

Sustainable Code: Housing Affordability and Diversity



OVERVIEW OF PRESENTATION

- **Housing Affordability**
 - Background
 - Tools to Remove Barriers
 - Tools to Create Incentives
 - Regulatory Standards
- **Housing Diversity**
 - Background
 - Tools to Remove Barriers
 - Tools to Create Incentives
 - Regulatory Standards



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HOUSING AFFORDABILITY: BACKGROUND

- Finding adequate and affordable housing is a challenge in many communities, even with the recent economic downturn
- Diminishing or flat incomes for middle class
- Increasing expense of transportation, healthcare costs, childcare
- Increasing cost for housing
- Local resistance to denser land use patterns offering more mixed use housing options and smaller units



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HOUSING AFFORDABILITY: BACKGROUND

- Middle Class is now feeling the crunch.
 - Teachers
 - Firefighters
 - Police
 - Healthcare workers
 - Others
- It has become a workforce housing problem



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HOUSING AFFORDABILITY: BACKGROUND

- The cost of housing plays a critical role in determining people's quality of life and the sustainability of a community



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HOUSING AFFORDABILITY: BACKGROUND

There is no "silver-bullet" answer to addressing issue

- Significant, dedicated source of funding for workforce housing
- Partnerships between Public/Private
- Regulatory Strategies
 - Removing regulatory barriers
 - Providing incentives
 - Mandatory requirements



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HOUSING AFFORDABILITY: Regulatory Tools to Remove Obstacles

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> Remove barriers for constructing accessory dwelling units and elderly cottage housing units in residential districts. Remove prohibitions on certain building types (e.g. town homes, duplexes, single-room occupancy buildings) in residential zone districts and/or address unnecessary dimensional standards that act to prohibit these building types (e.g., minimum lot widths greater than 20 feet). 	<ul style="list-style-type: none"> Expedite permit processing for ADUs. Require ADUs to be rented to households earning low or median incomes. Permit manufactured/modular housing in all residential zone districts if meet all applicable residential design standards. Waive/ reduce residential impact fees for affordable housing projects or provide for funding assistance to offset fees. 	<ul style="list-style-type: none"> Remove large minimum lot size regulations, allowing units on small lots. Permit duplex and multi-family housing in more districts, or as special/ conditional uses in all districts. Address nonconformity problems on substandard lots. Allow mixed-use developments, by-right, in appropriate locations. 	<ul style="list-style-type: none"> Santa Cruz, CA – accessory dwelling unit program Fort Kent ME – ECHO housing Key West, FL – accessory dwelling unit program (rentals required to comply with income eligibility guidelines) Rock Hill SC – remove prohibitions Portsmouth VA – remove prohibitions, address nonconformities St. Lucie County FL – manufactured housing Alachua County, FL – impact fee assistance program Austin, TX – Affordable, transit-oriented housing

HOUSING DIVERSITY: REMOVE BARRIERS

- Santa Cruz, CA Accessory Dwelling Unit (ADU) Program**
 - Purpose: creation of more and more affordable housing opportunities
 - Allowed ADUs in single-family residential districts
 - City revised zoning ordinance to eliminate parking requirements for single-family homes (freeing space for ADUs)
 - Architects retained to develop model or prototype ADUs (500 square feet) that address variety of site needs
 - City pre-approved prototypes/models
 - Resulted in significant increase in number of ADUs built
 - Received EPA Policies and Regulations Smart Growth Award (2005)



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HOUSING DIVERSITY: REMOVE BARRIERS

- Fort Kent, ME – ECHO Housing**
 - Updated zoning ordinance
 - Allows Elder Cottage Housing Opportunities (ECHO)
 - Code defines ECHO as follows:

"A small detached temporary residential structure placed or constructed to the side or rear of an existing single family dwelling to be occupied by one or two people who are (a) 62 years of age or older or disabled, (b) who are related by birth, marriage, or adoption to the occupants of the principal residence, and who benefit from living close to the family."



