



Affordable Housing Production Task Force

February 20, 2025

AHPTF

Meeting Agenda

- **Welcome & Roll Call Attendance**
- **Task Force Business**
 - Approve 2.6.25 Meeting Minutes
 - General Task Force Updates
- **Presentations on Subcommittee Recommendations**
 - Manufactured Housing Subcommittee
 - Regulatory & Permitting Subcommittee
 - Construction Subcommittee
- **Public Comment**
- **Next Meeting**



Manufactured Housing

Membership:

Jerome Heisler, Chair, Reybold Group

Robert Tunnell, First State Manufactured Housing Association

Erin Lee, Delaware Manufactured Home Owners Association

Greg Sutton, Delaware Manufactured Home Relocation Authority

Fred Neil, Dover City Councilman

Dr. Stephen Metraux, University of Delaware

Matt Kraeuter, Great Outdoor Cottages

Mimi Rayl, WHA Commissioner, DE NAHRO Board Member

Subcommittee Charge:

Review financial options including resident-owned manufactured home communities

The Subcommittee **met 5 times** and **approved 28 recommendations** for the Task Force's consideration



Recommendation 1: Zoning Regulations & Manufactured Home Communities

To permit manufactured housing communities in any residential zoning district as long as there is public water and sewer, or a community septic system regulated by the State of Delaware, and operated by an unrelated third party, and private water system regulated by the Department of Public Health, and operated by an unrelated third party.

Rationale: Each of the three Counties in Delaware has very explicit and exclusionary zoning regulations regarding manufactured housing. There have been no new manufactured home communities built since the late 1980s, early 1990s and in most cases they are almost impossible to receive positive zoning outcomes. Under this regulation each County would permit, as long as the infrastructure was in place, a manufactured housing community to be built by just fulfilling any site concurrency requirements as established in the County.

Implementation Notes: To be implemented by the Counties through state law



Recommendation 2: Zoning Regulations & Manufactured Home Communities

The purpose of this proposed legislation is to permit Manufactured Housing in any residential zoning district and with that create an oversight process and/or design based regulations of homes placed in existing subdivisions to ensure that the architecture of the existing surrounding community is preserved. Additionally, the home shall be placed on a permanent foundation and meet any standard required by the community. Any deed restriction that excludes manufactured housing will be considered discriminatory and null and void by this legislation.

Rationale: Manufactured housing is excluded as potential housing in many subdivisions due to deed restrictions. In other cases, it is never thought of as a potential type for fear that it will have a certain style and look which is inaccurate and based on historical misperceptions.

Implementation Notes: To be implemented by the Counties through state law



Recommendation 3: Requirement of an Engineering Plan in Lieu of a Zoning Plan to Build a Manufactured Home Community

Based on A1.04, a land developer can bypass a zoning and just do a record plan with conforming engineering requirements as long as:

1. The land has a community septic system which is run by a third party and under DNREC review on a three-year basis, or public sewer; and
2. The land has a private well under third party control and reviewed regularly by the Department of Public health or public water.

Rationale: The most controversial rezonings in the State of Delaware are manufactured housing, not to mention that rezonings are expensive and time consuming. However, creating manufactured home communities is one of the easiest and quickest methods of creating affordable housing. To incentivize land developers to create manufactured home communities, this would allow them to would bypass the zoning process if they met infrastructure standards as described above.

Implementation Notes: This would be implemented through state law



Recommendation 4: Traffic Impact Studies and Manufactured Home Communities

To revise the level of service standards for traffic impact studies related to new manufactured home communities when they include at least 20% inclusionary affordable housing with a median income at or less than 40%. If the proposed community meets this criteria, it would be exempt from a traffic impact study and any level of service requirements and/or contributions for traffic improvement districts (TID). This exemption would apply to fee simple lots where more than one HUD home is creating a smaller community.

