

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**ORDINANCE NO. 2021-06**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING CHAPTER 39.5 OF THE ALACHUA COUNTY CODE OF ORDINANCES TO ADD NEW SECTION ENTITLED "ALACHUA COUNTY AFFORDABLE HOUSING TRUST FUND"; ESTABLISHING THE ALACHUA COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR ALLOCATION AND THE USE OF FUNDS; PROVIDING FOR ADMINISTRATION AND IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Board of County Commissioners desires to establish a local program for preserving and developing affordable housing that is sufficiently flexible to meet varied and evolving housing needs and priorities while providing housing that is safe, sound, and financially viable; and

**WHEREAS**, the Alachua County 2019-20 Charter Review Commission (CRC) obtained public input and a ballot item was approved for the creation of an Alachua County Affordable Housing Trust Fund; and

**WHEREAS**, the Board desires to establish an Alachua County Affordable Housing Trust Fund to be used to create and sustain affordable housing in Alachua County, Florida; and

**WHEREAS**, it is intended that the Affordable Housing Trust Fund would be administered by the Board of County Commissioners and administrative services would be provided by the Community Support Services, Housing Program of Alachua County; and

**WHEREAS**, it is intended that revenue sources for this local affordable housing program would be identified during Alachua County's annual budgeting process; and

**WHEREAS**, the establishment of the Affordable Housing Trust Fund will support affordable housing and will provide a benefit to public health, safety and welfare.

1           **NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY**  
2           **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

3           SECTION 1. Recitals. The foregoing recitals are incorporated herein by reference.

4           SECTION 2. Creation. Chapter 39.5, Section 39.5.10, Alachua County Code, to be  
5           entitled “Alachua County Affordable Housing Trust Fund” shall be created to read as follows:

6           **Sec. 39.5.10 – Alachua County Affordable Housing Trust Fund.**

7           (a) Establishment; Purpose. The Alachua County Affordable Housing Trust Fund  
8           Program (“Program”) is established and is to be maintained within the accounts of  
9           the Board of County Commissioners. The purpose of the Trust Fund is to provide  
10          a fund to be used to create and sustain affordable housing and address the needs for  
11          affordable housing within Alachua County, Florida.

12          (b) Allocation and Use of Trust Funds. The Affordable Housing Trust Fund may be  
13          funded by general revenue, fees from new commercial and residential development  
14          and other revenue sources as directed by the Board of County Commissioners,  
15          including those referenced in Alachua County Charter Review Commission  
16          Resolution 2020-04. All monies placed into the Trust Fund, including any interest  
17          earnings on such monies and repayments of loans made from such monies, shall be  
18          held in trust by Alachua County for uses provided herein:

- 19                (1) in the development and provision of affordable community housing  
20                within Alachua County;
- 21                (2) to help in the preservation and expansion of the supply of such housing;  
22                to ensure that adequate sites for affordable community housing exist and  
23                remain available within Alachua County;
- 24                (3) to assist in the continued elimination of substandard housing conditions  
25                in Alachua County;
- 26                (4) to provide direct financial and technical assistance to qualified housing  
27                projects or eligible individuals;
- 28                (5) to fund approved, eligible operating expenditures related to the provision  
29                of and development of affordable community housing; or
- 30                (6) for any other use that creates or sustains affordable housing in Alachua  
31                County, as determined by the Board of County Commissioners.

32          (c) Administration. The Program will be administered by the Board of County  
33          Commissioners in a manner consistent with the purposes of the Trust Fund.  
34          Alachua County Community Support Services, Housing Program will be  
35          responsible for administration and implementation of the Program and it may adopt  
36          policies and procedures for operation of the Program.

37          SECTION 2. Severability. If any word, phrase, clause, paragraph, section or provision of  
38          this ordinance or the application hereof to any person or circumstance is held invalid or



1 unconstitutional, such finding shall not affect the other provisions or applications of the ordinance  
2 which can be given effect without the invalid or unconstitutional provisions or application, and to  
3 this end the provisions of this ordinance are declared severable.


4 SECTION 3. Inclusion in the Code. It is the intent of the Board of County Commissioners  
5 of Alachua County, Florida, and it is hereby provided that the provisions of this ordinance shall  
6 become and be made a part of the Code of Ordinances of Alachua County, Florida; that the section  
7 of this ordinance may be renumbered or re-lettered to accomplish such intent and that the word  
8 "ordinance" may be changed to "section", "article", or other appropriate designation.

9 SECTION 4. Effective Date. A certified copy of this ordinance shall be filed with the  
10 Department of State by the Clerk of the Board within ten (10) days after enactment by the Board  
11 and shall take effect upon filing with the Department of State.

12  
13 **DULY ADOPTED** in regular session, this 25th day of May, 2021.

14  
15 **BOARD OF COUNTY COMMISSIONERS OF**  
16 **ALACHUA COUNTY, FLORIDA**  
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18 ATTEST:

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22 J.K. "Jess" Irby, Esq.  
23 Clerk  
24

BY: 

Ken Cornell, Chair  
Board of County Commissioners

25 APPROVED AS TO FORM  
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County Attorney