




PLANNING & DEVELOPMENT DEPARTMENT

CITY OF HOUSTON RESIDENTIAL DEVELOPMENT BEST PRACTICES STUDY

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The City of Houston Residential Development Best Practices Study examines other jurisdictions across the country where development regulations result in highly accessible and affordable communities with diverse housing types. Part I of the study identifies the challenges that Houston faces, identifies high level emerging trends and describes the City of Houston development regulations. Next, Part II of the study takes a deep dive into five topics identified as emerging trends including specific case studies from other cities. The five topics include subdivision standards, options for low density neighborhoods, options for medium density neighborhoods, options for transit-oriented and high density neighborhoods, and affordable and workforce housing development incentives.

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Examples of rowhousing in Houston, TX, enabled by the Rowhouse CDC.
Source: Kinder Institute

PART I

THE CURRENT SITUATION

INTRODUCTION & PROJECT PURPOSE

As one of the most affordable metropolitan areas to live and work in the nation, Houston's housing market is increasingly challenged to provide a range of housing options for people of all incomes. While vacant land is abundant in the city, it is often more costly and difficult to develop than suburban parcels. Small parcels, old sites, and adhering to the City's development regulations add costs and contribute to the dwindling supply of affordable homes close to jobs, transit, and cultural amenities.

Recent planning efforts such as Plan Houston, Resilient Houston and the ten Complete Communities Action Plans provide guidance and policy direction to tackle issues of affordability, accessibility and density relative to housing. The Planning and Development Department will begin to implement actions from these plans through changes to Houston's development code.

The City of Houston Residential Development Best Practices Study is the first step. The purpose of this study is to identify emerging trends and national best practices in residential development that create a wide variety of housing options within the urban core to meet the needs of a diverse community, promote walking and transit and that are affordable to a range of incomes.

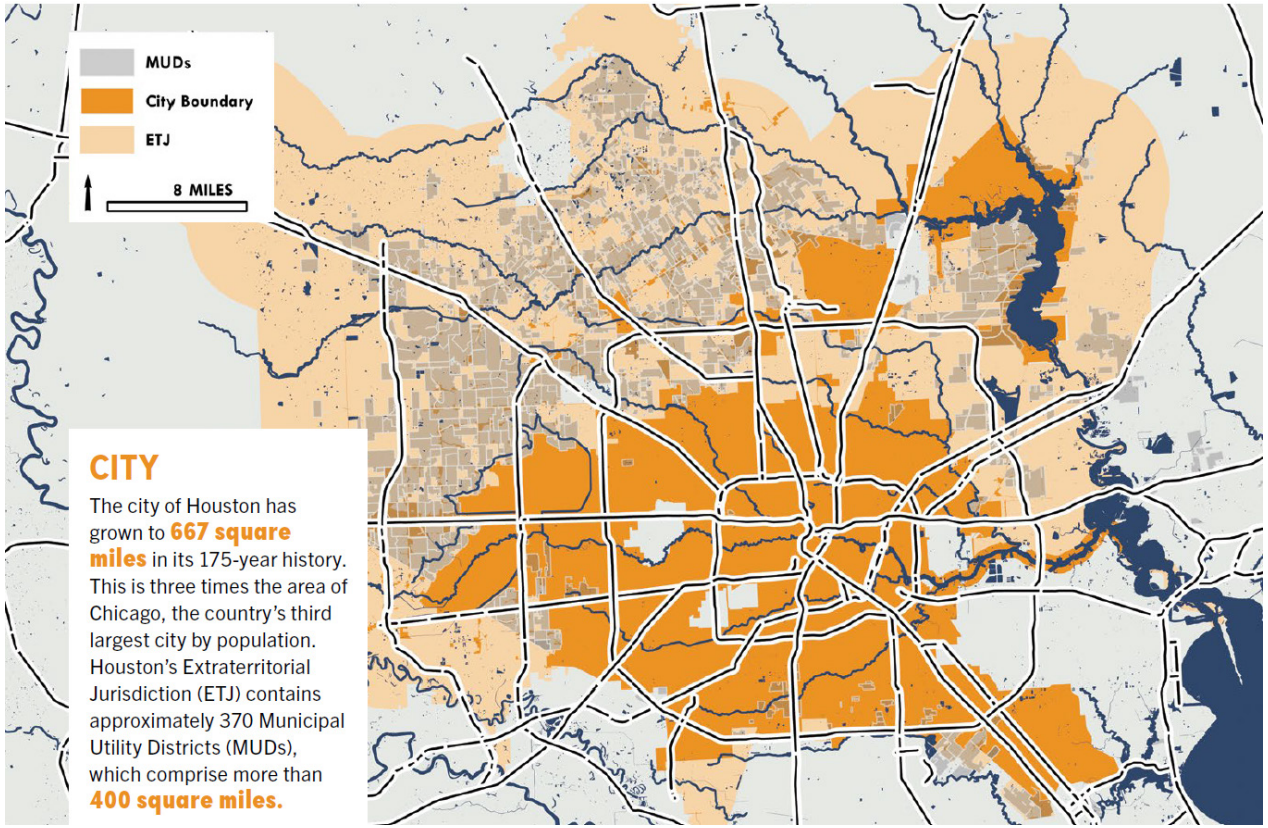


Figure 1: *Map of Houston City Limits and Extraterritorial Jurisdiction* *Source: Resilient Houston*

PROJECT GOALS

The goal of the City of Houston Residential Development Best Practices Study is to identify national best practices in residential development that create a wide variety of affordable housing options to achieve the vision established in existing plans and policies.

GOAL 1: INNOVATION

Identify emerging trends and national best practices to tackle Houston's pressing housing challenges.

GOAL 2: INFILL HOUSING

Identify more affordable and missing-middle housing opportunities to incentivize urban infill development over greenfield development.

GOAL 3: DIVERSITY & RESILIENCY

Identify a variety of housing types that cater to varying income levels throughout communities focusing on good access to transit.

