

Board of County Commissioners

Local Strategies to Increase Housing Supply (Process Streamlining)

Work Session

April 11, 2023



Presentation Outline

- **Background**
- **New Services**
- **Proposed Time Saving Strategies**
- **Summary**
- **Board Discussion**

Background

- **Continuing challenges**
 - Measures are needed to mitigate a deepening housing crisis
 - Market is dynamic and has complex dependencies
 - Balancing development process streamlining efforts with meaningful public participation
 - Education and public outreach are essential to make housing concepts less controversial
- **Multiple approaches and solutions are needed to move the needle**



Background

▪ Stakeholder feedback on Orange County Permitting Services

- August 2022 - Forum with apartment industry
- October 2022 - County Administrator’s Working Group
- November 2022 - Innovation Lab with housing advocates
- March 2023 – Developer’s Discussion on Financial Issues



▪ Top feedback

- Concerns: Rigid technical standards, unnecessary process loops, staffing shortages, and often a culture of “no”
- Needs: Predictability, making more land available for multi-family development

▪ Top issue

- Streamline processes to speed up and facilitate delivery of housing



Background

Time-saving process strategies proposed at January 10, 2023 Board work session

– Allow waivers to be granted on approved PSP’s/DP’s

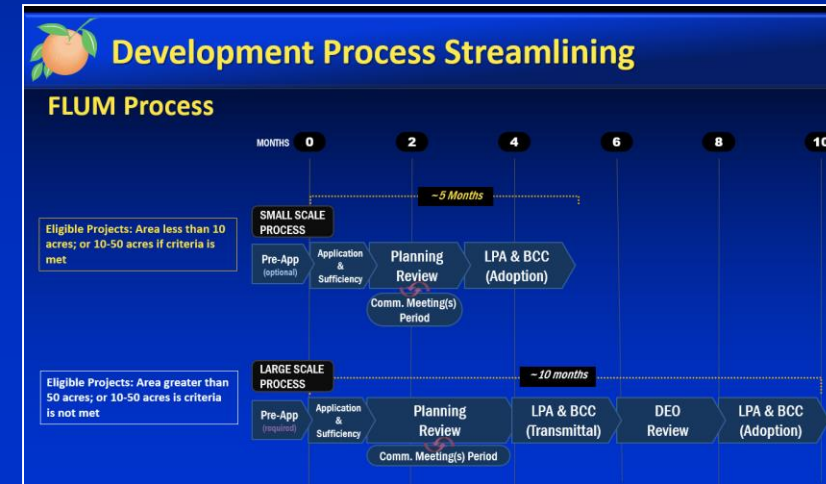
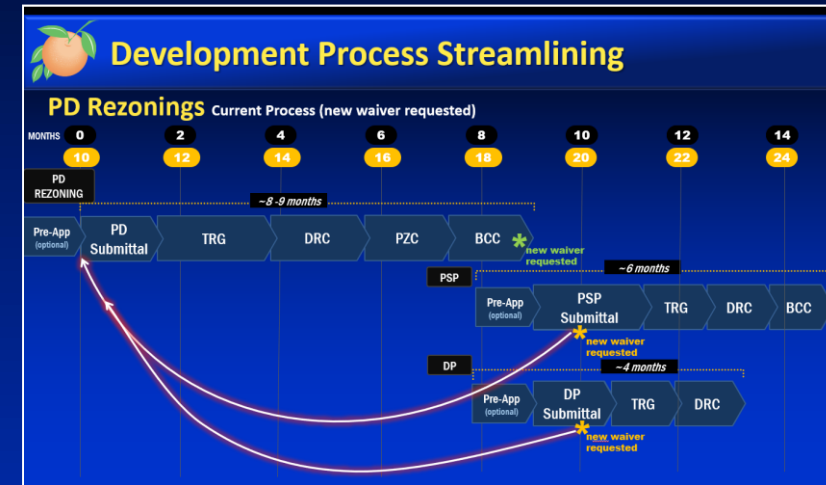
- Saves up to 6 months in processing time

– Allow DRC to grant less controversial waivers internal to a PD project

- Saves 3-5 months in processing time

– Fully implement 2021 statutory changes that allow small scale FLUM amendment process on multi-family properties between 10 and 50 acres

