



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 03/24/09

SUBJECT: Adoption of the SHIP Incentive Review and Recommendation Report

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION: Adoption of SHIP Incentive Review and Recommendation Report

SUMMARY

Effective February 21, 2008, Florida statute 420.9076 and Florida Administrative Code 67-37.010 require that all SHIP entitlement communities reconvene their Affordable Housing Advisory Committees to review eleven housing incentives for possible adoption and implementation.

On January 28, 2009, the City of Port Orange's Affordable Housing Advisory Committee met and reviewed the eleven housing incentives. Staff prepared a recommendation report and the Committee met again on February 25, 2009 to conduct a public hearing to collect additional citizen comments. The Committee officially adopted the final report and requested that it be presented to City Council for its review and adoption.

The report identifies only three housing incentives for adoption, of which all have previously been adopted by the City Council and are currently being implemented. These previously adopted incentives include: 1) A process of expediting permitting for affordable housing to a greater degree than other permits; 2) a process of analyzing, before adoption, policies, procedures, ordinances and resolutions that may affect affordable housing development; and 3) creation of a printed inventory of public lands that may be suitable for affordable housing development.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents

DEPARTMENT HEAD

Wayne Clark, Director

Date 3/17/09

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date 3/18/09

CITY ATTORNEY

Approved as to Form and Legality

Date 3/16/09

CITY MANAGER

Approved Agenda Item For:

3/24/09

COUNCIL ACTION: Approved as Recommended Disapproved

Tabled Indefinitely

Continued to Date Certain

Approved with Modification:

**City of Port Orange
SHIP Affordable Housing Advisory Committee
Incentive Review and Recommendation Report**

I. Background Information:

Originally established in 2006, the Port Orange Affordable Housing Advisory Committee was re-established on January 6, 2009. Sixteen members were appointed, filling all but one statutorily defined member seat. Recruitment efforts are ongoing to fill the member seat for a person engaged in labor of affordable home building.

The Committee's inaugural meeting was held on Wednesday, January 28, 2009 at 6:00 PM at City Hall.

II. Public Hearing:

Public hearing regarding the final recommendations contained in this report was Wednesday, February 25, 2009.

The final Recommendation Report was presented to City Council on Tuesday, March 3, 2009.

III. Incentives & Recommendations:

- a. **Incentive:** 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.

Review Synopsis: The City of Port Orange had previously adopted this Incentive and included it in its FY 2006-2009 Local Housing Assistance Plan. The Incentive was discussed again and staff indicated that although adopted, no incidents of request for expedited processing have been received.

Recommendation: The AHAC recommends that the City continue to create awareness of this expedited process to all contractors involved in the development of affordable housing.

Board Action: N/A

- b. **Incentive:** The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Review Synopsis: The Committee discussed the fact that impact fees are assessed only on new construction, and in this current economic climate, very little new development of affordable housing is or will be taking place.

All agreed that further discussion should take place regarding specific types of impact fees.

Recommendation: The AHAC has decided that it should not consider this recommendation at this time but will re-review this topic in the future.

Board Action: N/A

- c. **Incentive:** The allowance of flexibility in densities for affordable housing.

Review Synopsis: The Committee discussed this incentive and was provided guidance from staff. The Committee would like to discuss this issue at greater length but feels that it does not have enough information at this time to include it as a recommendation.

Recommendation: The AHAC has decided that it should not consider this recommendation at this time but will re-review this topic in the future.

Board Action: N/A

- d. The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

Review Synopsis: The Committee discussed this incentive and was provided guidance from staff that infrastructure capacity was not a critical issue for the City, except for transportation. Staff indicated that transportation infrastructure capacity could be a barrier to development of affordable housing. The Committee indicated that it would like further detailed research regarding this incentive.

Recommendation: The AHAC has decided that it should not consider this recommendation at this time but will re-review this topic in the future.

Board Action: N/A

- e. The allowance of affordable accessory residential units in residential zoning districts.

