

**ORDINANCE NO. 9438-21**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, RELATING TO THE NEIGHBORHOOD AND AFFORDABLE HOUSING ADVISORY BOARD; AMENDING CODE OF ORDINANCES, CHAPTER 2, ARTICLE III, DIVISION 9A, SECTIONS 2.226 THROUGH 2.229; PROVIDING FOR ANNUAL AUGMENTATION OF THE NEIGHBORHOOD AND AFFORDABLE HOUSING ADVISORY BOARD BY RESOLUTION OF THE CITY COUNCIL, TO APPOINT THE AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR THE APPOINTMENT OF AN ELECTED LOCAL OFFICIAL TO THE COMMITTEE; PROVIDING THAT THE ELECTED LOCAL OFFICIAL ATTEND BIENNIAL REGIONAL WORKSHOPS; PROVIDING FOR THE WITHHOLDING OF FUNDS SHOULD ELECTED OFFICIAL FAIL TO ATTEND WORKSHOPS; PROVIDING FOR THE ANNUAL REVIEW OF POLICIES AND PROCEDURES, ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND ADOPTED LOCAL GOVERNMENT COMPREHENSIVE PLAN TO FACILITATE AFFORDABLE HOUSING, AND FOR THE ANNUAL SUBMISSION BY THE COMMITTEE OF A REPORT REGARDING SAME TO COUNCIL AND THE STATEWIDE AGENCY OVERSEEING THE AFFORDABLE HOUSING CATALYST PROGRAM IN ACCORDANCE WITH SECTION 420.531, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 7981-08 established the Neighborhood and Affordable Housing Advisory Board as the Affordable Housing Advisory Committee ("Committee"); and

WHEREAS, Ordinance No. 8068-09 provided for the Affordable Housing Advisory Committee to be constituted every three years, as previously statutorily mandated, and for the termination of terms of the Committee following completion of its periodic duties; and

WHEREAS, it has been statutorily mandated that the Committee include an additional member, specifically, an elected official from each municipality participating in the State Housing Initiatives Partnership Program; and

WHEREAS, it has also been statutorily mandated that the Committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan and recommend specific actions or initiatives to facilitate affordable housing, and submit a report to the local governing body and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which include

recommendations on the implementation of affordable housing incentives annually;  
and

WHEREAS, the locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in section 420.531(2), Florida Statutes; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CLEARWATER, FLORIDA:

Section 1. Code of Ordinances, Division 9A, Sections 2.226 through 2.229 is hereby amended to read as follows:

Sec. 2.226. - Creation; membership.

- (1) There is hereby created and established the Neighborhood and Affordable Housing Advisory Board of the City of Clearwater.
- (2) The board shall consist of a minimum of seven members and augmented by one to four members ~~triennially~~ annually appointed by resolution of the city council pursuant to section 2.228(4), who are residents of or conduct work in the city. Members shall be appointed by the city council. The board shall include the following:
  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 industry in connection with affordable housing.
  3. One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
  4. . One citizen who is actively engaged as a not-for-profit provider of affordable housing.
  5. One citizen who is actively engaged as a real estate professional in connection with affordable housing.
  6. One citizen who resides within the City of Clearwater.
  7. One citizen who represents employers within the City of Clearwater.
- (3) Of the initial appointments, three members shall be appointed for a term of four years; two members shall be appointed for a term of three years; two members shall be appointed for a term of two years. Thereafter, appointments shall be for a term of four years. A member, including a member initially appointed for term of less than four years, may be reappointed for not more than one additional term. If a vacancy occurs, a new appointment shall be made by the city council for the unexpired term. Members shall serve without pay.

Sec. 2.227. - Officers; conduct of meetings; staff liaison.

