

# *City of Deltona, Volusia County, Florida*

Planning and Development Services, Community Development  
SHIP Affordable Housing Programs

## **AFFORDABLE HOUSING ADVISORY COMMITTEE**

**Thursday – October 23, 2008 @ 7:00 p.m.**

**Deltona City Hall, 2nd Floor Conference Room  
2345 Providence Boulevard, Deltona, Volusia County, Florida**

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### **I. Call to Order**

Neither Chair Steve Westbrook nor Vice Chair Valderrama were present. Therefore, in accordance with Robert's Rules of Order<sup>1</sup>, the Committee elected Richard Rowland as chair pro tem.

Member Rowland called the October 23, 2008 meeting of the Affordable Housing Advisory Committee to order at 7:20 p.m. in the second floor conference room of the Deltona City Hall, 2345 Providence Boulevard, Deltona, Volusia County, Florida.

Members Richard Rowland, James Steele, Carl Stephens, Caroline Turgeon, Ramon Villanueva, Harry Wilkins and Michael Williams were present.

Member Mylene Valderrama had an excused absence.

Members Robert MacDonald and Steve Westbrook had unexcused absences.

Greg Blasé, Volusia Home Builders Association was present.

Staff members, Ms. Lori Serino, Community Development Manager; Mr. Ron Paradise, Planning Manager (Future Planning); Cheri Wight, Community Development Information Specialist; Diane Marinaro-Tyler, Recording Secretary were also present.

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<sup>1</sup> Robert III, Henry M.; Evans, William J.; Honemann, Daniel H.; and Balch, Thomas J. Robert's Rules of Order Newly Revised. 10<sup>th</sup> ed., p. 437, l. 13-17. DaCapo Press, 2000.

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

**II. Approval of Minutes – September 25, 2008 and October 9, 2008**

**September 25, 2008**

The minutes of the September 25, 2008 meeting were approved as written.

**October 9, 2008**

The minutes of the October 9, 2008 meeting were approved as written.

**III. Review of Previously Discussed Incentives for the Summary Report**

**A. The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects.**

This matter was previously discussed at the September 11, 2008, meeting. This is currently a staff practice and is part of the Housing Assistance Plan as required by SHIP (State Housing Initiative Program).

***No further action was taken regarding this incentive.***

**B. The Modification of Impact Fee Requirements**

The Committee discussed the Hillsborough County program for impact fees and learned that Hillsborough County offers two programs – the Transportation Assessment Program (TAP) and the Transportation Assessment Unit (TAU).

The Transportation Assessment Program allows applicants to defer 75% of the transportation and right-of-way impact fees to the property tax bill for no more than 20 years. This program applies to residential uses only. 25% of the fee is due up front at the time of the Certificate of Occupancy (CO) as a down payment. Interest rate is based on the market conditions at the time of the TAU approval. There is also a 9% annual charge for administration on top of the interest. The TAU assessment can be paid off early.

The intent of the program is not to encourage affordable housing, but rather to help defer developer costs. The program was implemented by Hillsborough County in 2001. Due to very limited participation and an apparent lack of interest on the part of developers, Staff has recommended that the program be allowed to sunset.

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

The Capacity Assessment Unit Program (CAU) is administered by the Hillsborough County Utilities Department. The Capacity Assessment Unit Program is similar to the Transportation Assessment Program in that fees are assessed as part of taxes. The program is available to any type of development. The developer must provide 50% as a down payment. Interest is accrued and an 8% administrative fee is assessed annually.

The program was instituted to encourage the use of existing capacity within existing facilities. The Capacity Assessment Unit Program has been well received and is self-funded.

The Committee discussed recommending that the City Commission consider reviewing and possibly lowering the impact fee schedule or adding a separate category for affordable housing projects but decided against it because other project developers or the City would be responsible for the difference in the amount charged and the amount truly needed for the improvements.

***Pursuant to a unanimous motion, the Committee does not recommend that the City Commission consider instituting a Transportation Assessment Program (TAP), a Transportation Assessment Unit (TAU) program or a Capacity Assessment Unit Program.***

As discussed, it would be difficult to reduce impact fees as there is a nexus between the fees charged and the funds required for the service. The nexus is usually tied to trip ends. The City could research the foundation upon which its impact fees are assessed. A reduction in impact fees results in a reduction in funding for needed infrastructure. Roads must be built to set standards so there will be less funding for other roads. Impact fees are generally used for expansion of capacity for existing roads rather than maintenance of roadways.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider researching the foundation upon which its impact fees are based.***

The City of Deltona is currently charging developers for 1.5 lane miles to fund a center turn lane rather than for 1.0 lane miles. This is a political decision. If the City Commission were so inclined, it could charge for 1.0 lane miles for affordable housing.

