

CHAPTER 9

HOUSING ELEMENT

Section 9.01 Purpose: The purpose of this element is to provide guidance to the City for appropriate plans and policies needed to meet identified or projected deficits in the supply of housing. These plans and policies address governmental activities as well as provide direction and guidance to the efforts of the private sector.

Section 9.02 Data and Analysis: This Chapter (element) is based upon the data and analysis requirements pursuant to subsection 9J-5.005(2), F.A.C. and subsection 9J-5.010(1)(2), F.A.C. (reference paragraphs 5.03, 5.06, and 5.07 of this Ordinance and Chapter 6 of the Foundation Documents).

Section 9.03 Goals, Objectives and Policies: The Goals, Objectives and Policies of this element are as follows:

GOAL 9.A - Ensure the provision of safe, affordable and adequate housing for the current and future residents of the City.

Objective 9.A.1 - Provide guidance and direction to the public and private sectors for the provision of adequate and affordable housing for present and future residents and for households with special housing needs by implementing Policies 9.A.1.1 through 9.A.1.12, upon adoption of the LDC (reference Policy 7.A.1.1).

Policy 9.A.1.1 - The Future Land Use Maps (and Zoning Maps) continually shall provide for sufficient development or redevelopment opportunities within residential areas.

Policy 9.A.1.2 - Annually, the City will review its regulatory and permitting process and evaluate changes necessary to improve the public and private sector housing delivery process (reference Policy 9.A.7.4).

Policy 9.A.1.3 - The LDC shall include an efficient and easily followed permitting process. The process shall include the use of checklists and referral to appropriate regulatory agencies.

Policy 9.A.1.4 - The LDC shall include criteria guiding the location of housing for very low, low and moderate income families, manufactured homes, group homes, foster care facilities, workforce housing and households with special needs (reference Policies 9.A.1.6, 9.A.1.7 and 9.A.1.8).

Policy 9.A.1.5 - The City shall cooperate with the appropriate local, state and federal agencies (Niceville Housing Authority [Fair Housing Board], Fort Walton Beach Housing Authority, Okaloosa County, Escambia County Housing Finance Authority, the Florida Department of Health and Rehabilitative Services and the U.S. Department of Housing and Urban Development) so as to provide housing assistance for present or future residents in need of same. The

City will continue to work with these entities to take advantage of new and appropriate housing subsidy and assistance programs as they become available.

Policy 9.A.1.6 - The LDC shall include criteria for the location of manufactured housing as defined in Section 320.01(2)(b), F.S. (1992 Supplement). Such manufactured housing shall be permitted in areas designated residential on the Future Land Use Maps (Figures 7-1, 7-2 and 7-3), provided they meet all City building, architectural, aesthetic, landscaping and similar regulations, consistent with Sections 553.38(2) and 320.8285(5), F.S., which specify that such requirements must be reasonable and uniformly applied and enforced without any distinction as to whether a building is conventionally constructed or is a manufactured home.

The LDC shall include criteria for the location of mobile home parks and such parks shall be located in those areas designated on the Future Land Use Maps (Figures 7-1, 7-2 and 7-3) as medium density residential.

Policy 9.A.1.7 - The City will include criteria in the LDC for the development of group homes and such homes shall be located within areas designated on the Future Land Use Maps (Figures 7-1, 7-2 and 7-3) as medium density residential.

Policy 9.A.1.8 - The LDC shall include criteria for the location of foster homes and such foster homes shall be located within any residential area designated on the Future Land Use Maps (Figures 7-1, 7-2 and 7-3).

Policy 9.A.1.9 - The LDC shall include provisions which permit (allow) the construction and location of affordable housing for very low, low and moderate income families. The provisions will include the use of the zero-lot line development technique, cluster housing, townhouses, apartment units and the like pursuant to the planned unit development technique enacted within Ordinance 590 (the Zoning Ordinance) of the City. In addition, applicants may be allowed to seek variances so as to provide for zero-lot line developments.