Rationale: In many cases there may be land available, but it will not be able to be developed due to a County's traffic regulations and required contributions to DelDOT's revolving funds. These requirements are counter to the needs and efforts of creating affordable housing. Additionally, the way traffic improvements are staged in the State of Delaware, the last person/organization studying an area of influence for a traffic study will be responsible for correcting any failed conditions. Every developer in front of this project will make no contribution to their traffic generation and the last developer has to pay for the entire traffic burden. This is counter to a fair and equitable sharing process and as a result, if it is to continue, the affordable housing residents would need to pay the burden for prior developers thus making it not affordable.

Implementation Notes: To be implemented by the Counties through State law



Recommendation 5: Exemption of Affordable Housing from the Voluntary School Assessment

Exempt affordable housing development, meanings projects in which at least 20% of units are priced to be affordable to households making up to 80% Area Median Income (AMI), from the Voluntary School Assessment. *Would apply to manufactured housing that meets the affordability criteria

Rationale: The VSA is a regressive tax. This would reduce the cost of any impact fees on affordable housing.

Implementation Notes: To be implemented by the Counties through State law



Regulatory & Permitting

Membership:

David Edgell, Chair, Office of State Planning Coordination

Susanne Laws, DelDOT

Sarah Keifer, Kent County Levy Court

Mike Riemann, Home Builders Association of Delaware

Charuni Patibanda, New Castle County

Sean Kelly, Leon Weiner & Associates

Jon Horner, Schell Brothers

Dr. Michele Williams, Fuller Center for Housing of Delaware

Tracy Surles, Woodlawn Trustees

Subcommittee Charge:

Review, at a minimum:

- Zoning (including permitted uses, conditional uses, inclusionary zoning programs, and density bonuses)
- Design and Site Requirements (including setbacks, minimum and maximum lot sizes, maximum building heights, and parking requirements)
- State and Local Building Codes

The Subcommittee **met 4 times** and **approved 8 recommendations** for the Task Force's consideration



Recommendation 1

Expand expedited state and local permitting for affordable housing projects, including:

- Collaborate with local governments to establish maximum timelines for approvals;
- Expand the use of expedited reviews for affordable housing projects through DelDOT;
- Expand the use of “pay for review process” for developers of affordable housing;
 - Consider fee waivers for projects serving households at 60% AMI and below;
- Utilize the Transportation Improvement Districts (TIDs) expedited process;
- Allow developers of affordable housing to "pay for review" for stormwater permits; and
- Develop criteria for what constitutes an affordable housing project for the p of expedited review.



Recommendation 2

Implement a zoning reform framework that provides for both incentives ("carrots") and enforcement mechanisms ("sticks"); such framework should establish statewide minimum requirements for local governments to follow, while offering local governments a menu of options from which to choose. The minimum requirements should include: density, bulk standards, and the development of an administrative approval process for by-right projects.

Implementation Notes: Delaware General Assembly would introduce legislation; state and local governments would implement framework; state would enforce



Recommendation 3

Task the Surplus Property Commission and state agencies with reviewing their real property holdings and identifying which (if any) properties would be suitable for affordable housing development; create a process to enable the development of those properties into affordable housing.



Recommendation 4

Create incentives at the state and local level for the private market to redevelop parcels, including commercial and office parcels, into residential housing.



Recommendation 5

Investigate feasibility of allowing affordable housing projects to take advantage of the Site Readiness Fund and the Transportation Infrastructure Investment Fund (TIIF), and if not feasible, create analogous programs.



Recommendation 6

Adopt a statewide building code and a statewide energy code so there is consistency across all jurisdictions.

Additionally, establish a redevelopment code that is less onerous and costly for the developers are who renovating existing structures.



Recommendation 7

The State should create a pilot program in the Office of State Planning Coordination to assist local governments and other stakeholders in developing master plans particularly to implement the affordable housing elements of their comprehensive plans. The pilot should include sufficient funding and resources to ensure that OSPC has the capacity to provide or contract out for technical assistance to the local governments.



