

**CITY OF FLORENCE
ORDINANCE NO. 9, SERIES 2018**

AN ORDINANCE AMENDING CITY OF FLORENCE CITY CODE TITLE 9, CHAPTER 1 RELATED TO SYSTEMS DEVELOPMENT CHARGES TO CREATE A PROCESS FOR WAIVING THE COLLECTION OF CERTAIN SYSTEM DEVELOPMENT CHARGES TO ENCOURAGE DEVELOPMENT OF AFFORDABLE HOUSING

RECITALS:

1. The City is experiencing a shortage of affordable housing in the community. This housing shortage is impacting residents' and prospective residents' ability to find suitable housing.
2. The lack of affordable housing is also impacting our community's businesses by limiting the supply of available workers that are able to call our community home.
3. This lack of affordable housing is holding back our community's economic growth and limiting the potential of our local businesses.
4. The City wishes to provide incentives for homebuilders to construct affordable housing in our community. One way to provide incentives is to reduce the amount of systems development charges assessed to specific classes of new residential construction.
5. To determine whether these incentives work as intended in our community, the City wishes to institute partial waivers for system development charges on a temporary basis. The City will monitor these temporary waivers and determine at a later time whether these incentives should be maintained or allowed to lapse.
6. As an added incentive to encourage new construction within the City, the City wishes to renew an SDC deferral program that was in place in 2010, allowing owners to defer the payment of SDCs under certain circumstances.

Based on these findings,

THE CITY COUNCIL FOR THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The Florence City Code (FCC) Section 9-1-5 is amended to add a new subsection D as shown in Exhibit A.
2. FCC Section 9-1-4 is amended to add a new subsection C as shown in Exhibit B.

3. The City Recorder is directed to remove obsolete provisions in FCC Section 9-1-4 that were enacted on a temporary basis by Ordinance No. 20, Series 2009.
4. This Ordinance will take effect on July 1, 2018.
5. The amendment to FCC Section 9-1-5 creating a new subsection D shall lapse and be of no further effect after June 30, 2020 without need of any action by the City Council. Effective July 1, 2020 FCC 9-1-5-D shall be of no continuing effect and may be removed from the City Code by administrative action of the City Recorder.

ADOPTION:

First Reading on the 21st day of May, 2018.

Second Reading on the __ day of ____, 2018.

This Ordinance is passed and adopted on the __ day of ____, 2018.

AYES

NAYS

ABSTAIN

ABSENT

Joe Henry, Mayor

Attest:

Kelli Weese, City Recorder

Exhibit A

FLORENCE CITY CODE

9-1-5: EXEMPTIONS:

D. Affordable Housing

New single-family residential construction meeting the following square footage criteria shall be eligible for a partial exemption in the amount indicated. The square footage classifications shall be determined by a measurement of the floor space of the residential dwelling's interior living space (excluding garages, but including unfinished basements). Only one partial exemption may be claimed per legal lot.

<u>Square footage classification</u>	<u>Amount of partial exemption</u>
Less than 1,000 sq. ft.	60% exemption
1,000 - 1,199 sq. ft.	50% exemption
1,200 - 1,399 sq. ft.	40% exemption
1,400 - 1,599 sq. ft.	30% exemption
1,600 - 1,799 sq. ft.	20% exemption

Exhibit B

FLORENCE CITY CODE

9-1-4: COLLECTION:

C. Collection deferral.

1. Deferral option. For the assessment of charges pursuant to Section 9-1-4-A related to new construction, the charges may be deferred at the request of the property owner until final building occupancy is requested.
2. Deferral limitations. No person or legal entity shall own or have any interest in, in whole or in part, in excess of six properties on which deferrals are pending at the same time. The decision of the Community Development Director on the applicability of this limitation shall be final.
3. Payment upon conveyance. In the event that the real property on which the fees have been deferred is sold or otherwise conveyed, the charges deferred shall become immediately due and payable to the City. Sale includes selling, conveying or assigning any or all of the property or the owner's interest in the property.
4. Enforcement. The deferred charges shall be a lien upon the property until paid in full. In addition, the owner shall be required to execute a request for and a consent to an enforcement agreement in the amount of the charges deferred on each property for which a deferral is requested. The request and consent shall be made on a form prepared by the Community Development Director who, upon receipt, shall file the enforcement agreement with the City Recorder. The enforcement agreement shall authorize the City to withhold setting a water meter on the property for which a deferral has been requested, or, if the property is already receiving water service, to remove the water meter pursuant to Section 4-1-5-7, and withhold service to their property until the deferred charges have been paid in full.