Review Synopsis: Staff liaisons for the Committee described this type of development and the difficulty in maintaining owner occupancy of the primary residence. The Committee clearly feels that this incentive may provide additional alternatives to affordable housing, particularly rental housing and that it would like to have further research provided by staff.

Recommendation: The AHAC has decided that it should not include this incentive in its list of recommendations at this time but will re-review this incentive in the future.

Board Action: N/A

- f. The reduction of parking and setback requirements for affordable housing.

Review Synopsis: The Committee noted that this incentive seemed better suited to multi family development and the City is not prepared to provide assistance to multi family affordable housing at this time. Staff indicated that it would be difficult to justify parking and setback reductions except for the elderly or disabled. Staff also noted that setback requirements could possibly be reduced internal to a development but not on exterior perimeters.

Recommendation: The AHAC has decided not to recommend action on this incentive.

Board Action: N/A

- g. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Review Synopsis: Staff liaisons for the Committee indicated that the City had once previously allowed zero-lot-line configurations but that it quickly rescinded this allowance. Staff also noted several instances across the city where smaller lot sizes currently exist.

Recommendation: The AHAC has decided that it should not include this incentive in its list of recommendations at this time but will re-review this incentive in the future.

Board Action: N/A

- h. The modification of street requirements for affordable housing.

Review Synopsis: The Committee discussed this incentive and was provided guidance from staff. Discussion concluded that this incentive is better suited to a more metropolitan community and would not be as effective for Port Orange.

Recommendation: The AHAC has decided that it should not consider this recommendation.

Board Action: N/A

- 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.

Review Synopsis: The City of Port Orange had previously adopted this Incentive and included it in its FY 2006-2009 Local Housing Assistance Plan. The Incentive was discussed again and it was decided that, per Statute, the AHAC will meet at least triennially to review policies, procedures, ordinances, regulations and plan revisions, prior to adoption that may increase the cost of housing. In addition, staff is directed to regularly review such actions to identify those that may increase the cost of housing.

Recommendation: The AHAC recommends that the City regularly consult with staff liaisons to the SHIP Program regarding anticipated changes to policies, procedures, ordinances, regulations, and plan provisions that increase the cost of housing (particularly affordable housing).

Board Action: N/A

- j. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Review Synopsis: The City of Port Orange had previously adopted this Incentive and included it in its FY 2006-2009 Local Housing Assistance Plan. The Incentive was discussed again and it was decided that this inventory be updated at least annually.

Recommendation: The AHAC recommends that the City continue to review its inventory of owned public lands that may be suitable for affordable housing development.

Board Action: N/A

- k. The support of development near transportation hubs and major employment centers and mixed-use developments.

Review Synopsis: Staff liaison provided information regarding this incentive and indicated that in order to create a transit oriented development, a minimum density of 7 units per acre is required and to be truly feasible the density should be closer to 15 units per acre. The majority of the City is currently built at a density of 4 units per acre and that remaining development will likely continue this trend.

Recommendation: The AHAC has decided that it should not consider this recommendation at this time but would like to discuss the topic at further length in the future.

Board Action: N/A

IV. Additional Recommendations:

No additional recommendations were discussed. The AHAC will continue to meet at least semi-annually and will continue to explore new incentive opportunities and their feasibility for adoption by the City of Port Orange.

V. Board/Council Consideration:

The City Council is scheduled to review and adopt the recommendations of this Incentive Report at its regularly scheduled meeting on Tuesday, March 3, 2009.

