Planning & Zoning Tools for Implementing Affordable Housing

WEDA ACADEMY
July 23, 2020

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Outline: Planning & Zoning Tools for Affordable Housing

Background Context:
- Overview of Planning
- Overview of Zoning
- Overview of Key National Trends

Municipal Toolbox:
- Planning Tools
- Zoning Tools
- Subdivision Tools
- Official Mapping Tools

Presenter’s background
Presented from a practitioner’s perspective.

40 years of experience at local level

40 full zoning code rewrites/remaps, 150 comp plans for cities, villages, towns, and counties

Experience in 34 states

95% of experience in Wisconsin -- with a focus on free-standing villages and cities, and suburban communities
Wisconsin has a strong framework for community planning:

- Comprehensive Plans under Wis. Stat. §66.1001
- 9 Required “Plan Elements” – including Housing
- Key feature of the law is the “Consistency Requirement” – which puts real teeth into the Comprehensive Plan

Wisconsin had the nation’s first community planning statutes – 100th anniversary.

1000 Friends of Wisconsin led the effort to create the law in the mid-late 1990s – joined by diverse interest groups focused on development, conservation, commerce, home building, farmland preservation and others.

1999 “Smart Growth Law” remains a mode for contemporary state legislation for local planning.
Background Context: Overview of Zoning

Wisconsin has a strong framework for community zoning:

- Wis. Stats. §62.23(7) cities & villages, 60.61 & 62 towns, & 59.69(5) counties
- Zoning series of court decisions
- Zoning is a “police power”, and regulations must be justified by protecting the public
- Zoning regulations must be consistent with the Comprehensive Plan

Milwaukee adopted state’s first zoning code in 1920 -- based NYC code (R-1, B-1, C-1, I-1 . . .)

Milwaukee’s zoning ordinance upheld by Wisconsin’s Supreme Court in 1923.

Zoning codes written to 1950 focused on separating industrial uses from residential.

Zoning codes written 1950-1990 usually have a suburban bias for owner-occupied, single-family, auto-oriented development
Background Context: Overview of Key National Trends

Wisconsin experiences national trends in economics, demographics, and housing – typically delayed:

- Wisconsin is not longer a highly-educated, high income state
- Majority of added households in the state are no longer 2 parents with kids
- Need for additional housing is mostly for other than single-family detached
- A gap typically exists between housing needs and community attitudes – with slow change over time

Traditional comprehensive planning, zoning, and development practices usually lag these fundamental trends

Most Wisconsin communities think of themselves as “family-oriented” and based on the traditional nuclear family – which is not broad enough to accommodate modern household diversity

Many participants in local government have biases against more diverse housing based on their current personal situation
Community Planning and Zoning play a key role in affordable housing:

- Wisconsin Comprehensive Plans typically cite the need for more diverse and affordable housing – however . . .
- The Plan’s Future Land Use Map is often an impediment by not planning for sufficient diverse housing.
- The Zoning Ordinance is often an impediment by not allowing more diverse housing or requiring diverse housing to go through special processes.

Plan’s demographic data demonstrates more diverse households, more modest household incomes, and a growing affordability gap.

Most Future Land Use Maps map large areas of single-family detached housing and few areas of other housing formats.

Zoning Ordinances often lack zoning districts for smaller single-family lots, higher density multi-family formats, and mixed use development and redevelopment.
Community Planning & Zoning Toolbox for Affordable Housing

A planning and zoning strategy for affordable housing should include:

• Diverse Housing Types and Formats
• Diverse Lot Sizes for Single-Family
• Broad Range of Multi-Family Densities
• Mixed Use Development for new office and commercial locations
• Mixed Use Re-Development for downtown and aging clusters/corridors
• Reduced Infrastructure Costs

This strategy could involve changes to the:

• Comprehensive Plan Test and Maps
• Zoning Ordinance and Zoning Map
• Subdivision Ordinance
• Development Standards
• Official Map
Community Planning and Zoning Toolbox:
1. Comprehensive Plan Text Makes Case for Diverse Housing

- Ideally, quickly follow the release of decennial census and Housing Needs Assessment
- Document community demographic and income trends, housing supply, and emerging needs
- Plan should discuss the need for more diverse housing to create a continuum of housing choices in format and price

This approach requires:
- Demographic data from US Census and American Community Survey, School Enrollment, Data Subscription Sources, etc.
- Up-to-date Existing Land Use Map and the Approved and Vacant Lot Inventory
- Housing and income data from the Housing Needs Assessment and Gap Analysis
Community Planning and Zoning Toolbox:
2. *Comprehensive Plan Maps Locations for Diverse Housing*

- Update the Existing Land Use Map for new plats, lots & buildings as approved
- Future Land Use Map single-format housing only where necessary
- Future Land Use Map locations acceptable for new diverse housing neighborhoods
- Future Land Use Map locations acceptable for infill and redevelopment housing and mixed-use

This approach requires:

- Annexations, plats, site plans, and building permits are all tracked – to feed ELU Map
- In growth areas, Plan creates and maps a land use category for diverse housing mix (e.g. “Planned Neighborhood”)
- In infill and redevelopment areas, Plan creates and maps land use categories for best fit on infill and redevelopment sites
Future Land Use Map Example – City of Watertown