Policy 9.A.1.10 – The City of Niceville shall continue to grant density bonuses for the construction of affordable housing according to the provisions set forth in the LDC, which state that [set asides of] ten (10) percent of dwelling units for very low, low, to moderate income families [receive] 3 points [and set asides of] twenty (20) percent of dwelling units for very low, low, to moderate income families [receive] 6 points. No more than twenty (20) percent of units of a conventional housing development shall be credited for bonus points. Each five (5) points earned for residential development shall qualify for a two (2) percent increase in the maximum density allowed in residential development. See also City of Niceville Land Development Code, Sections 7.02.06 and 7.03.01.

Policy 9.A.1.11 – The City shall support economic solutions to affordable housing, such as establishing job training and job creation programs to assist very low, low and moderate income households. The City shall investigate and support grant funding for the development of such programs if deemed to be beneficial.

Policy 9.A.1.12 – The City shall initiate interlocal agreements with adjacent local governments, as deemed necessary or appropriate, to address the City’s affordable housing needs if the City determines that meeting the demand for affordable housing is not economically feasible due to unusually high property values, or not environmentally feasible due to the physical constraints of the Coastal High Hazard Area.

Objective 9.A.2 - Eliminate or reduce substandard housing conditions and support the structural and aesthetic improvement of existing housing stock.

Policy 9.A.2.1 - The City shall use the data generated by the U.S. Census to identify substandard housing within the City.

Policy 9.A.2.2 - The LDC shall include provisions and regulations which direct the elimination of substandard housing identified pursuant to Policy 9.A.2.1 (also, see Policy 7.A.2.4).

Policy 9.A.2.3 - The LDC shall contain provisions which continue the City's practice of removing, or causing the removal of, housing stock with structural deficiencies (reference Ordinance 590, or any amendments or successor ordinances which may be adopted by the City).

Policy 9.A.2.4 - The LDC shall contain provisions requiring landscaping and open space for new development so that aesthetic improvements in residential areas can be achieved.

Policy 9.A.2.5 - The City will continue to strictly enforce its building and housing codes as well as its planning and zoning codes, to ensure that all housing developments, including affordable housing developments, are attractive and compatible with surrounding residential developments. In addition, the City will review its building, housing, planning and zoning codes and code requirements to insure that quality of housing and integrity of neighborhoods is adequately addressed.

Objective 9.A.3 - Provide adequate areas and infrastructure for housing for very low, low and moderate income families, manufactured homes, group homes, and foster care facilities by including regulations requiring the provision of adequate areas and infrastructure within the LDC (reference Policy 7.A.1.1).

Policy 9.A.3.1 - The City shall implement the Concurrency Management System (reference Chapter 6 of this Ordinance) upon adoption of the LDC.

Policy 9.A.3.2 - The LDC shall contain provisions which require the connection of facilities described in Objective 9.A.3 to central sewage systems whenever such systems are available pursuant to definition. If such central system is not available, then the proposed housing will be required to obtain septic tank permits from the Florida Department of Health and Rehabilitative Services prior to receiving development permits from the City (reference Policy 11.B.2.3). Note: While this policy specifically relates to the housing types referenced in Objective 9.A.3, this rule applies to all structures of any description within the City.

Policy 9.A.3.3 - Principles and criteria guiding the location of housing for very low, low and moderate income families, manufactured homes, group homes and foster care facilities shall be included within the LDC and pursuant to Policies 7.A.2.1, 9.A.1.6, 9.A.1.7 and 9.A.1.8.

Policy 9.A.3.4 – The Future Land Use Map shall designate sufficient sites at sufficient densities to accommodate the need for affordable housing over the planning timeframe.

Objective 9.A.4 - The LDC (reference Policy 7.A.1.1) shall include regulations necessary to conserve, rehabilitate or, when necessary, demolish substandard housing within the City.

