

ORDINANCE 21-

AN ORDINANCE AMENDING TITLE IX “GENERAL REGULATIONS”, CHAPTER 100, “LOCAL HOUSING ASSISTANCE” OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE BY AMENDING SECTION 100.07 ENTITLED “AFFORDABLE HOUSING ADVISORY COMMITTEE; CREATION”; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port St. Lucie, Florida recognizes the necessity for providing to all persons the opportunity to have access to safe, decent, and affordable housing; and

WHEREAS, it is a goal of the City of Port St. Lucie to facilitate the provision of an adequate supply of safe, sanitary and affordable housing to meet the needs of the City’s residents with special attention to the needs of very low and low-income households; and

WHEREAS, the William E. Sadowski Affordable Housing Act (the “Housing Act”), now part of Florida Statutes Chapter 420, was signed into law on July 7, 1992; and

WHEREAS, the Housing Act established a dedicated revenue source for affordable housing which will, in part, be distributed by the State to various local governments through the State Housing Initiative Partnership Program; and

WHEREAS, the Housing Act requires municipalities to adopt an affordable housing ordinance which contains specific provisions in order to qualify for this funding; and

WHEREAS, the City’s Affordable Housing Ordinance (Chapter 100 of the Code of Ordinances, entitled “Local Housing Assistance”), was last amended on July 9, 2018, to include specific language taken from relevant Florida Statutes as they were written at that time; and

WHEREAS, Council would like to update the City’s Affordable Housing Ordinance to make it consistent with the amendments which have been made to the State’s Housing Act subsequent to the July 9, 2018, amendment to the City’s Affordable Housing Ordinance.

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NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Section 100.07 (Sec. 100.07. - Affordable housing advisory committee; creation) of Chapter 100 (Local Housing Assistance) of Title IX (General Regulations) of the Code of Ordinances of the City of Port St. Lucie is amended as follows:

Sec. 100.07. - Affordable housing advisory committee; creation.

(a) The affordable housing advisory committee is hereby created and established. The members of the advisory committee shall be appointed by resolution of the city council.

(b) The affordable housing advisory committee shall consist of nine members who reside in the city. Five members shall constitute a quorum. The committee may not take formal action unless a quorum is present, but may meet to hear presentations if duly noticed. The affordable housing advisory committee shall include one locally elected official and one representative from at least six of the following categories, which individuals may overlap with or be part of the local housing partnership:

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

(2) A citizen who is actively engaged in the banking or mortgage industry in connection with affordable housing.

(3) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

(4) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(5) A citizen who is actively engaged as a for-profit provider of affordable housing.

(6) A citizen who is actively engaged as a not-for-profit provider of affordable housing.

(7) A citizen who is actively engaged as a real estate professional in connection with affordable housing.

(8) A citizen who actively serves on the local planning agency pursuant to section 163.3174, Florida Statutes, notwithstanding any City ordinance or resolution to the contrary. Only one citizen who actively serves on the local planning agency may serve on the affordable housing advisory committee.

(9) A citizen who resides within the jurisdiction of the local governing body making the appointments.

(10) A citizen who represents the employers within the jurisdiction.

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

(c) Members shall serve for one-year terms and may be reappointed for subsequent terms.

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(d) In general, meetings shall be held at least monthly during the time period that the committee is carrying out its duties as set forth in section 420.9076, Florida Statutes, as may be amended.

(e) The affordable housing advisory committee shall comply with the government in the Sunshine Law, the public records law, and the special provisions regarding notice found in section 420.9076, Florida Statutes, as may be amended. Minutes of the meeting shall be kept. Staff, administrative and facility support shall be provided by the city.

(f) The affordable housing advisory committee shall annually elect a chairperson, vice-chairperson and such other officers as it deems necessary. The chairperson is charged with the duty of conducting meetings in a manner consistent with law.

(g) ~~Triennially~~ Annually, the affordable housing advisory committee shall review the established policies and procedures, ordinances, land development regulations and adopted local comprehensive plan of the city 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, the affordable housing advisory committee shall submit a final report to the city council that includes recommendations on, and triennially evaluates the implementation of affordable housing incentives in the areas outlined in section 420.9076(4), Florida Statutes in compliance, as may be amended.

(h) Recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or plan provisions. At a minimum, the affordable housing advisory committee shall make recommendations on affordable housing incentives in the areas outlined in section 420.9076(4), Florida Statutes.

(i) The affordable housing committee shall make recommendations, which shall be approved by a majority of its membership at a public hearing. Notice of the time, date and place of the public hearing shall comply with section 420.9076(5), Florida Statutes, as may be amended.

Section 5. All remaining provisions of Chapter 100 of the Code of Ordinances shall remain in full force and effect.

Section 6. **Conflict.** If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

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Section 7. **Severability.** The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 8. **Codification.** The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 9. **Effective Date.** This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney