

**CHAPTER 5**  
**HOUSING ELEMENT**

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#### **A. OVERVIEW**

The goal of the Housing Element is to provide, in cooperation with the private sector, "a broad geographic choice of decent, safe and sanitary housing types at affordable prices for present and projected residents." The provision and maintenance of housing is traditionally a function of the private market with the exception of housing opportunities provided to citizens of very low, low, and moderate income. The role of Volusia County in the housing arena is to:

1. serve as a conduit for federal and state public housing assistance programs (a component of the "affordable housing" issue);
2. implement, monitor and enforce state and federal building codes promoting health, safety and energy conservation standards;
3. encourage conformity and homogeneity in the development of residential subdivisions (types, sizes, setbacks) and the segregation of housing from other types of land uses;
4. offer certain aesthetic controls in existing districts and neighborhoods that possess unique or unusual environmental, landscape and/or historical characteristics.
5. promote the construction of a diversity of housing choices (types, locations and prices);
6. provide land area to accommodate projected population growth;
7. encourage the private sector to provide congregate living through community residential homes for people with special needs.

All of these functions can be found in regulations, actions and programs currently implemented by Volusia County government. The Planning Division is responsible for facilitating updates to the comprehensive plan. The Community Services Division administers a variety of assistance programs including affordable housing allocations received from local, state and federal sources. The Building Department through the Permitting and Code Compliance units ensure that existing housing units, renovations, retrofits, and new housing units are safe and meet current code requirements. Together, they continue to work with their private sector partners and the residents to ensure safe, affordable housing for the residents of unincorporated Volusia County.

#### **B. GOALS, OBJECTIVES AND POLICIES**

##### **GOAL:**

- 5.1 Volusia County shall devote the necessary and effective resources available, (including private sector incentives and public programs) to ensure sanitary, affordable, and safe housing for county residents.

##### **OBJECTIVE:**

- 5.1.1 Volusia County shall ensure the provision of adequate infrastructure and appropriate residential land use categories, in unincorporated areas of the County, to

accommodate projected growth in population and a range of housing types, including adequate sites and distribution of housing for very low, low, and moderate income households.

POLICIES:

- 5.1.1.1 Volusia County shall continue to work with the private sector and the municipalities toward retrofitting or replacing inadequate infrastructure or install new infrastructure for existing residential development that is located in targeted environmentally sensitive areas.
- 5.1.1.2 Volusia County shall encourage require residents using septic tanks in existing urban residential areas to connect with municipal or County operated sewage treatment plants.
- 5.1.1.3 Volusia County shall continue to utilize strategies for traffic calming in residential settings.
- 5.1.1.4 Volusia County shall continue to use a combination of information provided by the Shimberg Center for Affordable Housing and other local, state, and regional data to project growth in residential land use categories.
- 5.1.1.5 Volusia County shall continue to monitor national, state, regional and local housing trends and programs affecting the local housing market for the projected use of funds related to housing and community development.
- 5.1.1.6 The Future Land Use Map (see Figure 1-11, Appendix 1) shall designate lands for residential development consistent with this element and provide for the increase in population in unincorporated Volusia County.
- 5.1.1.7 The Housing Element shall be compatible and consistent with the Future Land Use Element and discourage residential development that results in urban sprawl.
- 5.1.1.8 The Volusia County Zoning Ordinance shall allow a diversity of lot sizes, floor areas, setbacks and other design features that allow for flexibility and choice in housing types and prices.
- 5.1.1.9 Volusia County shall not issue development orders for urban residential development in the Natural Resource Management Area.
- 5.1.1.10 Volusia County shall continue to adopt and utilize community design standards that promote sustainability and enhance community identity.
- 5.1.1.11 Volusia County shall continue to conduct studies to determine if an incentive-based impact fee program (decrease in fees for projects that further community values and sustainability objectives) benefits housing goals and objectives outlined in this element.