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

*Pursuant to a unanimous motion, the Committee recommends that the City Commission consider charging affordable housing developers for 1.0 lane miles rather than 1.5 lane miles.*

**C. The Allowance of Flexibility in Density Levels for Affordable Housing**

The Committee agreed to recommend that the City Commission consider creating a new residential land use category that would permit 9.9 dwelling units per acre as an incentive to affordable housing development pending staff researching the effects of this proposal.

Language is being proposed for a new land use category entitled Urban Infill Residential (UIR). At this time Urban Infill Residential is being defined as follows. However, the definition will likely be modified prior to adoption.

The purpose and intent of the Urban Infill Residential category is to provide for a wider range of residential density options on smaller parcels (typically 10 acres or less) situated within either planned or existing urban areas. Residential development within the Urban Infill Residential may include single family dwellings on individual lots, zero-lot line projects, townhomes or low-rise multi-family formats. The proposed density range of the Urban Infill Residential is 6 to 9 units per acre.

The maximum Urban Infill Residential density is proposed to be capped at 9 units per acre. At the last Affordable Housing Advisory Committee, a maximum density of 9.9 units per acre was mentioned. Pursuant to discussion and research, City staff concluded that 9.9 units per acre did not provide enough differentiation between the urban Infill Residential density and the Residential Medium Density future land use category. The existence of two maximum density levels so close together could encourage a situation where less density would be accepted to take advantage of a regulatory incentive which could prove counter to workforce housing goals.

The issues with this land use category are that there may be some public opposition if a developer attempts to amend the future land use map to obtain this future land use on property where affordable housing is proposed. If a Comprehensive Plan Amendment were adopted changing the future land use of certain parcels and those parcels were rezoned prior to a project being proposed, there would not likely be public opposition at the time the project is

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

proposed as the property would be properly zoned and no public hearing would be required.

***Pursuant to a unanimous motion, the Committee supports the Urban Infill Residential density land use category currently being proposed by staff.***

Both City staff and Committee Members have discussed the possibility of creating a mixed use land use category. Staff is looking at other communities that have mixed use development, including some other Mackel Brothers projects, to see what works and what does not work.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider adopting a mixed use future land use category.***

**D. The Reservation of Infrastructure Capacity for Housing for Very Low Income, Low Income and Medium Low Income Persons**

This is a complex topic. Concurrency means that services are available to serve new development. These services include water and sewer, solid waste, fire and rescue, law enforcement, parks and roads.

Water and sewer is important and requiring this level of service makes sense. If water and sewer are not available, the development cannot move forward. On the other hand, traffic level of service is different and is more of a political decision by the local governing body. The level of service on roadways must provide mobility within the community but it could also be looked at as convenience. Should it take 15 minutes or 5 minutes to get across town? The answer is a quality of life policy decision.

***Pursuant to a 6 to 1 vote, with Member Rowland dissenting, the Committee recommends that the City Commission consider changing the acceptable level of service on roadways to accept more traffic on roads to allow more dense development.***

Another idea is to reserve capacity for affordable housing. The City's comprehensive plan already reserves capacity at rate of 110 percent to offset redevelopment projects. This same policy could be applied to affordable housing projects.

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider reserving capacity at a higher rate to offset affordable housing.***

A priority system for concurrency allocation could be developed, with affordable housing as a high priority. The down side is that if affordable housing takes too many trip ends, it could adversely affect commercial development which would provide needed employment. The committee suggested that perhaps a mixed use should receive high priority and requested that Staff to look into this further.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider developing a priority system for concurrency allocation with affordable housing development as a high priority.***

The committee suggested that perhaps a mixed use should receive high priority.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider developing a priority system for concurrency allocation with mixed use development as a high priority.***

**E. The Reduction of Parking and Setback Requirements for Affordable Housing**

The Committee discussed granting a reduction of parking or setback.

Also discussed, was the possibility of granting smaller lot sizes. At this time, the Development Review Committee (DRC) does not have a lot of flexibility with regard to deviating from the Code. This relief could be obtained through the variance process which requires public hearings.

The City does not want to create development that does not function well. Inadequate parking could adversely affect neighboring property and the longevity of the affordable housing project. Parking and setback requirements retain the vitality of a project.

If the amount of allowable pervious surface were increased and the setbacks were reduced, additional storm water retention areas could be required which could negate the purpose of reducing the setbacks.

Reducing the parking could make the project dysfunctional. There must be adequate parking for residents and possible visitors.

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

The Committee discussed recommending that the City Commission consider reducing parking in age restricted communities as an incentive. The Committee discussed recommending a small reduction on parking and/or setback requirements for affordable housing projects.