Recommendation 8

Update the comprehensive plan requirements for housing to ensure that local plans have accurate and current housing data, and that implementation and zoning reforms are supported by data and goals in local comprehensive plans. Additionally, the plans should include sufficient land identified for housing in sufficient densities to meet the housing needs of the community.



Construction

Membership:

Mike Riemann, Chair, Home Builders Association of Delaware

Joanna Staib, Delaware Workforce Development Board

Kevin Wilson, Architectural Alliance, Inc.

Kevin Gilmore, Sussex County Habitat for Humanity

Nick DeFrancesco, Benchmark Builders

Rosalyn Keesee, Design Collaborative

Zach Crouch, Davis, Bowen & Friedel, Inc.

Dev Sitaram, ATWELL, LLC

Deb Finnocciaro Leon Weiner & Associates

Subcommittee Charge:

Review, at a minimum:

- Workforce development
- Innovative home construction methods

The Subcommittee **met 4 times** and **approved 12 recommendations** for the Task Force's consideration



Recommendation 1

Update construction material requirements by building type and height (e.g., allow use of mass timber in higher storied buildings).

Implementation Notes: Would require legislation to be introduced and passed by the Delaware General Assembly



Recommendation 2

Add residential housing to eligible uses for Site Readiness Fund.

Implementation Notes: Would require funding and legislation to be introduced and passed by the Delaware General Assembly.



Recommendation 3

Exempt from PLUS process residential projects constructed in state investment levels 1 and 2 that are properly zoned and/or consistent with the local comprehensive plan.

Implementation Notes: Would require legislation to be introduced and passed by the Delaware General Assembly



Recommendation 4

Waive all impact and permit fees for residential redevelopment of previously developed sites that are now vacant or abandoned, for any units that are priced to be affordable to households making up to 80% AMI for rentals and up to 120% AMI for homeownership.

Implementation Notes: Would require funding and legislation to be introduced and passed by the Delaware General Assembly



Recommendation 5

Adopt a statewide building code.

Implementation Notes: Would require legislation to be introduced and passed by the Delaware General Assembly



Recommendation 6

Utilize 2018 IECC (not 2021).

Implementation Notes: Would require administrative action by DNREC



Recommendation 7

Pass legislation or executive order that requires any new regulation which adds costs to housing to be offset by relaxing other regulations.

Implementation Notes: Would require legislation via the Delaware General Assembly or an Executive Order by the Governor



Recommendation 8

Change the current funding structure for the related training instruction for apprenticeships, moving it to a general budget line item under the DOL Division of Apprenticeships with a minimum budget of \$4 million. Create a matching grant process for additional funding above \$4 million.

Implementation Notes: Would require funding and legislation to be introduced and passed by the Delaware General Assembly



Recommendation 9

Reduce current journeyman/apprentice ratios required by DOL.

Implementation Notes: Would require administrative/regulatory action by the Department of Labor or an Executive Order by the Governor



Recommendation 10

Require construction pathway to be offered at all high schools.

Implementation Notes: Would require funding and administrative/regulatory action by the Department of Education



Recommendation 11

Create a committee of subject matter experts including representatives from the private sector to reassess the DSHA minimum construction standards to better align with minimum building codes and industry standards, and reevaluate the waiver process. This should also include creation of separate standards for existing rehab projects.

Implementation Notes: Would require administrative action by DSHA



Recommendation 12

Create a committee of subject matter experts including representatives from the private sector to reassess the DELDOT DCM and road design manual to reduce costs.

Implementation Notes: Would require administrative action by DelDOT



Public Comment

Written public comment can be sent to housing.taskforce@delaware.gov.



Next Meeting

- **Date:** Thursday, March 13th
- **Time:** 10:30 a.m. – 12:30 p.m.
- **Location:** Room 219, Haslet Armory, Dover, DE
- **Tentative Meeting Agenda:**
 - Discuss Subcommittee Recommendations

