



1015 Cultural Park Blvd.
Cape Coral, FL

AGENDA

AFFORDABLE HOUSING ADVISORY COMMITTEE

October 30, 2018	5:30 PM	Conference Room 220A, City Hall
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- 1. Meeting called to order**
 - A. Chair Neuhausel
- 2. ROLL CALL**
 - A. Cheney, Contreras, Jenkins, McBrearty, Neuhausel, Peppe, Ranfranz, Schnell, Stefanik, and Urban
- 3. CITIZENS INPUT TIME**
- 4. BUSINESS**
 - A. Approval of meeting minutes - October 23, 2018 meeting
 - B. Incentive Plan and Individual Incentives
 - C. Discussion/Recommendation - Micro Cottage Village Development (MCVD)
- 5. Time and Place of Next Meeting**
 - A. To Be Determined, as needed
- 6. Motion to Adjourn**

In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Item Number:	4.A.
Meeting Date:	10/30/2018
Item Type:	BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Approval of meeting minutes - October 23, 2018 meeting

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ Meeting Minutes - October 23, 2018	Backup Material

**MINUTES FROM THE
AFFORDABLE HOUSING ADVISORY COMMITTEE**

Tuesday, October 23, 2018

CONFERENCE ROOM 220A

5:30 p.m.

Assistant City Clerk Bruns called the meeting to order at 5:32 p.m.

Roll Call: Contreras, Jenkins, Peppe, Ranfranz, Schnell, and Stefanik were present. McBrearty and Urban were excused. Cheney was absent. Neuhausel arrived at 5:33 p.m.

ALSO PRESENT: Amy Yearsley, Housing Coordinator
Millie Babic, Senior Planner

CITIZENS INPUT TIME

None.

BUSINESS

ELECTION OF CHAIR AND VICE CHAIR

Assistant City Clerk Bruns opened the floor for nominations for Chair.

Board Member Schnell nominated Vice Chair Neuhausel as Chair.

Board Member Jenkins nominated Member Schnell as Chair.

Member Schnell expressed interest in Vice Chair, not Chair.

Vice Chair Neuhausel arrived at 5:33 p.m.

Vice Chair Neuhausel accepted the nomination.

There were no other nominations.

Board Member Peppe moved, seconded by Board Member Jenkins, to appoint Vice Chair Neuhausel as Chair.

Committee polled as follows: Contreras, Jenkins, Neuhausel, Peppe, Ranfranz, Schnell, and Stefanik voted "aye." 7 "ayes." Motion carried 7-0.

Chair Neuhausel opened the floor for nominations for Vice Chair.

Board Member Ranfranz moved (nominated), seconded by Board Member Jenkins to appoint Member Schnell as Vice Chair.

Member Schnell accepted the nomination for Vice Chair.

Committee polled as follows: Contreras, Jenkins, Neuhausel, Peppe, Ranfranz, Schnell, and Stefanik voted "aye." 7 "ayes." Motion carried 7-0.

APPROVAL OF MINUTES

May 11, 2017 meeting

The minutes from the regular meeting of the Affordable Housing Advisory Committee of May 11, 2017 were presented for approval.

Board Member Peppe moved, seconded by Board Member Schnell, to approve the minutes of the regular meeting dated May 11, 2017, as presented. Voice Poll: All ayes; Motion Carried.

September 26, 2018 meeting

The minutes from the regular meeting of the Affordable Housing Advisory Committee of September 26, 2018 were presented for approval.

Board Member Schnell moved, seconded by Board Member Contreras, to approve the minutes of the regular meeting dated September 26, 2018, as presented. Voice Poll: All ayes; Motion Carried.

October 9, 2018 meeting

The minutes from the regular meeting of the Affordable Housing Advisory Committee of October 9, 2018 were presented for approval.

Board Member Peppe moved, seconded by Board Member Schnell, to approve the minutes of the regular meeting dated October 9, 2018, as presented. Voice Poll: All ayes; Motion Carried.

Discussion/Recommendation Incentive Plan and Individual Incentives

Housing Coordinator Yearsley passed out a document which contained the schedule of implementation and recommendations from staff. She reviewed what had been discussed in prior meetings:

- The process of approvals of development orders or permits, as defined in Section 163.3164 (7) and (8), Florida Statutes, for affordable housing projects are expedited to a greater degree than other projects (Currently Implemented)
- The modification of impact-fee requirements, including reduction of waiver of fees and alternate methods of fee payment for affordable housing (Currently Implemented)

- Skipped – The allowance of flexibility in density for affordable housing – to be discussed later in the meeting (Partial Implementation)
- The reservation of infrastructure capacity for housing for very low, low and moderate-income persons. (Currently Not Implemented)
- Skipped – The allowance of affordable accessory residential units in residential zones – consider in new code – to be discussed later in the meeting (Currently Not Implemented)
- Skipped – The allowance of flexible lot configuration, including zero-lot-line configurations for affordable housing. – to be discussed later in the meeting (Currently Not Implemented)
- Skipped – The reduction of parking and setback requirements for affordable housing. (Partially Implemented)
- The modification of street requirements for affordable housing. (Currently Implemented)
- The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing. (Currently Implemented)
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing. (Currently Implemented)
- The support of development near transportation hubs, major employment centers, and mixed-use developments. (Currently Not Implemented)

Housing Coordinator Yearsley explained the allowance of “Flexibility in Density” is always partially met. In the code, we allow for an increase of density for a provision of affordable housing and other categories, design of site, parking, affordable housing, etc., they get points and that configures density. Village Square was an example. The new Code, the provision for extra density still exists as South Cape Zoning District – mixed use Bimini district and NC for neighborhood commercial. We got rid of the in lieu fee and have asked for mixed income. The recommendation was: Consider in New Code.

Ms. Yearsley explained both staff and AHAC have advised not to implement the following strategy: Accessory Residential Units in Residential zones. This would allow for a second kitchen in the future. The recommendation was: Consider in New Code.

Ms. Yearsley explained the allowance of flexible lots configuration, including zero-lot-line configurations for affordable housing. The recommendation was: Maintain. Adopt in new code. PUD.

Ms. Yearsley explained the reduction of parking and setback requirements for affordable housing. The recommendation was: Maintain existing. Adopt Reduced in New Code.

Ms. Yearsley explained the support of development near transportation hubs, major employment centers and mixed-use developments. We do not require this because it is

difficult due to the preplanned nature of Cape Coral. The recommendation was: Do not implement. Encourage the location of affordable housing in these locations.

Ms. Yearsley provided hand-outs for the topic of "Tiny Houses." We are not recommending tiny houses on wheels. We are talking about site-built housing, on a foundation following the Florida Building Code in a community named micro-cottage villages. These would include common parking and no garages, City water and sewer are required. The board may endorse or not, it is not contained on the list.

Discussion held regarding Land Trust areas known as CLT's.

Ms. Yearsley explained either today or at another meeting we will go through the next action steps.

Member Peppe recommended that we review and approve the incentive handout based on Staff's. The micro-cottage concept to be reviewed at a future meeting.

Board Member Peppe moved, seconded by Board Member Jenkins, to approve staff recommendations, bring Micro Cottages up at a third meeting on October 30, 2018 @5:30 p.m., and the Housing Coordinator to email out concepts.

Discussion on the affordable accessory dwelling units to be considered in the new code, attached homes, and new elevation.

Committee polled as follows: Contreras, Jenkins, Neuhausel, Peppe, Ranfranz, Schnell, and Stefanik voted "aye." 7 "ayes." Motion carried 7-0.

Ms. Yearsley stated she will put the final recommendations together in a final report and send to the committee. On December 3, 2018, the incentive plan will go in front of Council for the Public Hearing.

Time and Place of Next Meeting

The next meeting will be held on Tuesday, October 30, 2018, at 5:30 p.m., in Conference Room 220A.

Adjournment

There being no further business, the meeting adjourned at 6:29 p.m.

Submitted by,

Kimberly Bruns
Assistant City Clerk

Item Number:	4.B.
Meeting Date:	10/30/2018
Item Type:	BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Incentive Plan and Individual Incentives

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▣ Recommendation Incentive Plan and Individual Incentives	Backup Material
▣ AHAC Meeting handouts	Backup Material



**CITY OF CAPE CORAL
AFFORDABLE HOUSING INCENTIVE PLAN
2015 INCENTIVE REVIEW AND RECOMMENDATION REPORT**

FINAL

**CITY OF CAPE CORAL
CITY COUNCIL MEMBERS**

Marni L. Sawicki, Mayor
Jim Burch, Councilmember, District 1
John Carioscia, Councilmember, District 2
Marilyn Stout, Councilmember, District 3
Richard Leon, Councilmember, District 4
Rana Erbrick, Councilmember, District 5
Rick Williams, Councilmember, District 6
Jessica Cosden, Councilmember, District 7

**CITY OF CAPE CORAL
AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERS**

Ed Ramos, Chair
Richard Peppe
Bonnie Schnell
Courtney Neuhausel
Jim Ranfranz
Nassar Altidor
John McBrearty
Rebecca Perry

**CITY OF CAPE CORAL
STAFF**

A. John Szerlag, City Manager
Vincent A. Cautero, AICP, Community Development Director
Derek C.S. Burr, AICP, Planning Manager
Amy L. Yearsley, AICP, Housing Coordinator
Milica Babic, AICP, Planner III
Barbara Kerr, Recording Secretary

**City of Cape Coral/County of Lee
Affordable Housing Incentive Plan
2015 Incentive Review and Recommendation Report**

I. Background Information:

The Sadowski Affordable Housing Act, as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes, requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act. Section 420.9076 of the Florida Statutes, effective July 1, 2007, requires cities and counties receiving State Housing Initiatives Partnership (SHIP) funds to establish an Affordable Housing Advisory Committee (AHAC). The City of Cape Coral approved the establishment of an AHAC, pursuant to Section 420.9076 Florida Statutes, by Resolution 23-08. All recommendations should encourage or facilitate the development of affordable housing in the City of Cape Coral. The Plan encompasses the specific recommendations of the AHAC, and the subsequent approval or denial of these recommendations by the City Council by official action December 7, 2015.

The Affordable Housing Advisory Committee (AHAC) met to review the current Local Housing Incentive Plan and to discuss potential revisions to this plan. It is important to note that the Committee's recommendations were considered in the context of current (2015) economic conditions. Given this, the recommendations related to certain incentives could potentially change when the Committee reexamines the Local Housing Incentive Plan in 2018.