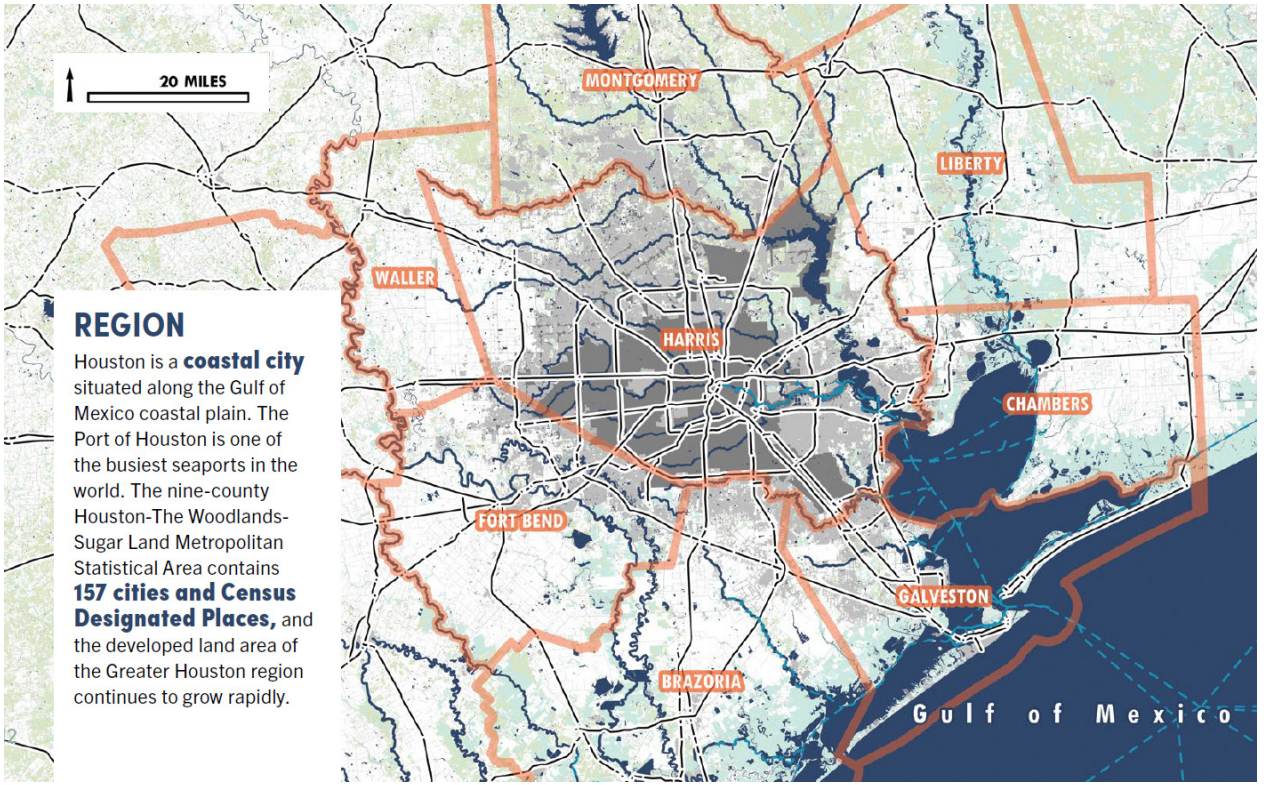


Figure 2: *Map of Adjacent Counties and Surrounding Region*

Source: Resilient Houston

EXISTING PLANS & POLICIES

As a first step in this study, a thorough review of existing plans and policies in Houston was conducted. Strategies and actions that addressed the study goals were pulled out and are included below.

PLAN HOUSTON

Plan Houston describes the city's preferred future with an overarching vision and goals for the entire community. It also includes 12 core strategies and related actions the City should take to help achieve the vision and goals.

Relevant Goals include:

- Attractive, walkable neighborhoods with diverse housing types, values, and character.
- Sufficient quality, affordable housing options throughout the community.

Relevant Core Strategies include:

- Grow responsibly
- Nurture safe and healthy neighborhoods
- Connect people and places
- Foster an affordable city

RESILIENT HOUSTON

Resilient Houston provides a framework with clear actionable paths for protecting Houston's many communities from future disasters like Hurricane Harvey and chronic stresses such as aging infrastructure.

Relevant Actions include:

- Shelter and house any Houstonian in need.
- Promote the need for safe, secure and affordable homes and transportation access for all Houstonians.
- Invest in transit-oriented and trail-oriented development.
- Protect and strengthen neighborhoods through appropriate infill development.
- Advance and modernize building codes and standards.

COMPLETE COMMUNITIES

The Complete Communities Action Plans provide a vision, goals, projects and programs to strengthen ten of Houston's underserved communities. Though each plan offers solutions specific to the challenges faced in each community, a common theme for all is the need for safe, quality, affordable housing for all. The ten communities are Acres Home, Alief-Westwood, Fort Bend Houston, Gulfton, Greater Third Ward, Kashmere Gardens, Magnolia Park-Manchester, Near Northside, Second Ward, and Sunnyside.

Brays Crossing, an example of courtyard housing in Houston, TX.
Source: New Hope Housing

CHALLENGES

AFFORDABILITY

Houston has experienced rapid population growth while suffering from a significant shortage of affordable housing stock. Existing housing is often replaced by more expensive single-family and multifamily units. New residential development built to accommodate growth has largely been located at the edges of the City. This growing regional footprint has produced hidden challenges related to housing affordability - namely the increased transportation costs that are incurred by residents. Affordability is typically determined by whether or not residents spend less than 45% of income on housing and transportation costs combined. Using this combined housing and transportation metric, much of the Houston area is unaffordable to residents. Housing that is more affordable is often located in underserved communities, in poor condition, or located in far-flung areas where transportation to jobs and services is costly.

