

## ***New Smyrna Beach City Commission Meeting***

**April 13, 2021**

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### **City Commissioners gave their staff the go-ahead to talk to local businesses and agencies about supporting a project to provide temporary, mobile home-type housing in the city's Heavy Industrial (I-2) zoning district for homeless individuals and families.**

Officials explained the idea is to provide transitional housing and services. In a related matter, the Commission continued until its May 11 meeting the first reading of an ordinance to add government-owned and operated "temporary housing facilities" to the list of permitted uses in the I-2 zoning district.

For several years, Commissioners have heard complaints from downtown business owners and residents about the behavior of some homeless individuals. However, New Smyrna Beach, like other governments, have been constrained in how they deal with the homeless by a 1992 legal guideline known as the "Pottinger rule."

In general, that guideline states if there is no available shelter facility, law enforcement officers can't arrest a homeless person for basic human needs. New Smyrna Beach City Attorney Carrie Avallone explained further, "Basically, it's not a crime to be homeless ... we can't arrest them. But if we have a facility to take them, we can say you can go to the facility or you can go to jail."

City Manager Khalid Resheidat said the city wants to minimize conflicts between homeless persons and residents and businesses, while also offering displaced individuals a temporary, safe place to stay until they can transition back into society.

To accomplish that, Resheidat met with a group of more than 50 people, including representatives from local churches that provide services to the homeless, business owners from Canal Street and Flagler Avenue, representatives from other Southeast Volusia cities and Volusia County, Advent Health, the New Smyrna Beach Housing Authority, local residents and city staff.

The group came up with a concept plan for a site in an industrial-zoned area near the city's former trash transfer station, due to its access to a bus system and location away from residential neighborhoods. It would use trailers to provide a setting with 32 beds and an outdoor "safe haven". The concept also calls for trailers to house a cafeteria and food prep area, an administrative office and a health and wellness facility.

Resheidat said the idea should minimize start-up costs, while meeting the community's needs. If the city determines the program isn't successful, the trailers could be resold. The city manager added he would reach out to businesses and groups for support. He said many have indicated they want to help with the project. The City will also research the availability for federal grant money.

"There's no perfect plan for this. What I see before me is a really, really good start as to how we can come to a more permanent solution," Commissioner Michael Kolody commented. "I like the community involvement. Whether there are other cities involved or not, is really not the most important thing to me. It's solving the problem."


Commissioner Jason McGuirk said his first question would be about the program's cost, and he expressed interest in seeing those estimates later. "I don't know if creating a homeless facility in our city is good or bad. I can make arguments both ways ... A lot of homelessness has to do with mental illness and chemical dependencies. Homelessness is a very complicated issue ... I'm 50-50 on moving this forward. I just want a well thought out plan and I also want an exit strategy."

Commissioner Randy Hartman noted he has advocated addressing the community's homeless problem. "this is our opportunity to try to do something about the homeless. It's our opportunity to provide some transitional housing and some resources. I believe it will work. You certainly have my support now...depending on the dollars."

Vice Mayor Jake Sachs said he previously didn't see the feasibility of getting involved with the First Step Homeless Shelter in Daytona Beach because it was so far removed from New Smyrna Beach. "But to bring it back here to our city, that I believe has a compassionate citizenry, people that do care about the homeless ... and for you to find a spot on industrial (property), I think was brilliant. They're people just like us that need a hand up ... If we can get a commitment from maybe even Port Orange, but also Oak Hill and Edgewater... I think we could be that shining city on the hill that cares about everybody."

Mayor Russ Owen posed the question: "How would we define success on this? Is it that we aren't getting complaints like we have? Is it 20 percent who have transitioned to another home?...I don't think doing nothing is an option,"

**The City Commission voted 3-2 to deny approval of an ordinance that proposed to exempt the square footage of a walkway, gangway or access pier from the total allowable area of the dock to which it connects. The ordinance would have applied to docks serving single-family residential properties along local waterways. Mayor Owen, Vice Mayor Sachs and Commissioner Kolody voted against approving the measure.**

Staff members said they had proposed exempting walkways from the 1,000-square foot maximum allowable area of a dock, because in many cases applicants said the length of walkway required to reach deep water didn't leave enough square footage to make a dock's construction feasible. 

**The City Commission unanimously approved ordinances annexing, rezoning and assigning city land uses to 2.6 acres at 2100 Swoope Drive and 0.258 acres of undeveloped property on the north side of Davis Drive between Bolton Road and Corbin Park Road.** The Swoope Drive parcel will be a mix of single family and conservation land uses, and the Davis Drive land will be low density, single family residential.

**City Commissioners voted 5-0 to approve a waiver to permit unpaved public parking lots in certain zoning districts and under certain conditions.**

City land development regulations already allow a shell parking lot for a privately-owned, non-residential use if the parking spaces are more than the minimum number required, or if the minimum number of required spaces is 25 or less. This new exemption for shell parking spaces would apply only to stand-alone parking lots located in the Mixed Use or Recreation zoning districts, that are used exclusively for public parking.

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