

Chapter 26 MINORITY EMPLOYMENT AND AFFORDABLE HOUSING OPPORTUNITY PLAN¹

Sec. 26-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affordable, attainable, workforce, and market rate housing are -housing units means a unit which are is sold or rented to low to moderate income families where housing expenses are affordable for households at the following income levels based on Area Median Income (AMI) listed below. Housing payments generally do not exceed 35% of a household's gross monthly income. shall not exceed the following:

- (1) Rental expenses shall not exceed 35 percent of the gross monthly income, adjusted for family size (range potential equals \$785.00 to \$1,200.00 per month rental). Affordable Housing – housing that is affordable for households at or below 80% of the AMI. Area Median Income (AMI) is defined by the US Department of Housing and Urban Development (HUD) as income limits per household size and that meets maximum housing payments established by HUD, Florida Housing Finance Corporation or City of Riviera Beach Ordinance.
- (2) Homeownership expense means the price paid for the unit, which shall not exceed 2½ times of the purchaser's annual income. Attainable Housing – housing that is affordable for households between 81% and 120% of the AMI. Area Median Income (AMI) is defined by the US Department of Housing and Urban Development (HUD) as income limits per household size and that meets maximum housing payments established by HUD, Florida Housing Finance Corporation or City of Riviera Beach Ordinance.
- (3) Workforce Housing - housing that is affordable for households between 121% and 140% of the AMI. Area median income eligibility for workforce housing programs and incentives will be based on a percentage of the median income as published by the U.S. Department of Housing and Urban Development, Fannie Mae, State of Florida, without regard to household size.
- (4) Market Rate Housing – housing that is affordable for households above 140% of the AMI. Area median income eligibility for market rate housing programs and incentives, if any, will be based on a percentage of the median income as published by the U.S. Department of Housing and Urban Development, Fannie Mae, State of Florida, without regard to household size.

An affordable, attainable, workforce unit may be either a single-family or multiple-family dwelling unit.

¹Editor's note(s)—Ord. No. 3010, § 1, adopted July 9, 2006, amended ~~ch.Ch.~~ 26 in its entirety to read as herein set out. Former ~~ch.Ch.~~ 26, §§ 26-1—26-11, pertained to similar subject matter and derived from Ord. No. 2214, § 1, adopted Sep. 21, 1983; Ord. No. 2285, § 1, adopted July 17, 1985.

Cross reference(s)—Human relations, ~~ch.Ch.~~ 9; licenses and business regulations, ~~ch.Ch.~~ 10; buildings and building regulations, ~~ch.Ch.~~ 22; planning, ~~ch.Ch.~~ 27; zoning, ~~ch.Ch.~~ 31.

General contractor means a person having the primary responsibility of causing to be erected a building or buildings on a job site or of bringing to a job site such services as sewers, water, and drainage attendant to the erection of the buildings on the job site.

General labor means persons engaged in building activity on a job site of a nonspecific nature and, without limiting the generality of the foregoing, includes persons engaged in security, night or day watchmen, flagmen, traffic control, time-keepers, clean-up and handymen.

Job site means the land where it is proposed by the party requesting the bonus to carry on construction or servicing activities.

Minority employers means those businesses employing six or more persons, including the owner or owners and/or managerial staff from minority groups on a job site.

Minority group means persons of the Black or Hispanic race or from any racial group which has an unemployment rate in excess of the state unemployment rate for white ~~caucasians~~ Caucasians.

Moderate-income family means those families whose gross incomes are between 81% and 120% of AML, adjusted for family size. ~~\$32,200.00 to \$51,500.00 a year, based on family of four.~~

Party requesting the bonus means the owner of the job site, his heirs, executors, administrators, successors and assigns.

Subtrades means those businesses, whether or not incorporated, engaged in providing supplies or services related to the construction industry by contract to a general contractor or owner of a job site.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-2. Purpose of plan.

The provisions of this chapter are enacted to effectuate the following purposes:

- (1) Decrease unemployment by encouraging the hiring of minorities in the construction industry, including minority businesses, skilled and nonskilled labor and professionals.
- (2) Provide a means of increasing the supply of affordable, attainable, and workforce housing in this city.
- (3) Encourage revitalization of the downtown, particularly ~~mixed-use~~ mixed-use development.
- (4) Accomplish the objectives of this section through the use of a voluntary program utilizing zoning-related incentives, in various zoning districts throughout the city.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-3. Rationale.