VI. Attachments:

AHAC Membership Adopting Resolution
Public Hearing Advertisement

Special Resolution No. 09-01

A SPECIAL RESOLUTION OF THE CITY OF PORT ORANGE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AFFORDABLE HOUSING ADVISORY COMMITTEE, VOLUSIA COUNTY, FLORIDA, TO APPROVE THE CITY'S SHIP INCENTIVE REVIEW AND RECOMMENDATION REPORT; AUTHORIZING AND DIRECTING STAFF TO PRESENT THIS REPORT TO THE CITY COUNCIL FOR ACKNOWLEDGEMENT AND CONSIDERATION, PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Florida Housing Finance Corporation requires submission of an Incentive Review and Recommendation Report as indicated in F.S. 470.9076 and Florida Administrative Code 67-37.010; and

Whereas, the City of Port Orange City Council has appointed its SHIP Affordable Housing Advisory Committee to conduct such incentive review and prepare a recommendation report for presentation, acknowledgement and consideration of the City Council; and

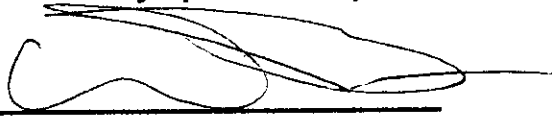
The City's SHIP Affordable Housing Advisory Committee did conduct such incentive review and prepare a recommendation report for presentation, acknowledgement and consideration of the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ORANGE SHIP AFFORDABLE HOUSING ADVISORY COMMITTEE:

Section 1. The City of Port Orange SHIP Affordable Housing Advisory Committee hereby approves the Incentive Review and Recommendation Report.

Section 2. The City of Port Orange SHIP Affordable Housing Advisory Committee hereby orders that this approved Incentive Review and Recommendation Report be presented to the City Council for acknowledgement and consideration.

Section 3. This resolution shall take effect immediately upon its adoption.



Chairperson, Walter Borgen



Vice Chairperson, Mike Pryor



CITY OF PORT ORANGE

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February 13, 2009

News Journal
Legal Advertisement
P.O. Box 431
Daytona Beach, FL 32115

Gentlemen:

Please publish the attached "Notice" in the legal advertisement section of the News Journal on Thursday, February 19, 2009.

Please refer to P.O. #061348 when billing.

Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Shirley M. Kelly".

Shirley M. Kelly, CMC
Deputy City Clerk

Attachment

cc: Nancy Jewell, Planner ✓

**Public Notice
City of Port Orange
FY 2008-2009 Affordable Housing Incentives**

In accordance with Florida Statute 420.9076(5), the City of Port Orange Affordable Housing Advisory Committee has reviewed the required eleven incentives and has prepared an Incentive Review and Recommendations Report. The incentives reviewed included:

1. The process of approvals of development orders of permits, as defined in s. 263.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
2. The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
3. The allowance of flexibility in densities for affordable housing.
4. The reservation of infrastructure capacity for housing for very-low, low and moderate income persons.
5. The allowance of affordable accessory residential units in residential zoning districts.
6. The reduction of parking and setback requirements for affordable housing.
7. The allowance of flexible lot configurations for affordable housing.
8. The modification of street requirements for affordable housing.
9. 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.
10. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
11. The support of development near transportation hubs and major employment centers and mixed-use developments.

The Affordable Housing Advisory Committee reviewed all incentives and made no recommendations to change any existing policy or adopt any new policy.

Notice is hereby given that the Incentive Review and Recommendations Report is available for review and comment from February 19, 2009 to February 25, 2009.

Written comments may be delivered in person to the Community Improvement office, 1000 City Center Circle, Port Orange, or mailed to 1000 City Center Circle, Port Orange, FL 32129. Comments received after 5:00 PM on February 25, 2009 will not be considered. The document will also be available for review at the Community Improvement office at 1000 City Center Circle.

Notice of Public Hearing. Notice is hereby given that on Wednesday, February 25, 2009 at 6:00 PM at City Hall, in the second floor training room a public hearing will be held to discuss the Incentive Review and Recommendations Report. All citizens are encouraged to attend the public hearing and make oral or written comments.

Persons with disabilities requiring special accommodations to participate in the Public Hearing should call the Community Improvement Division at (386) 506-5642 within forty-eight weekday hours of the meeting. Where a significant number of non-English speaking residents can reasonably be expected to participate, an interpreter will be provided upon written request to the Community Improvement office (1000 City Center Circle, Port Orange) no later than 5:00 PM on February 23, 2009.