The City of Cape Coral currently has eight (8) incentive strategies adopted through the Local Housing Assistance Plan. Excerpts from the plan detailing the incentives are provided below:

Name of Strategy: Expedited Permitting

Permits as defined in s.163.3164 (7) and (8) for affordable housing projects are expedited to a greater degree than other projects. The City developed and implemented a system of identifying and expediting affordable housing permits, plan reviews and related actions. The expedited permitting process continues to work well and provides a valuable service to contractors developing affordable housing projects within the City. Expedited permitting has been also expanded to include permits associated with Lee County Department of Human Services affordable housing programs that are being implemented in the City of Cape Coral.

Name of Strategy: Ongoing Review Process

The impact of City policy and actions on affordable housing is addressed in the Comprehensive Plan's Housing Element, the Consolidated Plan and in City procedures. The Housing Element of the Comprehensive Plan provides for the review of all development, codes, regulations, policy and ordinances. The City

through its annual reporting requirements to the Florida Housing Finance Corporation includes a certification for implementation of regulatory reform activities in accordance with s. 163.3164(7) and (8) of the Florida Statutes. Proposed actions of the City Council are reviewed in this context.

Name of Strategy: Provisions for Transfer of Development Rights

The transfer of development rights provisions was established through the adoption of the Land Use Development Regulations on February 12, 1990. This remains a viable option for affordable housing although, to date, they have not been utilized.

Name of Strategy: Flexible Density for the Provision of Affordable Housing

The City of Cape Coral currently offers a density incentive program (DIP) for specific zoning districts. In these districts, the Downtown Community Redevelopment Area (CRA) zoning districts and the Market Place Residential zoning district, developers will be eligible for increased density by utilizing choices from a number of categories, including affordable housing. Currently, affordable housing is one of nine (9) categories, of four (4) required, that developers may choose to increase density within projects.

Name of Strategy: Reduction in Street Width Requirements for affordable single family subdivisions

Affordable single-family subdivisions shall be eligible for an administrative deviation to the minimum street width requirements in the City's Engineering Design Standards to the applicable State of Florida minimum street width.

Name of Strategy: Zero-lot Line Configuration

The City currently allows zero-lot line development for affordable and market rate housing through the Planned Development Process. Policy 1.2 of the Housing Element of the City's Comprehensive Plan states the City will maintain criteria for implementation of the City's Land Use and Development Regulations, pursuant to S.163.3202, F.S., for activities such as, zero lot line development, townhouse development, and transfer of development rights to encourage residential developments to include a wide mix of housing types and designs at a variety of allowable housing densities and intensities.

Name of Strategy: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Description of policies and procedures: Section 166.0451, Florida Statutes states the following related to the disposition of municipal property for affordable housing: by July 1, 2007 and every 3 years thereafter, each county and municipality must prepare an inventory list of all real property within its jurisdiction to which the county or municipality holds fee simple title that is appropriate for use as affordable housing. The City of Cape Coral Affordable Housing Advisory Committee will review all city owned surplus property on a triennial basis and make recommendations to the City Council of which

properties would be suitable for affordable housing in accordance with Section 166.0451.

II. Public Hearing:

The document itself was presented for public hearing to the Cape Coral City Council on December 7th, 2015. The availability of this draft document was published in the Fort Myers News-Press on Sunday, October 25, 2015.

III. Statutory Incentives & Recommendations:

This section examines the eleven (11) incentives that the Affordable Housing Advisory Committee (AHAC) must consider under Section 420.9076 Florida Statutes. For each incentive an analysis, recommendation and implementation schedule is provided.

Incentive A:

The processing of approvals of development orders or permits, as defined in Section 163.3164 (7) and (8), Florida Statutes, for affordable housing projects are expedited to a greater degree than other projects.

Review Synopsis:

Delays during any stage in the development process add to the final costs of new housing. Reducing the costs incurred by developers during the development review process makes affordable housing projects more attractive. Expedited permitting is a cost efficient and very effective way of reducing developer costs. Fast track review and permitting of affordable housing projects reduces developer costs at no cost to local government.

As a State Housing Initiatives Partnership (SHIP) program recipient, the City of Cape Coral provides expedited permitting services for affordable housing as required by Florida Statutes. A formalized process was put in place as a result of the 2008 Local Housing Incentive Plan. Any expediting is done at the request of a State/Federal subrecipient or the Lee County Department of Human Services and processed by Planning Division Staff with the assistance of the permit expeditor and the Building Official within the Department of Community Development Building Division. Expedited permitting is adopted by City Council within the City's Local Housing Assistance Plan (LHAP).

Staff Recommendation: Staff is recommending maintaining the expedited permitting process.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive B:

The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Review Synopsis:

Impact fees are charges assessed by local government to cover the infrastructure costs associated with new development. These one-time expenses are typically levied upon issuance of building permits to ensure that public facilities and services have adequate capacity and infrastructure to meet the demands of a growing population. While impact fees are initially charged to the developers, the cost is often time passed on to the purchaser. The City of Cape Coral currently charges **\$7,758.65** in impact fees for a single family home. This does not include capital expansion fees for water and sewer which add an additional price when water and sewer is extended to a property.

Eliminating, reducing, or deferring development fees is an incentive cities can offer to housing developers to encourage them to build lower cost housing. Impact fee deferral can reduce the cost of housing when the savings are passed on to the buyers or renters.

Staff Recommendation:

In 2008, the Affordable Housing Advisory Committee recommended the implementation of an impact fee deferral program as an incentive for providing affordable housing. The impact fee deferral program was proposed to be initially implemented utilizing State Housing Initiative Partnership Program (SHIP) funds as the funding source. City Staff amended the City's Local Housing Assistance Plan to include an impact fee payment program strategy and this was approved by both the City Council and Florida Housing Finance Corporation. At the present time, this strategy is unfunded and is anticipated to remain unfunded until such time that SHIP funds are reestablished in their entirety by the Florida legislature. At that time, the funding of the program will be considered. Staff is recommending maintaining this incentive recognizing that it is unfunded at this time.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive C:

The allowance of flexibility in density for affordable housing.

Review Synopsis:

The City of Cape Coral currently has a density incentive program (DIP) for specific zoning districts. In these districts, the Downtown Community Redevelopment Area (CRA) zoning district and the Market Place Residential (MR) zoning district, developers will be eligible for increased density by utilizing choices from a number of categories, including affordable housing. Currently, affordable housing is one of nine (9) categories, of four (4) required, that developers may choose to increase density within projects.

This type of ordinance allows increased density as quid pro quo for the provision of low and moderate income housing. A density bonus allows a developer to build more units within a project than would otherwise be permitted under normal density limits. Key to a density incentive based program is a strong residential real estate market, where a developer desires to obtain additional market rate unit entitlements and is confident that each additional unit will be marketable and contribute the expected profit to the project. In many strong residential markets, land costs also tend to rise – the option of providing affordable units in exchange for additional market rate units at zero additional land cost can therefore be especially attractive in these cases.

In some jurisdictions around the country, incentive programs allow for a variation of paying an “in-lieu” fee, rather than actually constructing the affordable units within the project. This option is allowed, and sometimes encouraged, in order to provide the developer with the option of paying money rather than impacting the perceived marketability of the project by including mixed household incomes within it. The “in-lieu” fee is often set at a level necessary to serve as equity in an off-site affordable project on a per unit basis, not the entire development cost of that unit. This approach is followed because affordable housing developers can utilize the equity amount to leverage debt on the units, thereby minimizing the payments collected from the market rate developer, and maximizing the number of affordable units built elsewhere. Incentive based zoning programs do not always have to rely on additional density as the incentive.

Staff Recommendation:

In 2008, the Affordable Housing Advisory Committee recommended a standalone affordable housing density incentive program that would be applicable over the entire city as an incentive. During the 2012 review, this recommendation was removed due to changing market conditions. Staff is recommending maintaining the density incentive in the CRA and Marketplace Residential zoning districts and revisiting the issue at the next triennial review.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive D:

The reservation of infrastructure capacity for housing for very-low, low and moderate-income persons.

Review Synopsis:

The City of Cape Coral currently does not have this program as an incentive. There is no reservation of capacity for affordable housing or any other type of development.

The City of Cape Coral is a pre-platted antiquated subdivision, with over 200,000 lots. The streets are constructed and electric and telephone service is available. In addition in areas where water and/or sewer service is not available the Health Department will

permit the installation of an on-lot sewage treatment system and an individual water supply well for residential development.

The Growth Management Act (Florida Statute 163) requires that public facilities and service i.e. infrastructure be in place concurrent with development. In Cape Coral this means primarily water and sewer and to a somewhat lesser degree park facilities and streets. Since Cape Coral is a Platted Lands community as long as water and sewer service is available (City or on lot) and the applicable Land use Regulations are met, land can be developed to minimum densities. Currently single family building sites (80' X 125') can be developed throughout the City without city water and sewer as previously explained. Regarding streets most of the platted building lots have access to public streets. When the City was originally developed the streets were constructed providing access to all the lots.

Staff Recommendation:

Staff is recommending against the reservation of infrastructure capacity for housing for very-low, low and moderate- income persons as an incentive. Because infrastructure as defined by statute is not a factor in housing development there is not a need to reserve capacity for affordable housing. There would be no advantage in adopting this incentive since affordable housing could be developed within the City's existing capacity. The Affordable Housing Advisory Committee will consider this incentive in its triennial evaluation of the LHIP.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive E:

The allowance of affordable accessory residential units in residential zones.

Review Synopsis:

The City of Cape Coral currently permits what are called "guest/staff" quarters in two zoning designations Residential Estate (RE) and Residential Development (RD).

Residential Development (RD)

Guest Staff Quarters are permitted as a special exceptions use subject to the following conditions: must be within a Planned Development Project (PDP), must be located on a site not less than 15,000 square feet, and shall not exceed 600 square feet in living area.

Residential Estate (RE)

Guest Staff Quarters are permitted by right. The minimum lot size in the RE zoning designation is 40,000 square feet.