ACCESSIBILITY

Walkable neighborhoods are in high demand throughout the city. Achieving walkability means prioritizing people in the design and function of the built environment and the relationship of the buildings to the street. In walkable places, parking is located in the rear of a property and the area between the building and the street is primarily reserved for people. Walkable places also require transit-supportive densities and access to other modes of transportation, such as bike and rail, within a short walking distance. High density single-family often results in numerous driveway cuts. This makes it difficult to walk and leaves no room for cars and garbage cans on collection day.

DENSITY

The bulk of growth in the region continues to occur on the edges of and outside City of Houston city limits. It is estimated that for every single-family building permit issued within the city limits, four more are issued in the City's extraterritorial jurisdiction or ETJ which spans a five-county area. These sprawling patterns result in increased costs to construct and maintain necessary infrastructure. More dense development in the urban core can maximize existing infrastructure investments, provide people a wider range of transportation options, and allow more people to live closer to work and cultural amenities. Thoughtful attention to regulations can encourage these positive impacts while mitigating some of the negative effects that occur with increasing density.

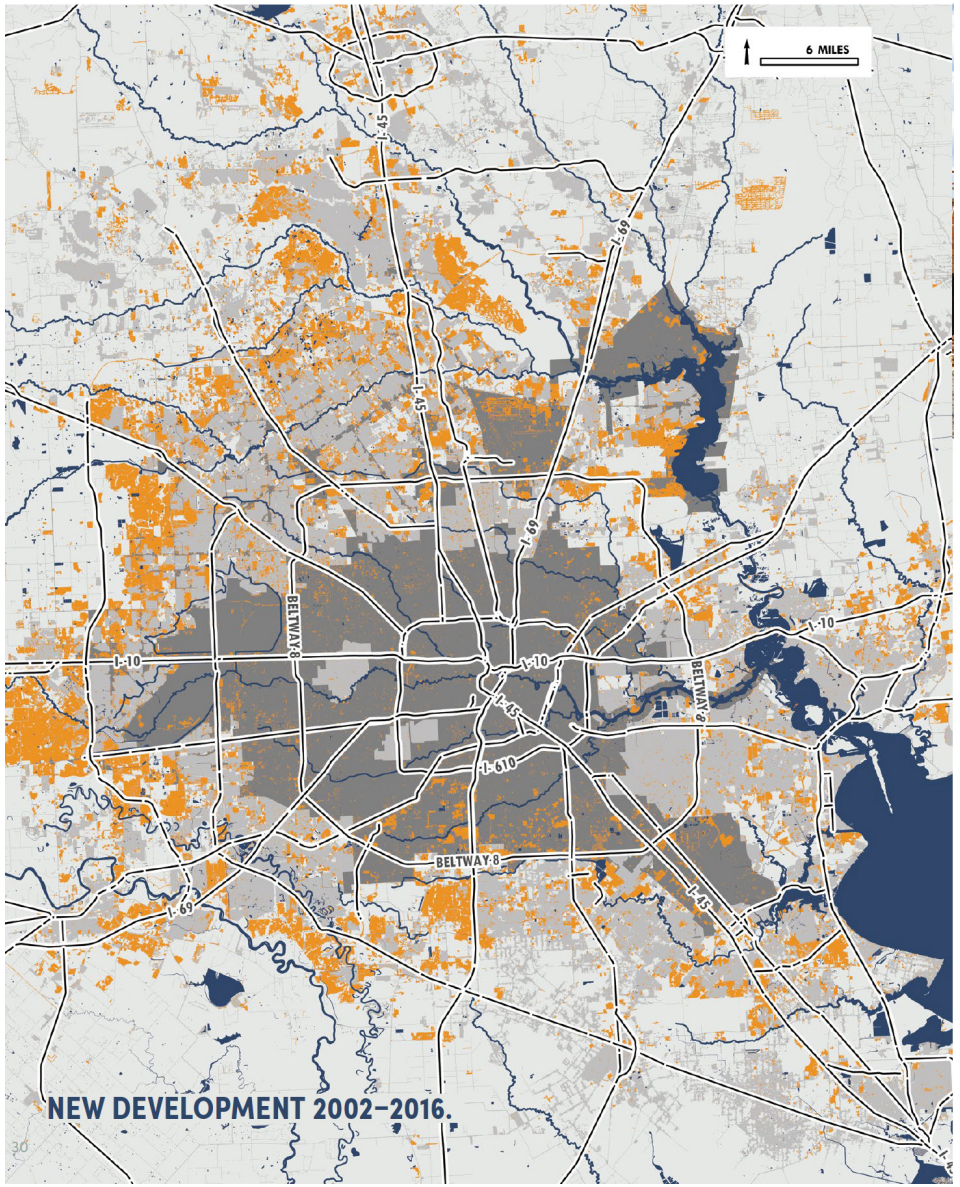


Figure 3: *Map of New Development in the Houston Area* *Source: Resilient Houston*

EMERGING TRENDS

The City of Houston is not alone in confronting challenges of population growth and equity through more sustainable and resilient development practices. Across the nation planners, engineers, academics, policymakers, engaged community members, and the development community are all exploring innovative processes and tools to help cities better respond to these challenges. This section summarizes high level emerging trends in how cities approach development codes, the specific standards and regulations that impact the provision of housing within those codes, and the overall administration of these standards.

DEVELOPMENT CODES

Development codes are the foundation upon which great communities are built. They are the regulatory tool that establishes where and what type of development can occur. A well-written code allows a city or neighborhood to implement its vision. Planning practice in many cities over the past several decades has used development codes to separate uses and building types. More recently, however, this practice is recognized as standing in the way of communities that want to create walkable neighborhoods offering a wide variety of housing types and services within a walkable distance. Regulatory best practices are moving away from the conventional one-size-fits-all approach towards a more customized approach centered around the form and scale of buildings and their connection to the public realm that can better reflect dynamic and vibrant urban environments.

