

## Minutes

**County of Volusia  
Affordable Housing Advisory Committee  
Thursday, October 30, 2008 3:00pm  
Volusia County Health Department  
1845 Holsonback Drive, Room 516  
Daytona Beach, Florida**

<b>COMMITTEE MEMBERS PRESENT</b>	<b>COMMITTEE MEMBERS ABSENT</b>	<b>STAFF</b>
Frank Severino, Chair		Edward L. Jasper, Community Assistance Director
Richard Fraser, Vice Chair		Diana Phillips, Housing and Grants Administration Manager
Janet Bellows		Paula Szabo, Housing & Grants Planner
Michelina Bowman		
William Hansard		
Tadd Kasbeer		
Deborah Michaud		
MaryEllen Osterndorf		
Sara Truhlar		
Richard Vincik		
Rosemary Walker		

The meeting of the Volusia County Affordable Housing Advisory Committee (AHAC) was called to order at 3:00 p.m. by Frank Severino, Chair. Paula Szabo called the roll and a quorum was present.

The Chair announced that unless there were any objections the meeting agenda would be modified to accommodate staff presentations. Agenda Item 5 would be discussed first, followed by Agenda Item 4, reduction of impact fees, and then the agenda would return to proposed order of items. He also announced that due to personal schedule conflicts he would need to leave early, and Rick Fraser, Vice Chair would assume control of the meeting.

**Item 5 - Discussion of recommendation regarding affordable housing incentive issue nine - The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.**

The Chair opened to floor to a presentation on this issue by Edward Jasper. Edward Jasper directed the committee's attention to a handout that described an intergovernmental process involving several county departments (Growth & Resource Management, Economic Development and Community Assistance Division) to review the cost of housing in County decisions. (copy attached). Edward Jasper stated that the purpose of this strategy is to encourage discussion on the cost of housing within the government. He recommended that the committee move away from an approach that would require the AHAC to play a part in reviewing government actions that could increase housing costs, as the AHAC is not the local government.

The committee discussed the recommended process and Rick Fraser made a motion to adopt the proposed regulatory review process, and William Hansard seconded. After further discussion, Rick Fraser amended his motion to provide that the regulatory review process as submitted should be amended to add the Public Works Department, that the committee shall meet in person no less frequently than every 45 days and conflicting language in paragraph 3 should be eliminated. The amended motion was seconded by William Hansard and approved by unanimous vote of the committee.

**Item 4 - Discussion of recommendation regarding affordable housing incentive issue two – The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payments for affordable housing.**

The Chair opened to floor to a presentation on this issue by Edward Jasper. Edward Jasper directed the committee's attention to a handout (attached), which provided an overview of the status of impact fee modification for affordable housing in Volusia County. He recommended that the committee support amending the County's Local Housing Assistance Plan (LHAP) to permit reimbursement of impact fees as an eligible cost of acquisition and construction of homebuyer housing. The committee agreed that reducing the impact fee for all affordable housing was more in line with their previous discussions rather than providing a mechanism using SHIP funds to offset impact fee collections for affordable housing.

They also discussed implications of the Impact Fee Budget Proviso, the benefits of reducing impact fees based on the sale price of the home vs. the square footage of the home, and collecting impact fees through the real property tax rolls. They agreed that impact fees for affordable housing should reflect a decrease for housing that is "more affordable."

William Hansard made a motion that the committee's recommendation should request County Council to consider reducing impact fees based on the sale price of the homes; to consider putting impact fees on the tax rolls and to institute an immediate 25% reduction of impact fees for affordable housing that are controlled by the County. The motion was seconded by Tadd Kasbeer and approved by unanimous vote of the committee.

**Item 1 - Discussion of recommendation regarding affordable housing incentive issue three - The allowance of flexibility in densities for affordable housing.**

The Vice-Chair opened the floor to discussion, noting that the only issue remaining was a formula to be applied to a density bonus that would provide greater density bonus for housing units set aside for families with very-low and low incomes. He asked Sara Truhlar if she could provide a motion for the committee to consider for a density formula. Sara Truhlar requested discussion of the formula in order to create a formula that is realistic for developers but still encourages affordable housing.