Accessory Dwelling Units (ADU's) are defined by Florida Statutes as an ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or on the same lot, as the primary dwelling unit. They

are also referred to as granny flats, garage apartments, carriage houses, and ancillary units. ADU's provide a unique opportunity to provide additional affordable units in a community.

Recognizing the shortage of affordable rentals within the state of Florida, the Legislature encouraged local governments to adopt ordinances to authorize the construction of accessory dwelling units within zoning districts that allow single family residential use. Further, these ordinances would require that the building permit application for an accessory dwelling unit be accompanied by an affidavit from the applicant attesting that the unit will be rented at a rate affordable to the targeted populations. Additionally, accessory dwelling units allowed by such an ordinance would apply toward satisfying the affordable housing component for the housing element in the local government's comprehensive plan.

Staff Recommendation:

Staff is not recommending the implementation of Accessory Dwelling Units in single family residential areas in Cape Coral as an incentive. The primary concern regarding accessory dwelling units was the standard lot size, as well as the fact that no mandatory enforcement program currently exists regarding rental registration. The Affordable Housing Advisory Committee will consider this incentive again in its triennial evaluation of the LHIP.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive F:

The reduction of parking and setback requirements for affordable housing.

Review Synopsis:

Parking standards not only affect cost but also the ability to achieve designated densities. They often fail to take into account real vehicle ownership rates and use patterns of the developments prospective residents resulting in excessive on site parking. Excessive parking reduce the number of units that can be provided in the development, add to the per unit costs, encourage automobile use, reduce the potential for additional amenities and add additional impermeable surfaces. The Institute for Transportation Engineers (ITE) and the American Planning Association recommend 2 spaces per single family unit, 1 space for efficiency apartments, 1.5 spaces for a one and two bedroom apartment, 2 spaces for a three bedroom apartment and 1.4 spaces for condominiums. While the single family requirement is consistent with this recommendation, the City of Cape Coral, like many other communities, require higher than this standard for multi-family dwelling units. There are a number of factors programs/actions that can be considered related to parking requirements: a reduction in the requirements for affordable/special needs housing, reduction in parking for mixed use or projects adjacent to transit lines, increasing on street parking allowances, and using multipliers for certain situations (i.e. tenure, density, car sharing). The advantages

of reducing parking requirements include reduction in construction costs, especially when spread out over many units and support of community design goals by reducing the perceived density of housing developments and minimizing the site area devoted to parking areas, which are generally considered unattractive.

Bulk requirements refer to zoning regulations that govern building height, location, and size. Bulk requirements often limit the variety of housing types that are available in a community. Reducing minimum lot sizes and minimum living area promote smaller more affordable units. Additionally, reduction in lot frontage reduces costs for utility installation, services lines, site clearance and landscaping. The City of Cape Coral generally requires a seven and a half foot side yard setback, twenty five foot front setback and twenty foot rear setback.

Staff Recommendation:

In 2008, the Committee recommended a reduction in parking requirements as an incentive to provide affordable housing. Applicants now have the ability to deviate from required parking based on ITE minimums. Staff recommends maintaining this incentive.

Staff is not recommending any changes to the minimum setbacks.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive G:

The allowance of flexible lot configuration, including zero-lot-line configurations for affordable housing.

Review Synopsis:

The City of Cape Coral currently does not have a formal incentive program for the allowance of flexible lot configuration. The City currently allows zero-lot line configurations in residential zoning districts through a Planned Development Process (PDP).

Recommendation:

Staff is recommending maintaining the allowance for zero-lot-line configuration as an incentive. No action necessary at this time.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive H:

The modification of street requirements for affordable housing.

Review Synopsis:

The City of Cape Coral currently does not have an incentive program for the modification of street requirements. The City of Cape Coral was developed as a pre-platted subdivision with streets completed by the developer. Therefore most all of the residential streets are already constructed. The City does maintain Engineering Design Standards that provide for a minimum local road width of fifteen (15) feet for new roads. The Engineering Design Standards do allow for an administrative deviation process.

Excessive street widths and sidewalk requirements can increase the cost of construction for a housing developer which is often times passed on to the consumer. The same development standards are applied to both large and small developments rather than being tailored to fit the developments use or intensity. Streets comprise about half of the improvement costs of the typical single family detached house. A street servicing a minor subdivision can be narrower than one planned for a more intense use. By tailoring standards to the size, use and intensity of a project the cost for all infrastructures can be reduced.

Staff Recommendation:

Staff feels that because of the pre-platted nature of the community this is rarely an issue. Staff is recommending that the modification of street width requirements for new affordable housing developments or projects including affordable housing should be an allowable deviation justification for the administrative deviation process from the engineering design standards. No action necessary at this time.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive I:

The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Review Synopsis:

State statute requires that local governments review all proposed policy and procedure for impact of affordable housing. This deals with all aspect of policy from fees to ordinance changes. Beginning in 2003, all local governments were required to provide a monetary figure to the state relative to policy and procedure reviews in their SHIP annual report. The primary increases in the City of Cape Coral since 2003 have been impact fee increases, a new fee schedule and changes to the landscaping code.

The advantage of this incentive is providing decision makers an indication of the effect of such actions on the cost of affordable housing and housing in general. It provides a cost side of the proposed action versus the benefit side of the impacts of the proposed action.

There currently is no formal process in place regarding this review. Staff is aware that all potential legislation should be reviewed by the Planning Division. The burden is now on the Planning Division to be aware of all proposed changes coming from any department within the City before public hearing.

Staff Recommendation:

Staff is recommending that the reviews of all proposed actions on affordable housing continue.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive J:

The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Review Synopsis:

Section 166.0451, Florida Statutes states the following related to the disposition of municipal property for affordable housing: by July 1, 2007 and every 3 years thereafter, each county and municipality must prepare an inventory list of all real property within its jurisdiction to which the county or municipality holds fee simple title that is appropriate for use as affordable housing.

- The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved.
- The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing.
- Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property.
- The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be offered for sale and the proceeds:
 - may be used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing;
 - may be sold with a restriction that requires the development of the property as permanent affordable housing; and/or
 - may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

Alternatively, the municipality may otherwise make the property available for use for the production and preservation of permanent affordable housing.

Recommendation:

Staff recommends that the City maintains its current incentive program to monitor municipally owned surplus land for use as affordable housing. No action necessary at this time.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

Incentive K:

The support of development near transportation hubs, major employment centers and mixed use developments.

Review Synopsis:

Lack of affordable housing often times lead households to locate far from their places of work, dramatically increasing commute time and transportation cost. This phenomenon is often referred to as “drive until you qualify” in affordable housing circles. This impacts the households through transportation costs and lost time spent with family and the community through increased congestion and wear on infrastructure. For this reason, transportation, employment, and housing should be considered together when examining policy.

Currently, the City of Cape Coral’s Comprehensive Plan includes the following language within the Housing Element relative to the siting of affordable housing:

Policy 4.1: During the review of all housing plans the City shall address the housing needs of the elderly and handicapped to ensure that provisions for accessibility, transportation, affordability and locational needs are addressed to the fullest extent possibly.

Policy 4.4: The City shall incorporate in the provisions for the location of affordable housing, mobile homes, and foster care facilities requirements that such facilities are encouraged to have access to transit routes, arterial roads, shopping areas, schools, parks and community service facilities, medical centers

Given the pre-platted nature of the City, the bedroom community characteristics and lack of public transportation, the mandating of a policy such as this would be difficult. However, the City should seek to encourage this policy as it is consistent with solid planning policy and smart growth principles especially in areas such as Commercial Activity Center Land Use and the Downtown Community Redevelopment Area.

Recommendation:

Staff is not recommending the implementation of this incentive in the City of Cape Coral. The Committee believes that with the City's lack of public transportation and its pre-platted nature this incentive is difficult to mandate. This being said, staff is recommending that this be encouraged for affordable housing projects. No action necessary at this time. The policy will be examined by the Affordable Housing Advisory Committee on a triennial basis.

AHAC Recommendation: Concurs with staff recommendation.

City Council Action: Concurs with AHAC recommendation.

V. Board/Council Consideration:

The City of Cape Coral Local Housing Incentive Plan (LHIP) was reviewed by the City of Cape Coral City Council on December 7, 2015.

VI. Attachments:

Public Hearing Advertisement

Resolution to adopt Incentives

Implementation Matrix

Incentive	Currently Implemented			Recommendation	Implementation Date	Council Approval	
	Yes	No	Partial			Yes	No
The processing of approvals of development orders or permits, as defined in Section 163.3164 (7) and (8), Florida Statutes, for affordable housing projects are expedited to a greater degree than other projects.	✓			Maintain.		✓	
The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.			✓	Maintain. Currently unfunded.		✓	
The allowance of flexibility in density for affordable housing.			✓	Maintain		✓	
The reservation of infrastructure capacity for housing for very-low, low and moderate- income persons.		✓		Do Not Implement	N/A	✓	
The allowance of affordable accessory residential units in residential zones.		✓		Do Not Implement	N/A	✓	
The allowance of flexible lot configuration, including zero-lot-line configurations for affordable housing.	✓			Maintain	N/A	✓	
The reduction of parking and setback requirements for affordable housing.	✓			Maintain. Parking only.		✓	
The modification of street requirements for affordable housing.	✓			Maintain		✓	
The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.	✓			Maintain		✓	
The preparation of a printed inventory of locally owned public lands suitable for affordable housing.	✓			Maintain.		✓	
The support of development near transportation hubs, major employment centers and mixed use developments.		✓		Do Not Implement. Encourage the location of affordable housing in these locations.		✓	

THE NEWS-PRESS
Published every morning
Daily and Sunday
Fort Myers, Florida
Affidavit of Publication

RCVD NOV 16 '15

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Shari Terrell** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

DISPLAY

In the matter of:

**City of Cape Coral – Affordable
Housing Incentive Plan**

In the court was published in said newspaper
in the issues of
October 25, 2015

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Shari Terrell

Sworn to and subscribed before me this 11th day of November, 2015.