CONVENTIONAL / USE-BASED CODE

Conventional or use-based codes primarily regulate development based on the use of a property. Development intensity is regulated based on numerical parameters like floor area ratio (F.A.R.), dwelling units per acre, height limits, and minimum lot sizes.

Strengths: Conventional and use-based zoning works best in areas where the design of buildings and the public realm are not as important. Large lot single-family and industrial or auto-oriented highway commercial areas are examples of places where conventional development codes work well.

CONVENTIONAL / USE-BASED CODE

FORM-BASED CODE

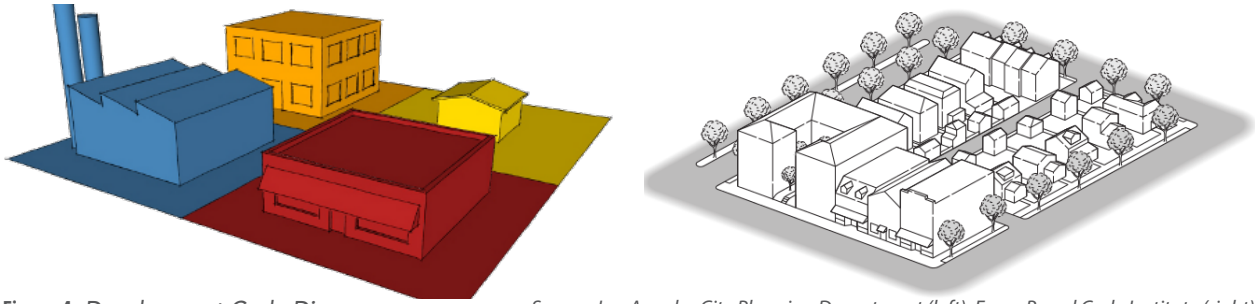


Figure 4: *Development Code Diagrams*

Source: Los Angeles City Planning Department (left), Form-Based Code Institute (right)

Conventional zoning codes are often the easiest to administer because development regulations are based on easy-to-measure metrics and do not take design into consideration.

Weaknesses*:* A major impediment to varying types of infill housing is conventional / use-based zoning where building typologies are segregated into different zones. In addition, conventional zoning does not adequately consider the scale, design, or forms of buildings or the public realm and can lead to unpredictable, haphazard development that is often inconsistent with local community policies.

FORM-BASED CODE

Form-based codes stipulate the size, shape, placement and design elements of buildings, their relationship to streets and the public realm, and the location of parking.

Strengths: A form-based code is predictable because it proactively defines what is expected of development. The form-based approach allows for varying types of residential buildings to develop naturally without the need for zoning changes to accommodate different building types within a district.

Weaknesses: Form-based codes require more effort to develop, can lead to homogenized development, and should be based on a community plan or vision for a place. Form-based codes can be more difficult to administer because the standards take more time and expertise to review.

OTHER DEVELOPMENT CODE CONSIDERATIONS

Hybrid Code: A hybrid code can take advantage of the strengths of both the conventional and form-based codes by applying these codes in appropriate locations based on community desires. Typically a form-based approach is used in mixed-use and walkable areas while a conventional approach can be used in the more auto-oriented and suburban parts of the city.

Unified Development Code: A Unified Development Code reflects the organizing structure of a development code. Many cities are rethinking the separation of zoning, subdivision, and site development regulations and beginning to recognize the interrelationship between these three elements of a development code.

Graphics: Form-based codes lend themselves easily to graphics and illustrations that can better represent how a building or lot should be designed. The use of graphics and illustrations also contribute to a more user friendly and accessible code for homeowners and smaller developers.

Near Southside District Fort Worth, which maintains a Form-Based Code.

An illustrative plan of a development following a Form-Based Code in Richmond, CA.

An illustrative plan of a development following a Form-Based Code in Lee County, FL.

An example of a traditional style development pattern in Chesterson, IN.

REGULATORY CONCEPTS

MISSING MIDDLE HOUSING

Missing middle housing refers to a smaller, more efficient form and scale between single-family and multifamily buildings. Existing codes in many cities make it difficult to create missing middle housing, so they aren't as common as single-family or multifamily developments. When allowed, missing middle housing is a more attainable building type for many reasons. Missing middle housing typically has a smaller width, depth and height than large multifamily complexes, which allow a range of housing types to be blended into an existing neighborhood without disrupting the residential character surrounding them. Density for these development types are often higher than 16 dwelling units per acre and support transit, but do not look like dense multifamily apartment buildings. Missing middle housing also has the potential to deliver affordability that local property owners and developers can take advantage of because of smaller, less expensive lots and less expensive construction costs. A code that identifies and allows missing middle housing is positive, but there are many other factors that influence the development of missing middle housing that should be considered. These include availability of financing, cost of construction, length of time for approvals, impact fees, and parking requirements.

ACCESSORY DWELLING UNITS

Accessory dwelling units are second houses, garage apartments, granny flats, backyard houses, or offices built alongside single-family homes. Accessory dwelling units provide diverse affordable housing options with a lower intensity. In many cases, accessory dwelling unit standards allow for the conversion of existing structures (such as garages) into secondary dwelling units or as new accessory structures constructed on the existing available space (such as a backyard) of a single parcel. Accessory dwelling units are an affordable type of development because they use existing infrastructure and land, when compared to single or multifamily developments. Accessory dwelling units can increase the density of single-family neighborhoods without negatively impacting the existing neighborhood fabric or