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HOUSING DIVERSITY: REMOVE BARRIERS

• Portsmouth VA, Zoning Ordinance Update (2008)

- Proposing to consolidate 14 residential districts to three or four districts (Neighborhood, General, Urban)
- Allowing broader range of residential building types (duplexes, townhouses, and mansion apartments) in many locations
- Replacing lot width and setback standards with contextual compatibility standards, in most contexts



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HOUSING DIVERSITY: REMOVE BARRIERS

• St Lucie County FL

- Expanded locations for manufactured homes to most all residential districts
- Developed design standards that applied to all residential units in districts, related to:
 - Roof slope
 - Width of home
 - Foundation
 - Exterior textures
 - Facade



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HOUSING AFFORDABILITY: Regulatory Tools to Create Incentives

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> • Offer expedited review/permitting process for affordable housing projects. • Provide permit expeditor/ombudsman to assist with review of affordable housing projects. • Allow small-lot (less than 6,000 sq. ft) developments in more zone districts with compatible design standards. 	<ul style="list-style-type: none"> • Reduce parking requirements for affordable housing to reflect evidence of reduced need. • Do not count accessory dwelling units against permitted density. • Allow in commercial zone districts if parking adequate. 	<ul style="list-style-type: none"> • Provide density bonuses when incorporating affordable or workforce housing products in a development. 	<ul style="list-style-type: none"> • Manatee County, FL – AH permit expeditor • Tallahassee, FL – reduced parking for affordable housing • California – reduced parking and landscaping for affordable housing • Palm Beach County, FL – waiver of development standards and bonus densities • Teton County, WY – no density increase for AH above commercial • California – density bonuses for affordable housing

HOUSING AFFORDABILITY: Create Incentives

- **Use of Ombudsman**
 - Manatee County, FL
 - Orlando, FL
- **Special administrative review procedures**
 - Palm Beach County, FL
- **Waiver of fees**



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HOUSING AFFORDABILITY: Create Incentives

- **California Law – waiver of standards**
 - Density bonus law: waives dimensional standards, parking and landscaping – addresses compatibility
- **Waiver of Standards with Mandatory Requirement**
 - Tallahassee FL: allows request to waive dimensional standards and parking
 - Palm Beach County, FL: allows request to waive dimensional standards and parking



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HOUSING AFFORDABILITY: Create Incentives

- **Density Bonuses**
 - **Density California Law**
 - Density bonus as of right – varies from 5 to 35 percent
 - Minimum densities for lands designated for affordable housing (10-30 units/acre)
 - **Voluntary Density Bonus**
- **Density Bonus with Mandatory Requirement**
 - Palm Beach County, FL: density bonus with inclusionary requirement
 - Teton County, WY: density bonus provided with comprehensive mandatory requirement



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HOUSING AFFORDABILITY: Regulatory Tools to Enact Standards

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> Impose inclusionary housing requirement on residential development to construct or pay a fee-in-lieu for affordable units. Allow accessory dwelling units by-right in all residential zone districts subject to reasonable size, parking, and other development standards. 	<ul style="list-style-type: none"> Require linkage fees for non-residential development to construct or pay a fee-in-lieu for affordable units necessitated by development. Require accessory dwelling units for all residential units or a percentage of units in a new subdivision. Require a variety of unit sizes in multi-family buildings. 	<ul style="list-style-type: none"> Enact a comprehensive regulatory program that requires both residential and non-residential development to construct or pay a fee-in-lieu for affordable units. Anti-NIMBY laws 	<ul style="list-style-type: none"> Aspen/Pitkin County, CO – comprehensive regulatory program Islamorada, FL – comprehensive regulatory program Montgomery County, MD – Moderately Priced Dwelling Unit and Workforce Housing Unit requirements San Diego, CA – inclusionary affordable housing regulations California Anti-NIMBY laws California communities – inclusionary requirements and linkage fees

HOUSING AFFORDABILITY: Enact Standards

- Aspen/Pitken County, CO
 - Five-pronged affordable housing strategy
 - Mandatory affordable housing mitigation
 - Growth management quota system
 - Affordable housing zone districts (4)
 - Resident occupancy program
 - Public sector production program



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HOUSING AFFORDABILITY: Enact Standards

- California Anti-NIMBY Law
 - Affordable housing project denied only if:
 - Local government has valid Housing Element that shows project not needed to meet fair share housing need;
 - There is specific adverse impact on public health/safety not mitigated without making project unaffordable;
 - Action is required by state or federal law;
 - Approval increases concentration of low-income housing;
 - Project land designated Agriculture or Resource Protection in Plan; or
 - It is inconsistent with the Comprehensive Plan.



