the United States Department of Housing and Urban Development.

(2) "Affordable" means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in subsection (19), subsection (20), or subsection (28). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark.

(3) "Affordable housing advisory committee" means the committee appointed by the governing body of a county or eligible municipality for the purpose of recommending specific initiatives and incentives to encourage or facilitate affordable housing as provided in s. 420.9076.

(4) "Annual gross income" means annual income as defined under the Section 8 housing assistance payments programs in 24 C.F.R. part 5; annual income as reported under the census long form for the recent available decennial census; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for individual federal annual income tax purposes or as defined by standard practices used in the lending industry as detailed in the local housing assistance plan and approved by the corporation. Counties and eligible municipalities shall calculate income by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination.

(5) "Award" means a loan, grant, or subsidy funded wholly or partially by the local housing assistance trust fund.

(6) "Community-based organization" means a nonprofit organization that has among its purposes the provision of affordable housing to persons who have special 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 a minimum of one-third representation on the organization's governing board, accountability to housing program beneficiaries and residents of the designated area. A community housing development organization established pursuant to 24 C.F.R. part 92.2 and a community development corporation created pursuant to chapter 290 are examples of community-based organizations.

(7) "Corporation" means the Florida Housing Finance Corporation.

(8) "Eligible housing" means any real and personal property located within the county or the eligible municipality 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 the Florida Building Code or previous building codes adopted under chapter 553, or manufactured housing constructed after June 1994 and installed in accordance with the installation standards for mobile or manufactured homes contained in rules of the Department of Highway Safety and Motor Vehicles, for home ownership or rental for eligible persons as designated by each county or eligible municipality participating in the State Housing Initiatives Partnership Program.

(9) "Eligible municipality" means a municipality that is eligible for federal community development block grant entitlement moneys as an entitlement community identified in 24 C.F.R. s. 570, subpart D, Entitlement Grants, or a nonentitlement municipality that is receiving local housing distribution funds under an interlocal agreement that provides for possession and administrative control of funds to be transferred to the nonentitlement municipality. An eligible municipality that defers its participation in community development block grants does not affect its eligibility for participation in the State Housing Initiatives Partnership Program.

(10) "Eligible person" or "eligible household" means one or more natural persons or a family determined by the county or eligible municipality to be of very low income, low income, or moderate income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household.

(11) "Eligible sponsor" means a person or a private or public for-profit or not-for-profit entity that applies for an award under the local housing assistance plan for the purpose of providing eligible housing for eligible persons.

(12) "Grant" means an award from the local housing assistance trust fund to an eligible sponsor or eligible person to partially assist in the construction, rehabilitation, or financing of eligible housing or to provide the cost of tenant or ownership qualifications without requirement for repayment as long as the condition of award is maintained.

(13) "Loan" means an award from the local housing assistance trust fund to an eligible sponsor or eligible person to partially finance the acquisition, construction, or rehabilitation of eligible housing with requirement for repayment or provision for forgiveness of repayment if the condition of the award is maintained.

(14) "Local housing assistance plan" means a concise description of the local housing assistance strategies and local housing incentive strategies adopted by local government resolution with an explanation of the way in which the program meets the requirements of ss. 420.907-420.9079 and corporation rule.

(15) "Local housing assistance strategies" means the housing construction, rehabilitation, repair, or finance program implemented by a participating county or eligible municipality with the local housing distribution or other funds deposited into the local housing assistance trust fund.

(16) "Local housing incentive strategies" means local regulatory reform or incentive programs to encourage or facilitate affordable housing production, which include at a minimum, assurance that permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects; an ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption; and a schedule for implementing the incentive strategies. Local housing incentive strategies may also include other regulatory reforms, such as those enumerated in s. 420.9076 or those recommended by the affordable housing advisory committee in its triennial evaluation of the implementation of affordable housing incentives, and adopted by the local governing body.

(17) "Local housing distributions" means the proceeds of the taxes collected under chapter 201 deposited into the Local Government Housing Trust Fund and distributed to counties and eligible municipalities participating in the State Housing Initiatives Partnership Program pursuant to s. 420.9073.