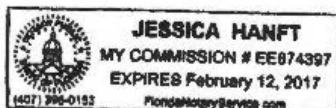
by **Shari Terrell**
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Jessica Hanft

Print Name: **Jessica Hanft**
My commission Expires: **February 12, 2017**



**PUBLIC NOTICE OF AVAILABILITY
CITY OF CAPE CORAL
AFFORDABLE HOUSING INCENTIVE PLAN**

In accordance with Section 420.9076 Florida Statutes and Chapter 67-37.010 of the Administrative Code, the City of Cape Coral Affordable Housing Advisory Committee prepared the required Affordable Housing Incentive Plan. This document contains recommendations related to eleven (11) incentives that may be utilized to encourage the development of affordable housing in the City of Cape Coral. A draft of the plan is available for public inspection and comment at the Department of Community Development Planning Division, located at 1015 Cultural Park Boulevard, Cape Coral, Florida 33914, or the City of Cape Coral website (www.capecoral.net).

Those interested persons and/or parties wishing to review and make comment regarding the Affordable Housing Incentive Plan, may do so during normal business hours Monday through Friday 8:00AM to 3:30PM. The draft plan will be made available for public comment inspection beginning Monday, October 26, 2015. All written comments must be received no later than 3:30 PM, November 25, 2015 to be included in the plan submitted to the Housing Finance Corporation. Comments may be submitted to the City of Cape Coral, Department of Community Development, Planning Division P.O. Box 150027, Cape Coral, Florida 33915, attention Amy Yearsley Thomas, AICP, Housing Coordinator or electronic mail at Ayearsle@capecoral.net. All public comments and the City's response will be provided to the Florida Housing Finance Corporation with the submission of the Plan.

The draft Affordable Housing Incentive Plan will be heard by the City's Affordable Housing Advisory Committee (AHAC) at their November 18, 2015 meeting. Public comment will be accepted at this meeting, to be held at 5:30 PM in Conference Room 2006 located behind the City Council Chambers. The final public hearing will be held during the regular City Council meeting on December 7, 2015 at 4:30 PM in City Council Chambers.

For further information regarding the Affordable Housing Incentive Plan and/or the program, please contact Amy Yearsley Thomas, AICP, Housing Coordinator at (239) 571-1500.

Publication date: Oct 26, 2015

RESOLUTION 204 – 15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA APPROVING THE LOCAL HOUSING INCENTIVE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SECTION 420.9076, FLORIDA STATUTES, AND RULE CHAPTER 67-37.010, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING INCENTIVE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING AND DIRECTING STAFF TO PREPARE THE REQUIRED AMENDMENTS TO THE LOCAL HOUSING ASSISTANCE PLAN IN ACCORDANCE WITH THE LOCAL HOUSING INCENTIVE PLAN BY THE REQUIRED SUBMISSION DEADLINES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the Legislature amended Section 420.9072, Florida Statutes, to state that affordable housing is most effectively provided by combining available public and private resources, and that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low income persons, and community groups to produce affordable housing; and

WHEREAS, Section 420.9076, Florida Statutes, and Rule Chapter 67-37.010, Florida Administrative Code, require each municipality that participates in the State Housing Incentives Partnership Program (SHIP) to establish an Affordable Housing Advisory Committee to recommend monetary and non-monetary incentives for affordable housing; and

WHEREAS, the Affordable Housing Advisory Committee has prepared a Local Housing Incentive Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Council finds that it is in the best interest of the public for the City of Cape Coral to submit the Local Housing Incentive Plan for review and approval.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA that:

Section 1: The City Council of the City of Cape Coral hereby approves the Local Housing Incentive Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by Section 420.9076, Florida Statutes, and Rule Chapter 67-37.010, Florida Administrative Code.

Section 2: Authorized employees of the City of Cape Coral are hereby authorized and directed to amend the City of Cape Coral Local Housing Assistance Plan in accordance with the Local Housing Incentive Plan by the required submission deadline.

Section 3: Effective Date. This resolution shall take effect immediately upon its adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 14th DAY OF December, 2015.


MARI L. SAWICKI, MAYOR

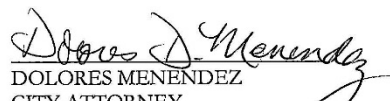
VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI	<u>Aye</u>	LEON	<u>Aye</u>
BURCH	<u>Aye</u>	ERBRICK	<u>Aye</u>
CARIOSCIA	<u>Aye</u>	WILLIAMS	<u>Aye</u>
STOUT	<u>Aye</u>	COSDEN	<u>Aye</u>

ATTESTED TO AND FILED IN MY OFFICE THIS 10th DAY OF December,
2015.


REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


DOLORES MENENDEZ
CITY ATTORNEY
LHIP Resolution 2015

Incentive	Currently Implemented			Recommendation	Implementation Date	AHAC		Council Approval	
	Yes	No	Partial			Yes	No	Yes	No
The processing of approvals of development orders or permits, as defined in Section 163.3164 (7) and (8), Florida Statutes, for affordable housing projects are expedited to a greater degree than other projects.	✓			Maintain.					
The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.	✓			Maintain.					
The allowance of flexibility in density for affordable housing.			✓	Maintain. Adopt in New Code.					
The reservation of infrastructure capacity for housing for very-low, low and moderate- income persons.		✓		Do Not Implement					
The allowance of affordable accessory residential units in residential zones.		✓		Consider in New Code.					
The allowance of flexible lot configuration, including zero-lot-line configurations for affordable housing.		✓		Maintain. Adopt in New Code. PUD.					
The reduction of parking and setback requirements for affordable housing.			✓	Maintain existing. Adopt Reduced in New Code.					
The modification of street requirements for affordable housing.	✓			Maintain.					
The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.	✓			Maintain.					
The preparation of a printed inventory of locally owned public lands suitable for affordable housing.	✓			Maintain.					
The support of development near transportation hubs, major employment centers and mixed use developments.		✓		Do Not Implement. Encourage the location of affordable housing in these locations.					

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 5 – DEVELOPMENT STANDARDS**

3. A minimum of one additional off-street parking space shall be provided. The additional space shall be on the same lot as the principal dwelling unit.
4. No new access points or driveways shall be created or installed for access to the ADU.
5. The accessory dwelling may contain no more than a living area, one bedroom, one bath, and a kitchen.
6. The owner of the property shall live in the principal dwelling or the ADU.

B. ADUs within a single-family dwelling shall comply with the following:

1. There shall only be one entrance to the front of the house. Separate entrances to an ADU are permitted at the side or the rear of the principal dwelling unit.
2. If the ADU and the principal residence are on the same floor or story, the ADU shall be limited to 30 percent of the total living area of the principal dwelling or 800 square feet, whichever is less. If the ADU is on a single floor or story and there is no increase in the size of the house, the entire floor or story may be used for the ADU.

C. Detached structures serving as an ADU shall comply with the following:

1. May not exceed one story.
2. Must comply with the zoning district dimensional regulations.
3. Maximum building height shall not exceed 14 ft.
4. May not exceed 30 percent of the area of the primary structure or 800 square feet, whichever is less.

Section. 5.2.3. Arbors, trellises, and pergolas.

- A. Arbors, trellises, and pergolas shall be allowed as freestanding or attached structures. There is no limit on the number of attached pergolas, arbors, and trellises per primary structure.
- B. Freestanding pergolas and arbors are limited to 200 square feet of coverage per single-family detached residential property. Freestanding pergolas and arbors are limited to 100 square feet per unit of a duplex property.
- C. The amount of freestanding square footage coverage for multi-family residential developments may be determined by the Community Development Director. The criteria for this determination include:
 1. Design, size, location, and number of proposed arbors, trellises, and pergolas;

Double Frontage Lot

STREET Y

Rear Setback for Fences & Accessory Structures = Front Setback for Street Y

25'

80'

125'

STREET X

F

Front Setback

25'

(Graphic not to scale)

A. All ADUs shall comply with the following:

- ARTICLE 5 – DEVELOPMENT STANDARDS – P&Z Public Hearing Draft Clean Copy Version #1 - 08-08-201.docx

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 5 – DEVELOPMENT STANDARDS**

4. The parking of a recreational vehicle, automobile, or truck in an area not designated for parking is prohibited.

5. Drive-thru facilities for restaurants are prohibited.

6. Fuel pumps for retail sales of fuel are prohibited.

R. Evacuation plan. Prior to issuance of a certificate of use for a recreational vehicle park, the developer shall provide an emergency response plan, approved by the Fire Chief that requires the removal of all recreational vehicles in the event of a hurricane. At a minimum, all recreational vehicles and occupants shall evacuate when notified of a "Hurricane Watch" being issued for the city. Any amendment by the developer to an approved evacuation plan requires approval by the Fire Chief.

Section. 5.10.6. Micro cottage Village Development (MCVD).

Micro cottage Village Developments (MCVDs) provide a location for City residents who wish to reside on lots which are much smaller than the typical Cape Coral property. This housing type encourages efficient use of land, affordability, and energy conservation. Micro cottage housing allows for a higher density single family development than is normally allowed. This is made possible by smaller home sizes, clustered home sites, and parking and design standards. These villages shall be developed to ensure that they provide an attractive, clean option for these residents which also will not have a deleterious effect on nearby properties.

A. Minimum area and density requirements. The minimum allowable area for a MCVD shall be three acres and the maximum density of micro cottages shall not exceed 8.8 dwelling units per acre. The minimum lot size for individual lots shall be 5,000 square feet.

B. Buffering. Sites adjacent to single family zoning and land use shall provide a 25' buffer along each abutting perimeter.