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HOUSING DIVERSITY


- **Background**
- **Regulatory Tools to Remove Barriers**
- **Regulatory Tools to Create Incentives**
- **Regulatory Standards**




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HOUSING DIVERSITY: BACKGROUND

- **Face of America is Changing**
 - Population is aging
 - In 2002 – 12% of Americans over 65
 - By 2030 – expected that over 65 population will be as high as 20-25% (12% in 2002)
 - Distribution between young, working, and elderly is more even
 - Society use to be mostly young members
 - Today, evenly distributed between children, working, parents, young retirees, and senior citizens
 - Household size is decreasing
 - Today, more households of persons married without children and single person households than any other type
 - “Grandfamilies” are increasing



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HOUSING DIVERSITY: BACKGROUND

- **Housing Needs will Change**
 - **Housing for elderly**
 - Given choice, most Americans prefer to retire in community where they have spent lives
 - Difficult to “age in place”
 - Traditional single-family homes not designed for needs of elderly
 - **Greater demand for housing for households with fewer persons**
 - Higher demand and need for duplexes, townhomes, one and two bedroom single-family homes
 - **Housing for “Grandfamilies”**

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HOUSING DIVERSITY: BACKGROUND

- **Important Housing Needs Assessment Recognize Changing Needs**
 - Traditionally done to address affordable housing needs
 - Quantify amount and type of housing demand
 - Establishes foundation for meeting demand
 - **Now need to address Housing Diversity needs**
 - Identify type of housing needed (relative to demographics)
 - *Vermont Housing Needs Assessment Guide* (Center for Rural Studies, University of Vermont)

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HOUSING DIVERSITY: BACKGROUND

REGULATORY NEEDS

- **Diversify Housing Types**
 - Allow and in some instances require diversity in housing types.
 - Districts with variety of housing types (single-family, townhouses, duplexes, multi-family, accessory dwelling units)
 - Districts with variety of lot sizes and configurations
 - Different sized dwelling units
- **Accessory Dwelling Units (ADUs)**
 - Broader use
 - Might add design/development standards
 - Limit size in relation to principle dwelling
 - Location
 - Parking
- **Housing Options for Elderly**— close to children



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HOUSING DIVERSITY: REGULATIONS

EXAMPLES

- **Elder Cottage Housing Opportunity (ECHO Housing)** --Small detached temporary residential structure placed or constructed to the side or rear of an existing single family dwelling for one or two elderly or disabled persons.
- **Adaptable Dwelling Units (Universal Design)** --Units that include design features that allow people to age in the units, or the units to more inexpensively change features as people go through life cycles (elderly and disabled)



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HOUSING DIVERSITY: Regulatory Tools to Remove Barriers

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> Revise zoning definition of family if it is an obstacle to allowing non-traditional families (e.g., family is 4 or fewer unrelated individuals) Allow accessory dwelling units and elder cottages in residential districts by-right or through conditional use permit. Reduce parking for senior housing and transit-oriented-development housing. 	<ul style="list-style-type: none"> Allow development of group homes and co-housing by-right or with conditions. Remove large min. lot size regulations to allow small lot residential development. Establish contextual standards to allow for small lot residential development Create mixed-use districts allowing variety of housing types (apts, townhouses, duplexes) 	<ul style="list-style-type: none"> Permit duplex and multi-family development in more districts, or as a conditional/special use in all residential districts. Allow elder housing options in more districts 	<ul style="list-style-type: none"> Santa Cruz, CA – accessory dwelling unit program Fort Kent, ME – elder cottage housing Rock Hill, SC – new residential zoning districts to address nonconforming lots San Francisco, CA - downtown parking requirements reduced/eliminated to increase TOD units Nashville, TN – parking requirement reduction when proximate to transit Salt Lake City, UT – multi-family developments allowed by-right in non-residential districts