Discussion followed on possible density bonus formulas and the requirements of the County's Comprehensive Plan and the Zoning Code. A motion was made, seconded and adopted by unanimous vote to recommend that a formula be proposed which would provide a density bonus of up to 50% if a minimum of 20% of the units are certified for affordable housing and a density bonus of up to 100% if a minimum of 50% of the units are certified for affordable housing. (The identity of the maker of the motion and the second are unknown due to problems with tape of meeting)

**Item 2 – Discussion of recommendation regarding affordable housing incentive issue six - The reduction of parking and setback requirements for affordable housing.**

The Vice Chair opened the floor for discussion. Tadd Kasbeer discussed the revised handout entitled "Affordable Housing clustering of dwelling units and zero lot line residential subdivisions" that was provided to the committee (copy attached). The handout provided detailed recommendations for reduction of setback requirements by creating clustering of dwelling units for affordable housing. A motion was made, seconded and adopted by unanimous vote to approve the minimum setback requirements as provided in the handout and to incorporate the handout into the recommendation. (The identity of the maker of the motion and the second are unknown due to problems with tape of meeting)

**Item 3 – Discussion of recommendation regarding affordable housing incentive issue seven - The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.**

The Vice Chair opened the floor for discussion. Tadd Kasbeer discussed the revised handout that was provided to the committee (copy attached) that provided detailed recommendations for flexible lot configurations by creating clustering of dwelling units for affordable housing. A motion was made, seconded and adopted by unanimous vote to approve the flexible lot configuration provision as provided in the handout and to incorporate the handout into the recommendation. (The identity of the maker of the motion and the second are unknown due to problems with tape of meeting)

**Public Participation**

There was no public comment.

**Items for staff discussion**

There were no items for staff discussion.

**Adjournment**

There being no further issues, the meeting was adjourned at 5:35 pm.

## Proposed Regulatory Review Process for Volusia County

1. An intradepartmental committee would be established consisting of County staff, primarily from the Growth & Resource Management Department, the Community Assistance Division and the Economic Development Department. The committee would be responsible to review prior to adoption or enactment those policies, procedures, ordinances, regulations and Comprehensive Plan provisions that have been identified by staff as having a potential to impact the cost of housing. Department directors would nominate staff to sit on the committee. The committee may meet in person, by telephone or otherwise.
2. The director of each department, or his designee, will advise the committee of any ordinance, amendment, policy or procedure they are involved with that will potentially impact the cost of housing. The following items qualify as requiring review of potential impact to the cost of housing:
  - Changes to the definition or classifications of future land use
  - Changes to the definition or classifications of zoning
  - Changes to the definition or classifications of allowable density
  - Changes to the definition or classifications of minimum dimensional requirements
  - Changes to the definition or classifications of land development procedures
  - Changes to the impact fee schedule
3. The above information will be forwarded to the committee members to review and determine if there is enough information to form an opinion as to what degree of impact an item has on the cost of housing (e.g., no impact, minor impact or substantial). A committee meeting will be scheduled after receipt of the review information.
4. The committee will formalize an opinion, including an estimate of the cost impact, which the chair will document via a memo to the director of the department from which the subject item originated. The memo will be included along with other support documents when the subject item is transmitted to the PLDRC and/or County Council. A copy of the memo will be provided to the Affordable Housing Advisory Committee.
5. The chair may request additional or clarifying information if needed to address the issue of the cost estimate.
6. The Volusia County Affordable Housing Advisory Committee will review the regulatory review process, and the cost estimate memos, at least annually.