C. Availability of infrastructure. MCVDs shall be serviced by city utilities.

D. Clustering. A MCVD is composed of clusters of micro cottages.

1. Minimum units per cluster: 4.

2. Maximum units per cluster: 12.

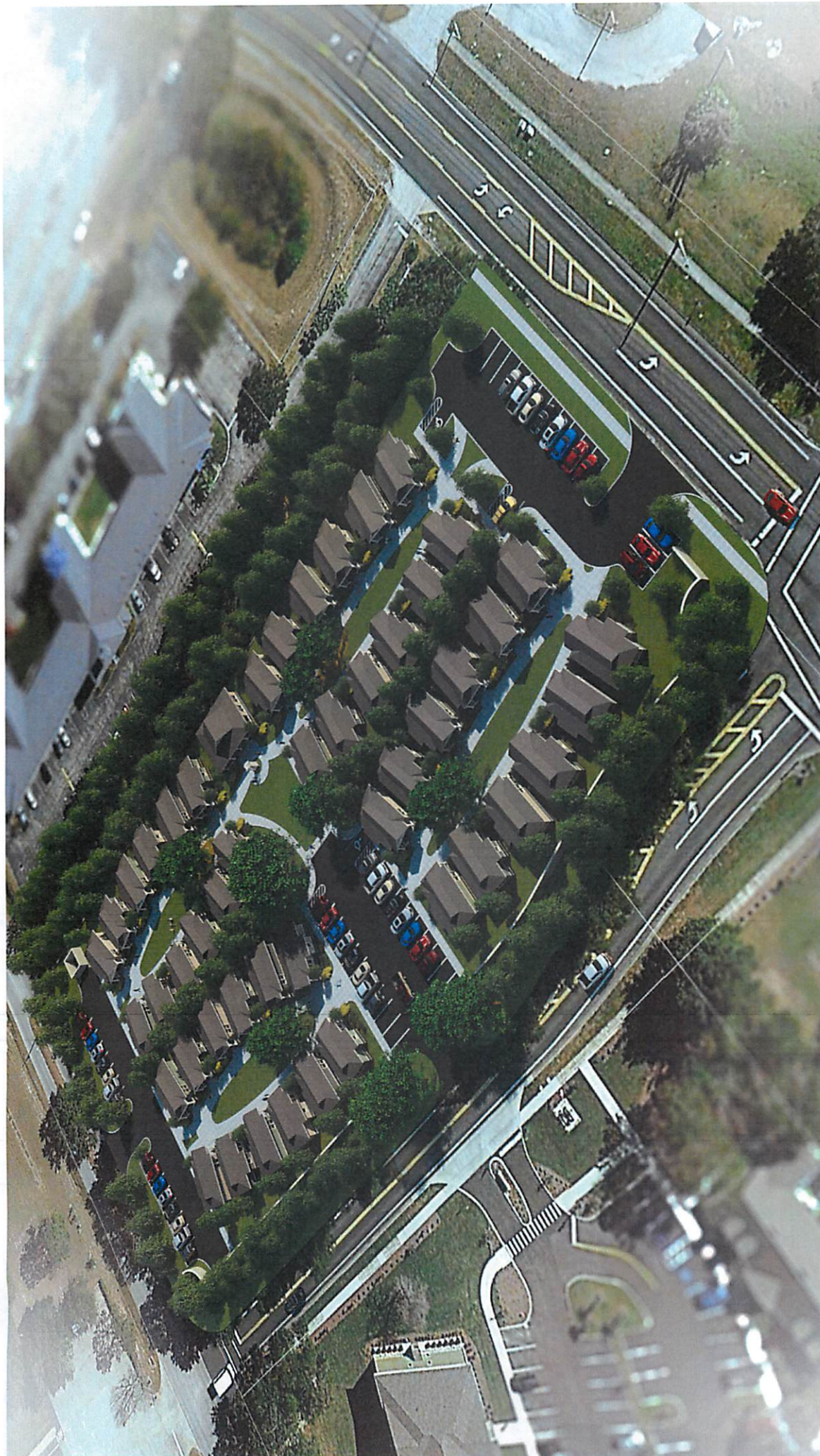
E. Common open space. Each cluster of micro cottages shall have common open space and provide a sense of openness and community for residents. Open space requirements are as follows:

1. Each cluster of micro cottages shall have common open space to provide a sense of openness and community for residents;

2. At least 400 square feet per micro cottage of common open space is required for each cluster.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 5 – DEVELOPMENT STANDARDS**

- 5308
- 5309 3. Each area of common open space shall be in one contiguous and useable piece.
- 5310
- 5311 4. To be considered as part of the minimum open space requirement, an area of common open
- 5312 space must have a minimum dimension of 20 feet on all sides.
- 5313
- 5314 5. The common open space shall be at least 3,000 square feet in area, regardless of the number of
- 5315 units in the cluster.
- 5316
- 5317 6. Required common open space may be divided into no more than two separate areas per cluster.
- 5318
- 5319 7. At least two sides of the common open area shall have micro cottages along its perimeter.
- 5320
- 5321 8. Parking areas, yard setbacks, private open space, and driveways do not qualify as common open
- 5322 space.
- 5323
- 5324 F. Community Buildings. Community buildings are permitted in MCVDs. Community buildings shall be
- 5325 clearly incidental in use and size to dwelling unit and shall be no more than one story.
- 5326
- 5327 G. Ownership. Community buildings, parking areas and common open space shall be owned and
- 5328 maintained commonly by the MCVD residents, through a condominium association, a homeowners'
- 5329 association, or a similar mechanism, and shall not be dedicated to the City.
- 5330
- 5331 H. Size. Micro cottages shall meet the following requirements:
- 5332
- 5333 1. The gross floor area of each micro cottage shall not exceed 1,100 square feet.
- 5334
- 5335 2. At least 25% of the micro cottages in each cluster shall have gross floor area less than 1,000 square
- 5336 feet.
- 5337
- 5338 3. Micro cottage areas that do not count toward the gross floor area or footprint calculations are:
- 5339
- 5340 a. Interior spaces with a ceiling height of six feet or less, such as in a second floor are under the
- 5341 slope of the roof;
- 5342
- 5343 b. Architectural projections—such as bay windows, fireplaces, or utility closets—no greater than
- 5344 24 inches in depth and six feet in width;
- 5345
- 5346 c. Attached unenclosed porches;
- 5347
- 5348 d. Garages or carports;
- 5349
- 5350 4. The footprint of each micro cottage shall not exceed 850 square feet.
- 5351
- 5352 I. Unit Height. The maximum height of a micro cottage shall be 25 feet.
- 5353





Item Number:	4.C.
Meeting Date:	10/30/2018
Item Type:	BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Discussion/Recommendation - Micro Cottage Village Development (MCVD)

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ Handout from 10/23 AHAC Meeting	Backup Material
▢ 2018 LHIP Version 1.2	Backup Material
▢ Accessory-Dwelling-Units	Backup Material
▢ Municipal Zoning Regulations - Fair Housing Checklist	Backup Material
▢ The 5 Immutable Laws of Affordable Housing - Strong Towns	Backup Material

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 5 – DEVELOPMENT STANDARDS**

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**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 5 – DEVELOPMENT STANDARDS**

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5342
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5344 24 inches in depth and six feet in width;
5345
5346 c. Attached unenclosed porches;
5347
5348 d. Garages or carports;
5349
5350 4. The footprint of each micro cottage shall not exceed 850 square feet.
5351
5352 I. Unit Height. The maximum height of a micro cottage shall be 25 feet.
5353







**CITY OF CAPE CORAL
AFFORDABLE HOUSING INCENTIVE PLAN
2018 INCENTIVE REVIEW AND RECOMMENDATION REPORT**

Affordable Housing Advisory Committee Version 1.2

Accessory Dwelling Units:

A Smart Growth Tool for Providing Affordable Housing

By Jaimie Ross, President & CEO of the Florida Housing Coalition

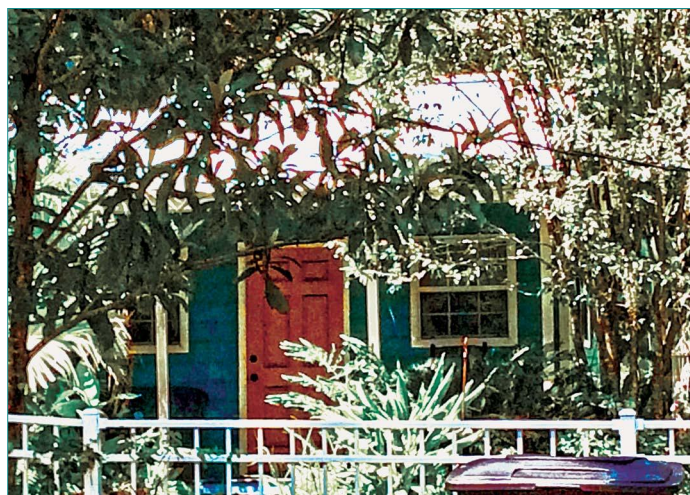
An accessory dwelling unit (ADU) is a residential unit that is secondary to the primary residence of the homeowner. It can be an apartment within the primary residence or it can be an attached or freestanding home on the same lot as the primary residence. The concept of an accessory dwelling unit is to have an additional complete residence, meaning a place for sleeping, bathing, and eating independent of the primary home. An ADU is a tool for providing affordable rental housing and promoting smart growth. These smaller housing units are typically infill units built where there is existing infrastructure, making greater use of the already developed land.

The Value of an Accessory Dwelling Unit

An accessory dwelling unit creates affordable housing in two ways: the secondary (accessory) dwelling is a small rental unit that will ordinarily rent at a price within the means of lower income persons; at the same time, the rental income from the accessory dwelling unit can render the primary residence more affordable by virtue of the income it generates for the resident owner of the primary residence.

Ordinarily, the accessory dwelling unit is smaller than the primary residence of the homeowner. But, if permitted by the local government, the owner may choose to live in the smaller unit and rent out what was the primary residence. At first blush this arrangement may seem odd, but in the case of a family that now has a single elderly member living on a fixed income, this arrangement can provide the perfect affordable living solution; a more appropriately sized living space and a higher rental income.

AARP engaged the American Planning Association (see resources sidebar on page 20) to develop a model state act and local ordinance as a resource for meeting the affordable needs of elder Americans. ADUs are particularly well suited for lower income elderly because in addition to increasing affordability, the elderly homeowner may also obtain companionship and needed services from the tenant in the ADU. The use of ADUs can assist the elderly to “age in place”. An example of this cited in the Public Policy Institute publication is from Daly City, California:



This cottage is an example of a detached accessory dwelling unit built in the side/backyard with roof lines, colors, and architectural design that matches the larger primary home.

“One homeowner with Alzheimer’s was able to trade ADU quarters for medical services from an ADU tenant, a nurse, who was also delighted by the arrangements.”

Permitting accessory dwelling units is a way for government to create an environment in which the private sector can produce affordable housing, without having to invest public dollars. Removing the land use barriers which prevent accessory dwelling units from being built may be all that local government needs to do for affordable accessory dwelling units to be built. This is an example of how regulatory reform can increase the supply of affordable housing.

However, if the purpose in permitting accessory dwelling units is to increase the supply of affordable housing, local governments need to be thoughtful about the manner in which ADUs are permitted. Without conditions placed upon the use of ADUs, the garage apartment in an expensive or desirable area could end up an “illegal use” such as a Bed and Breakfast. If local governments want to encourage the production of ADUs for affordable housing, a loan program to assist the homeowner in developing the unit is an effective way of providing an incentive for development together with an assurance of affordability through a recorded land use restriction agreement made in conjunction with the loan.

