

9_7_23 AHAC MEETING

Attendance:

Susan Levy

John Foley

Mary Gillogly

Kyle Shipp

Gail Friedman

Kent Jones

Chip Price

Andrea Wiley, CPCA.

Staff:

Jack Watson

Brian Thompson

Leah Dyson

Hunter Fillers

John moved to approve minutes as sent, motion passed.

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Susan introduced Leah to overview recommendations to the planning board that the UDO subgroup has been working on in a few sidebar meetings. The primary changes were changing the county sponsorship language. For simplicity's sake, the thirty-year requirement was removed because clients that have utilized this policy already have thirty-year restrictions from other places.

Impact fee reimbursement policy:

A quick overview of the policy; anytime there is new construction, the developers must pay a fee for the literal impact of new development. This reimburses developers for that impact to the county. Brian added that we really combed through the fee schedule to make it as enticing as possible, Leah came out with a couple of really enticing fees. A lot of things that made sense to include were so small that it wouldn't be worth the squeeze. What we were left with were the two included in this document, and the system development fees. We are in the process of studying the system development fees/changing them right now. With that in limbo, we wanted to start with these two. Also, there is a possibility that a pledge to help with system development, it could possibly be an exponential cost.

Kyle had a few small comments: what Brian said about system development fees is true. Pittsboro is struggling with this as well. One thing to consider: this policy has language that says it's for AT or below 80 percent AMI. Is 80 percent exactly "workforce housing"? We should check that we're serving whatever is consistent with other definitions. Our intent is to be consistent across programs so the rules don't muddle each other.

The other thing is if people breach this after several years, they must pay the fee. We should say that they must pay the fee as it is AT THE TIME, not what it would have been when they entered the agreement. This doesn't have deed restrictions.

So it's one of two things: we have language that you owe the fees moving forward at the time. We could bypass that if we required some legally binding deed restrictions. Deed restrictions could legally trigger the payment of the fee, whatever it would be at the time that they sell. Group agreed to strike the eligibility criteria for fee reimbursement, and replace it with a deed restriction.

Suggested changes to Impact Fee Policy:

A number of grammatical changes for clarity were suggested to the policy.

John made a motion to approve as amended, Mary seconded, no opposition.

UDO Recommendations:

The small group that worked on UDO recommendations worked off what was once a larger document and picked out places to focus on, the hope is to recommend this officially as AHAC's recommendations to the planning department. We wanted to ensure that everyone had an opportunity to look at this and give feedback, though there is a little bit of a time crunch.

Going through page by page, we started with definitions. There was discussion on the merits of different definitions and if they should be prescriptive of what the community should work towards, or descriptive of what is possible given any particular zone.

On the topic of definitions, one of the most important suggested changes was ensuring that wording was used consistently with state and national regulations. The phrase "moderate income", for instance, appeared to reference 80 percent of Area Median income in some places, but up to 120 percent in others. Leah and Jack ensured that terms would be used consistently in subsequent drafts.

Change of definition on cottage courts from "no more than" to "no less than" four units per lot.

On the topic of whether definitions should be prescriptive of what AHAC believes should be part of the community, the consensus of the room moved towards using definitions to give developers a sense of what they can do, rather than what they must do. One example would be including the definition of a "micro-dwelling" in the use table for zoning, which would show developers that it is an explicitly encouraged form of development. Once developers know that it is explicitly allowed, they will need a definition to ensure that it is implemented properly.

In some places, there was not space for definitions and suggestions. For instance, the definition of a "manufactured home" comes directly from legislation, so there is not room for AHAC suggestion.

At the end of the discussion of recommendations, Leah agreed to follow up at her meeting with the planning board, asking them if it would be feasible to incorporate some alternative forms of housing into the existing use tables.

Some members of AHAC suggested inviting someone from permitting come speak to AHAC, not just planning. So that we can hear their perspective re: zoning, etc. Would be nice to get into the nitty gritty of what needs to be done for sewer before you have occupancy.

Overall for definitions, we should look at what is in the UDO, and what isn't. If they never refer to income limits in the UDO (which they should,) then they don't need a definition in the UDO.

Other Suggestions:

Working backwards, we need to read the UDO and make recommendations specifically. Leah did read the drafts, but some of the sections are incomplete.

There will likely be a legal question with changing the compact communities change. General consensus appears to be that we should remove payment in lieu and other language that allows developers to change what they provide to get compact communities zoning. It is easier to say precisely "you have to provide this many units" rather than defining what constitutes a feasible payment in lieu, what constitutes developable land, etc. There should also be requirements to ensure that the quality of housing is up to par.

Announcements:

The National association of realtors took a group to see Valerie Foushee. Spoke only about transportation and affordable housing. She's very receptive, but she doesn't have the gavel. So the association is going to go to the side that has the gavel and speak with them as well.