- (a) Solutions to unemployment and lack of affordable, attainable, and workforce housing are two serious challenges facing the city and, under current fiscal constraints, the government cannot rely solely upon public programs, but must work with the private sector.
- (b) The provisions of this chapter recognize that the private sector has the expertise and resources to aid the city in these areas and that the city may call upon that aid in exchange for compensation.
- (c) The program is designed so that bonuses will reflect the appropriate economic incentive for the particular use or district, making it financially advantageous for the developer to use the bonus and provide employment or housing in return.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-4. Housing needs, potentials and goals.

- (a) *Need.* The need for an increased supply of affordable, attainable, and workforce housing in the city is substantiated by review of the housing market and existing supply. For example: The average value of a house in the county (in 2021~~06~~) is approaching \$500,000~~was \$375,000.00~~. This is outside the affordable range for city mainland residents, indicating the need for means to ensure city residents will be able to become homeowners.
- (b) *Potentials for vacant land.* A substantial amount of vacant land is available for housing, both on a large scale and for smaller infill development. The area with the greatest potential for receiving affordable housing units is the south-central planning sector, which is west of President Barack Obama Highway ~~Old Dixie Highway~~ and south of Blue Heron Boulevard. Numerous scattered single-family and small multifamily sites are located throughout the city.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-5. Bonuses offered.

- (a) *Generally.* One of the keys to the success of a voluntary program is the bonuses offered to the developer. These bonuses must be attractive enough so that even when something is demanded in return, the developer still desires to participate and utilize the bonus.
- (b) *Bonuses offered, by zoning district.* Table II lists the bonuses to be offered, by zoning district. Bonuses chosen relate to what has been determined as a financial incentive for a particular zoning district. These determinations were made based on staff experience in working with developers and site plans, and discussion with industrial and commercial developers. For example, excessive parking requirements relating to industrial uses are frequently cited by developers, so a reduction has been offered as an incentive.

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Table II
Bonuses Offered

Districts	Bonus	
RM-20, RH and RMH-20	1.	Density: 3 du/ac (hotel bonus per specific zoning regulation)
	2.	Parking reduction: up to 20 percent of total required and/or 25 percent may be designated compact
<u>RH</u>	<u>Resort Hotel Conversion Bonus per Section 26-5(e)</u>	<u>Density: Additional 8 du/ac or as needed up to residential density of 28 units/acre total</u>
CG	1.	Height: additional 5 stories
	2.	Parking reduction: up to 20 percent of total required and/or 25 percent may be designated compact
IL and IG	1.	Parking reduction: no limit, based on demonstrated use
	2.	Waive one side setback

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	3.	Additional lot coverage: 10 percent
	4.	CN uses as accessory use
C-PUD	1.	Density: 10 du/ac
	2.	Height: additional 15 stories
	3.	Parking reduction: up to 20 percent of total required and/or 25 percent may be designated compact
R-PUD	1.	Height: additional story (one story)
I-PUD	1.	Height: additional 50 feet
	2.	Parking reduction: no limit, based on usage or alternative plan
IHC-PUD	<u>1.</u>	<u>Height: five floors or additional 60 feet</u>

- (c) *Base requirements and bonuses.* Table III establishes the relationship of the bonus to the base regulations, indicating the ultimate requirements if a bonus is used. The base is kept at a reasonable standard, so that a developer not using an incentive can still produce a viable project, based on current building trends. However, developers with more ambitious projects will be able to build, while contributing towards the goals of this chapter.

