

Minutes

Volusia County Affordable Housing Advisory Committee

August 28, 2008, 3:30 p.m.

Thomas C. Kelly Administration Building

123 W. Indiana Ave., DeLand

County Council Chambers, 2nd Floor

AHAC Members Present	AHAC Members Absent	County Staff Members Present
Frank Severino, Chair	Richard Fraser, Vice-Chair	Edward L. Jasper
Janet Bellows	Lynn Kaiser Conrad	Gregory Stubbs
Michelina Bowman	Richard Vincik	Douglas Weaver
William Hansard		Tom Brooks
Tadd Kasbeer		Linda Harper
Deborah Michaud		Carlotta Hiers
Sara Truhlar		Paula Szabo
Rosemary Walker		

The meeting of the Volusia County Affordable Housing Advisory Committee (AHAC) was called to order at 3:35 p.m. by Frank Severino, Chair. Carlotta Hiers called the roll and a quorum was present.

Agenda Item 1 - Approval of the minutes of the Affordable Housing Advisory Committee

The minutes of the meetings of August 14, 2008 and August 28, 2008 were recommended for approval by motion and seconded, and adopted by unanimous vote.

Agenda Item 2 – Presentation by the Volusia Home Builders Association

The Chair called upon Greg Blose, the Director of the Governmental Affairs for the Volusia Home Builders Association, to provide an overview of their recommendations on strategies for addressing the eleven affordable housing incentive issues.

- Item 1 – Expedited permitting. The VBHA strongly supports the reduction of regulatory barriers, and recommended an overhaul of the permitting process, the creation of an ombudsman, and the creation of an expedited permit checklist.
- Item 2 – Impact fees. The VBHA supports the County reducing impact fees for affordable housing, and urged the County to apply for a portion of \$20 million dollars created by the Florida Legislature through the 2008-09 budget appropriations bill. Additionally, the VBHA supports creation of an impact fee category based on unit square footage, creating a separate funding source for the payment of impact fees, and collecting impact fees through the tax bill as is done in Hillsborough County.
- Item 3 – Density bonus. The VBHA supports offering density bonuses early in the development process with a “no strings attached” approach, and an easing of restriction if density bonus is given.
- Item 4 – Reservation of infrastructure capacity. The VBHA believes that due to House Bill 1375, that this is a complex issue that needs more discussion.
- Item 5 – Accessory dwelling units. The VBHA supports allowing accessory dwelling units in all residential zoning districts, and the creation of an affordable housing overlay zoning district.

- Item 6 – Parking and side yard setbacks. The VBHA echoes HUD’s call for the reduction of regulatory barriers, and urged the AHAC to provide for these setbacks routinely as part of an affordable housing project.
- Item 7 – Flexible lot configurations. The VBHA supports allowance of zero lot lines and conservation overlay zoning for affordable housing.
- Item 8 – Modification of street requirements. The VBHA believes that Volusia County’s road standards are too high, but also believes that this issue needs more discussion.
- Item 9 - Process for reviewing cost of policies and regulations on affordable housing. The VBHA supports the creation of an ombudsman using existing staff at the County to review all such policies. In their mind, nearly all development policy changes affect affordable housing.
- Item 10 – Preparation of inventory of County owned land suitable for affordable housing. The VBHA has no position on this item to date.
- Item 11 – Development of affordable housing near transportation/employment centers. The VBHA recommends that the AHAC review and discuss the County’s infill development and redevelopment standards.

The presentation concluded and the AHAC briefly discussed the recommendations made by Mr. Blose in regards to Item 9 and 11.

Agenda Item 3 – Discuss the road map and schedule for addressing the eleven affordable housing incentives recommendations

The Chair recognized Tom Brooks, Planner II with the Volusia County Growth & Resource Department, who provided a brief summary of the County’s status on implementing the eleven affordable housing incentives issues. Tom Brooks is the ombudsman in the County’s Planning Division for affordable housing. The ombudsman is merely an advisory position.

- Item 1 – Expedited permitting. Affordable housing, except for individual permits, is not presently fast tracked. Orlando’s solution of having a special review committee for affordable housing may be the best way to implement this recommendation.
- Item 2 – Impact fees. The County Council has the power to reduce or waive impact fees for affordable housing, They have done so for projects built by Habitat for Humanity. Waivers or reduction are funded by the County Council either through existing grant programs or paid for by the General Fund.
- Item 3 - Policy 1.3.3.3 of the Volusia County Comprehensive Plan provides the flexible density bonus needed for affordable housing. More flexibility is needed on the PUD requirements and the zoning ordinance to sustain the affordability promised by the increases in density offered by the Comprehensive Plan.
- Item 4 – Reservation of infrastructure. This recommendation is vague since the term reservation of infrastructure capacity is not defined. One possibility of reservation is that affordable housing projects would not be subject to traffic concurrency requirements. Staff is unaware of a situation of an affordable housing project being turned down because of concurrency.
- Item 5 – Accessory dwelling units. The County allows accessory residential units in a limited manner. The accessory unit cannot have a separate kitchen or other infrastructure that constitutes a separate dwelling. Modifications of the Land Development Code, Zoning Ordinance and Comprehensive Plan will be necessary based on density limitations.
- Item 6 – Parking and setback reductions. Setback reductions are allowed in urban infill areas under Policy 1.3.1.12. Awareness of this policy is probably very low within the development community.