HOUSING DIVERSITY: REMOVE BARRIERS

- Fort Kent, ME – ECHO Housing
 - Updated zoning ordinance
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 - Code defines ECHO as follows:

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HOUSING DIVERSITY: Regulatory Tools to Create Incentives

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> Expedited review and waiver of fees for development of a diversity of units, or units with visitability or universal design features Ombudsman to assist in education about benefits of diverse housing 	<ul style="list-style-type: none"> Reduction in selected development standards (parking, setbacks, etc.) when providing a diversity of units types or use of visitability/universal design features. 	<ul style="list-style-type: none"> Provide density bonuses when incorporating a variety of housing products in a development. 	<ul style="list-style-type: none"> Fort Collins, CO – "Practical Housing for All" standards that encourage use of universal design concepts Arvada, CO – Visitability Ordinance California – allows waiver of parking and landscaping for provision of affordable housing

HOUSING DIVERSITY: CREATE INCENTIVES

- **Fort Collins, CO – Practical Housing for All (2002)**
 - Encourages the voluntary incorporation of universal design concepts in new home construction
- **Adaptable Dwelling Units (Universal Design)**
 - Units that include design features that allow people to age in the units, or the units to more inexpensively change features as people go through life cycles
 - Concept is more than for the elderly and disabled
 - Positives:
 - Open space
 - Easy to use equipment
 - Large storage and circulation areas



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HOUSING DIVERSITY: Regulatory Tools to Enact Standards

Bronze (Good)	Silver (Better)	Gold (Best)	Code Examples
<ul style="list-style-type: none"> • Require residential units in urban areas to include family-friendly amenities, such as parks and play grounds on site. • Require variations in lot sizes and densities in larger developments. • Require minimum densities in larger residential developments. 	<ul style="list-style-type: none"> • Require a percentage of units within urban developments to include 3+ bedroom units. • As a planned unit development compensating community benefit, require mix of housing types. • Require variation in multifamily building size/footprint to encourage different unit sizes and configurations. 	<ul style="list-style-type: none"> • Implement a mandatory development points system for incorporating community objectives such as a range of housing types, development of affordable units, and using visitability design standards. • Require certain number of units to be "adaptable" or include visitability or universal design standards. • Require a mix of housing types within residential developments. 	<ul style="list-style-type: none"> • Parramatta, Australia – Mandatory mix of units by number of bedrooms and "adaptable" features (i.e., easy conversion of home design to meet elderly/disabled needs) • Vancouver, British Columbia – design guidelines for high-density housing aimed at families and children. • Fort Collins, CO – minimum residential density requirement • Chapel Hill, NC – required mix of housing sizes in Planned Developments • St. Lucie County, FL – Towns, Villages and Countryside Overlay - requires mix of units types

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HOUSING DIVERSITY: ENACT STANDARDS

- **Paramatta, Australia – Diversity Requirements and Adaptable Units**
 - Adopted regulations requiring:
 - a diversity of housing unit types and sizes
 - a mix of bedrooms, and
 - adaptable units to suit the changing lifecycle housing needs of residents over time



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HOUSING DIVERSITY: ENACT STANDARDS

- **Paramatta, Australia – Diversity Requirements and Adaptable Units (cont.)**

- **Adopted guidelines for residential flat buildings and high density housing:**
 - 3 bedroom: 10-20%
 - 2 bedroom: 60-75%
 - 1 bedroom: 10-20%

The mix could be refined in regard to:

- The location of the development in relation to public transportation, public facilities, employment areas, schools, and retail centers
- Whether housing public
- If contained 10 or fewer units



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HOUSING DIVERSITY: ENACT STANDARDS

- **Paramatta, Australia – Diversity Requirements and Adaptable Units (cont.)**

- **Adaptable units required for multi-family housing, and other higher density housing types (flat buildings, high density housing, terrace housing)**



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HOUSING DIVERSITY: ENACT STANDARDS

- **Chapel Hill, NC – Required mix of housing sizes in subdivision regulations (2000)**

- 25% of lots in subdivision must be less than 1350 square feet in area
- In-lieu option available – 15% of residential units be affordable



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