***Pursuant to a unanimous motion, the Committee does NOT recommend that the City Commission consider reducing parking in age restricted communities.***

***Pursuant to a 6 to 1 vote, with Member Caroline Turgeon dissenting, the Committee does NOT recommend that the City Commission consider reducing parking and/or setback requirements for affordable housing projects.***

**F. The Allowance of Flexible Lot Configurations, Including Zero-Lot Line Configurations**

The City could consider allowing town homes or zero lot line development. This possibility is being contemplated with the Urban Infill Residential future land use category and through a mixed use zoning category.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider reducing setback requirements for affordable housing projects and mixed use projects that include an affordable housing component.***

**G. The Modification of Street Requirements for Affordable Housing**

It is difficult to reduce the width of streets without raising issues from the Fire Department. The City of Deltona Fire Department claims that on-street parking causes problems because if a car were parked on each side of the street and opened their doors at the same time, a fire truck could not pass. The Fire Department would not support any request to decrease road widths.

***Pursuant to a 6 to 1 vote, with Member Caroline Turgeon dissenting, the Committee does NOT recommend that the City Commission consider reducing street widths.***

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

**H. The Allowance of Affordable Accessory Residential Units in Residential Zoning**

The Committee discussed and for the most part agreed that inclusionary housing should be voluntary.

***The Committee agreed that inclusionary housing should be voluntary, so no further action was taken regarding this matter.***

Currently, the City's Code, in part, defines a dwelling as not having more than one kitchen (Section 110-201, City of Deltona Code of Ordinances). The aging population, single parent households and other segments of the population need affordable housing and may not want to or be able to keep up with home and yard maintenance. Suburbs are changing, they are compacting. The City of Deltona needs a downtown area.

The Committee discussed allowing mother-in-law apartments or granny flats in all residential areas as long as all other sections of the Code can be met. The down side to this type of development is the possibility that the units will become rental units.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider allowing mother-in-law apartments or granny flats in all residential areas as long as all other sections of the Code can be met.***

Allowing rental of these units was also discussed. The down side is that sometimes both units are rented and property management suffers. A possible answer to that issue would be that the ordinance be drafted to require that the owner must live on site or that a deed restriction to that effect be drafted. Staff advised it would be impossible to enforce such a provision.

***Pursuant to a 4 to 3 vote, with Members Carl Stephens, Caroline Turgeon and Harry Wilkins dissenting, the Committee does NOT recommend that the City Commission consider allowing mother-in-law apartments or granny flats to be used as rental units.***

**I. Local Government Processes that Increase the Cost of Housing**

The "effects of government processes and regulation on the cost of development" is a topic that has been studied at great lengths. It is possible to attribute up to 15 to 20 percent of the cost of a project to government

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

---

regulations. To date there has not been any suggestion proposed to reduce this cost. Government must ask the question, “Do we want to lower our standards?” And if so, “How low should the standards be set?” If standards are reduced too low, there could be a compromise to safety. For example, meeting hurricane standards drives up the cost of a project. However, if the standards are not met, safety of the public is compromised.

As discussed this is currently a staff practice and is part of the Housing Assistance Plan as required by SHIP (State Housing Initiative Program).

***No further action was taken regarding this incentive.***

**J. The preparation of a Printed Inventory List Suitable for Affordable Housing**

Community Development staff has already started preparing an inventory list of properties/houses that are suitable for affordable housing.

***No further action was taken regarding this incentive.***

**K. Support of Development Near Transportation Hubs and Major Employment Centers and Mixed Use Developments**

This is often a requirement to receive grant funds for affordable housing projects.

Staff is examining whether the proposed Urban Infill Residential land use should be available only on thoroughfares as lots on thoroughfares are often expected by the community to be more intensive uses.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider limiting the proposed Urban Infill Residential land use to lots in close proximity to thoroughfares.***

The City could also consider providing a concurrency bonus for affordable housing projects located in close proximity to mass transit.

***Pursuant to a unanimous motion, the Committee recommends that the City Commission consider providing concurrency bonuses for affordable housing projects located in close proximity to mass transit.***

**City of Deltona, Volusia County, Florida**  
**Affordable Housing Advisory Committee (AHAC)**  
**Thursday – October 23, 2008**

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**IV. Additional Incentive Suggestions for Previously Discussed**

Committee Members did not have any suggestions for additional incentives.

**V. Timeline for Submission of the Advisory Housing Advisory committee Incentive Report to the City Commission**

The State has provided a format for the report. Staff will prepare the report for review by the Committee at the November 6, 2008 meeting.

The report must be presented to the City Commission by December 31, 2008. The Commission has cancelled its December 15, 2008 meeting. The only available meeting dates that the report can be presented to the Commission is November 17 or December 1, 2008. Staff will present the report to the City Commission at the November 17, 2008 meeting.

**VI. Adjournment**

There being no further business, the meeting was adjourned at 8:55 p.m.

**Approved this 6<sup>th</sup> day of November, 2008.**

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Richard Rowland as Chair Pro Tem

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Diane Marinaro-Tyler, Recording Secretary