Obstacles to Accessory Dwelling Units

Traditional “Euclidian” zoning separates land uses in a way that prohibits more than one single residence on a platted lot, regardless of the acreage. If two or more residences are situated on a single lot, they would need to be in a more intensive residential zone, such as one that permits duplexes or multi-family housing.

Some single family zoning may permit an accessory dwelling unit, but require that special circumstances be shown to warrant the use, such as a unit limited to use as a “granny

flat” or “mother-in law” suite to accommodate immediate family members. The local zoning code may also limit the accessory dwelling use by proscribing separate metering of the accessory dwelling unit. In short, there may be a number of land use regulations to overcome. Another obstacle to ADUs may be neighborhood or community resistance. The owners of single family homes may object to having renters in their neighborhood; they may fear increased traffic and parking, or perceive a threat to their property value.

Promotion of ADUs as an Affordable Housing Strategy

When the SHIP Legislation was adopted in 1992*, included in the list of regulatory reform items for consideration by all SHIP jurisdictions (all counties and entitlement cities in Florida), was permitting accessory dwelling units in all residential areas. Most jurisdictions did not opt to include this incentive, but a number of jurisdictions in Florida do make some provision for accessory dwelling units.

In 2004, Chapter 163 Florida Statutes, was amended to include Section 163.31771 entitled “Accessory dwelling units.” The law encourages local governments in Florida, especially those in urban areas, to permit accessory dwelling units in all areas zoned for single-

family residential use. The purpose of this legislation is to increase the production of affordable rental housing. To that end, the statute provides that “an application to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to extremely low income, very low income, low income or moderate income person or persons.” The statute also states that each affordable accessory dwelling unit shall apply toward satisfying the affordable housing component of the housing element in the local government’s comprehensive plan. Local governments in Florida are, of course, empowered to permit accessory dwelling units without this statute, but the statute brings this underutilized tool to the fore and makes

Permitting accessory dwelling units is a way for government to create an environment in which the private sector can produce affordable housing, without having to invest public dollars.

explicit the connection to local government comprehensive planning obligations.

Considerations for ADU Ordinances

Accessory dwelling units could be permitted without adoption of a separate ordinance by simply having accessory dwelling units enumerated as a permitted use within the single family residential use category. It is unlikely, however, that this will be the chosen vehicle, as it fails to provide the parameters for the development and use of accessory dwelling units, which are key to successfully balancing the production of affordable rental housing with the concerns of the existing single family homeowners.

Virtually all ADU ordinances require that the owner reside in either the primary or the secondary unit. But there are a number of issues that can be decided differently depending upon community needs. All programs for the development of ADUs should consider the following:

- **Conditional use or “by right”** – If the ADU is a conditional use, a public hearing would be required – this makes the process more difficult for the applicant, but provides a forum for input from the neighborhood. If the ADU is “by right” it is a permitted use and, provided the application meets the requirements in the ordinance, it will be approved administratively, without public hearing.
- **Permitting process** – To encourage the development of ADUs, local government can create a user friendly process for construction which includes expedited processing (a requirement under the SHIP program), a manual to help the homeowner, and a staff person charged with overseeing the program.



This is an example of an attached accessory apartment in the back of this single family home. Neither the accessory apartment or the off-street parking are visible from the front of the house.

- **Size regulations** – ADU ordinances commonly have a minimum lot size for the total parcel and a maximum ADU size. The goal is to maintain the aesthetic integrity of the single family neighborhood. Performance standards rather than arbitrary size limitations may better address neighborhood concerns.
- **Design requirements** – To ensure compatibility and maintain the aesthetic character of the neighborhood, an ADU ordinance may set forth minimum design standards and have architectural review requirements.
- **Parking requirements** – To avoid parking problems in an urban area, the ordinance may require that there be sufficient on-street parking or off-street parking, or may require that parking be at the back of the residence.
- **Type of unit** – Different considerations may apply if the ADUs are within the primary residence, such as a basement apartment; attached to the primary residence, such as a garage apartment; or detached from the primary residence, such as a cottage.
- **Occupancy restrictions**
 - Some ordinances may prescribe the maximum number of people who can live in the ADU or the type of renters, such as limiting the rental to relatives or the elderly.
- **Incentives to produce ADUs** – Loans for the production of the ADU may make it easier to monitor for affordability and assist the local government in directing applicants on its rental waiting lists to affordable ADUs.
- **Monitoring** – Some ADU programs have an annual affidavit requirement or other means for monitoring whether the ADU continues to be used in accordance with the local ADU requirements.



ADUs do not have to be an afterthought. New construction of single-family homes could also include construction of an ADU. "Carriage houses" accessible from alleys are commonly found in the "New Urbanism" or Traditional Neighborhood Design. But without an ADU ordinance requirement that these units be affordable, the carriage houses in this "new urbanism" community exceed affordable rents, as the desirability of the traditional neighborhood design development drives housing prices out of the affordable range.

One of the keys to a successful program is the information and technical assistance provided to the community and the prospective developer/owner of an ADU. To ensure the success of its program, Montgomery County, Maryland has a guidebook to assist applicants through the permitting process for accessory apartments. The County also assists the applicant by having a staff person assigned to help applicants through the process.

In 2004, the Environmental Protection Agency gave the city of Santa Cruz California the National Award for Smart Growth Achievement for its Accessory Dwelling Unit Policies and Regulations, which includes a manual for developing ADUs, including architectural designs. You can access the Santa Cruz manual and ADU prototypes on line at: <http://www.cityofsantacruz.com/home/showdocument?id=8875>

If your local government would like technical assistance to help develop an accessory dwelling unit ordinance or navigate the issues to be addressed with accessory dwelling unit ordinances, contact the Florida Housing Coalition at (850) 878-4219, or Jaimie Ross at ross@flhousing.org HNN

*Florida Statute 420.9076 (4) "At a minimum, each advisory committee shall make recommendations on affordable housing incentives in the following areas: (c) the allowance of affordable accessory residential unit in residential zoning districts.



JAIMIE ROSS

Jaimie A. Ross is the President & CEO of the Florida Housing Coalition. Ms. Ross served as the Affordable Housing Director at 1000 Friends of Florida, a statewide nonprofit smart growth organization, from 1991-2015. Prior to her tenure at 1000 Friends of Florida, Ross was a land use and real property lawyer representing for profit and nonprofit developers and financial institutions with a law firm in Orlando. Nationally, she serves on the Boards of Grounded Solutions Network and the Innovative Housing Institute. Ross is the past Chair of the Affordable Housing Committee of the Real Property Probate & Trust Law Section of the Florida Bar.

Resources for ADU Models

"Accessory Dwelling Units: Model State Act and Local Ordinance," Public Policy Institute, Rodney L. Cobb & Scott Dvorak, American Planning Association
http://assets.aarp.org/rgcenter/consume/d17158_dwll.pdf

Examples:

Massachusetts Smart Growth Toolkit Bylaws
<http://www.horsleywitten.com/services/planning/smart-growth-low-impact-development/>

Santa Cruz California ADU Manual
<http://www.cityofsantacruz.com/home/showdocument?id=8875>

State of Georgia (Department of Community Affairs)
http://www.dca.state.ga.us/intra_nonpub/Toolkit/ModelOrdinances/TND_ModOrd.pdf

Municipal Research & Service Center of Washington "Accessory Dwelling Units Issues and Options"
<http://mrsc.org/getmedia/54c058a5-4d57-4192-a214-15f2fa5ac123/ADU30.pdf.aspx>

Vermont "Accessory Dwelling Units: A Guide for Homeowners"
http://accd.vermont.gov/sites/accd/files/Documents/strongcommunities/housing/2013Edition_Accessory_Apts_Brochure.pdf

Accessory Dwelling Units: Model State Act and Local Ordinance
<http://www.docdatabase.net/more-accessory-dwelling-units-model-state-act-and-local-ordinance-577683.html>

Accessory Dwelling Units Report to the Florida Legislature
<http://landuselaw.wustl.edu/Articles/ADU.Report.pdf>

City of Santa Cruz Accessory Dwelling Unit Development Program
<http://www.cityofsantacruz.com/departments/planning-and-community-development/programs/accessory-dwelling-unit-development-program>

Municipal Zoning Regulations – Fair Housing Checklist

The following fair housing checklist identifies measures that municipal officials can take to refine their actions and decisions relative to zoning and subdivision regulations in order to avoid accusations of fair housing violations and to demonstrate that the community affirmatively furthers fair housing.

When a municipality obtains funds provided by the U.S. Department of Housing and Urban Development (HUD), including pass-through funds from the Westmoreland County Department of Planning and Development (such as CDBG or HOME), the municipality must certify that it affirmatively furthers fair housing. While the term “affirmatively furthering” is not specifically defined in any HUD statutes, HUD interprets the term as calling upon a local government entity to take steps to prevent fair housing violations through activities such as:

- Analyzing and eliminating housing discrimination,
- Promoting fair housing choice for all persons,
- Providing opportunities for inclusive patterns of housing occupancy,
- Promoting housing that is structurally accessible to and usable by all persons, particularly persons with disabilities, and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

Undertaking actions using the guidance of this checklist will evidence a municipality’s intent to conduct its zoning and land use matters in ways that do not purposefully discriminate and that minimize the creation or perpetuation of unfair burdens that are prohibited by fair housing laws.

Zoning and subdivision regulations should be reviewed to determine if the following conditions are met:

- There is an opportunity to develop various housing types (single-family, duplex, multi-family, etc.),
- There is an opportunity to develop affordable housing through alternative designs (PUDs, cluster zoning, etc.),
- Minimum lot size requirements are reasonable and allow for various housing types,
- Group homes for persons with disabilities should be allowed by right in all zoning districts that allow single-family housing units by right,
- Mobile homes should be treated as stick built single-family dwelling units and should be allowed by right in all zoning districts that allow single-family housing units by right,
- The definition of family should not restrict the number of unrelated persons that can live together as a family, and
- There is ample land zoned and available for multi-family housing.