Table III

Base Requirements and Bonuses

Zoning District			Base Requirement			Bonus			Maximum Permitted With Bonus
RM-20, RH and RMH-20	1.	Density: 17 du/ac (hotel per zoning)		1.	3 du/ac		1.	20 du/ac	
	2.	Parking: 2 spaces/unit (2 bedroom)		2.	Parking reduction:		2.	Parking reduction:	
					a.	20 percent of total req.; and/or		a.	20 percent of total req.; and/or
					b.	25 percent of total spaces may be compact		b.	25 percent of total spaces may be compact

<u>RH</u>	<u>Resort Hotel Conversion Bonus</u>	<u>Density: as approved or, 20 du/ac (from MEAHOP bonus density)</u>		<u>1.</u>	<u>8 du/ac, or as needed to reach 28 du/ac.</u>		<u>1.</u>	<u>28 du/ac</u>	
CG	1.	Height: 5 stories or 65 feet		1.	Additional 5 stories		1.	10 stories	
	2.	Parking:		2.	Parking reduction:		2.	Parking reduction:	
		a.	1/300 sq. ft. office		a.	20 percent of total req.; and/or		a.	20 percent of total req.; and/or
		b.	1/200 sq. ft. retail		b.	25 percent of total spaces may be compact		b.	25 percent of total spaces may be compact
IG and IL	1.	Parking:		1.	Parking reduction:		1.	Reduction in spaces or size (no limit) based on demonstrated use or alternative plan	
		a.	1/300 manufacture		a.	Number of spaces			
		b.	1/1,000 wholesale		b.	Percent compact			
	2.	Side setbacks: 15 feet		2.	Waive side setbacks one side only		2.	Elimination of one side setback requirement	
	3.	Lot coverage: 45 percent		3.	Additional 10 percent coverage		3.	55 percent lot coverage	
	4.	Commercial uses prohibited		4.	CN uses to be allowed		4.	CN uses as accessory use	
C-PUD	1.	Density: 15 du/ac		1.	10 du/ac		1.	25 du/ac (50 hotel/motel)	
	2.	Height: 10 stories		2.	15 stories		2.	25 stories	
	3.	Parking: based on use requirements		3.	Parking reduction:		3.	Parking reduction:	
					a.	20 percent of total required ; and/or		a.	20 percent of total required; and/or
					b.	25 percent of total spaces		b.	25 percent of total spaces

						may be compact			may be compact
R-PUD	1.	Height: 3 stories		1 story maximum of 2% of site area		4 stories			
I-PUD	1.	Height: 50 feet	1.	50 feet	1.	100 feet			
	2.	Parking: based on use/sq. ft.	2.	Parking reduction (no limit):	2.	Reduction in spaces or size (no limit) based on demonstrated use or alternative plan			
				a.	Number of spaces				
				b.	Percent of compact				
IHC-PUD	1.	Height: 20 floors or 240 feet	1.	60 feet	1.	25 floors or 300 feet			

- (d) *Intent of bonuses.* The intent of the bonuses is not to relax zoning restrictions indiscriminately, but to allow for additional leeway upwards within the acceptable bounds of a zoning standard. For example, a developer cannot simply reduce parking by 20 percent. It must be demonstrated that the requirement is unrealistic for a particular use (i.e., based on number of employees) or that an alternative plan, such as park and ride, is available.
- (e) *Resort Hotel Conversion Bonus.* Additional density bonus is permitted within the RH district only for resort hotel and mixed-use resort hotel/residential developments that convert existing resort hotel suites to market rate (ownership) residential units by modifying an existing permit. The additional bonus is subject to the following requirements:
- The density bonus shall only be applicable to those resort hotels and mixed-use resort hotel/residential projects that are within the RH zoning district that were approved prior to 2021.
 - Resort hotels with no year-round residential units can convert up to 17 units/acre providing there are two parking spaces per unit and the parking requirement for any remaining resort hotels suites is met by modifying their permit. Conversion of existing resort hotel suites to residential units for a density of 18-28 units/acre can be achieved utilizing this section 26.5 (e) however the only option of housing contribution applicable for this post construction conversion shall be payment in lieu in an amount established in Table IV.
 - This bonus only applies to residential density above what is permitted by Table III of this Section for projects within the RH district. The additional bonus above the 3 du/ac is only applicable to the conversion of Resort Hotel suites to market rate residential units.
 - A development that utilizes this conversion bonus must be able to meet the parking requirement of 2 spaces per unit for all residential units on the site and also meet the parking requirement for any remaining resort hotel suites.

e) The total bonus available while utilizing this Conversion Bonus shall be established in Table III. The maximum residential unit/acre density is 28.

f) The only option of housing contribution applicable for this conversion bonus shall be payment in lieu in an amount as established in Table IV. This payment shall only be applicable to those resort hotel suites converted to year-round residential units by modifying an existing approved project not to exceed a residential unit density of 28 units/acre.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-6. Minority employment component.