(18) "Local housing partnership" means the implementation of the local housing assistance plan in a manner that involves the applicable county or eligible municipality, lending institutions, housing builders and developers, real estate professionals, advocates for low-income persons, community-based housing and service organizations, and providers of professional services relating to affordable housing. 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 establishing of support services such as day care, health care, and transportation.

(19) "Low-income person" or "low-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever amount is greatest. With respect to rental units, the low-income household's annual income at the time of initial occupancy may not exceed 80 percent of the area's median income adjusted for family size. While occupying the rental unit, a low-income household's annual income may increase to an amount not to exceed 140 percent of 80 percent of the area's median income adjusted for family size.

(20) "Moderate-income person" or "moderate-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental

units, the moderate-income household's annual income at the time of initial occupancy may not exceed 120 percent of the area's median income adjusted for family size. While occupying the rental unit, a moderate-income household's annual income may increase to an amount not to exceed 140 percent of 120 percent of the area's median income adjusted for family size.

(21) "Personal property" means major appliances, including a freestanding refrigerator or stove, to be identified on the encumbering documents.

(22) "Plan amendment" means the addition or deletion of a local housing assistance strategy or local housing incentive strategy. Plan amendments must at all times maintain consistency with program requirements and must be submitted to the corporation for review pursuant to s. 420.9072(3). Technical or clarifying revisions may not be considered plan amendments but must be transmitted to the corporation for purposes of notification.

(23) "Population" means the latest official state estimate of population certified pursuant to s. 186.901 prior to the beginning of the state fiscal year.

(24) "Program income" means the proceeds derived from interest earned on or investment of the local housing distribution and other funds deposited into the local housing assistance trust fund, proceeds from loan repayments, recycled funds, and all other income derived from use of funds deposited in the local housing assistance trust fund. It does not include recaptured funds as defined in subsection (25).

(25) "Recaptured funds" means funds that are recouped by a county or eligible municipality in accordance with the recapture provisions of its local housing assistance plan pursuant to s. 420.9075(5) (h) from eligible persons or eligible sponsors, which funds were not used for assistance to an eligible household for an eligible activity, when there is a default on the terms of a grant award or loan award.

(26) "Rent subsidies" means ongoing monthly rental assistance. The term does not include initial assistance to tenants, such as grants or loans for security and utility deposits.

(27) "Sales price" or "value" means, in the case of acquisition of an existing or newly constructed unit, the amount on the executed sales contract. For eligible persons who are building a unit on land that they own, the sales price is determined by an appraisal performed by a state-certified appraiser. The appraisal must include the value of the land and the improvements using the after-construction value of the property and must be dated within 12 months of the date construction is to commence. The sales price of any unit must include the value of the land in order to qualify as eligible housing as defined in subsection (8). In the case of rehabilitation or emergency repair of an existing unit that does not create additional living space, sales price or value means the value of the real property, as determined by an appraisal performed by a state-certified appraiser and dated within 12 months of the date construction is to commence or the assessed value of the real property as determined by the county property appraiser. In the case of rehabilitation of an existing unit that includes the addition of new living space, sales price or value means the value of the real property, as determined by an appraisal performed by a state-certified appraiser and dated within 12 months of the date construction is to commence or the assessed value of the real property as determined by the county property appraiser, plus the cost of the

improvements in either case.

(28) "Very-low-income person" or "very-low-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the very-low-income household's annual income at the time of initial occupancy may not exceed 50 percent of the area's median income adjusted for family size. While occupying the rental unit, a very-low-income household's annual income may increase to an amount not to exceed 140 percent of 50 percent of the area's median income adjusted for family size.

(29) "Assisted housing" or "assisted housing development" means a rental housing development, including rental housing in a mixed-use development, that received or currently receives funding from any federal or state housing program.

(30) "Preservation" means actions taken to keep rents in existing assisted housing affordable for extremely-low-income, very-low-income, low-income, and moderate-income households while ensuring that the property stays in good physical and financial condition for an extended period.

History.--s. 32, ch. 92-317; s. 12, ch. 93-181; s. 3, ch. 96-332; s. 1046, ch. 97-103; s. 34, ch. 97-167; s. 14, ch. 98-56; s. 14, ch. 2000-353; s. 21, ch. 2006-69; s. 26, ch. 2009-96.