- Extensive Areas Mapped for Residential
- Use of General “Planned Neighborhood” mixed residential land use category
- Specific residential land use categories mapped only where there is a single best-fit residential option like Single-Family, Two-Family or Multi-Family
- Purple Mixed Use areas allow Multi-Family as well as business and industrial
Planned Neighborhoods should include a mix of the following:
1. Single-Family – Sewered (predominant land use)
2. Two-Family Residential
3. Multi-Family Residential
4. Institutional
5. Neighborhood Mixed-Use
6. Parks and Recreation
City of Watertown
Future Land Use Map

Specific Land Uses Categories only used in Best-Fit instances
Community Planning and Zoning Toolbox:
3. Zoning Ordinance Accommodates Diverse Housing By-Right

- Include diverse housing formats with a broader range of residential and mixed-use districts
- Make the key land use decisions on the Future Land Use Map and the Zoning Map; then enable by-right development
- Reduce the need for contentious conditional use and planned unit development processes

This approach requires:
- Relationship between zoning districts and Comp Plan’s land use categories is clear
- Ordinance enables full range of acceptable lot sizes, building formats, and densities
- Each zoning district has blend of above to achieve and preserve a consistent character
Community Planning and Zoning Toolbox:
4a. Zoning Ordinance Reduces Per Unit Cost of Development

- Downsize suburban expectations
- Create small lot districts for single-family detached development
- Reduce lot width and street frontage requirements to reduce utility costs
- Require two on-site parking spaces per single-family and duplex units
- Reduce front yard setbacks

This approach requires:
- 7,200 square foot minimum lot size if prohibiting garage-forward homes, 6,000 square feet if not – aesthetic tradeoff
- 5,000 s.f. minimum lot size for alley-loaded
- Alley-loading creates strong infrastructure cost savings per unit, and better streetscape for single-family, duplex, townhome, 4-plex
- 12’ for porch, 18’ for home, 20’ for garage
City of Wausau
Alley-Loaded Lot

Letters indicate required setbacks
Community Planning and Zoning Toolbox:
4b. Zoning Ordinance Reduces Per Unit Cost of Development

- Embrace urban character and scale
- Allow buildings with more units, more floors, larger footprints when providing under-building parking
- Reduce parking requirements and have requirements per bedroom count
- Allow residential units to park in mixed use building spaces

This approach requires:
- Adopting new zoning districts to enable by-right urban scale development
- Recognizing appropriate locations for urban character zoning districts on the Comp Plan’s Future Land Use Map and on the Zoning Map
- Acting on the fact that 100% surface parking undermines affordable housing (50% target)
### City of Wausau

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Number of Off-Street Parking Spaces Required</th>
<th>Maximum Number of Off-Street Parking Spaces Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwelling Unit</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Mobile Home</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Duplex, Twin House, Two Flat</td>
<td>2 per dwelling unit</td>
<td>6 per dwelling unit</td>
</tr>
<tr>
<td>Townhouse, Multiplex, Apartment</td>
<td>1.5 spaces per dwelling unit containing 0-2 bedrooms, plus 0.5 space per additional bedroom over 2 bedrooms per unit</td>
<td>3 per dwelling unit</td>
</tr>
<tr>
<td>Single Family Living Arrangement</td>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>Roommate Living Arrangement</td>
<td>2 per dwelling unit</td>
<td>2 per family plus 1 for each unrelated adult</td>
</tr>
<tr>
<td>Boarding House</td>
<td>2</td>
<td>1 per bedroom per rent</td>
</tr>
<tr>
<td>Apartments with Limited Commercial</td>
<td>Per each individual land use minus 25%</td>
<td>Per each individual land use</td>
</tr>
<tr>
<td>Live/Work Unit</td>
<td>Per each individual land use minus 25%</td>
<td>Per each individual land use</td>
</tr>
<tr>
<td>Mixed Use Building</td>
<td>Per each individual land use minus 25%</td>
<td>Per each individual land use</td>
</tr>
</tbody>
</table>
Community Planning and Zoning Toolbox:
5. Subdivision Ordinance & Stds Reduce Infrastructure Costs

- Reduce local street widths
- Require plat to provide stormwater storage for multi-family lots in regional basins – rather than on each lot
- Allow easier to plow one-way eyebrow lanes to fill-in lot pattern nooks
- Municipality as oversizing “bank” when affordable housing goals are met by plat

This approach requires:
- Adopting new subdivision ordinance provisions, not a full rewrite of the code
- 26-foot pavement width is less expensive, slows traffic, accommodates 2-sided parking
- 32-foot wide pavement is wider option
- Waive parkland dedication & improvement fees for affordable housing projects
Community Planning and Zoning Toolbox:
6. Municipality Effectively Uses the Official Map

- Per Wis Stat 62.23(6)
- Maps and reserves for municipal use, the location of most efficient sites for municipal infrastructure and operations
- Creates ability to prevent development and purchase site at fair market value
- Ensures connectivity for infrastructure networks (streets, trails, utilities)

This approach requires:
- Adopting an Official Map by the elected body
- Map must be based on detailed plan, study, or needs assessment
- Best deal in local government – can save substantial amounts of money for public (and developers) by resulting in best and most cost-effective locations for stormwater basins, water towers, lift stations, parks, and municipal buildings
City of Delavan

Official Map

Planned
Additional and
Expanded
Municipal
Facilities

Prohibited from
Mapping School
Sites