- (a) The purpose of this section is to encourage the developer to hire minorities in various capacities of project development, from planning to final construction. This will enable the workforce of the city, which is predominately minority, to directly benefit from the economic boom South Florida is experiencing.
- (b) A zoning bonus, or bonuses, as set forth in this chapter shall be permitted where the person requesting the bonus enters into a written agreement with the city providing for the following:
 - (1) The party requesting the bonus shall employ on the job site at least 20 percent of its part-time and full-time general labor on a job site from minority groups;
 - (2) The party requesting the bonus enters into contracts for work or supplies to a job site with at least ten subtrades or suppliers who are minority employers; and
 - (3) Where the party requesting the bonus demonstrates through an approved minority participation plan, the hiring of five minority professionals.
- (c) While under the minority employment option, all three components of subsection (b) of this section must be met to qualify for a bonus.
- (d) A developer desiring more than one bonus to the employment option need only satisfy the requirement once to utilize multiple bonuses.
- (e) Prior to project site plan approval, the party applying for the bonus shall submit a minority participation plan for council approval, as per administrative procedures.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-7. Housing contribution component.

- (a) *Options.* A developer choosing the housing option will have two methods to choose from to satisfy this requirement:
 - (1) Construction of affordable units; or
 - (2) In lieu cash contribution to the housing trust fund.
- (b) *Extent of contribution.*
 - (1) The amount of the housing contribution by a developer directly relates to the extent and number of bonuses used, as shown in Table IV in section 26-8; i.e., as the number of bonus units requested increases, so does the corresponding housing contribution that must be made.

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- (2) It is the intent of the program to encourage construction of units by developers; contribution ratios have been set accordingly.
 - (3) It is anticipated that the additional financial gain with incentives should not exceed the costs of participating in the program.
- (c) *Construction of affordable units; option 1.*
- (1) Under this option, the developer is responsible for actually constructing the units, including purchasing the land. The units may be single-family or multiple-family.
 - (2) Units must meet the definition of affordable housing and be sold or rented to low/moderate-income families.
 - (3) Rental units may be rented by the developer or managed by the housing nonprofit authority or sold to a private party to rent as affordable units.
 - (4) Affordable units shall be governed by legal covenant which guarantees availability to low/moderate-income residents for at least twenty-five years.
 - (5) The principle behind the construction contribution is that, while the developer must bear the cost of buying the land and constructing the unit, his costs are recovered when it is sold. The difference between his cost and the affordable price is his profit.
 - (6) Under the construction option, while time and effort is/are involved, the developer will make a profit or break even. His contribution is the production of affordable housing adding to the supply.
 - (7) No certificate of occupancy shall be issued for a project utilizing bonuses, until the affordable, attainable, workforce units are complete and have received a certificate of occupancy.
- (d) *In lieu contribution to housing trust fund, option 2.*
- (1) Under this option, the developer chooses to contribute directly to the housing trust fund in accordance with Table IV in section 26-8. Staff shall revisit and evaluate the in-lieu of contribution requirement annually.
 - (2) Timing of the contribution shall be one-half to be deposited in fund prior to permit and the remainder is to be deposited prior to certificate of occupancy.
 - (3) The purpose of the housing trust fund is to provide funds for the City to use to build, preserve, rehabilitate or otherwise create affordable/attainable/workforce housing, and to support the provision of affordable/attainable/workforce housing opportunities to income eligible residents. Land acquisition for the construction of affordable/attainable/workforce units shall be deemed an eligible expense of housing trust fund monies. Expenditures from the housing trust fund must be for these purposes.
 - (4) Oversight of the Housing Trust Fund shall be provided by a team of staff including but not limited to representatives of the Administration, Finance Department, Development Services Department and the CRA. A financial report on the Housing Trust Fund account shall be provided to the Town Council annually, on or before October 1.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-8. Calculating bonus contributions.