Measures presented in the checklist are organized into two categories:

- Removing Barriers to Fair Housing – Actions to rectify potential impediments; and
- Supporting Fair Housing Opportunities – Actions and incentives that promote the expansion of housing opportunities

Municipal Zoning Regulations – Fair Housing Checklist

Removing Barriers to Fair Housing

- ☐ **Review requirements affecting housing density.** In zoning bylaws, consider whether minimum lot sizes and setback distances required for different types of housing in each district can be revised to permit increased density without significantly compromising other community development policies. Land costs are typically a major determinant of housing costs. Thus, allowing for increased numbers of housing units on the same area of land can mean significant cost savings. Many community development policies can be effectively addressed by means that are less expensive than requiring larger lot sizes. Excessively larger lot sizes may deter the development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that can more easily support the creation of affordable housing.
 - ☐ Minimum lot size requirements specified in the zoning ordinance are acceptable and do not restrict multi-family housing development from occurring within the municipality.
- ☐ **Eliminate language that may unlawfully discriminate against affordable housing (including mobile homes, mobile home parks, and multi-family housing) and special needs housing.** Municipal zoning ordinances should not prohibit mobile homes or group homes for persons with disabilities from locating in zoning districts where single-family housing units are permitted by right. In addition, restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes that limit their housing choice.
 - ☐ Mobile homes are permitted by right in zoning districts that allow single-family dwelling units.
 - ☐ Group homes for persons with disabilities are permitted by right in zoning districts that allow single-family dwelling units.
 - ☐ Definition of family does not limit the number of unrelated persons that can live together as a family. (Limiting the number of unrelated persons to six persons or more is an acceptable HUD threshold.)

Supporting Fair Housing Opportunities

- ☐ **Ample land is zoned and available for the development of affordable, family rental housing units.** With a variety of residential zoning districts, a variety of housing types on varying minimum lot sizes can offer more affordable housing choice to residents. Municipal zoning ordinances should include areas zoned for multi-family housing and the municipal zoning map should illustrate where these areas are located within the municipality.
 - ☐ Ample zoning districts are designated for multi-family housing and these multi-family districts have reasonable regulations.
 - ☐ The municipality's zoning map was reviewed and there is ample land zoned for and available to build multi-family housing.

Municipal Zoning Regulations – Fair Housing Checklist

- ☐ **Encourage the development of affordable housing units through alternative design (i.e. inclusionary zoning, PUDs, cluster zoning, etc.).** Inclusionary zoning requires a proposed development to include a certain percentage of housing units that have housing features the community encourages. This requirement usually applies only to a development proposing to build a minimum number of total units in one or more phases (such as 20 units). The municipality establishes inclusionary zoning for the types of housing that the municipality targets in its comprehensive plan as being in need, such as affordable housing or accessible units. In addition, establishing a process to approve planned unit development (PUDs) allows a community to substitute good site design principles for uniform design standards (such as minimum lot sizes) in the review of a proposed development so that it fulfills community development policies. Cluster zoning regulations allow buildings to be built at higher density in one area of a parcel to protect open space elsewhere on the parcel, without increasing the overall number of residential units permitted on the parcel.
 - ☐ The municipal zoning ordinance supports alternative design methods, such as PUDs, inclusionary zoning, and/or cluster zoning, which encourage the development of affordable housing.



THE 5 IMMUTABLE LAWS OF AFFORDABLE HOUSING

DECEMBER 11, 2017

BY SPENCER GARDNER

As we prepared our recap of best articles from 2017 ([see all our Best Of content here](#)) I knew this piece by Spencer Gardner had to be included. Since its publication in May, it has frequently been referenced and commented on by [our members](#) and readers, and I think that's because of the clarity with which Spencer writes.

The high cost of housing increasingly impacts cities of all sizes, and it's an incredibly challenging and controversial topic. Left-leaning folks might point to big developers or prejudiced, "[NIMBY](#)" residents as the causes that keep people from securing and maintaining affordable housing. Right-leaning people may blame the government for its overreaching regulations into private housing matters, or suggest that people who choose to live in expensive cities need to manage those consequences themselves.

In this essay, Spencer does not propose a one-size-fits-all solution nor does he point to one or two root causes of affordable housing challenges. Rather, he sets forth a framework of concepts to keep in mind as you think about how to improve housing affordability in your community. His ideas apply whether you live in rural Nevada, New York City, or anywhere in between. – Rachel Quednau

Affordable housing has become something of a buzzword (or two words) in urban circles over the last few decades. In fact, a veritable movement has arisen in cities with high housing costs, which seeks to ensure that people of all



income levels have access to decent housing. A semantic problem has even arisen wherein [capital A “Affordable Housing” is different from just plain affordable housing](#).

I don't intend to question the motives of the good people working in the Affordable Housing world; they're doing what they know. But I believe ideas and outcomes are fair game for criticism. To that end, I propose we recognize and understand these five rules of affordable housing.



Affordable housing under construction in West Sacramento, CA (Photo by [Mark Hogan](#))

5 Immutable Laws of Affordable Housing

1. Developers don't pay the costs of construction; tenants and buyers do.

A developer who doesn't pass costs on will not be in business for very long. For this reason, anything that makes development more costly for developers makes housing more costly for people. And remember, time is money; a convoluted permitting process makes housing more expensive, too.

2. Housing demand is regional.

Regulations might stop your neighborhood from growing, but that won't stop people from moving to your city. Every house that doesn't get built in your neighborhood is a house getting built somewhere else, usually at the edge of town. The level of cognitive dissonance in people who, on the one hand vociferously proclaim their love of the environment and slander the destruction of agricultural or environmentally sensitive land at the edge of town, and on the other vehemently oppose development in their neighborhood could be the subject of whole dissertations in social psychology (not to mention the environmental cost of longer commutes from the edge of town).



As Strong Towns member and contributor Johnny Sanphillippo pointed out [in a recent article](#), these tract homes were once symbols of status and modernity. Now they are affordable housing.

3. If your zoning and building code mandates expensive housing, housing will be expensive.

Most zoning codes place minimums on the size of dwelling units, the size of lots, and countless other factors that affect the cost of building housing. Unfortunately, these minimums don't generally envision affordable construction types, [even in the most progressive and challenged of housing markets](#).

4. Affordable housing isn't affordable if your transportation costs are too high.

Leaving the cost of transportation out of the definition of affordable housing favors development where land is cheap but the transportation system is built around the

private automobile. Cars are not cheap — [even according to car advocates](#).

5. Today's affordable housing was the last generation's luxury housing.

Many of the older neighborhoods that provide the lion's share of affordable housing today were once [the shiny new environs](#) of the expanding American middle class, who built massive amounts of new housing in the middle of the last century with amenities like washing machines that were the newest, hottest consumer amenities of their time.

3 Strategies for Achieving Housing Affordability

If cities step back and let the “free market” (whatever that means) drive, could we more effectively provide affordable housing? Probably, but there are legitimate reasons that cities regulate land development. My intent is not that cities should subtract themselves from the equation, rather, that cities should be cognizant of the effects of their actions. If impediments to free, unfettered land development are going to raise costs, shouldn't we weigh their impacts?

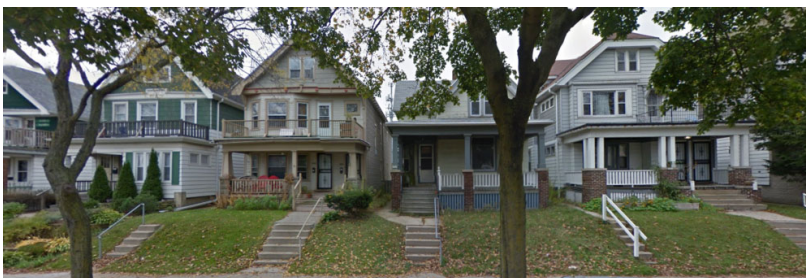
So what are some ways a strong town can address high housing prices? Here are three strategies that your city should consider:

1. Reduce minimum lot sizes and relax density restrictions in single-family zones.

The cost of purchasing land is a significant portion of the total cost of a house. This is especially true in low-density residential development where the buildings occupy a much smaller footprint. If your zoning code requires large lots, the houses that are built will be more expensive than if they could be built on smaller lots. That's a mathematical fact that should be intuitive but has escaped scrutiny in most communities with affordability issues.

Restricting development in low-density residential zones also increases the cost of housing by the same logic: if you can only build one housing unit on a lot, the cost of that land must be absorbed by that single unit. Allowing more units spreads the land costs over many households, lowering the total cost of development.

There are several ways to increase the amount of housing in residential areas without altering the overall character of development. [Accessory dwelling units \(ADUs\)](#) have received more attention of late. Duplexes, three-flats, and even small four-unit buildings can easily be designed to fit in with nearby single-family homes. These kinds of buildings should be allowed by right in low-density residential zones — no strings attached. Unlocking such large areas of land for modest increases in housing immediately opens up huge development potential without threatening the existing character of neighborhoods.



A mix of single-family homes and duplexes on a Milwaukee street. Can you spot which is which? (Image from [Google Earth](#))

In fact, if you live in an older residential neighborhood, chances are high that there are examples of this kind of development right in your own backyard and you've never noticed. Try counting mailboxes or utility meters on houses near you sometime; you might be surprised what you find.

2. Fix your zoning; if by-right development is economically infeasible, you're creating artificial scarcity.

Only the biggest players have deep enough pockets and the requisite experience to fight for rezoning or variances. [The rest](#) will simply look elsewhere for adding units, or not build them at all. What's worse, when big developers fight through the process, they need to scale up their projects to recoup the costs (see Law #1). It's a double whammy: expensive housing that also tends to be [out of scale with the surrounding neighborhood](#).

3. Take a more active role in providing affordable housing.

This may be surprising given that the other strategies we've discussed involve government doing less. But think of it as a barbell strategy: enabling private developers to do what they do best (build lots of new housing at the most affordable prices possible) while empowering local governments to directly house those in greatest need who are least likely to be helped by private activity. We Americans have a predilection for convoluted public policy when direct government action is far more effective. Inclusionary zoning is a case in point: we've conned ourselves into thinking we can have our cake and eat it too by coercing developers into providing Affordable Housing. At best this has [very little effect](#) and at worst it [backfires](#) (See Law #1).