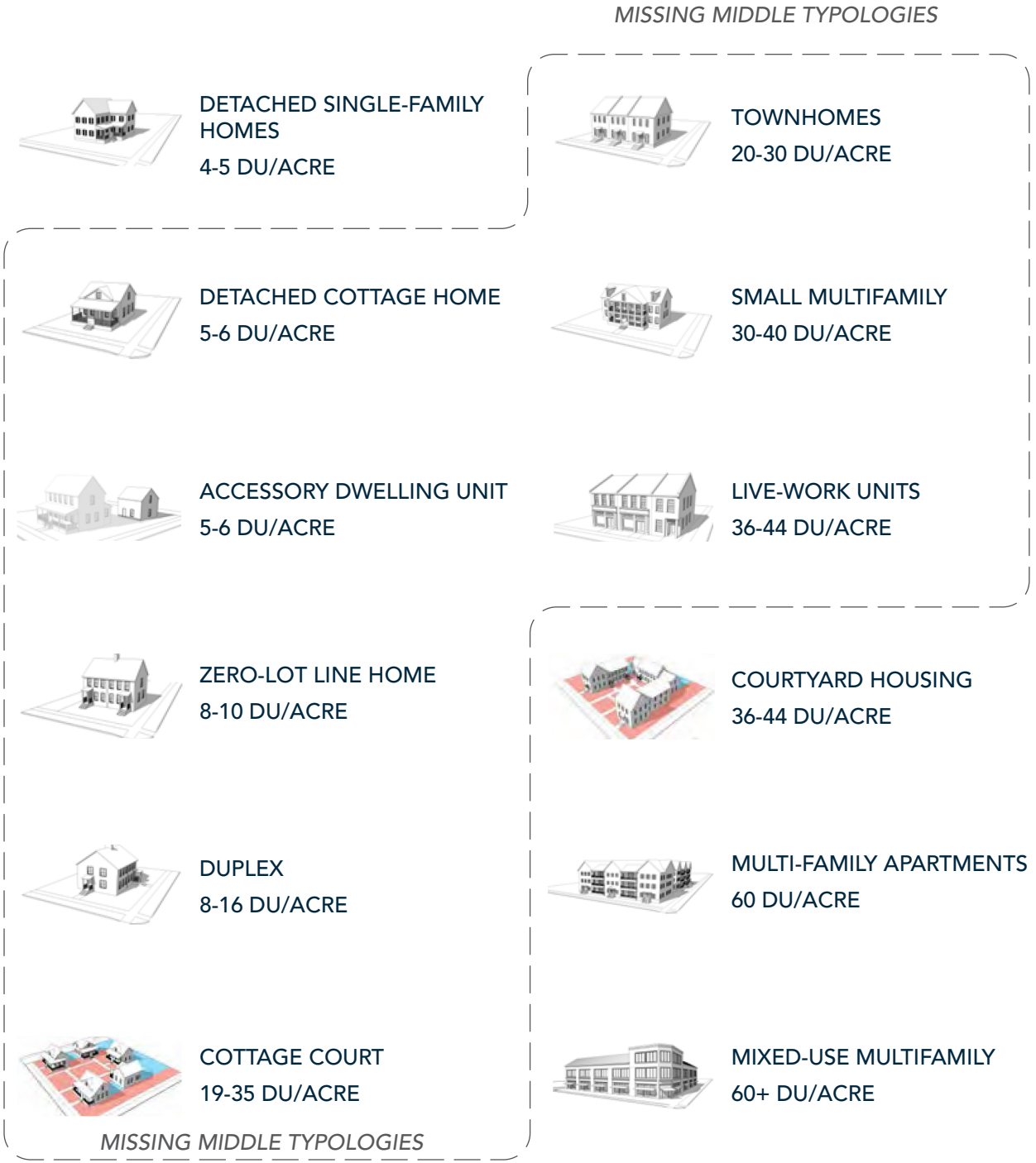


Figure 5: *Building Types Diagram*

Source: City of San Marcos

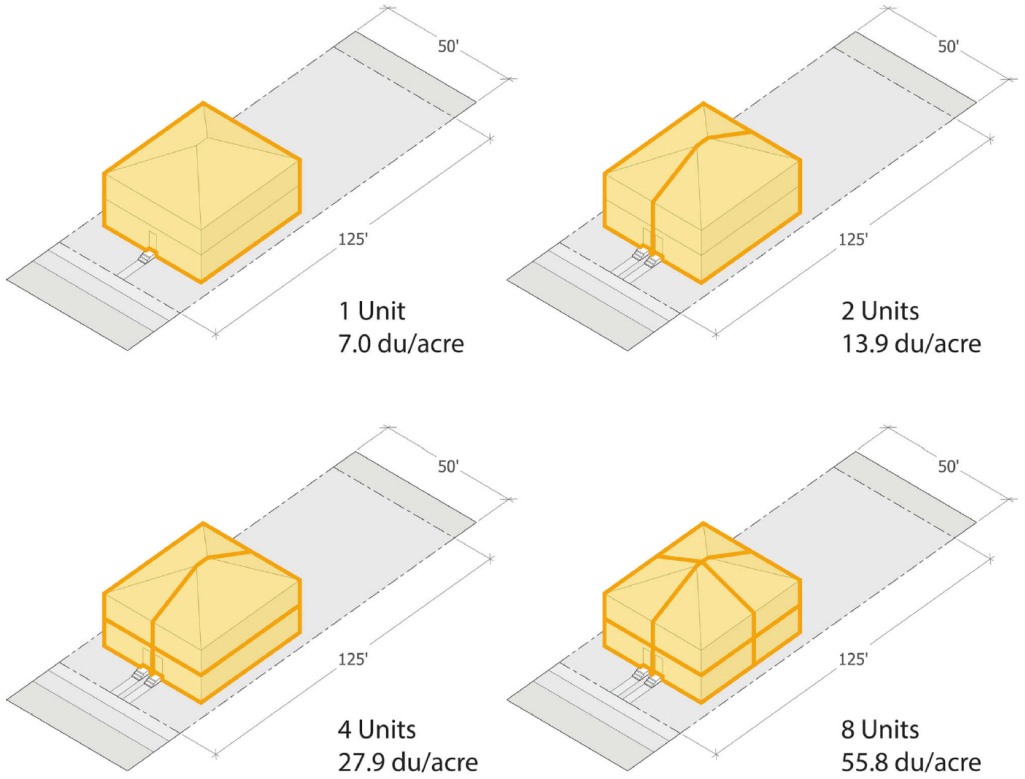
character. Accessory dwelling units can also increase the socioeconomic diversity of a neighborhood by providing lower-cost rental housing that is more affordable, resilient, built to today's energy and flooding standards, and building net worth for homeowners.

