



MEMORANDUM

DATE: December 23, 2024

TO: City Commission

FROM: Jordan Smith, AICP, PP Planning and Development Services Director

THRU: Doc Dougherty, City Manager

SUBJECT: Resolution No. 2024-81, Opting out of Live Local Act Property Tax Exemption. (Legislative – Public Hearing) (Jordan Smith, Planning and Development Services Director)

DISCUSSION: Pursuant to Section 196.1978(3), Florida Statutes, the Volusia County property appraiser is required to exempt rental properties from ad valorem taxation if they meet certain requirements under the Live Local Act. During the 2024 legislative session, the Florida Legislature adopted, and Governor DeSantis signed into law, Chapter 2024-158 amending Section 1906.1978, Florida Statutes, providing an exemption from ad valorem taxation for properties deemed affordable housing for persons or families whose annual household income is between 80 and 120 percent of the median annual adjusted gross income for households within a Metropolitan Statistical Area (MSA). Section 196.1978(3)(o), Florida Statutes, also authorizes a taxing authority, upon adoption of a resolution by a two-thirds vote of its governing body, to elect not to exempt property from ad valorem taxation under section 196.1978(3)(d)1.a., Florida Statutes, provided the taxing authority's jurisdiction is part of a metropolitan statistical area or region where the number of affordable and available units exceeds the number of renter households in the income category of 0 to 120 percent Area Median Income (AMI) according to the latest Shimberg Center for Housing Studies Annual Report.

The City of Deltona is a municipal taxing authority within the Deltona-Daytona Beach-Ormond Beach, FL MSA. Based on the Shimberg Center for Housing Studies 2024 Annual report, there is a surplus of 1,917 affordable and available units in this MSA which is greater than the number of renter households that meet the income criteria for the 0 to 10 percent AMI tax exemption.

The City is eligible to adopt a Resolution to not exempt properties that would otherwise be eligible for the Live Local Property Tax Exemption by a two-thirds majority vote. If approved, the Resolution shall take effect on January 1, 2025, expiring on January 1, 2027. The Resolution may be renewed prior to its expiration date in accordance with Florida law.

RECOMMENDATION:

Staff recommends that the Mayor and City Commission approve Resolution No. 2024-81.

ATTACHMENTS:

- Resolution No. 1071
- Chapter 2024-158 (Section 16) 1
- Shimberg Center for Housing Studies 2024 Annual Report, Appendix 4