- Saves 4-16 months in processing time



Background

▪ Commissioner feedback

–Overall

- Make sure to take care of the folks in the pipeline as well as new permittees; responsiveness, customer service

–Constituent issues

- Concerns for losing opportunities to negotiate things like height, environmental issues, stormwater, traffic

–Small Scale FLUM process

- Multi-family on 50 acres could have large impacts
- Concern for loss of second Board hearing required in Large Scale process
- Effectiveness/value of DEO reviews – are they considering services, schools, traffic



- **Staff direction**

- Seek additional Commissioner feedback
- Discuss issues/concerns with stakeholders
- Bring back focused discussion on process streamlining proposals



Background

▪ Baseline goals

- Get more development projects into the market
- Reduce costs for applicants by removing process delays **(3/14/22 feedback)**
 - *“Each month of delay costs 2% of profitability – estimated \$200k burn rate”*
 - *“Potential for renegotiation of loan – interest rate changes”*
 - *“Loss of project”*

▪ Methodology for consideration

- Process: Minimum change necessary to achieve goal
- Standards: Focus on issues that have historically been noncontroversial
- Public Input: Preserve options for objectors; transparency



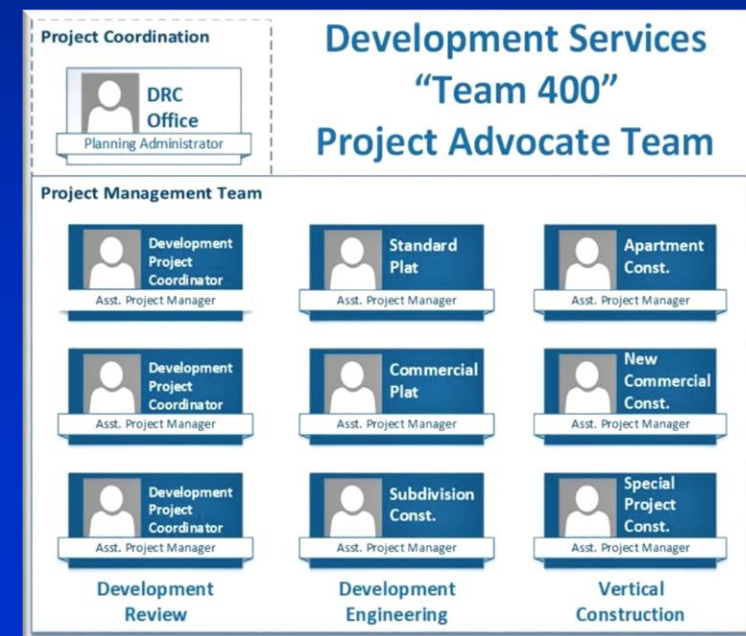
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New Services

- **Coming soon - Development Services Project Advocacy Team**
 - Designed to provide comprehensive project oversight and problem-solving services for customers and permitting staff
 - Experienced technical staff selected
 - Planning Division/DRC (full project lifecycle)
 - Development Engineering (horizontal construction)
 - Building Safety (vertical construction)
 - Collaborate to guide projects more smoothly through the process, avoid pitfalls, negotiate and solve internal and external conflicts





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Proposed Time Saving Strategies