INFILL DEVELOPMENT

Infill development is the process of developing empty or under-utilized parcels within existing urban areas that are already largely developed. More compact development encourages walkable neighborhoods, reduces the price-per-person costs to build and maintain infrastructure and reduces household transportation costs and commute times. Across the nation cities are encouraging dense infill development near transit stops and within the walkable urban core by relaxing zoning and parking requirements similar to City of Houston's recently updated transit-oriented development standards. Infill areas typically already have the services and amenities that people need within a walkable distance. While overall infill development is more cost-effective because infrastructure already exists, a challenge for builders of smaller infill projects includes the permitting processes and fees. With infill, these fees cannot be spread over large projects and must be absorbed on site. An individual building infill project has fewer cost efficiencies than a project of a series of buildings, which limits the pool of developers and builders. Additionally, many of the fixed costs, such as infrastructure and permitting, are the same or nearly the same for infill development as they are for greenfield development.

REGULATING SCALE

To regulate the scale and intensity of development, codes will traditionally impose standards on density, minimum lot size, setbacks and lot coverage. Many cities are recognizing that these metrics (specifically density limits) are not good indicators of scale and character within a neighborhood, particularly when applied as a one-size-fits-all solution. Instead, many cities that want to encourage more missing middle housing are focusing on regulations that deal less with the number of units and lot sizing, but more with the size of the building.



The same building envelope accommodates one, two, four, and eight units.

Figure 6: *Building Envelopes Diagram* *Source: Opticos Design*

The "Mueller Home" housing type looks like a single-family home to fit in with the neighborhood appearance but it is actually a sixplex.

MINIMUM OFF-STREET PARKING REQUIREMENTS

Minimum parking requirements can result in wasted space. Two spaces per unit are not always needed or utilized in areas where transit is more accessible. Parking can also add to the cost of a project by reducing the number of units and hindering the ability of the project to reach transit-supportive and walkable densities. In addition, large, unattractive paved parking areas are incompatible with traditional neighborhood character, and can also add impervious cover which can contribute to street flooding. Many cities are reducing or entirely eliminating parking requirements in transit-oriented and walkable neighborhoods or in areas where missing middle housing types are encouraged.

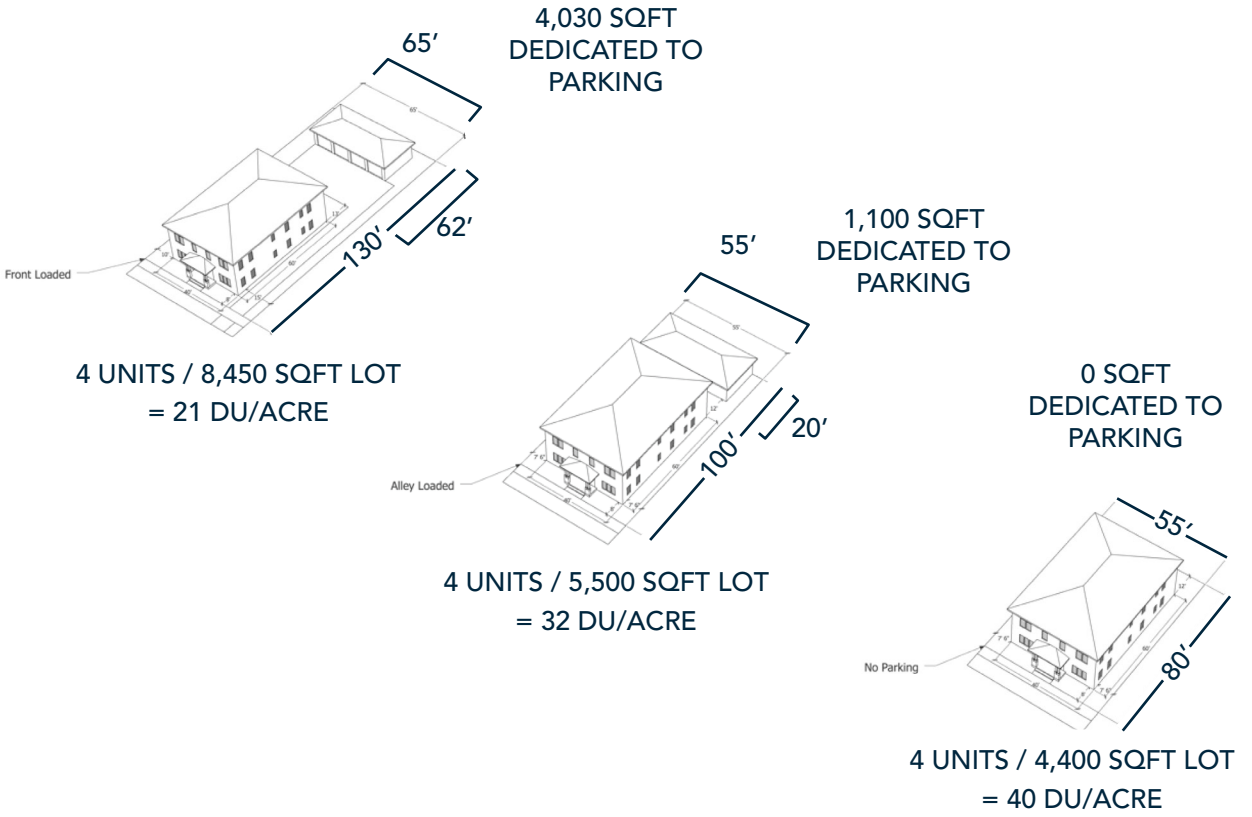


Figure 7: *Fourplex Parking Impacts on Density Diagram*

Source: Adapted from Opticos Design

ADMINISTRATION OF THE DEVELOPMENT CODE

Legislative approvals establish city ordinances and policy. Legislative actions are typically reserved for the City Council and include a high degree of public notice and participation in the decision-making process. Zoning changes and amendments to the development code are examples of legislative decisions and actions. Legislative decisions reflect the highest degree of subjectivity in decision-making authority.

