

DEPARTMENT: Neighborhood and Community Services

DATE ADOPTED: February 24, 1993

DATE OF LAST REVISION: February 27, 2008

**1104.01 AUTHORITY:** City Commission action on February 27, 2008.

**1104.02 PURPOSE:**

The City Commission of the City of Tallahassee has determined that the provision of affordable housing is a critical need in Tallahassee. To that end, the City Commission declares that projects which meet the definition of affordability outlined in the threshold criteria set forth below, should be eligible for expedited processing, certain technical assistance services, and special regulatory provisions, in order to improve project viability and to encourage additional affordable housing developments. Individual qualifying units would be eligible for water and sewer connection fee waivers. The criteria set forth in this policy represent the minimum standards necessary for a development or individual residential unit to qualify as an affordable housing project. It is the intent of this policy to encourage innovative and creative developments which provide affordable housing.

**1104.03 SCOPE AND APPLICABILITY:**

**A. GENERAL:**

Individual dwelling units, multi-family residential units, and residential subdivisions, are eligible to seek affordable housing certification through the City of Tallahassee. Neither individual mobile homes, mobile home subdivisions, nor multi-family residential projects of more than 25 units which are intended for 100% occupancy by very low income residents, shall be eligible for certification.

Exceptions to the cap restriction may be granted by the Neighborhood and Community Services Department if, after review and finding of fact, the Planning Commission rules that the project is consistent with the Comprehensive Plan, and that no adverse impact will result from the project that will affect the general health, safety, and welfare of the public.

**1104.04 PROCEDURE:**

**A. INDIVIDUAL UNITS:**

1. Each builder/developer seeking certification for affordable housing certification for individual units will be provided an application to be completed and submitted to the Housing Division of Neighborhood and Community Services of the City of Tallahassee for evaluation, determination, and certification by the Director of Neighborhood and Community Services. The builder/developer must sign an affidavit of his/her intent to comply with the requirements set forth below.

2. Upon approval, the applicant will be entitled to submit his/her unit for expedited processing and technical assistance services; for consideration under special regulatory provisions; and for water and sewer connection fee waivers.

**B. SUBDIVISIONS:**

3. Each builder/developer seeking certification for an affordable housing project will be provided an application to be completed and submitted to the Housing Division of Neighborhood and Community Services of the City of Tallahassee for evaluation, determination, and certification by the Director.

4. Upon approval, the applicant will be entitled to submit his/her project for expedited processing and technical assistance services; for consideration under special regulatory provisions; and for water and sewer fee waivers.

#### **1104.05 DEFINITIONS:**

**A. Expedited Processing:** Pursuant to Policy No. 710CP, the Tallahassee City Commission authorized projects which have received affordable housing certification to be entitled to special handling through the land use administration/growth management review process.

**B. Special Regulatory Provisions:** Pursuant to Chapter 5 of the Tallahassee Land Development Code, the City Commission has granted authority for applicants whose projects have received affordable housing certification to seek variances to certain provisions of the Environmental Management Ordinance.

**C. Technical Assistance Services:** Pursuant to and under the conditions specified in Policy No. 710CP, the Tallahassee City Commission has authorized the Growth Management Department to perform the Natural Features Inventory at no cost for projects of twenty (20) units or less which have received the affordable housing certification.

**D. Connection Fee Waivers:** Pursuant to Section 21-152 of the Land Development Code, the City Commission has provided for exemptions from the payment of the water and sewer connection fees for residential units which qualify as affordable housing.

#### **1104.06 THRESHOLD CRITERIA FOR CERTIFICATION AS AN AFFORDABLE HOUSING PROJECT:**

##### **A. INDIVIDUAL UNITS:**

###### 1. Sales or Rental Price:

For an individual dwelling unit to be certified as affordable, it must be offered for sale for a purchase price within those limits established by the City of Tallahassee Local Housing Assistance Plan (LHAP) as may be amended from time to time or a rental rate that does not exceed the High HOME rents as published and amended from time to time by the United States Department of Housing and Urban Development (HUD); and

###### 2. Buyer/Tenant Qualifications As Low Income:

A dwelling unit which is certified as affordable based upon Sec. 1104.06(A)(1), shall be sold to a buyer whose income does not exceed 80% of the area median income (AMI), adjusted for family size, under the guidelines established by HUD and shall be rented to a tenant whose household income is at or below 60% AMI, adjusted for family size.

##### **B. SUBDIVISIONS:**

###### 1. Percentage of Project Serving Low-Income Residents:

###### a. Single Family Fee Simple Developments or Condominium Developments

In order to receive an affordable housing certification, at least 30 percent of the units in a fee simple single family development (attached or detached units) or condominium development shall meet the threshold requirements of Sec. 1104.06(A). Single family fee simple developments may include units sold under a lease/purchase agreement. The certification provides expedited permitting, certain technical assistance services and special regulatory provisions. Connection fee waivers will only be granted to units meeting the requirements as set forth in Sec. 1104.06(A).

b. Multi-Family Rental Developments:

In order to receive an affordable housing certification, at least 30 percent of the units in a multi-family rental development shall meet the threshold requirements of Sec. 1104.06(A) . The proposed development must be consistent with the Tallahassee-Leon County Comprehensive Plan and the City of Tallahassee's Consolidated Plan.

**1104.07 PENALTY FOR NON-PERFORMANCE:**

In the event that the requirements upon which the certification is based are violated, the City of Tallahassee may deny one or more certificates of occupancy, may require the repayment of any connection fee waivers, and/or refuse to grant future building permits to the builder, development company or its principals, or may apply to the Circuit Court for injunctive relief.

**1104.08 ADMINISTRATION:** Neighborhood and Community Service.

**1104.09 SUNSET REVIEW:** February 27, 2013. An annual report will be provided to the City Commission on activity under this policy.

**1104.09 EFFECTIVE DATE:** February 27, 2008

**Revised:** May 24, 2000  
February 27, 2008