- Item 7 – Flexible lot configurations. The County allows flexibility in the PUD process and certain residential zoning districts. An evaluation of the zoning ordinance may be necessary to determine if the number of residential zoning districts that allow for flexible lot line configurations need to be expanded.
- Item 8 – Modification of street requirements. The DRC has the power to waive or modify street requirements for affordable housing.
- Item 9 – Process for reviewing cost of policies and regulations on affordable housing. There is no such process that currently exists. The Orlando Affordable Housing committee has a separate process that balances the need for affordable housing with health and safety welfare regulations.
- Item 10 - Preparation of a printed inventory of locally owned public lands suitable for affordable housing. To be discussed as part of Agenda Item IV.
- Item 11 - Support of development near transportation hubs and major employment centers and mixed-use developments. There are a number of County unincorporated areas near city water and sewer lines. Typically, the property owner goes to the County for the density bonus and PUD approval while seeking the water and sewer infrastructure from the adjacent city.

Tom Brooks then discussed the recommended grouping of the eleven items, which was provided to the Committee as part of the agenda package (attached to these minutes), and the rationale for the grouping. The presentation concluded and the AHAC briefly discussed the status report and proposed grouping of issues made by the Growth & Resource Management Department.

The Chair offered his recommendations for a schedule to review and discuss the issues at the upcoming meetings. He proposed the following schedule:

September 11 – Staff presentations on Items 1, 3, 5 and 7 – County Council Chambers
 September 25 – Schedule an additional meeting in a public meeting place on the County’s east side to accommodate members’ travel. Using a workshop format, discuss and vote on recommendations for Items 1, 3, 5 and 7.
 October 9 - Staff presentations on Items 2, 6, 8 and 9 – County Council Chambers
 October 23 - Schedule an additional meeting in a public meeting place on the County’s east side to accommodate members’ travel. Using a workshop format, discuss and vote on recommendations for Items 2, 6, 8 and 9.
 October 30 – Additional meeting for presentations as necessary and discussion – County Council Chambers
 November 13 – Finalize recommendations and report – County Council Chambers
 December 11 - Finalize recommendations and report – County Council Chambers
 December 18 – Public hearing before County Council

The Committee discussed how a workshop format differs from the presentation format used in the Council Chambers. The Chair called on Greg Stubbs to discuss the ability of the Growth and Resource Management Department to provide staff presentations on these issues on September 11 and October 9. Greg Stubbs committed to providing knowledgeable staff to guide the Committee. There being no public comment, the Chair closed the item to further discussion.

Deborah Michaud moved to adopt the timeline and schedule presented by the Chair. The motion was seconded by Michelina Bowmen, and adopted by unanimous vote.

Agenda Item 4 – Discuss affordable housing incentives items 4 and 10

Tom Brooks explained that the term “reservation of infrastructure” usually refers to the provision of sufficient capacity for water, sewer, roads and schools by the appropriate local government. He stated that generally the County’s role in the provision of water and sewer services is limited since the cities generally provide these services. Having sufficient roads can be a problem in urban areas, and the Florida Department of Transportation plays a role in road capacity. In general, in Tom Brooks’ experience, the size of an affordable housing development in Volusia County has been too small to trip the threshold for school concurrency.

A discussion followed on infrastructure needs in relationship to affordable housing in Volusia County. Tadd Kasbeer noted that water could be an issue in the future as many cities are nearing capacity, especially for the development of larger parcels. Sara Truhlar added that many ordinances she had reviewed offered infrastructure capacity only if the development included affordable housing in a market rate development. Tom Brooks noted that special consideration was needed in the review of urban infill lots located in unincorporated Volusia County which were located near the cities of Deland, New Smyrna Beach and Daytona Beach. William Hansard raised the question of whether there is a “typical affordable housing buyer”? Rosemary Walker responded that in her experience there is no “typical buyer” and they range from young to old, single individuals to large family, and also the disabled population.