## Volusia County Impact Fee Reduction – Use of SHIP funds

1. 1993 AHAC recommended that SHIP funds be used to pay impact, development review and/or permit fees to reduce the cost to the housing developer. They estimated a per-unit reduction of \$5,000-\$7,000 in fees where full subsidies apply.
2. Per 1993 AHAC report, Community Services Department was to establish a sliding scale to qualify for fee payments based on the number and/or proportion of units produced for the targeted low and very low income groups as defined by HUD. (Ranged from 100% to 50% payment of impact fees – based on funding availability)
3. Since 1993, SHIP funds in Volusia County have been primarily used as a tool for down payment assistance and closing costs assistance provided to the homebuyer to allow acquisition. The Florida Housing Finance Corporation has discouraged use of SHIP funds to provide impact fee reductions – one hand of the government paying the other hand of the government.
4. Orange County has extensively used their SHIP funds to fund impact fee and other fee reductions. In proportion to the sales price, builders of certified affordable housing are eligible for reimbursement of up to 75% of total impact fees paid providing that the home is sold to qualified very low, low and moderate-income persons. This program is operated in conjunction with the Orange County's down payment assistance program which provides downpayment assistance ranging from \$20,000 to \$35,000 based on household income. The funding is available on a first ready, first served basis.
5. Volusia County has a SHIP strategy in its Local Housing Assistance Plan and a SHIP budget for acquisition and construction of homebuyer housing. The intent of this strategy is to fund acquisition and construction costs for new homebuyer units. The strategy does not specifically allow for the payment or reimbursement of impact fees as an eligible cost. Budget for FY 2008/09 is \$300,000 and it all been reserved for construction projects.
6. Community Assistance would support a recommendation by the AHAC to amend this LHAP strategy to permit reimbursement of impact fees as an eligible cost. The impact fees would be reduced in proportion to the income limit of the family (perhaps 25% for moderate, 50% for low & 75% for very-low income). The funds would be available on a first-ready, first served basis, and the priority would be to fund homebuyer assistance (downpayment & closing cost assistance). The levels of assistance for downpayment assistance for new construction could be reduced to offset some of the direct developer subsidy.

## **Affordable Housing clustering of dwelling units and zero lot line residential subdivisions.**

*Purpose and Intent:* A development design technique that permits a reduction in lot area by concentrating building to increase the residential density to achieve affordable housing. This technique allows for a reduction in lot area to increase in the number of lots that are permitted under conventional subdivision zoning for projects that qualify as affordable housing projects. The density shall not exceed allowable affordable housing density identified in the Comprehensive Plan.

The following regulations shall apply to cluster and zero lot line subdivisions:

(1) The subdivision must be platted for this type of development, in accordance with the land development code.

(2) The minimum lot dimensions shall be:

Single Family:

Minimum lot size: 3,500 square feet.

Minimum lot width: 35 feet.

Zero Lot Line:

Minimum lot size: 1,120 square feet.

Minimum lot width: 14 feet.

(3) The minimum floor area for the principal structure shall be:

Single Family: 600 square feet

Zero Lot Line:

480 square feet efficiency unit.

575 square feet 1 bedroom.

150 square feet each additional bedroom.

Maximum dwellings per building: 6

(4) The minimum setbacks for the principal structure shall be:

Single Family:

- Front yard: 10 feet.
- Garage front setback: 25 feet.
- Garage rear alley setback: 5 feet.
- Rear yard: 20 feet.
- Rear yard with alley: 15 feet.
- Waterfront yard: 25 feet.
- Side yard: 10 feet combined, 0' minimum allowed

Where a dwelling unit is located on a lot line, a legal provision acceptable to the county council shall be made for permanent access to maintain the exterior portion of the dwelling unit wall along the zero lot line. Doors or other access openings are prohibited on the zero lot line side of the dwelling unit. Driveways may be located within the side yard setback on the lot line as well per the illustration.

**Zero Lot Line:**

- Front yard: 10 feet.
- Garage front setback: 25 feet.
- Garage rear alley setback: 5 feet.
- Rear yard: 10 feet.
- Waterfront yard: 20 percent of lot depth but not less than 20 feet.
- Side yard: 0 feet (interior structures)
- 50 feet between fronts or rears of buildings and 25 feet between any other combination of building arrangements.

(5) The maximum lot coverage shall not exceed:

Single Family: 55 percent.

Zero Lot Line: 75 percent.

(6) Accessory structures shall have the following side and rear setbacks:

Rear yard: 5 feet.

Waterfront yard: 25 feet.

Street side yard: 15 feet.

Side yard: 5 feet.

(7) The maximum permissible density of the cluster subdivision shall be consistent with that permitted by the corresponding future land use designation accorded the property by the future land use element of the comprehensive plan.

(8) All other requirements of the applicable zoning classification shall be met.

(9) All cluster and/or zero lot line subdivisions shall adhere to all applicable requirements of the land development code.