- (a) *Introduction.*

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- (1) This section sets forth the means of translating the bonus used into the amount of contribution which is required in return, as shown in Table IV. As Table IV indicates, available bonuses include:
 - a. Additional density.
 - b. Reduction in number of parking spaces.
 - c. Reduction in size of spaces.
 - d. Additional height.
 - e. Setback waiver.
 - f. Lot coverage.
 - g. Additional uses permitted.
 - (2) To simplify contribution calculations, the benefits of the above, varied bonuses are translated into two bonus measures: units or building square footage. The amount of housing contribution is then assessed by unit or square footage gain. (There is one exception, which is detailed in subsection (d) of this section.)
 - (3) Only the bonus increments are assessed a contribution.
- (b) *Bonus measure: units.*
- (1) *Where available.* Additional units may be created by density bonus in the RM-20, RH, and RMH-20 districts. Additional units may be created by density, height or parking in the C-PUD (see subsection (e) of this section.) Additional units may be created by height in the IHC-PUD district.
 - (2) *How assessed.* Contribution is assessed on the additional units possible through use of the bonus. The amount of contribution per unit will vary according to the project location, as per Table IV.
- (c) *Bonus measure: square footage.*
- (1) *Generally.* Bonuses of height, lot coverage, setback waiver, CN uses and parking reductions are translated into additional square footage gained for a structure, by the use of these bonuses, as detailed in this subsection.
 - (2) *Height.*
 - a. Where available. In CG, C-PUD, I-PUD, R-PUD, IHC-PUD districts.
 - b. How assessed. The available stories allowed by the bonus are translated into the additional square footage gained.
 - c. Bonus square footage is then assessed according to Table IV.
 - (3) *Lot coverage.*
 - a. Where available. IG and IL districts.
 - b. How assessed. That building square footage which exceeds the amount permitted under the base lot coverage requirements is assessed.
 - c. Example. A base 45 percent lot coverage on a certain lot allows a 15,000 square foot building. Using the bonus of increased lot coverage, a 20,000 square foot building is constructed, the additional 5,000 square feet are then used to assess contribution.
 - (4) *Setback waiver.*
 - a. Where available. IG and IL districts.
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- b. One side setback may be waived, allowing for zero lot line construction (not ~~streetside~~street side).
 - c. How assessed. That portion of the building which encroaches into the setback is assessed in terms of the square footage which is in the base setback.
- (5) *CN uses in industrial districts.*
- a. Where available. IG and IL districts.
 - b. How assessed.
 - 1. Neighborhood commercial use (except as residential) permitted as subordinate use in an industrial building.
 - 2. Industrial use must comprise 75 percent or more of the building.
 - 3. Assessed by amount of square footage devoted to CN use.
- (6) *Parking reduction in number of spaces.*
- a. Available in:
 - 1. RM-20, RMH-20, CG, C-PUD: reduction up to 20 percent.
 - 2. IG, IL, I-PUD: no limit on reduction.
 - b. How assessed.
 - 1. Assumption is made that a reduction in the number of spaces creates additional buildable area and thus results in a larger structure.
 - 2. The square footage of the building gained by the reduction in spaces is then assessed.
 - c. Example.
 - 1. A developer desires to build a 10,000 square foot building which would require 50 parking spaces.
 - 2. The developer can only supply 40 spaces (20 percent less than requirement).
 - 3. Under base requirements, 40 spaces would allow 8,000 square feet.
 - 4. The developer is able to construct 2,000 additional square feet based on bonus.
 - 5. This 2,000 bonus square feet of building is assessed as per Table IV.
 - d. To utilize parking spaces reduction, a developer shall demonstrate the following:
 - 1. Parking requirements are excessive and require substantially more spaces than are needed, as demonstrated by actual usage, etc.; or
 - 2. Alternative means of transportation are to be provided, such as park and ride, shuttle buses, etc.
 - e. Failure to accommodate parking demand on site or by alternative methods may result in revocation of the permit to occupy the building.
- (7) *Parking; allowance for compact spaces.*
- a. Where available. RM-20, RMH-20, CG, IL, IG, I-PUD and C-PUD districts.
 - b. Compact parking stall shall measure eight feet by 16 feet.