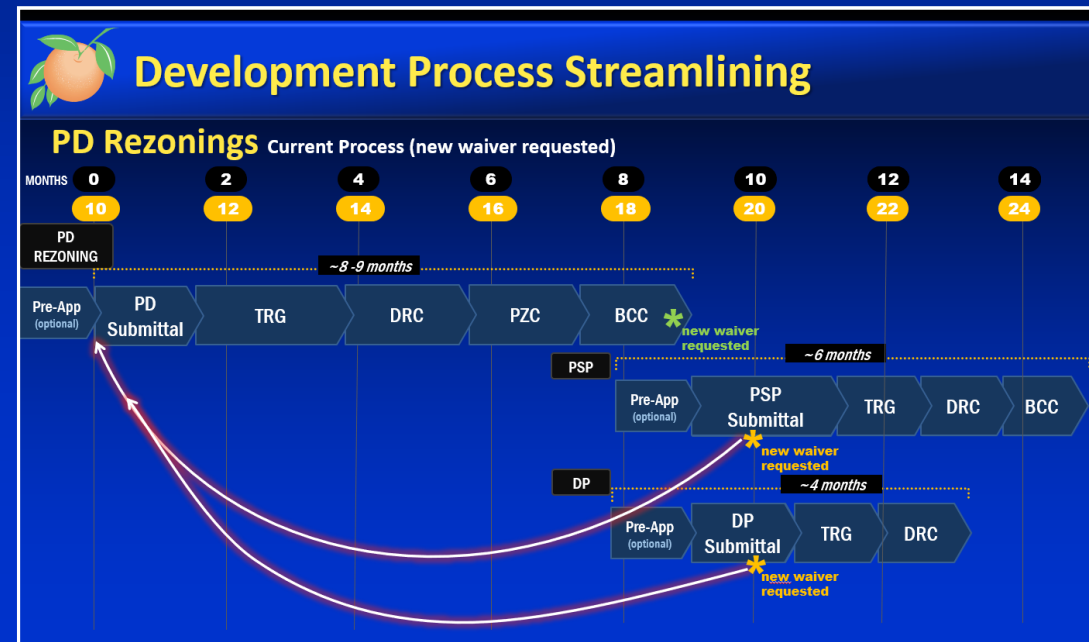
1. Allow waivers on BCC-approved PD-LUP's at PSP/DP stage

– Issue: All waivers must be requested as part of zoning approval at early PD-LUP stage

- Projects must repeat 8-month PD-LUP process to request a waiver
- Difficult to predetermine exact future needs at early stages

– Staff assessment

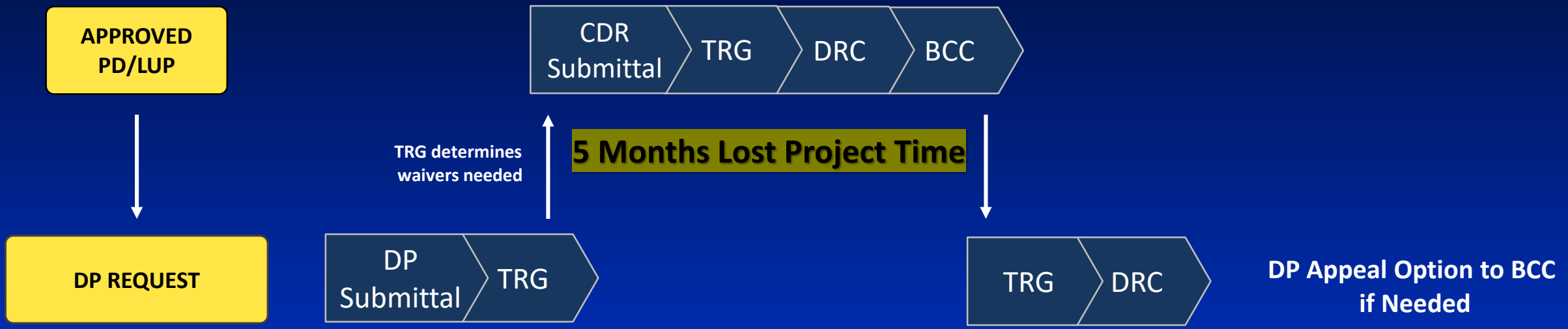
- Significant time savings for projects
- Shown to be effective in Horizon West
- BCC public hearing
- Allows for flexibility in submittals