- 5.1.1.12 Continue to implement the expedited building permit process, which is offered to all building contractors for new construction and rehabilitation of county-verified affordable housing units in Volusia County.
- 5.1.1.13 The following principles and criteria shall be used to provide guidance in the location of housing:
- The County shall seek to minimize the effect of gentrification and economic displacement of existing residents for any redevelopment or neighborhood revitalization project in which it directly participates.
  - The County shall continue to maintain specific zoning categories in the Volusia County Zoning Ordinance that allow for the construction of mobile home parks and subdivisions.
  - The County shall continue to allow the construction of state-certified manufactured homes in residential zoning categories, as long as building code requirements, minimum zoning standards, and state requirements are met.
  - In an effort to maintain affordable housing opportunities, the County shall: a) continue to allow the construction of accessory dwelling units in zoning categories outlined in Section 72-277 of the Zoning Code b) continue to allow a minimum floor area of 750 square feet in a majority of residential zoning categories.
  - The County shall continue to allow, as a special exception, the construction of farmworker living facilities on agricultural properties that are five acres and larger in size.
- 5.1.1.14 The County, through its five-year capital improvements planning process, shall continue to identify the public facility needs of unincorporated Volusia County, including all areas with concentrations of very low, low and moderate income households.
- 5.1.1.15 Capital projects needed to correct public facility deficiencies shall be incorporated into the preparation of Community Development Block Grant applications and other potential grant opportunities.
- 5.1.1.16 The County, in cooperation with the private sector and the municipalities, shall monitor the effect of impact fees on the cost of housing for low and moderate income households.
- 5.1.1.17 Volusia County will continue to maintain an Affordable Housing Advisory Committee whose state-mandated mission is to review affordable housing incentives. In an effort to further address and evaluate the availability and the provision of affordable options, the role will be expanded beyond the state statute, as approved by the county council.

- 5.1.1.18 The Volusia County Council may approve the development of affordable housing on any parcel designated or zoned for commercial or industrial if any of the following apply:
- The development receives funding from the Florida Housing Finance Corporation, the State Housing Initiatives Partnership program, or other federal, state, or local affordable housing funding source; or
  - With a resolution of support from the Volusia County Council; or
  - If the development agrees to a land use restriction agreement that reserves thirty (30) percent or more of the dwelling units for affordable housing for households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 50 years or more.
  - New development consisting of one principal structure with an accessory dwelling unit would be subject to a 20-year affordability agreement on the accessory dwelling unit.
- 5.1.1.19 To assist in providing affordable units for students, multi-generational families, retirees, special needs individuals, and others in need of affordable housing options, impact fees may be waived for accessory dwelling units if all impact fees have been paid for the principal dwelling unit and if the applicant records a restrictive covenant on the accessory dwelling unit that limits the rental cost to households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 20 years or more. The accessory unit remains accessory to the principal unit and may not be sold separately. Impact fees are due and payable to the county upon the expiration of the covenant, unless both parties agree to extend the land use restriction. This provision does not apply to public lodging establishments, as defined in s. 509.013(4)(a)(1), such as short term or vacation rentals.

**OBJECTIVE:**

- 5.1.2 For those very low, low, and moderate income residents, Volusia County shall continue to provide housing assistance through programs outlined in the Consolidated Plan and the Local Housing Assistant Plan or other special directives dictated by emergency declaration as identified and updated regularly by the Community Assistance Division with incentives to encourage private sector participation.

**POLICIES:**

- 5.1.2.1 Volusia County shall ensure that housing assistance is available to all qualified residents regardless of age, race, disability, gender, or family size, in accordance with Title VIII of the Civil Rights Act of 1968, as amended and the Florida Fair Housing Act

Chapter 760 Florida Statutes. The implementation of this policy shall include adoption and enforcement of a Fair Housing Ordinance by the County of Volusia.

- 5.1.2.2 Volusia County shall continue to develop and implement incentive programs including waivers to permit fees, inspection fees, and application fees, density bonuses, as well as donations of county-owned land to encourage the private sector to participate in the provision of affordable and workforce housing.
- 5.1.2.3 Pending funding availability, the County shall make available housing programs that provide financial assistance specifically for those families earning less than the median income for Volusia County.
- 5.1.2.4 Volusia County shall actively promote and distribute information regarding the availability of housing assistance programs and proposed affordable housing projects to the public through various media platforms.
- 5.1.2.5 Volusia County shall continue to expend federal and other state/local housing program funds to provide financial assistance to very low, low, and moderate income residents.
- 5.1.2.6 Volusia shall support and increase coordination among the public and private sectors of the housing delivery system, by maintaining an in house network with those departments involved in housing assistance.
- 5.1.2.7 Volusia shall coordinate-with city housing planners or the appropriate representative of each municipality for housing initiatives.
- 5.1.2.8 The Consolidated Plan and Local Housing Assistance Plan shall function as the guides for housing programs to benefit families of very low, low and moderate income. This document shall be prepared and submitted by the Community Assistance Division of Volusia County consistent with established deadlines.
- 5.1.2.9 The county shall create a countywide affordable housing zoning overlay to assist in the prioritization of available county, state, and federal funding for new affordable housing projects.
- 5.1.2.10 Volusia County is committed to providing the professional staffing, infrastructure and technology required to support affordable housing initiatives.