The Chair directed the Committee’s attention to housing incentive 10, the preparation of an inventory of County owned lands that were suitable for affordable housing. Douglas Weaver, the Director of the Volusia County Land Acquisition and Management was introduced and provided an overview of the process used by the his division to identify and inventory County owned lands, including those suitable for affordable housing. He provided a handout of the process (attached to these minutes) and answered questions from the members to clarify the process. Linda Harper, Real Estate Specialist, also attended and answered questions about the process as the preparation of the inventory is part of her job duties. She stated that the standard that the County uses for determining if land is suitable for affordable housing is based on the zoning criteria and whether it is a decent sized lot that could support a home, including a lot where a variance might be possible.

Discussion by Committee members of matters not on the agenda

The Chair opened the floor to discussion by Committee members of matters not on the agenda. Janet Bellows asked if there were estimates of the number of persons who are waiting for affordable housing in the County. Michelina Bowman responded that many families are on the waiting list for programs like the SHIP program, and Rosemary Walker added that her organization estimates that more than 5,000 families are living in sub-standards housing in Volusia County.

Items for staff discussion

Edward Jasper reported that he had spoken with senior staff regarding the issue of the \$20 million set aside by the Florida legislature in 2008-2009 for jurisdictions that reduce their impact fees. He reported that since this is a one-time pot of funds, the County Council is unlikely to support pursuing these funds to replace impact fees.

Public Participation

The Chair requested any public comment slips, and determined that there were no members of the public requesting time before the Committee. There being no public comments, the Chair closed the floor to public comments.

Adjournment

With no further matters, the Chair adjourned the meeting at 5:25.

The 11 Affordable Housing Recommendations that must be addressed

How these 11 issues can be grouped together?

1. Permitting and regulatory requirements on affordable housing- Issues 1, 3, 5, 7

- **Fast tracking affordable housing greater than other projects (Issue 1)**
- **Flexibility on PUD and density issues for affordable housing (Issue 3)**
- **Accessory dwelling units (need Comp plan and zoning changes) (Issue 5)**
- **Allowance for flexible lot configuration including zero lot line (Issue 7)**

2. Costs to affordable housing- Issues 2, 6, 8, 9

- **Modification of impact fees including waiver of fees (Issue 2)**
- **Reduction of parking and setback requirements (Issue 6)**
- **Modification of street requirements for affordable housing (Issue 8)**
- **Process to evaluate regulations that increase the cost of housing (Issue 9)**

3. Miscellaneous affordable housing topics- Issues 4, 10, 11

- **Reservation of infrastructure capacity for affordable housing (Issue 4)**
- **Preparation of inventory of public lands for affordable housing (Issue 10)**
- **Support development near transportation hubs, employment etc (Issue 11)**

The easiest of the three topic groupings to handle is Miscellaneous affording housing topics. The other two topics while listed separately are connected together as reducing costs and regulations for affordable housing

Public Lands Suitable for Affordable Housing

Since 2001, Land Acquisition and Management has maintained and continually updated a County Owned Land List that currently consists of 2,748 parcels or approximately 44,446 acres of land.

Existing uses of these lands range from County facilities, off beach parking, stormwater/ utility sites, property that may be needed for affordable housing projects, etc. to parks and conservation land.

Most land acquired by the County is acquired for a specific use. For example, a road project, off beach parking, park land, conservation, etc. From time to time the County becomes the owner of land that escheats to them by Tax Deed. In both instances these parcels of land are added to the County owned land list as they are acquired.

Periodically, staff reviews the list to determine specific uses for the added parcels. Our procedure for determining these uses are as follows:

- Staff reviews the County owned land list to collect a sub-list of property that has not been identified with a specific use.
- This sub-list is routed to county departments/divisions to review to determine if that department/division has a public use for the property. This process includes the review by Community Services to determine if any of the parcels are suitable for affordable housing sites.
- Those parcels that have been determined to have a County use, remain on the County owned land list and are duly noted with their determined use.
- Those parcels that have not been determined to have a County use are then offered to municipalities (if within municipal boundaries), the state (if near state roads) and non-profit organizations, which includes Habitat for Humanity on each side of the County, for their review.

The results of this review are then scheduled for the County Council's consideration. Staff's recommendation ranges from transferring a parcel(s) to a municipality, state, non-profit or declaring the parcel as surplus and offering it to the public.

The County Council has considered transfers of such parcels in 2004 and in 2006. In each case, parcels were transferred to several municipalities and to non-profit organizations as well as a few sales to property owners of adjacent property. These actions were taken pursuant to F.S. 125.35 and 125.38.

Pursuant to F.S. 125.379, as of July 1, 2007 and every three years thereafter, each county is required to prepare an inventory list of all real property... appropriate for use as affordable housing. On July 5, 2007, the County Council established an inventory list appropriate for use as affordable housing which consisted of one parcel. On August 2, 2007, the Council transferred this parcel to West Volusia Habitat for Humanity.

A new Inventory list of real property appropriate for affordable housing is due for the County Council's consideration in 2010.