Another form of decision-making is referred to as quasi-judicial. Quasi-judicial decisions are those that are made based on established policy intent and a predetermined set of decision-making criteria. These decisions can be made by appointed boards and commissions or City staff. Quasi-judicial decisions have some degree of subjectivity but decisions are grounded in established policy and can be appealed based on that policy. Examples of quasi-judicial decisions include a decision to alter a minimum lot size if the development meets the criteria of being within a certain distance of a transit stop.

Finally, administrative decisions are made by City staff and have the lowest level of subjectivity or discretion. Administrative decisions are typically made based on objective metrics in a development code. An example of an administrative decision includes determining setbacks on a set of building plans. Administrative decisions are also considered "by-right" decisions because there is little to no discretion involved. If you meet the standard, then the request is approved. As standards become more objective and quantifiable or prescriptive and clear the review process tends to be simpler and enables "by right" approval.

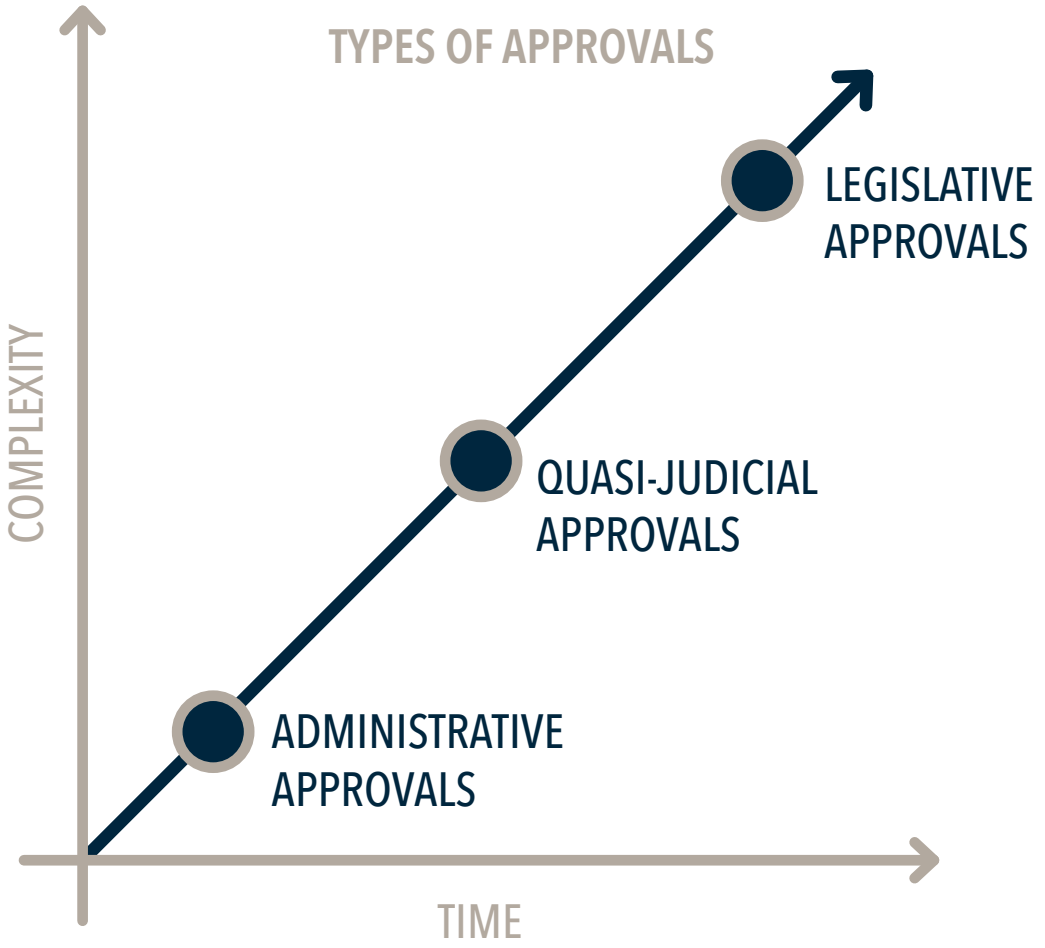


Figure 8: *Types of Approvals Diagram*

When regulations are perceived to present multiple barriers, result in a long time to process, or seem overly complicated, many property and home owners, unfamiliar or unwilling to spend the time and energy, elect to either abandon a project or resort to building illegal units. There are more variables and complexity with an infill project because the project needs to fit into an existing place. In order to better accommodate the needs of infill projects many cities are recognizing the need to establish more flexible and timely processes for projects to receive approvals. This means clearly establishing the policy intent behind standards and the decision-making criteria to allow variations to those standards. This process enables more discretionary decisions to be made at the staff level. In addition to allowing more discretionary decisions at the staff level, the need for clear educational material for the general public and professionals to show what the code allows and how to use the code is very helpful to encourage infill development.

HOUSTON CODE

Following is a summary of select requirements from the City of Houston's subdivision development regulations (Chapter 42) that relate to this Residential Development Best Practices Study.

CHAPTER 42 - SUBDIVISIONS, DEVELOPMENTS AND PLATTING

Chapter 42 of the City of Houston subdivision development regulations establishes the authority to regulate and stipulates when a subdivision plat is needed, the approval process and application requirements in Articles I and II.