#### OBJECTIVE:

- 5.1.3 Volusia County shall encourage reinvestment in existing housing stock and assist in the rehabilitation or removal of substandard dwellings.

#### POLICIES:

- 5.1.3.1 Volusia County shall assist in the reduction of substandard dwelling units Countywide through its Code Compliance Division.
- 5.1.3.2 Volusia shall assure continued code compliance of existing housing stock in unincorporated Volusia County.
- 5.1.3.3 Volusia County will identify and prioritize areas with a concentration of substandard conditions for code enforcement.
- 5.1.3.4 Volusia County shall conduct all condemnation and demolition proceedings in a timely and efficient manner. Housing rehabilitation assistance is offered through Community Assistance to eligible very low, low and moderate income homeowners as a voluntary program.
- 5.1.3.5 Volusia County shall continue to guide conservation, rehabilitation and demolition program techniques and strategies in accordance with the ongoing five-year Consolidated Plan as amended, or the local housing assistance plan.
- 5.1.3.6 Volusia County shall continue to seek and utilize federal and other state/local program funds to rehabilitate substandard housing.
- 5.1.3.7 Pending funding availability, Volusia County, through its housing rehabilitation program, will demolish substandard and derelict housing units when not feasible for reconstruction; construct new housing units for persons/families of very low, low and moderate income; and rehabilitate additional substandard housing units.

**OBJECTIVE:**

- 5.1.4 Volusia County shall upgrade the efficiency of rehabilitated units when feasible and encourage development that promotes energy efficiency and continued use of existing housing units.

**POLICIES:**

- 5.1.4.1 Volusia County shall continue to implement utilize the Florida Building Code for all housing units.
- 5.1.4.2 Volusia County shall continue to install energy efficient features in rehabilitated affordable housing properties.
- 5.1.4.3 Volusia County shall repair functional dwelling units with energy efficient features when the replacement of a substandard home is not feasible.
- 5.1.4.4 Volusia County shall monitor innovations in national, state and regional housing programs to devise a local sustainable housing strategy.

OBJECTIVE:

- 5.1.5 Volusia County shall assist in providing, those citizens with special needs who desire to live in a congregate living environment, community residential homes that are safe, sanitary, and affordable.

POLICIES:

- 5.1.5.1 Volusia County shall identify special needs groups to include, but not limited to, the farmworkers, people with physical and mental disabilities, the elderly, children, homeless persons, and individuals with chronic illnesses.
- 5.1.5.2 The County shall participate in the distribution of existing information on housing programs for special needs groups to the public through various means.
- 5.1.5.3 The County shall address complaints for farmworker housing that is in substandard condition and shall seek means to improve such conditions through code compliance.
- 5.1.5.4 Volusia County shall assist in the reduction of the total number of substandard rural/farm worker units, by engaging in construction, rehabilitation and demolition projects.
- 5.1.5.5 Volusia County shall establish guidelines for the location of community residential homes consistent with Chapter 419, F.S.
- 5.1.5.6 "Group homes" and "group housing" are defined as "community residential homes" pursuant to Chapter 419, F.S. to ensure consistent usage in such documents as the Comprehensive Plan, Land Development Code and Zoning Ordinance.
- 5.1.5.7 Volusia County shall continue to provide for the inclusion of community residential homes in urban and rural land use and zoning classifications in the Volusia County Comprehensive Plan and Zoning Ordinance.
- 5.1.5.8 Volusia County shall ensure that community residential homes and facilities are licensed by the Florida Department of Health and the Florida Department of Children and Families.
- 5.1.5.9 Volusia County shall continue to expend federal and other state/local housing program funds to assist in the provision of community residential homes for special needs groups and other shelter facilities.
- 5.1.5.10 Volusia County shall continue to seek partnerships with municipalities and the private sector to provide facilities for people with special needs.



OBJECTIVE:

- 5.1.6 Volusia County shall offer incentives to assist in the provision of affordable housing and preservation of significant historic housing.

