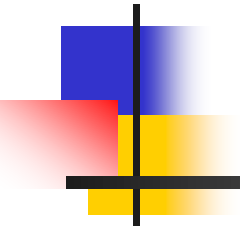


# City of Charlottesville Council Workshop Meeting



Zoning to Implement Affordable Housing  
February 20, 2020



# Presenters

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- Brian Haluska, Principal Planner
- John Sales, Housing Program Coordinator
- Lisa Robertson, Chief Deputy City Attorney



# Zoning Overview

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Brian Haluska  
Principal Planner, City of  
Charlottesville



# What is Zoning?

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Zoning is the regulation of the use and development of land

Low Density Residential	High Density Residential
Commercial	Manufacturing/ Industrial



# Purpose of Zoning

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- Zoning implements restrictions in order to promote the welfare, safety and convenience of the community
- Avoid overcrowding; accommodate adequate water, sewer, transportation facilities; promote affordable housing; etc.



# Authorized Zoning Regulations

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- Use of land, buildings and structures
- Size, height, area, bulk, location of structures
- Area and dimensions of land, water, air space to be occupied [or unoccupied] by uses and structures



# Affordable Housing as part of Zoning

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- Comprehensive Plans are **required** to include identification of areas best suited for construction, rehabilitation, and maintenance of affordable housing, and identify implementation measures
- Comprehensive Plans are implemented by: **Zoning** and Subdivision Ordinances; CIP; City Budget



# Affordable Housing as part of Zoning

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- Zoning may include certain provisions that will promote and facilitate affordable housing
- **Incentive zoning**: allowing special benefits (above by-right parameters) in return for features, design elements, uses, services, or amenities desired by the community





# Zoning Impacts on Housing Construction

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- Minimum Lot Sizes
- Density Restriction (DUA or FAR)
- Restriction of types of residential buildings/structures
- Restriction on # of dwellings or bedrooms
- On-site Parking Requirements
- Required Yards/ Building Setbacks



# Minimum Lot Sizes

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City wide: the ZO requires every SFD to be on a lot with a minimum size of either:  
6,000 SF (7.26 DUA) or  
8,125 SF (5.36 DUA)

In the City's older subdivisions (such as Belmont), lot sizes may be 4,000 SF or less (10.89 DUA or more). These lots are considered nonconforming.

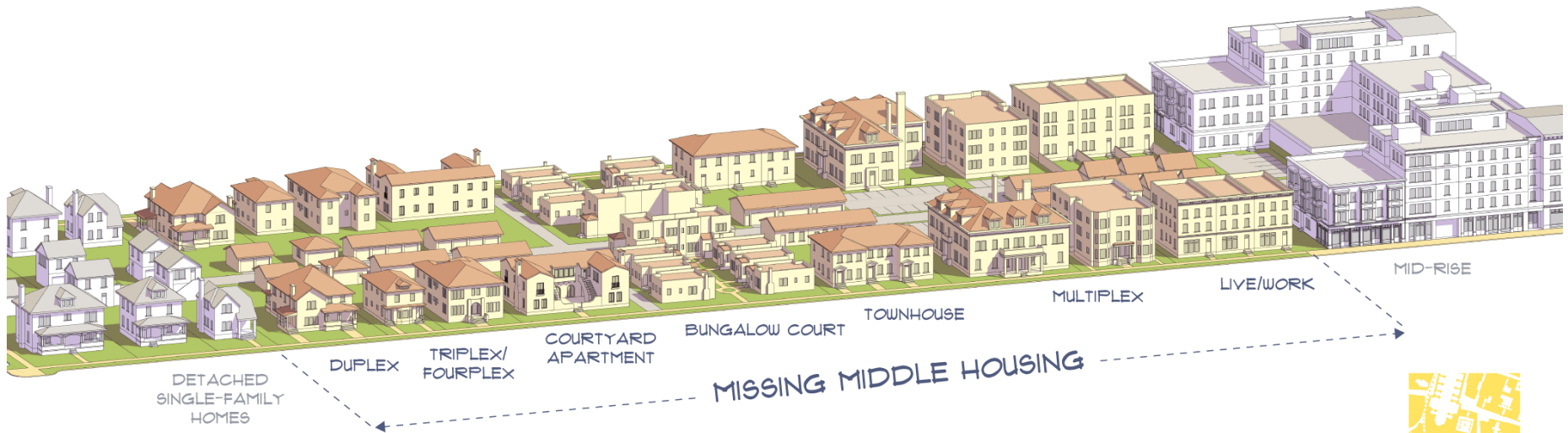


# Types of Residential Dwellings

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- 55% of the City is zoned for low-density residential development (“R-1”), where SFD is the only permitted housing type
- “R-2”: SFD, SFA, and Duplex are the only permitted housing types
- Only one (1) principal structure is allowed per lot
- Lot Coverage, R-1 and R-2
  - 35 ft. max height
  - 25-foot min front/rear yards
  - 10 ft. min side yd

# "Missing Middle" Housing Types



# “Missing Middle” Housing Types



Quadplexes





# “Missing Middle” Housing Types



Courtyard  
Apartments



# “Missing Middle” Housing Types

## Bungalow Court





# The Conflict of Zoning

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City Council controls the types, size and location of housing that **can** be built in the City.

Developers control how much of that housing **will** be built.