One intriguing example of this approach comes from no less than the conservative, small-government bastion of Utah. The state has developed a program to place chronically homeless persons into publicly-owned housing. By most [accounts](#) it is an astonishing success (although the magnitude of the success is cause for some [debate](#)).

Obviously with limited budgets, state and local governments can only do so much. That's why regulatory solutions like [Inclusionary Zoning](#) are so tantalizing. Focusing scarce funding on the most needy while expanding housing supply attacks the problem from both sides of the squeeze.

As with most urban issues, [there's probably no panacea for housing affordability](#). In the face of complexity, cities would do well to heed Nassim Taleb's [Via Negativa](#): First, do no harm. By addressing obstacles to building new housing, cities can at least be sure they're not part of the problem.

(An Affordable Housing development in Seattle, WA. Image from [Joe Wolf](#).)

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[The Good and Bad of a Proposed Minimum-Density Housing Bill in Washington State](#)

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Oct 11, 2018 · Daniel Herriges



[If You're Going to Allow ADUs, Don't Make It So Hard to Build One](#)

Accessory Dwelling Units (ADUs) are a quintessentially Strong Towns approach to urban growth and affordability issues: bottom-up, decentralized, incremental, scalable and adaptable. Unfortunately, a litany of restrictions often makes them an unappealing option even where allowed.

Sep 11, 2018 · Daniel Herriges



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"Developers in my city are only building luxury housing. They're not building anything that ordinary people can afford." If you've said this lately, or heard someone else say it, here are five possible reasons why.

Jul 25, 2018 · Daniel Herriges



[Spencer Gardner](#)

Spencer Gardner has been writing for Strong Towns since 2016. He is a transportation planner based in Madison, WI, who spends his spare time chasing his children, riding bikes, doing hobbyist computer programming, and very occasionally writing about urban issues. You can read his thoughts about transportation at <http://roadsarelike.tumblr.com>.

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whitemice • 10 months ago

Good attempts are being made on all the above here in Grand Rapids, MI - <http://urbangr.org/OCTNOV20...> - but it does that bring out the crazy.

It is like a contest to see how many incoherent statements someone can pack into a single paragraph: there isn't enough parking because nobody will use transit - the buses are too crowded - and nobody can afford to pay the rents those undesirable developments can charge because nobody wants to live there - and what about the meth labs? ... I am not making this up; it hurts the brain.

2 ^ | v • Share ›



Brandon • 10 months ago

"5. Today's affordable housing was the last generation's luxury housing."

Typically we think of the problem of a lack of affordable housing but there can be a problem with an oversupply of affordable housing. In old neighborhoods where every building was built at the same time, then all the building become outdated at the same time. this can lead to an entire neighborhood with low housing prices. Far from begin a good thing this creates neighborhoods (or even entire municipalities) of poor residents.

The greatest struggle is creating affordable housing that doesn't also ceacte bad neighborhoods.

2 ^ | v • Share ›



SDGreg → Brandon • 10 months ago

The typical criticism is most or all of the new housing that's being built is "luxury" housing and thus isn't addressing the issue of housing affordability. But that luxury housing of today becomes the affordable housing of tomorrow. But by not building that luxury housing today, we create the housing affordability crisis of tomorrow.

2 ^ | v • Share ›



Curt Adams → SDGreg • 10 months ago

It took decades to build ourselves into this mess and it will probably take decades to build ourselves out. Here in urban California it's looking particularly grim as housing is now so expensive even people with full-time jobs are being driven into homelessness. In Orange County we passed some dividing line 2 or 3 years ago and the homeless encampments are absolutely exploding. I understand it started a few years earlier in the (more expensive) Bay Area. At the state level the government is finally really trying to address the problem - some but there is still enormous resistance at the local level, with a few exceptions. Unfortunately creating a situation in which the wealth of most people relies on housing prices continuing to increase has created some horribly pathological incentives.

An additional problem is that a large portion of housing which should now be in the

"affordable" category is in auto-oriented neighborhoods, so to live there people need cars, which are expensive themselves, so living there isn't really "affordable" even if the house itself is.

2 ^ | v • Share ›



Rob → Curt Adams • 10 months ago

It will take decades, but a good start would be relaxing (or eliminating) the zoning laws and allow multi-unit buildings where single family homes now exist. California has far too many areas that are below the 3:1 ratio of structure:land value. Let developers build back up to the 9:1 ratio and housing will become more affordable across the region.

You tear down a 500k home and replace it with 9 200k condos and you have created more affordable housing, for more people, and lowered the stress on the rest of the market too. Obviously one project won't have much effect, but 1000 such projects would.

And made a healthy profit for yourself!

4 ^ | v • Share ›



Brandon → SDGreg • 10 months ago

We need affordable housing today and the existing stock is in such a bad state that people can't move in without spending more than they have on repairs. Therefore we need to build housing people can afford. Now. But I think a lot of lower income neighborhoods need not more affordable housing but luxury and moderate priced housings, so long as the overall supply of affordable housing region-wide is not reduced.

2 ^ | v • Share ›



whitemice → SDGreg • 10 months ago

And much of that isn't "luxury housing". I hear this argument all the time - around what is Middle Class housing - the nut of the argument is people who are lower income self-identify as Middle Class when they aren't, and Middle Class is then "Luxury". When the vacancy rate in those "Luxury" developments is near-zero - because there are plenty of people who can afford them - and they are releasing pressure on lower-cost housing previously occupied by higher-income people as that is all that was available. A housing crisis creates a lack of affordable housing by forcing people to step down.

Class is hard to discuss in America as ****everyone**** wants to self-identify as Middle Class; including lower income households and millionaires.

^ | v • Share ›



Mr. Flute → Brandon • 10 months ago

Indeed. That is a situation in many stable communities. The photos of the detached ranch house from Sanphillippo was a modest middle/low middle house to begin with and simply cycled down the price scale as time and tastes changed in a stable, if slightly 'failing' community.

The distinction that I've determined is the root of the problem is that in many stable places across the country, there is ample affordable housing, but little quality affordable housing.

In my community, which is a stable accessible community, we have many 'affordable' housing units, but they're crappy worn out units with terrible landlords. But to build quality affordable housing, the simple facts of land and construction costs, make it not profitable and potentially not possible.

1 ^ | v • Share ›



Johnny • 10 months ago

In the not-too-distant future we won't be talking about the desperate need for affordable housing. Instead, we'll be in a post financial crash situation where the paper value of property has evaporated, the banks are exposed as insolvent, and the government loses its grip on the currency that denotes nominal wealth. In other words, our collection of I.O.U.s and promises to re-pay each other will be exposed as a massive Ponzi scheme. Once the dust settles we'll have a re-set where the value of things will be determined by actual

scheme. Once the dust settles we'll have a re-set where the value of things will be determined by actual physical usefulness.

1 ^ | v • Share ›



Chris_Kez • 10 months ago

Part of the problem is explaining to residents who are comfortably housed why they should lobby for more affordable housing. Lots of homeowners see their houses as investments that they want to protect. Appeals to "fairness" will sway some folks, but not many. Or am I thinking about this wrong, or perhaps not thinking about the right kind of area?

1 ^ | v • Share ›



JR • 10 months ago

Diffuse density is not an effective, equitable, or environmentally smart way to grow. It increases auto dependency. Higher density needs to be focused around walking distance and walking scale centers and commercial corridors. ADUs offer a reasonable level of additional density within most SF neighborhoods as they serve a wide variety of needs. Transitional zones should allow higher density in the form of duplexes and fourplexes. But The Seattle approach is doing damage to their in city neighborhoods, not changing the dynamic in the suburbs, and certainly not contributing to affordable housing.

Great neighborhoods also require good planning and design not just zoning by numbers. Not sure about all the language about yesterday vs today. "Luxury" is also irrelevant to this discussion. The fact is that price has everything to do with the rate of increase in demand for land, funding, and the tradespeople available to build as well as income and stability of renters/owners. Regulation per say is not the culprit. Entitling land for development without good community planning and clear regulation- which this article fails to address - is not the path to affordability or a long term healthy and attractive city.

^ | v • Share ›



Rob • 10 months ago

I ran across this article, seems to fit in here:

<https://johnhcochrane.blogs...>

^ | v • Share ›



Bodhi O'Shea • 10 months ago

I noticed that none of the suggestions involved removing the hegemony on zoning that we empower, and stop trying to control others via police violence so that others are also forced into mortgage and rent relationships. I appreciate the author's intent, but Spencer obviously has no idea how capitalism works or how landlords are able to sit on their collective asses and collect rent in a free society or market.

Millions of acres are held artificially scarce in the name of environmental protection, or some other public need (including allowing loggers to make big profits while not having to internalize the externalities of their choices for the land), but then we say renting or purchasing a piece of land is "voluntary?" Besides the land enclosures or artificial land scarcities we call things like BLM land, how about the zoning and shelter regulation monopolies.

We all look at and champion these tiny homes as examples of low cost low carbon footprint living. But, many poor are prevented from alternative and less expensive living arrangements, by well intended but imposed zoning laws that prevent multi family dwellings, short term lease agreements, living in a car, or even how many homes in an area can be rented. The poor are not even allowed to live in rent free shanties on abandoned lots, or BLM land, and are thus forced to pay usurious HUD housing rent to corporations and landlords. Getting zoning exceptions for alternative shelters have no guarantee of success, and such exceptions can cost tens of thousands of dollars, and years of navigating through an overlapping agency maze in a single jurisdiction that can include: The Office of Zoning, The Zoning Commission, The Zoning Administrator, The Board of Zoning Adjustment, The Office of Planning, and The Department of Consumer and Regulatory Affairs.

Then there is the security subsidy of tax funded police, so these landlords can "legally" own far more homes than they could ever occupy or afford to secure on their own. This is especially true of securing vacant rental properties. Then there are all kinds of other ancillary imposed artificial scarcities that prevent most tenants from being able to afford or purchase their own home, such as monopoly banking and mortgage laws; and

from being able to afford or purchase their own home, such as monopoly banking and mortgage laws, and monopoly licensure, regulation, and work laws that prevent the poor from owning the means and product of their own production, instead of relying on a wage from a boss. After all of the imposed artificial scarcity and subsidized security, the landlords want to say, “Look at me! I’m a shelter provider for the poor! This is a free market, and this rental agreement was a voluntary transaction.” Time to wake up Spencer.

<http://bodhioshea.tumblr.com>

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