

City of Melbourne Expedited Permitting for Affordable Housing Policies and Procedures	Effective Date:2023-10-01 Last revision: 2004-06-04
Expedited Permitting for Affordable Housing	

I. Purpose

The purpose of this document is to establish the policy of the City of Melbourne’s Expedited Permit processing for Affordable Housing activities, to provide mechanisms for expeditious review and approval of affordable housing projects. The policy also reaffirms the City's commitment to give affordable housing projects priority over other projects at all stages of the permitting process. Policies are written in accordance with the enabling legislation and implementing regulation of the State Housing Initiatives Partnership Program (SHIP), administered by the Florida Housing Finance Corporation (FHFC), HOME Investment Partnerships (HOME) Program and Community Development Block Grant (CDBG) administered by U. S. Department of Housing and Urban Development (HUD). The purpose of this document is to assemble in a single place, in an easy-to- digest format.

II. Background

The City of Melbourne has been providing expedited permitting for affordable housing projects as defined in the Housing Incentive Plan adopted by Council 1/25/94, (Resolution 1351) and Ordinance 94-40 adopted by Council 7/26/94. Over the last several years, the City has made multiple changes to the Comprehensive Plan and City Code to incentivize affordable housing.

Expedited permitting has been in effect since 1994 for all types of affordable housing with either public or private funding sources. From single-family rehabilitation to single family subdivision projects, rental rehabilitation and rental new construction (large- and small-scale), the City has worked with builders, contractors and developers to expedite permitting of units and developments occupied or to be occupied by very low income, low income, and moderate-income households.

III. Program Goals

In accordance with the needs identified, the priorities established, and the objectives and strategies outlined in the City of Melbourne's CDBG/HOME Consolidated Plan (and as published in the Brevard County HOME Consortium’s Consolidated Plan), SHIP Local Housing Assistance Plan and the Housing Element of the City of Melbourne’s Comprehensive Plan, the goals of Expedited permitting:

- To promote the creation and preservation of affordable housing
- Expedited Permitting to qualifying affordable housing projects
- One-Stop Permitting for single family homes.
- Online development permit tracking through the City’s Citizen Self Service portal - EnerGov.

IV. Statutes and Regulations

- State Housing Initiatives Partnership Act, §§ 420.907 – 420.9079, Fla. Stat.
- State Housing Initiatives Partnership Program, Rule Chapter 67-37, Fla. Admin. Code.
- HOME Investment Partnership Program, 24 C.F.R. §§ 92.1 – 92.618
- Community Development Block Grant Program, 24 C.F.R. §§ 570.1 – 570.913
- Affordable Housing, §§166.04151(6), Affordable Housing
- Adoption of Affordable Housing Incentive Strategies, §§ 420.9076 (4) (a), Fla Stat.

- Community Planning Act, §§ 163.3164 (15) & (16) Development Orders and Development Permit.
- Live Local Act (CS/SB 105; Ch. 2023-17) “Act”

V. **Definitions**

Affordable Housing means residential dwelling units with monthly rents or monthly mortgage payments including taxes and insurance not exceeding 30% of the median annual income for very-low-, low-, and moderate-income households in accordance with F.S. § 420.9071, as amended from time to time. Median annual income shall be determined by the Florida Housing Finance Corporation for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area (MSA).

CDBG means the Community Development Block Grant.

FHFC means the Florida Housing Finance Corporation.

HOME means HOME Investment Partnerships Program administered by the U. S. Department of Housing and Urban Development (HUD).

HUD means U. S. Department of Housing and Urban Development.

Low income (LI) means that the household income is 51% to 80% of the median income adjusted for family size for the Palm Bay-Melbourne-Titusville MSA.

Moderate income (MI) under SHIP means that the household income is over 80% up to 120% of the median income adjusted for family size of the Palm Bay-Melbourne-Titusville MSA.

Moderate income under HOME means that the household income does not exceed 80% of the median income for family size of the palm Bay-Melbourne-Titusville MSA.

Permits mean development orders and development permits as defined in the Florida Statutes as follows:

- F.S. 163.3164 (15) *Development order* means any order granting, denying, or granting with conditions an application for a development permit.
- F.S. 163.3164 (16) *Development permit* includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

VI. **Policy Statement**

All housing activities needing any type of development order which are expected to result in the creation or preservation of affordable housing in the city of Melbourne are entitled to expedited permitting and will be reviewed and approved on a priority basis by all City departments involved in the approval process. These activities include new construction, rehabilitation, demolition in connection with new construction or rehabilitation, and other activities leading to the creation or preservation of affordable housing.

Projects entitled to expedited permitting must meet the following criteria:

- Must submit a complete application to the appropriate City department through the

City's Citizen Self Service Portal and the application must identify the project as an affordable housing development.

- New construction projects seeking any development order must first obtain an Affordable Housing Use Certificate through the Community Development Department. If the request is for existing structures, the Community Development Department. must verify adherence to the definition of Affordable Housing.
- Units for owner occupancy must be in compliance with the maximum sales price/value limits permitted by the funding source and units for rent must comply with the maximum rents permitted by the funding source.

VII. Interdepartmental Coordination

The Community Development Department including the Housing and Urban Improvement Division, the Engineering Department, and the Code compliance Division will work together to ensure that the intent of this policy is fulfilled throughout the process for the issuance of any development order or permit.

VIII. Affirmative Marketing

It shall be the policy of the City of Melbourne to affirmatively market Affordable Housing in such a way as to promote fair housing with the applicable marketing requirements of enabling legislation, and Florida Statutes and Regulations.

Adopted by City Council at its Regular Meeting held _____, 2023.

Jenni Lamb, City Manager