Proposed Time Saving Strategies

Kingsland Grande Multi Family Project



New Process





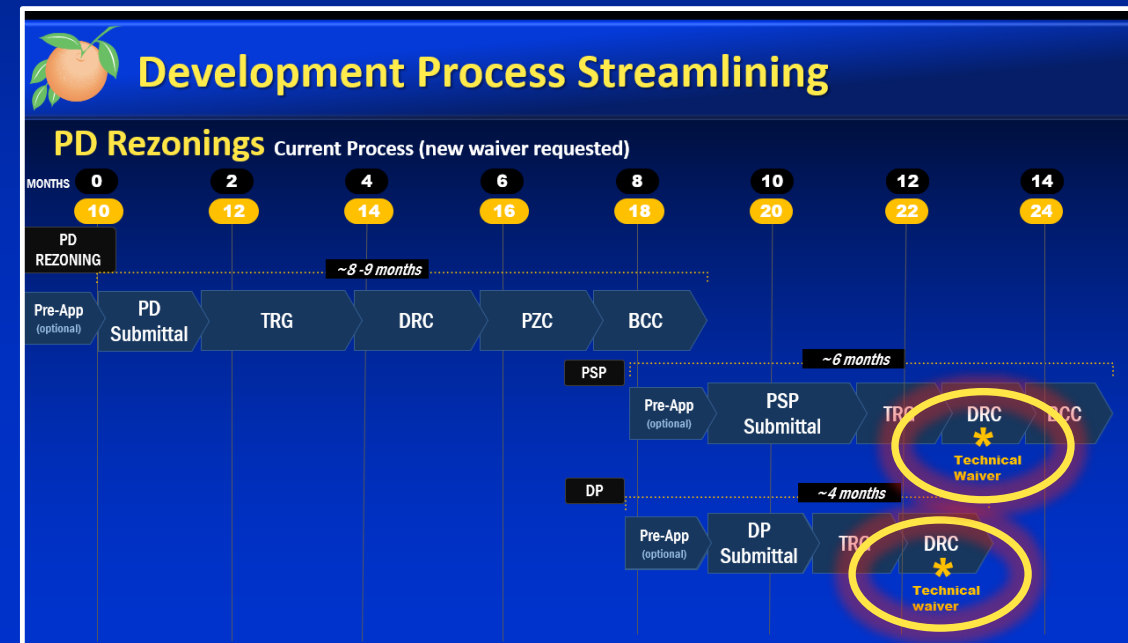
Proposed Time Saving Strategies

2. Allow DRC to approve a select group of technical waivers to BCC-approved PD's

– Issue: Every waiver, regardless of scale or compatibility, requires a full public hearing process

– Staff Assessment

- Many waivers within an approved PD have no abutting stakeholder
- Most minor technical waivers are approved without objection at BCC
- DRC currently approves non-substantial changes to PSP/DP's (similar decisions)
- DRC appeals go to a BCC public hearing





Proposed Time Saving Strategies

▪ Waivers under consideration

- **Setbacks**

- Interior lot setbacks
- Major street setbacks
- Lots facing mews

- **Parking**

- Dimension of spaces
- Number of spaces
- Bike spaces/structures

- **Site Layout**

- Landscaping plans
- Minimum open space
- Impervious area
- Minimum recreation area

- **Buildings**

- Internal building separation
- Maximum building height



Proposed Time Saving Strategies

▪ Waiver request snapshot (2019-2022)

–62 Multi-family PD applications (84% requested a waiver)

–18 PD applications with waivers for SFR/Townhome

–57 PD applications with waivers for Non-residential

Common requests:

- Height
- Parking
- Building separation
- Road setback
- Boundary setback
- Landscape/buffer
- Open space
- Impervious area
- Recreation area





Proposed Time Saving Strategies

Examples



- Interior lot setbacks
- Internal building separation
- Major street setbacks
- Parking dimensions
- Parking number
- Bike parking
- Lots facing mews
- Landscape
- Max building height
- Minimum open space
- Minimum recreation area



Proposed Time Saving Strategies

▪ Examples



- Interior lot setbacks
- **Internal building separation**
- Major street setbacks
- Parking dimensions
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- Bike parking
- Lots facing mews
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- Max building height
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Proposed Time Saving Strategies

