

**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 AND DEFERRING 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. The City's system development charges are established by City Council Resolution. The City will apply the new exemptions to the existing fees to each Single Family Dwelling Unit eligible for the exemption as outlined in FCC Section 9-1-5.
7. 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 and E 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 amendments herein to FCC Sections 9-1-4 and 9-1-5 shall lapse and be of no further effect after June 30, 2019 without need of any action by the City Council. Effective July 1, 2019 FCC 9-1-4-C and FCC 9-1-5-D and E shall be of no continuing effect and may be removed from the City Code by administrative action of the City Recorder.

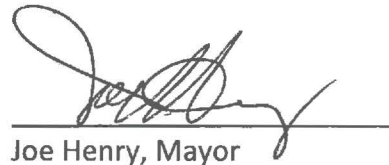
ADOPTION:

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

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


This Ordinance is passed and adopted on the 21st day of May, 2018.

AYES	5	Councilor Greene, Preisler, Lacer, Woodbury and Mayor Henry
NAYS	0	
ABSTAIN	0	
ABSENT	0	



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder

Exhibit A

FLORENCE CITY CODE

9-1-5: EXEMPTIONS:

D. Affordable Housing

New single-family residential dwelling units 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 unit's interior living space (excluding garages, but including unfinished basements).

<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

E. Accessory Dwelling Units

New Accessory Dwelling Units as defined in FCC 10-2 shall be eligible for a 100% exemption.

LEGISLATIVE NOTE: (for illustrative purposes)

FCC Sections 9-1-5-D and E shall lapse and be of no further effect after June 30, 2019 without need of any action by the City Council.

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. 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.
3. 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 City. Upon receipt, the City shall record the enforcement agreement in the City's lien docket. 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.

LEGISLATIVE NOTES: (for illustrative purposes)

FCC Section 9-1-4-C shall lapse and be of no further effect after June 30, 2019 without need of any action by the City Council.