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

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
HOUSING AFFORDABILITY: BACKGROUND

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

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

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
HOUSING AFFORDABILITY: Regulatory Tools to Remove Obstacles

<table>
<thead>
<tr>
<th>Silver (Better)</th>
<th>Gold (Best)</th>
<th>Code Examples</th>
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<tbody>
<tr>
<td>- Remove barriers to constructing accessory dwelling units and elderly cottage housing units in residential districts.</td>
<td>- Remove large minimum lot size regulations, allowing units on small lots.</td>
<td>- Santa Cruz, CA – accessory dwelling unit program.</td>
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<td>- Remove prohibitions on certain building types (e.g., townhomes, duplexes, single-room occupancy buildings) in residential zone districts to address unnecessary dimensional standards that act to prohibit these building types (e.g., minimum lot width greater than 20 feet).</td>
<td>- Permit duplex and multi-family housing in all residential zone districts if meet all applicable residential design standards.</td>
<td>- Fort Kent, ME – ECHO housing.</td>
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<td>- Expedite permit processing for ADUs.</td>
<td>- Waive/reduce residential impact fees for affordable housing projects or provide for funding assistance to offset fees.</td>
<td>- Key West, FL – accessory dwelling unit program (rentals required to comply with income eligibility guidelines).</td>
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<td>- Require ADUs to be rented to households earning low or median income.</td>
<td>- Permit manufactured/modular housing in all residential zone districts if meet all applicable residential design standards.</td>
<td>- Rock Hill SC – remove prohibitions.</td>
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<td>- Permit manufactured modular housing in all residential zone districts if meet all applicable residential design standards.</td>
<td>- Address nonconformities on substandard lots.</td>
<td>- Portsmouth VA – remove prohibitions, address nonconformities.</td>
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<td>- Waive/reduce residential impact fees for affordable housing projects or provide for funding assistance to offset fees.</td>
<td>- Allow mixed-use developments, by-right, in appropriate locations.</td>
<td>- St. Lucie County FL – manufactured housing.</td>
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Code Examples

Gold (Best)

- 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.
- Austin, TX – Affordable, transit-oriented housing.

Silver (Better)

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Bronze (Good)

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- St. Lucie County FL – manufactured housing.
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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
  • 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)

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."
**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

**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

**HOUSING AFFORDABILITY: Regulatory Tools to Create Incentives**

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<td>Offer expedited review permitting process for affordable housing projects.</td>
<td>Reduce parking requirements for affordable housing to reflect evidence of reduced need.</td>
<td>Provide density bonuses when incorporating affordable or workforce housing products in a development.</td>
<td>Manatee County, FL – AH permit expediter</td>
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<td>Provide permit expediter/ombudsmen to assist with review of affordable housing projects.</td>
<td>Do not count accessory dwelling units against permitted density allowances for residential zone districts if parking adequate.</td>
<td>Tonsawassee, FL – reduced parking for affordable housing</td>
<td>Tallahassee, FL – reduced parking and landscaping for affordable housing</td>
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<td>Allow small-lot (less than 6,000 sq. ft) developments in more zone districts with compatible design standards.</td>
<td>Provide density bonuses when incorporating affordable or workforce housing products in a development.</td>
<td>California – density bonuses for affordable housing</td>
<td>Palm Beach County, FL – waiver of development standards and bonus densities</td>
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<td>Provide density bonuses when incorporating affordable or workforce housing products in a development.</td>
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<td>Pima County, AZ – reduced parking and landscaping for affordable housing</td>
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- Manatee County, FL – AH permit expediter
- 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
- Pima County, AZ – reduced parking and landscaping for affordable housing
- Offer expedited review/permitting process for affordable housing projects.
- Provide permit expediter/ombudsmen 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.
HOUSING AFFORDABILITY: Create Incentives

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

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

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
HOUSING AFFORDABILITY:
Regulatory Tools to Enact Standards

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<td>• Impose inclusionary housing requirement on residential development to construct or pay a fee-in-lieu for affordable units.</td>
<td>• Require linkage fees for non-residential development to construct or pay a fee-in-lieu for affordable units necessitated by development.</td>
<td>• Enact a comprehensive regulatory program that requires both residential and non-residential development to construct or pay a fee-in-lieu for affordable units.</td>
<td>Aspen/Pitkin County, CO – comprehensive regulatory program.</td>
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<td>• Allow accessory dwelling units by-right in all residential zones subject to reasonable size, parking, and other development standards.</td>
<td>• Require accessory dwelling units for all residential units or a percentage of units in a new subdivision.</td>
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<td>Islamorada, FL – comprehensive regulatory program.</td>
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<td>• Endorse a variety of unit sizes in multi-family buildings.</td>
<td>• Require a variety of unit sizes in multi-family buildings.</td>
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<td>Montgomery County, MD – Moderately Priced Dwelling Unit and Workforce Housing Unit requirements.</td>
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SUSTAINABLE CODE