▪ Examples

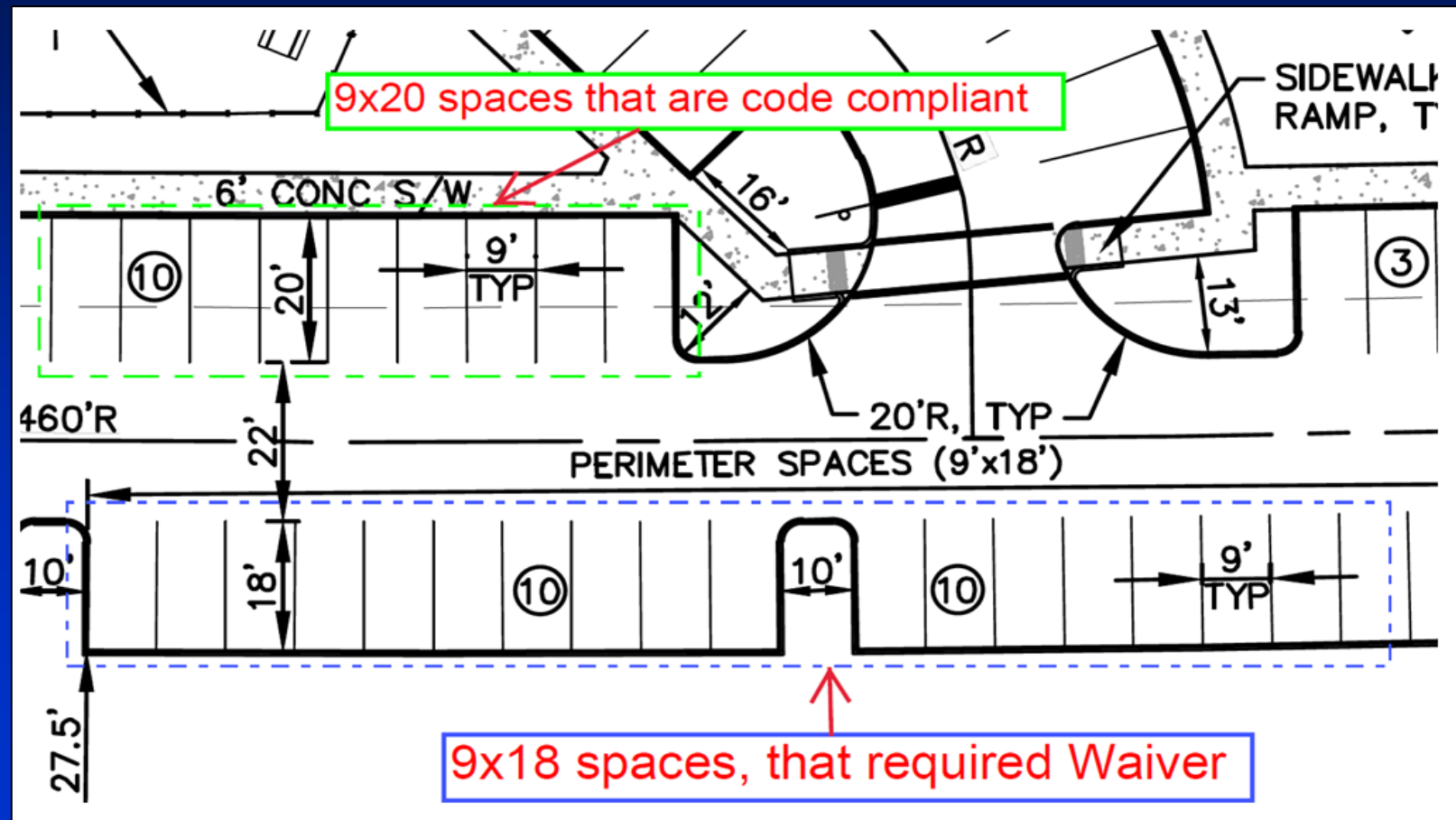


- Interior lot setbacks
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- **Major street setbacks**
- Parking dimensions
- Parking number
- Bike parking
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- Max building height
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Proposed Time Saving Strategies

Examples



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- Max building height
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Proposed Time Saving Strategies

▪ Examples



- Interior lot setbacks
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- **Lots facing mews**
- Landscape
- Max building height
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Proposed Time Saving Strategies

■ Examples



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- **Max building height**
- Minimum open space
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Proposed Time Saving Strategies

▪ Examples



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- **Max building height**
- Minimum open space
- Minimum recreation area



Proposed Time Saving Strategies

3. Fully utilize statutory allowance for Small Scale FLUM process for multi-family development projects

– Issue: Process timeframe between Large and Small Scale FLUM is as much as 5 months - plus time waiting for each new cycle to begin

– Staff Assessment

- 2021 - County amended policy only authorizing Small Scale process for projects up to 10 acres (unanimous)
- Cost/benefit since that change
 - DEO review for all projects submitted - no recommendations
 - Second BCC public hearing (adoption) typically has no changes
- Orange County is only local government that limits statutory allowance