- c. How assessed. As use of this bonus, by decreasing parking area and increasing buildable area, results in a larger structure, additional building square footage created shall be assessed accordingly.
- (d) *Parking reduction.* If reduction in number or size of spaces is unrelated to an increase in size, an assessment shall be made based on either:
- (1) Number of spaces reduced, at \$250.00 for each space eliminated; or
 - (2) Number of compact provided at \$150.00 for compact space.
- (e) *C-PUD; special case.*
- (1) Bonuses in the C-PUD are translated into units or square footage gains, as in the above district.
 - (2) However, due to the more complex nature of a C-PUD involving multiple uses, the means of assessment are summarized below:
 - a. If use of the bonus regarding height, density or parking reduction results in additional residential units, the unit measurement is used; i.e., for each bonus condo unit created, one affordable unit or 7,500 square feet are required.
 - b. For bonuses relating to nonresidential uses, the gain is translated into square feet in CG and the contribution is assessed per square foot at the rate in Table IV.
 - c. Special case: height. In cases where the building contains mixed uses, the bonus square footage shall be assessed at the least restrictive ratio.
 - d. Use of the parking bonus for residential uses shall not be assessed a contribution if a contribution has been received in the density category.
- (f) *Bonus/contribution ratio.*

Table IV
Bonus/Contribution Ratio

		Minority Employment Or Contribution		Housing Contribution (Per Bonus Increment)			
Bonus				Construction Or Cash in Lieu			
RM-20, RH and RMH-20 districts:				<u>Construction</u>			<u>Cash in Lieu</u>
1.	Density: 3 du/ac	1.	Per section 26-6	1.	1 AU*/bonus condo/ <u>townhouse/ownership</u> unit	1.	Ocean: 3.5% of sale price/value- minimum \$ 105 30,000 <u>per unit</u>
					1 AU*/bonus motel/hotel/ <u>rental</u> unit		Mainland: 3.5% of sale price/value- minimum \$ 78 30,000 <u>per unit</u>

2.	Parking reduction: 20 percent required spaces	2.	Per section 26-6	2.	Same as 1 above based on additional units due to parking reduction		
<u>RH Resort Hotel Conversion Bonus</u>							
<u>1.</u>	<u>Resort Hotel Conversion Bonus: Additional 8 du/acre</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>1 AU*/bonus unit</u>		<u>\$105,000 per unit (owner);</u>
<u>CGE district:</u>							
1.	Height: 5 stories	1.	Per section 26-6	1.	1 AU*/bonus 1,000 sq. ft.	1.	\$10,000/1,000 sq. ft. (\$10/sq. ft.)
2.	Parking reduction: 20 percent required space	2.	Per section 26-6	2.	1 AU*/1,000 sq. ft.	2.	\$10,000/1,000 sq. ft.
<u>IL and IG districts:</u>							
1.	Parking reduction	1.	Per section 26-6	1.	0.5 AU*/1,000 sq. ft.	1.	\$5,000/1,000 sq. ft. (\$5/sq. ft.)
2.	Side setback waiver	2.	Not applicable	2.	Not applicable	2.	\$2/sq. ft. (area within required 15 feet 15-foot setback)
3.	Lot coverage	3.	Per section 26-6	3.	0.5 AU*/1,000 bonus sq. ft.	3.	\$5,000/1,000 sq. ft.
4.	CN uses as accessory	4.	Per section 26-6	4.	1 AU*/1,000 sq. ft.	4.	\$10,000/1,000 sq. ft. bonus
<u>C-PUD district:</u>							
1.	Density: 10 du/ac	1.	Per section 26-6	1.	1 AU*/bonus condo unit 1 AU*/bonus motel unit	1.	3.5% of sale price/value - <u>minimum \$105,000 per ownership unit; minimum</u>