# Current Affordable Housing Support and Efforts

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John Sales

City Housing Program Coordinator



# Enabling Legislation

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- “Affordable housing” is a public purpose for which public funding may be expended
- City has a long-standing commitment to providing financial support to nonprofits that provide AH within the City
- State legislation authorizes the City, by ordinance, to subsidize private, for-profit developers who construct or rehab AH
- State law enables zoning incentives for AH



# Current Foundational Docs

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- (2010) City Council Housing Goals for 2025
  - 3 Housing Policies
  - Policy 1 revised in 2014 (CAHF Funding Process)
- (2013) Comp Plan Housing Chapter
- (2015) City HAP Policy Document
- (2016) Housing Needs Assessment



# Progress Report

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- Progress 2010 to present
  - Goal: 15% supported ADUs by 2025
  - To date: 2,196 (11.7%) supported ADUs (2010-2020)
    - 774 units are federally subsidized units (PH/HCV)
    - 88 are CSRAP units (26 of the units are in the County)
- City Financial Support
  - Funding expended 2010-present: \$24.59 million
  - New ADUs established: 297 units
  - Existing ADUs rehabilitated: 699 units (only 122 under DOT or promissory note)



# What's Working

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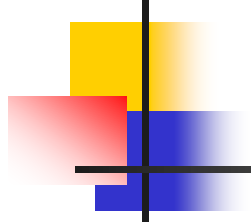
- Allocating funding to multiple tools to address affordability and equity.
- Adequate programs for homeownership to include assistance with closing cost and down payment assistance.
- Waived tap fees and other building development permitting fees.
- City is supporting LIHTC developments throughout the city when local support letters are requested.



# What's Not Working?

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- Comp Plan doesn't set forth a strong centralized policy and strategy based on data; doesn't provide sufficient basis for zoning implementation
- ZO regs aren't calibrated to facilitate sufficient incentives for AH construction, based on a centralized policy reflected in Comp Plan
- Use of CAHF Funding isn't set up to be sustainable source of funding to incentivize private development in conjunction with with AH zoning incentives
- No consistent plan on awarding funds from CAHF; advisory commission is policy-oriented
- Varying affordability periods based upon level of funding, but the periods are not consistent along similarly-situated recipients.



# RECOMMENDATIONS



# RECOMMENDATIONS

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- **Four items are recommended for immediate action:**
- Amend ZO provisions, and add CAHF revolving loan program, to **incentivize** creation of new Accessory Dwelling program throughout the City
- Adopt new ZO provisions, and add CAHF revolving loan program, to **incentivize** “missing middle” (SFA, Duplex, Triplex, Fourplex)—initially (near term) by means of renovation/alteration of existing structures throughout the City
- Adoption of an Ordinance to officially enact an Affordable Dwelling Unit Program, implementing all available local authority
- Restructure the housing advisory commission, transform to a 10-member working board, advisory to the Housing Coordinator





# Accessory Dwelling Program

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- Incentives
  - The ability to have up to 3 accessory units on a lot, if at least one unit is affordable (e.g., 1 interior and 1 AD (up to 2 units))
  - CAHF loan to be available, to subsidize construct or rehab.
  - No owner occupancy requirement (except w/CAHF funding); no additional on-site parking required
  - Reduced setbacks for the AD
- In return for:
  - At least 1 dwelling unit must be committed affordable for-rent, for no fewer than 20 years
  - Certain height/ size restrictions (AD can be no larger than 50% of the footprint of the primary structure (w/2 units) or 30% footprint (1 unit))



# Missing Middle Incentive

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- Incentives
  - Density bonus achieved by allowing **existing** residential structures to be renovated, to create additional dwelling units within the existing built environment (up to 4 units, total on a lot in R-1 and R-2; up to 6 units, total, other zoning districts)
  - CAHF loan to be offered as a subsidy
  - Relaxed parking, side and rear setbacks, min. lot size req's
- In return for:
  - (1) committed for-rent affordable unit (20 years, min. period of affordability)
  - No displacement of existing low-income tenants



# Adoption of Program Ordinance

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- Zoning Ordinance Amendment; recommend proceeding immediately
- Implement Accessory Dwelling Incentive
- Implement Middle-Housing Incentive
- Implement any/all state-enabled AH actions
- Authorize Housing Coordinator to set up Revolving Loan Program within CAHF



# New AH Advisory Board

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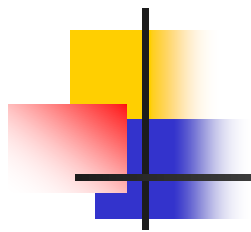
- Replace existing 22-member Policy Advisory Committee with a new **10-member Working Board, Advisory to the Housing Coordinator. No member or member's employer/agency will be eligible for CAHF funding during tenure on board.**
- real estate agent or broker
- banker who finances City housing projects
- engineer/architect
- SFD developer, C'ville/Alb area
- MFD developer, C'ville/Alb area
- City planner
- local non-profit service provider (homeless prevention, etc.)
- City residents from low-income community (1 may be CRHA board member)



# Function of New AH Board

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- Thro practical expertise, assist Housing Coordinator with establishing rents and sales prices applicable to all ADU in City (once per 6 months)
- Advise Coordinator as to regulations that will efficiently implement AH Program (process, procedure, standards) (initially, then as needed)
- Advise Coordinator in strategic use of CAHF to achieve Goals of Master Plan (procedures, evaluation factors, identify effectiveness “multipliers”)
- Monitor review key data/outcome measures
- Quarterly meetings



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Questions?

Next Steps (Short Term)?