Proposed Time Saving Strategies

FLUM Process Refresher



Area less than 10 acres; or 10-50 acres if criteria is met

Area greater than 50 acres; or 10-50 acres if criteria is not met



Proposed Time Saving Strategies

FLUM Process Refresher



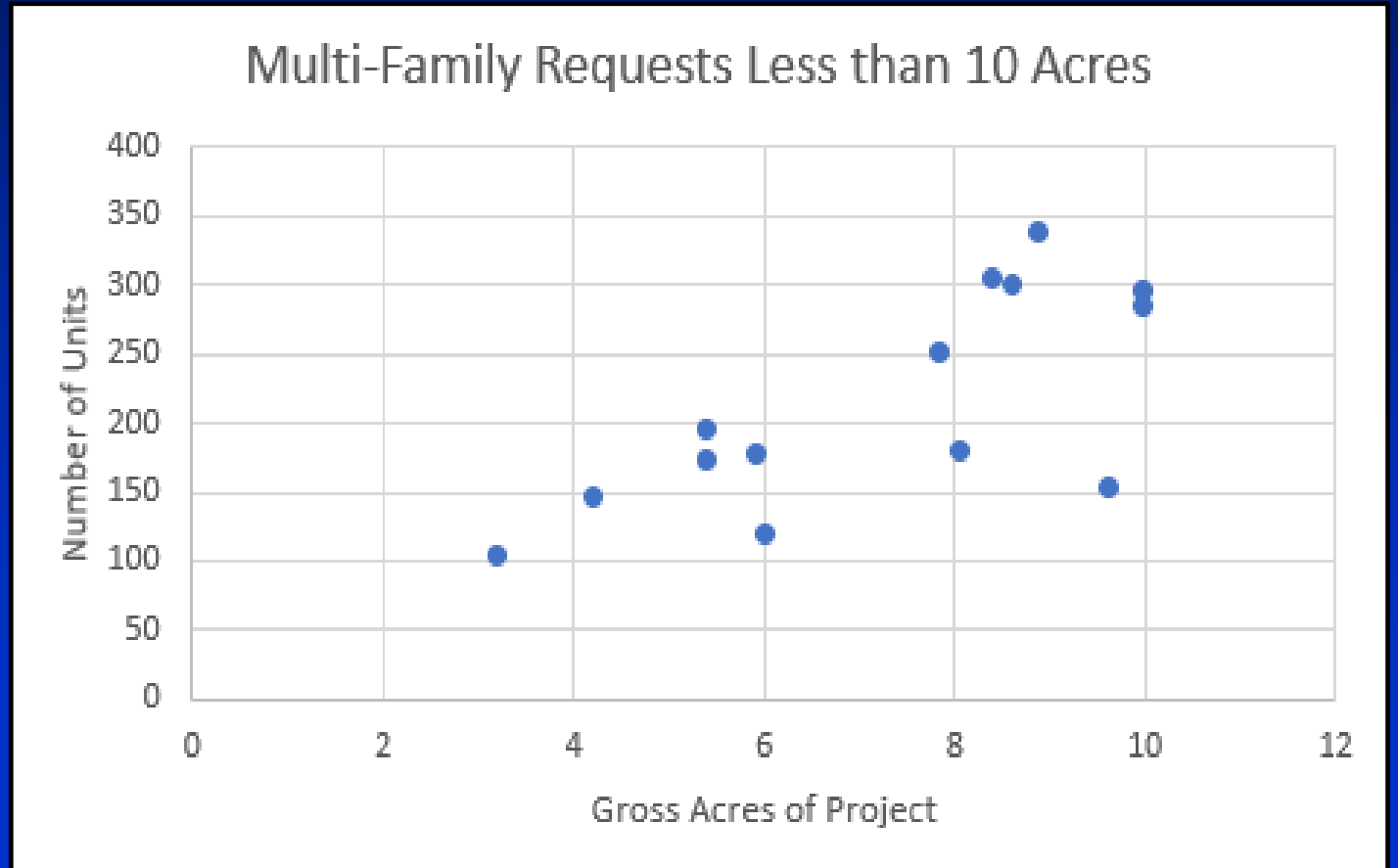
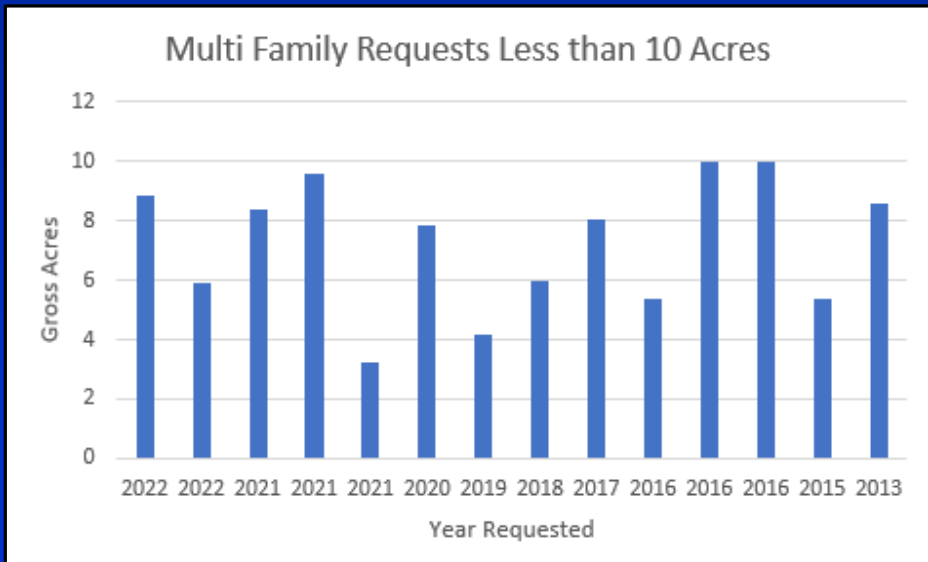
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Proposed Time Saving Strategies