POLICIES:

- 5.1.6.1 Volusia County has conducted a review of the Land Development Code and Zoning Ordinance to evaluate potential impacts on affordable housing goals and has determined that administrative approval by the Development Review Committee (DRC) for affordable housing projects would greatly reduce deterrents to affordability in the housing stock.
- 5.1.6.2 Volusia County shall continue to use a density bonus program that encourages the private sector to provide affordable and workforce housing for very low, low, and moderate income persons. Said density bonus shall amount to at least a 10% increase for projects that provide very low and low income housing needs, provided that increased density is consistent with environmental and concurrency goals set forth in this plan.
- 5.1.6.3 The protection of historically significant housing shall be achieved through a variety of means, of which, the following have been embraced by Volusia County:
1. Provide for local incentives that encourage rehabilitation and adaptive use of such structures;
  2. Development of regulations that discourage incompatible exterior alterations and the wanton demolition of historically significant housing;
  3. Assistance to property owners interested in participating in local, state and federal historic preservation programs.
- 5.1.6.4 Volusia County may donate appropriate land and buildings to organizations dedicated in providing housing for families of very low, low and moderate incomes.
- 5.1.6.5 Volusia County shall seek partnerships with other local governments and private non-profit organizations to provide affordable and workforce housing.
- 5.1.6.6 Volusia County shall maintain an affordable housing review team for affordable and workforce housing. The team will consist of county staff from development engineering, community assistance, traffic engineering, utilities, planning, zoning, land development, environmental, fire department, and the building department and other affected organizations. It will be charged with assisting affordable housing developers to increase the available housing stock in Volusia County through density bonuses, fee waivers, deed restrictions, and other incentives established by the County Council.

- 5.1.6.7 The DRC may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 10 percent for certified affordable housing projects, unless governed by state or federal law.

OBJECTIVE:

- 5.1.7 In the event that Volusia County directly participates in a project that displaces a family or occupants from their place of residence, the County shall provide just compensation in the form of financial remuneration or shall relocate the displaced family or occupants in a comparable housing unit. Housing relocation due to voluntary housing rehabilitation assistance, offered through Community Assistance Division to eligible very low, low and moderate income homeowners, is a voluntary program and does not require compensation.

POLICIES:

- 5.1.7.1 The County shall ensure that any relocation housing shall be dwellings that are decent, safe, and sanitary and within the financial means of the families or occupants displaced.

GOAL:

- 5.2 Volusia County shall merge housing assistance objectives with community revitalization and redevelopment efforts to meet sustainability targets.

OBJECTIVE:

- 5.2.1 Volusia County shall work with municipalities to redevelop existing commercial areas and districts in an effort to strengthen the local economy (facilitate job creation and incubate small business growth) and to improve the aesthetic and functional value of the built environment (reinvestment in existing infrastructure and ensuring future sustainable development).

POLICIES:

- 5.2.1.1 Volusia County shall encourage investment and pursue efforts to strengthen commercial districts and to improve land use transitions from commercial to residential areas.
- 5.2.1.2 Volusia County shall participate with municipalities in the beautification of existing commercial corridors.

- 5.2.1.3 Volusia County shall continue to allow home occupations in residential areas by special exception.
- 5.2.1.4 Volusia County shall encourage the redevelopment of commercial districts in municipalities to include assistance in the creation of Tax Increment Districts to fund Community Redevelopment Plans, as provided for in Chapter 163, Part III, F.S.
- 5.2.1.5 Volusia County shall establish a program for the reuse of vacant commercial buildings and centers. This shall include possible incentives for reuse and developing community standards for sustainable commercial development.

OBJECTIVE:

- 5.2.2 Volusia County shall provide public assistance to declining neighborhoods while engaging in partnerships with municipalities and/or the private sector where applicable.

POLICIES:

- 5.2.2.1 Pending funding availability, Volusia County shall continue to expend federal and other state and local program funds to assist in the revitalization of declining neighborhoods.
- 5.2.2.2 Volusia County will work with municipalities to target neighborhoods for redevelopment that cross jurisdictional boundaries. Targeted neighborhoods shall receive available services from the County for upgrading neighborhood conditions to a safe, respectable and desirable living environment. Two such neighborhoods include the Spring Hill area in DeLand and the Mission City/Inwood area of New Smyrna Beach. Volusia County shall continue to work with cities to identify other targeted neighborhoods that will benefit from this policy.
- 5.2.2.3 Volusia County, through neighborhood input, shall involve residents of neighborhoods in decision making and problem solving procedures and nurture leadership within said neighborhoods, with the intentions of generating a sense of community pride, responsibility and improvement.
- 5.2.2.4 The County shall continue in the efforts of rehabilitating existing substandard units, removal of dilapidated units and construction of new units within targeted areas.