- (1) The board shall elect from its membership a chairperson, a vice-chairperson, and such other officers as the board may find necessary. Each officer of the board shall serve for a term of one year. The chairperson shall not serve consecutive terms as chairperson.
- (2) The board shall adopt rules of procedure to govern the conduct of its business. The board shall hold at least one regular meeting every three months and may hold regular meetings more frequently as the board may agree, but not more than one regular meeting shall be held per month. Special meetings may be called as is necessary by the chairperson, or by any three members, upon not less than 24 hours written notice. A quorum shall consist of the majority of the members currently serving. In the presence of a quorum, board business shall be conducted by a majority vote of the members present and voting. The board and its members shall comply with the public records and public meeting laws and other applicable laws of the State of Florida.
- (3) The city manager shall designate a city employee to serve as staff liaison for the board and to assist the board in the performance of its duties, including the appointment of a recording secretary to meet the administrative needs of the board. Any request by the board for information, reports, or other significant work efforts that will reasonably be expected to exceed eight hours of staff time shall require the advance approval of the city council.

Sec. 2.228. - Powers and duties.

The board shall have the following powers and duties:

- (1) Review the programs of the city which are directed to improving the physical environment and lifestyle of low to moderate income people assisted by the various federal, state and county housing and community development programs the city receives, by:
  - (a) Assessing neighborhood needs;
  - (b) Formulating neighborhood goals and objectives;
  - (c) Establishing priorities for projects within neighborhoods;
  - (d) Monitoring programs; and
  - (e) Evaluating programs.
- (2) The monitoring and evaluation of programs shall, as a minimum, include the following activities:
  - (a) Attending and participating in public hearings regarding the programs;
  - (b) Reviewing condition data;
  - (c) Reporting citizen reactions to projects and programs;

- (d) Reviewing reports regarding projects and program activities;
  - (e) Reviewing goals and objectives and recommending priorities for the order in which activities are to be undertaken; and
  - (f) Reviewing applications for the funding of selected programs.
- (3) Make recommendations to the city manager and city council regarding such programs.
  - (4) Carry out the duties of an advisory committee when and to the extent that an advisory committee may be required for the various state, federal and county housing and community development program funding the city receives.

Every ~~three years~~ year, the Board shall sit separately as the Affordable Housing Advisory Committee (AHAC) according to F.S. § 420.9076. In addition to the seven members, the Committee must consist of one locally elected official from Clearwater, and four ~~three~~ additional committee members ~~will be appointed by resolution of the city council in from~~ the following categories:

- (1) One citizen who is a representative of those areas of labor engaged in home building in connection with affordable housing.
- (2) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (3) One citizen who serves on the local planning agency pursuant to F.S. § 163.3174.
- (4) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in section 420.531(2), Florida Statutes. 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.

The AHAC shall be appointed by resolution of the city council and shall have the following powers and duties:

Review annually the established policies and procedures, ordinances, land development regulations, and adopted local government 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 board shall submit an annual report to the city and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which ~~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 and expedited permitting for affordable housing projects.
- (b) ~~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.
- (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~~ 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 the city 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 approval by the board of the city's local 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 board taken at a public hearing. Notice of the time, date, and place of the public hearing of the board to adopt final housing incentive strategies recommendations must be published in a newspaper of general paid circulation in Pinellas County. The notice must contain a short and concise summary of the housing incentive strategies recommendations to be considered by the board. The notice must state the public place where interested persons can obtain a copy of the tentative board recommendations. Within 90 days after the date of receipt of the housing incentive strategies recommendations from the board, the city council shall adopt an amendment to its local housing assistance plan to incorporate the housing incentive strategies it will implement.

The appointment of these four additional members shall terminate upon the adoption at the end of each ~~three-year~~ annual review by the city council of the amendments to the Local Housing Assistance Plan.

- (5) Those other powers and duties of the affordable housing advisory committee as are provided by law.

Sec. 2.229. - Removal.

- (1) The city council shall have the authority to remove any member of the board for misconduct or neglect of duty.
- (2) The city manager shall have the authority to remove any member of the board for excessive absence as defined in section 2.066.

Section 2. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

\_\_\_\_\_

PASSED ON SECOND AND FINAL  
READING AND ADOPTED

\_\_\_\_\_

\_\_\_\_\_  
Frank V. Hibbard  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Laura Mahony  
Senior Assistant City Attorney

\_\_\_\_\_  
Rosemarie Call  
City Clerk