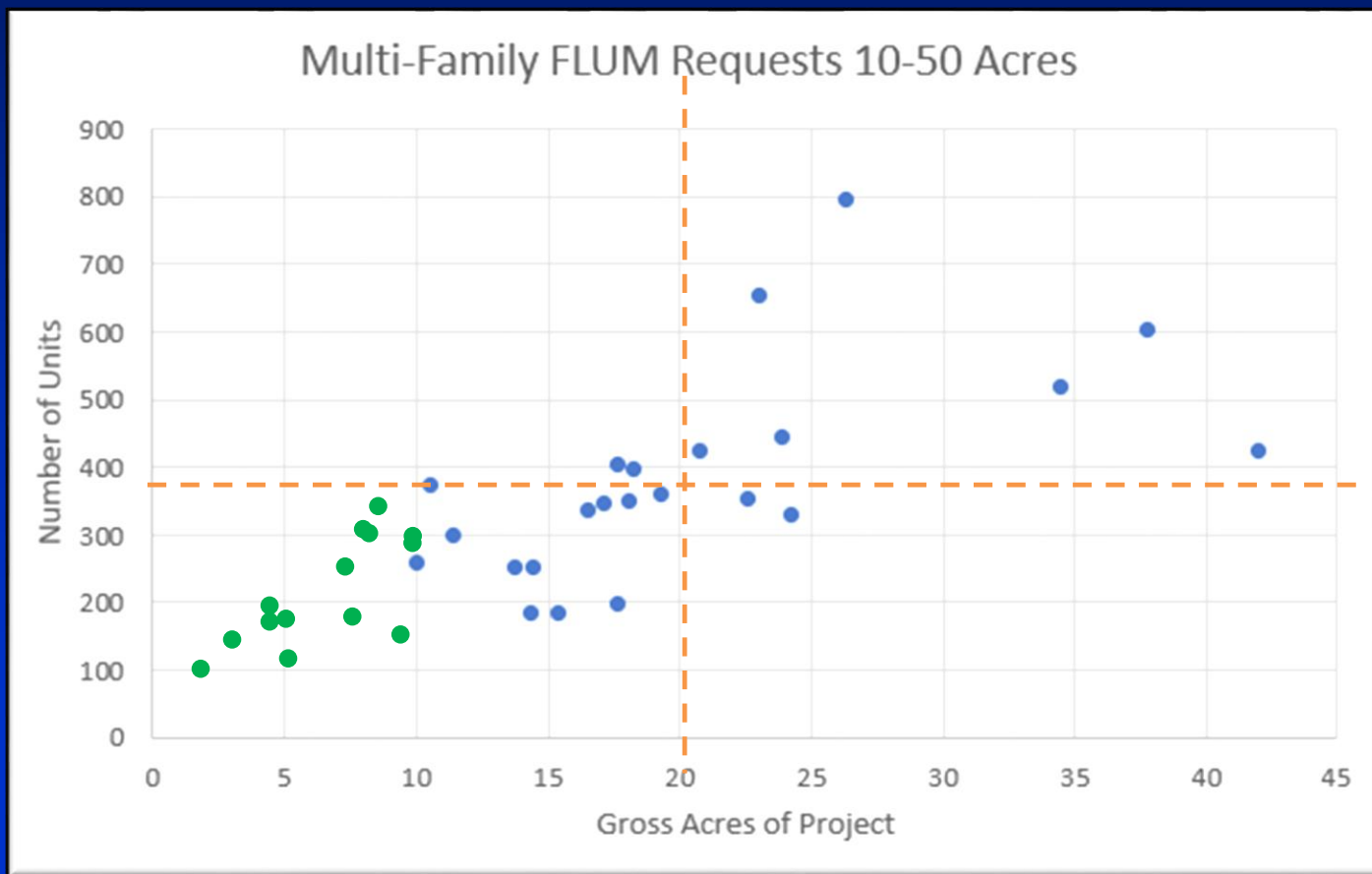
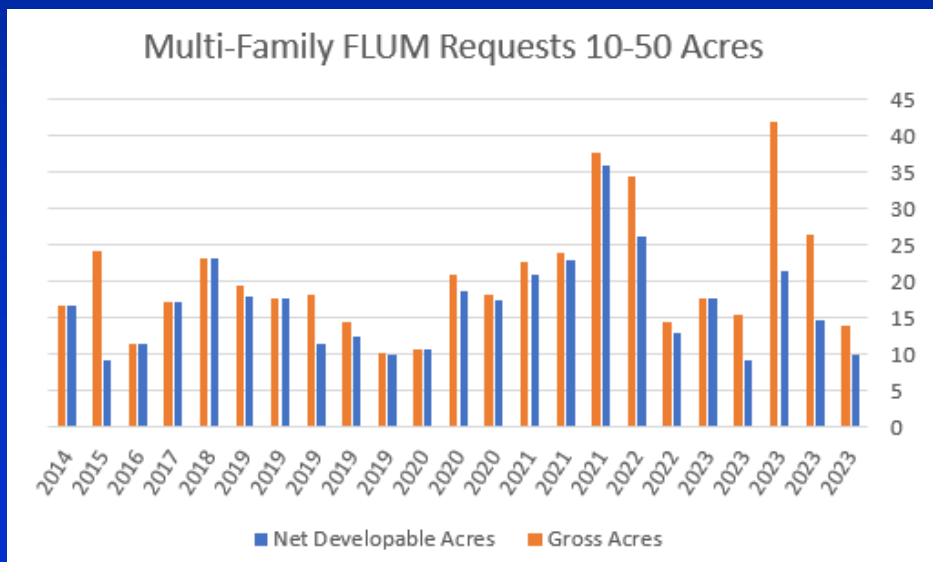
- **Small scale multi-family requests less than 10 acres**
 - 10-year review
 - 14 projects
 - 7.25 average gross acres
 - 216 average units





Proposed Time Saving Strategies

- Large scale multi-family requests between 10-50 acres
 - 10-year review
 - 19 projects
 - 20.5 average gross acres
 - 377 average units





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- **Measures are needed to mitigate a deepening housing crisis**
- **Stakeholder feedback strongly supports a need for streamlining**
- **Permit-processing time and predictability are focus areas**
- **New services for permitting oversight and problem-solving will add a new dimension of customer care**
- **Targeted process changes could dramatically shorten permitting times, reducing costs significantly for applicants and accelerate delivery of housing**
- **Maintain levels of public notice and engagement**



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Board Discussion

- **Proceed with process streamlining amendments**
 - **Option 1** - Allow waivers at PSP/DP Countywide, not just in Horizon West
 - **Option 2** - Allow administrative waivers by DRC for less controversial sections of code
 - **Option 3** - Fully utilize statutory allowance for Small Scale FLUM process for multi-family development projects
- **Proceed with limited streamlining amendments**
- **No changes to current process**