							<u>\$78,000 per rental unit</u>
2.	Height: 15 stories	2.	Per section 26-6	A.	Residential: see 1 above, based on additional units due to increased height		
				B.	Nonresidential:		
					1 AU*/1,000 sq. ft.		\$10,000/1,000 sq. ft.
3.	Parking reduction: 20 percent of required spaces	3.	Per section 26-6	A.	Residential: see 1 above, based on additional units due to parking reduction		
				B.	Nonresidential: see 2-B above		
R-PUD district:							
1.	Height: 1 story	1.	Per section 26-6	1.	1 AU*/1,000 sq. ft. Maximum 2% of total site area		\$3,000/1,000 sq. ft. (ft.) <u>(\$3/sq. ft.)</u>
I-PUD district:							
1.	Height: Additional 50 feet (office and commercial)	1.	Per section 26-6	1.	0.5 AU*/1,000 sq. ft.	1.	\$5,000/1,000 sq. ft.
2.	Parking reduction	2.	Per section 26-6	2.	0.5 AU*/1,000 sq. ft.	2.	\$5,000/1,000 sq. ft.
Parking reduction (No relationship to square feet):							
1.	Reduction in number of spaces	1.	Not applicable	1.	Not applicable	1.	\$250/space
2.	Reduction in size; 25 percent compact	2.	Not applicable	2.	Not applicable	2.	\$150/space
<u>IHC-PUD</u>							
<u>1.</u>	<u>Height: up to 5 stories or 60 feet</u>	<u>1.</u>	<u>Minority Employment per Section 26-6 is required in addition to the housing contribution to qualify for this bonus</u>	<u>1.</u>	<u>0.5 AU*/bonus ownership unit</u> <u>0.5 AU*/bonus rental unit</u>	<u>1.</u>	<u>3.5% of sale price/value - minimum \$105,000 per ownership unit; minimum \$78,000 per rental unit</u>

*AU = affordable unit

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-9. Related policies and administration.

- (a) In recognition of the value of C-PUD and I-PUD projects to downtown revitalization and/or the general economy of the city, the city council shall have the authority to waive, in part, portions of the contribution amounts based upon the following:
 - (1) Demonstration that the project will result in the creation of a significant number of permanent jobs for city residents.
 - (2) Demonstration that the magnitude of the project is such that satisfying the total contribution (based on cumulative assessments) would render the project infeasible.
 - (3) Long-range economic benefits to the city and downtown are substantial and should be considered in lieu of stated contributions in this chapter.
- (b) A developer of an I-PUD choosing to construct affordable units may place those units within the I-PUD, and further may construct additional housing units within the I-PUD, not to exceed 25 percent of the area.
- (c) Administrative guidelines shall be established and adopted by city council.
 - (1) All bonus requests shall be approved by city council in accordance with the plan and guidelines.
 - (2) Guidelines shall include, but are not limited to:
 - a. Review procedures to be followed.
 - b. Staff personnel responsibilities.
 - c. Monitoring and enforcement.
 - d. Means to ensure mix of affordable homes across income range, and by housing type.
 - e. Guidelines as necessary to implement the goals of this chapter.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-10. Role of single-family and medium density multiple-family districts.

- (a) It is anticipated that the affordable units produced by the developer or through the housing trust fund would be located in the RM-15 multiple family, RD-15 duplex or RS-8 single-family districts. Under the plan, bonuses are not given in these single-family or multiple-family districts. Examination of existing zoning standards for the districts indicates:
 - (1) Existing standards are set at a minimum level already, which allow the development of affordable housing:
 - a. For example, 800 square feet minimum for a house could not be categorized as an excessive requirement.
 - b. Minimum lot size for single-family is lower than in the county.

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- (2) Review of those communities which were able to offer cost-reducing incentives revealed that the codes contained requirements for enclosed garages and minimum number of bedrooms. The city Code does not contain these types of excessive standards.
- (b) The types of bonuses given in the high density residential and commercial districts would not contribute to creating quality low density residential housing. Allowing increased densities in the RM-15 district would generally result in overcrowded sites, without adequate play area for children and privacy for occupants.
- (c) The districts are best served by being the recipients of the units added through the housing contribution process, in keeping with existing standards.
- (d) Those who choose to build affordable, attainable, workforce housing in the districts will be able to take advantage of the programs offered through the housing trust fund to help with the costs of construction, rental, home ownership, etc.

(Ord. No. 3010, § 1, 7-9-06)

Sec. 26-11. Appendices.

The appendices to the minority employment and affordable housing opportunity plan adopted regarding certain recommendations and methods are on file in the city clerk's office.

(Ord. No. 3010, § 1, 7-9-06)