Sustainable Plans and Development Codes

HOUSING AFFORDABILITY:
Enact Standards

• Aspen/Pitkin 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

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.
HOUSING DIVERSITY

• Background

• Regulatory Tools to Remove Barriers

• Regulatory Tools to Create Incentives

• Regulatory Standards

Face of America is Changing
• Population is aging
  - In 2002 – 12% of Americans over 65
  - By 2050 – 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 used 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

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”
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)

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

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)
HOUSING DIVERSITY: Regulatory Tools to Remove Barriers

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<td>Remove zoning definition of family if it is an obstacle to allowing non-traditional families (e.g., family is 4 or fewer unrelated individuals)</td>
<td>Allow accessory dwelling units and elder cottages in residential districts by-right or through conditional use permit.</td>
<td>Allow parking for senior housing and transit-oriented development housing.</td>
<td>Santa Cruz, CA – accessory dwelling unit program.</td>
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<td>Allow parking for senior housing and transit-oriented development housing.</td>
<td>More development of group homes and co-housing by-right or with conditions.</td>
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<td>Fort Kent, ME – elder cottage housing.</td>
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<td>Remove large lot size regulations to allow small lot residential development.</td>
<td>Establish contextual standards to allow for small lot residential development.</td>
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<td>Stock Hill, SC – new residential zoning districts to address nonconforming lots.</td>
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<td>Create multi-use districts allowing variety of housing types (apts, townhouses, duplexes).</td>
<td>Remove large min. lot size regulations to allow small lot residential development.</td>
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<td>San Francisco, CA – downtown parking requirements reduced/eliminated to increase TOD units.</td>
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<td>Establish contextual standards to allow for small lot residential development.</td>
<td>Create mixed-use districts allowing variety of housing types (apts, townhouses, duplexes).</td>
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<td>Nashville, TN – parking requirement reduction when proximate to transit.</td>
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<td>Establish contextual standards to allow for small lot residential development.</td>
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<td>Salt Lake City, UT – multi-family developments allowed by-right in non-residential districts.</td>
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Code Examples

Gold (Best) | Silver (Better) | Bronze (Least) |
-------------|----------------|----------------|
Fort Kent, ME – ECHO Housing | Updated zoning ordinance | Allows Elder Cottage Housing Opportunities (ECHO) |
| Codes define 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 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.”

HOUSING DIVERSITY: REMOVE BARRIERS

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  - Updated zoning ordinance
  - Allows Elder Cottage Housing Opportunities (ECHO)
  - Codes define ECHO as follows:

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HOUSING DIVERSITY: Regulatory Tools to Create Incentives

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<td>Expedited review and waiver of fees for development of a diversity of units, or units with walkability or universal design features.</td>
<td>Reduction in selected development standards (parking, setbacks, etc.) when providing a diversity of units types or use of walkability/universal design features.</td>
<td>Provide density bonuses when incorporating a variety of housing products in a development.</td>
<td>Fort Collins, CO – “Practical Housing for All” standards that encourage use of universal design concepts.</td>
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<td>Arvada, CO – “Visitability Ordinance”.</td>
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<td>Provide density bonuses when incorporating a variety of housing products in a development.</td>
<td>California – allows waiver of parking and landscaping for provision of affordable housing.</td>
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Sustainable Plans and Development Codes

SUSTAINABLE CODE
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
    - Positive:
      - Open space
      - Easy to use equipment
      - Large storage and circulation areas

Sustainable Plans and Development Codes

HOUSING DIVERSITY: Regulate Tools to Enact Standards

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<td>Require a percentage of units within urban developments to include family-friendly amenities, such as parks and play grounds on site.</td>
<td>Require a diversity of housing unit types and sizes.</td>
<td>Implement a mandatory diversity points system for incorporating community objectives such as a range of housing types, development of affordable units, and use of visitability design standards.</td>
<td>Parramatta, Australia – Diversity Requirements and Adaptable Units: Require a mandatory diversity points system for incorporating community objectives such as a range of housing types, development of affordable units, and use of visitability design standards.</td>
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<td>Require a percentage of units within urban developments to be adaptable units.</td>
<td>Require a mix of bedroom sizes.</td>
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<td>Parramatta, Australia – Diversity Requirements and Adaptable Units: Require a mandatory diversity points system for incorporating community objectives such as a range of housing types, development of affordable units, and use of visitability design standards.</td>
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<td>Require variation in multifamily building size/footprint to encourage different unit sizes and configurations.</td>
<td>Require a percentage of units to be adaptable.</td>
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<td>Parramatta, Australia – Diversity Requirements and Adaptable Units: Require a mandatory diversity points system for incorporating community objectives such as a range of housing types, development of affordable units, and use of visitability design standards.</td>
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Sustainable Plans and Development Codes

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

Sustainable Plans and Development Codes
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

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