Policy 9.A.4.1 - The City shall continue enforcement of its land development regulations so that conservation or rehabilitation of housing may be achieved and extend the useful life of the existing housing stock and stabilize or improve existing neighborhoods, including the aesthetic appeal of such neighborhoods (also, see Policy 7.A.2.4).

Policy 9.A.4.2 - The LDC shall contain techniques and methods necessary to the conservation or rehabilitation of existing housing stock. These methods may include, but are not limited to, the following:

- a. Incentives for adaptive reuse of existing structures; and
- b. Participation in state and federal weatherization programs.

Objective 9.A.5 - The City will ensure the protection of historically significant structures.

Policy 9.A.5.1 - The LDC shall include criteria for the determination of appropriateness for preservation of historic structures. The criteria to be used for the determination of "appropriateness" shall be those criteria recommended to the City by the agency referenced in Policy 9.A.5.3 below.

Policy 9.A.5.2 - The LDC shall include regulations which require the identification of historically significant structures in advance of the issuance of a building permit (reference Policies 7.A.4.4 and 7.A.4.5).

Policy 9.A.5.3 - The City shall continue to use the Florida Department of State, Division of Historical Resources as a resource for identification of historic sites within the City.

Objective 9.A.6 - Provide relocation assistance or housing during the process of housing rehabilitation upon adoption of this Ordinance.

Policy 9.A.6.1 - The City will continue to seek grants to provide for relocating very low, low and moderate income persons during the housing rehabilitation process.

Policy 9.A.6.2 - All plans for public programs and projects which would involve the displacement of residents shall include a housing relocation plan which contains provisions for interim or permanent housing for displaced persons.

Policy 9.A.6.3 - The Niceville Housing Authority (Fair Housing Board) shall continue to provide assistance in identifying housing options for very low, low and moderate income families and disadvantaged individuals.

Objective 9.A.7 - Implement housing programs on an "on-going" basis upon adoption of this Ordinance and by implementing Policies 9.A.7.1 through 9.A.7.4, among others.

Policy 9.A.7.1 - The City will cooperate with the agencies identified in Policy 9.A.1.5 to facilitate bond backed low interest mortgage loans for home purchases by qualified individuals or families.

Policy 9.A.7.2 - The City will continue to cooperate with the agencies identified in Policy 9.A.1.5 so that residents in need may take advantage of various state and federal programs including, but not limited to, the U.S. HUD, Section 8, Housing Assistance Program, the Section 8 Voucher Program (including "finders-keepers") and others.

Policy 9.A.7.3 - The Niceville Housing Authority shall be the lead agency within the City for the provision of assistance and coordination of housing programs (reference Chapter 10 of the City Code).

Policy 9.A.7.4 - Pursuant to Policy 9.A.1.2, the City will review its regulatory and permitting program on an annual basis and evaluate changes necessary to improve the public and private sector housing delivery process. Such review shall be conducted within the time frame identified in Section 14.06 of this ordinance. The review shall be conducted by the Niceville Housing Authority. During each annual review, opportunities for involvement of the City and/or the Authority, including partnerships, with the private and nonprofit sectors involved in housing delivery programs shall be analyzed. When opportunities exist for involvement of the City, such opportunities shall be reported to the City Council for guidance and decision. Note: In addition to the above, the review is designed to improve coordination between participants involved in housing production.

Objective 9.A.8 – The city shall support energy efficiency and the use of renewable energy resources in existing housing and the design and construction of new housing.

Policy 9.A.8.1 – The city shall encourage support for residential construction that meets the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or other nationally recognized, high-performance green building rating system as recognized by the Florida Department of Management Services by March 2010.

Policy 9A.8.2 – The city shall educate residents on home energy reduction strategies.

Policy 9.A.8.3 – The city shall not prohibit the appropriate placement of photovoltaic panels. The city shall develop and adopt review criteria to establish the standards for the appropriate placement of photovoltaic panels.

Policy 9.A.8.4 – The city shall provide educational materials on the strategic placement of landscape materials to reduce energy consumption.