Article III establishes the standards for streets and shared driveways, building lines, lots and reserves, multifamily residential developments and residential buffering standards. A summary of those standards is included below:

Street Standards

Dedicated streets or permanent access easements are required for new development to accommodate the traffic generated, discourage through traffic in residential areas, provide adequate access to all properties, and provide connections to adjacent properties. Dedication of right-of-way or permanent access easements must meet the following general standards.

STREET OR SHARED DRIVEWAY	WIDTH
Major Thoroughfare	80' - 100'
Collector Street	60' - 80'
Collector Street (where all adjacent lots are single-family with no driveway access)	50'
Local Street (Exclusively single-family)	50'
Local Street (All other development)	60'
Alley	20'
Type 1 Permanent Access Easement	Same as public street
Type 2 Permanent Access Easement (The width includes pavement only)	28'
Shared Driveway (The width includes pavement only)	18' Min.
Shared Driveway (Meeting specific performance standards)	16' Min.

Intersections

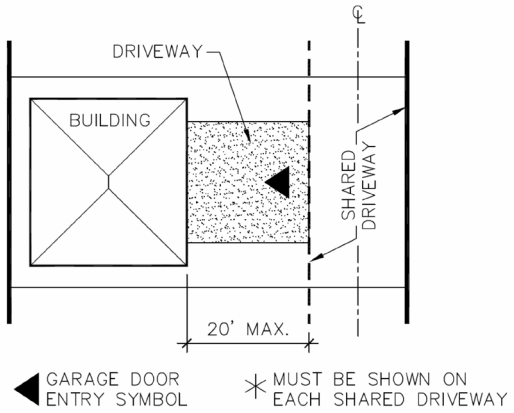
Streets section of Chapter 42 includes intersection spacing standards specifying the maximum length of a street section between intersections of certain streets. The distance between intersections is key to overall connectivity. A summary of intersection distance requirements is provided below:

STREET TYPE	MAXIMUM DISTANCE	MINIMUM DISTANCE
Major Thoroughfare	2,600'	600'
Local Street	1,400'	75'
Type 2 Permanent Access Easement	--	65'
Shared Driveway		65'
Cul-de-sac	35 - 43 lots	

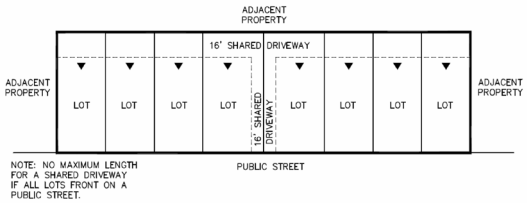
Shared Driveway Standards

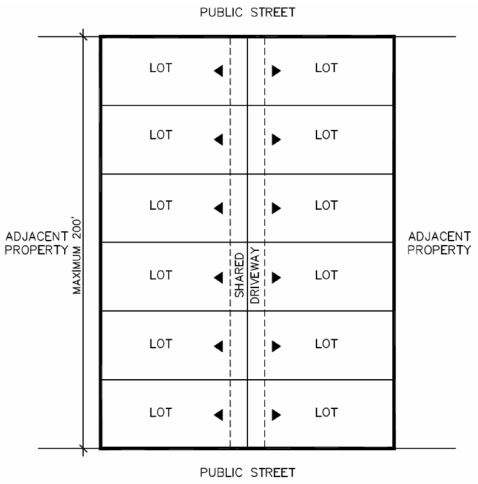
General standards for shared driveways include the following:

- Shared driveways can be a maximum of 200' from a public street or Type 1 Permanent Access Easement.
- Shared driveways can be any length is all lots have frontage along a public street in the amount of the minimum lot width.



- The length of a driveway that connects to a shared driveway shall be 20 feet or less.



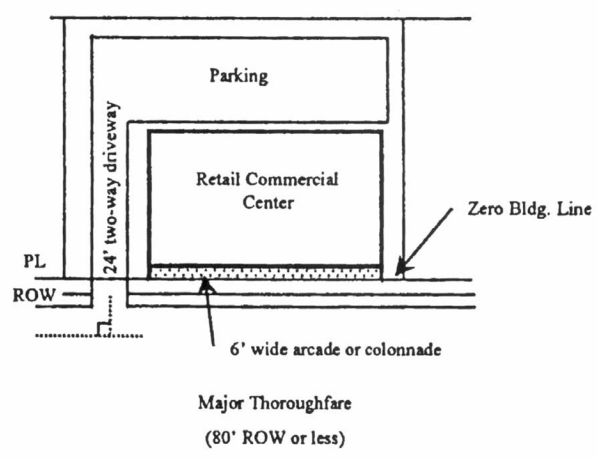


- A shared driveway shall intersect with at least one Type 1 permanent access easement or public street that is not an alley.
- Performance standards for a shared driveway that functions as an alley or is less than 100' long will allow for a 16' width.

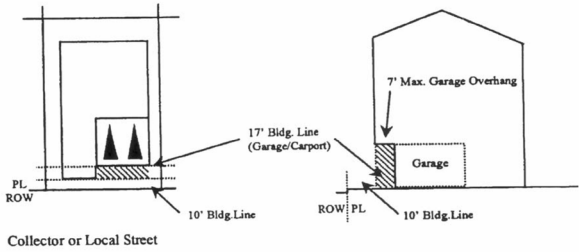
Building Lines

A building line represents the distance that a building must be setback from the right-of-way. The required setbacks from different street types vary by the width of the street, the type of street and the form of the development. In general a 25' minimum building line exists on all public streets with the exception of the following types of contexts or streets:

- The planned right-of-way width of the street is 80' or less and the development meets certain performance standards, such as parking in the rear and limiting driveways. The reduction in building line could be 0' in some instances;
- The Central Business District has no building line requirements;



- Properties meeting the requirements of the walkable places ordinance are entitled to reductions in the building line up to 0' ;
- Properties abutting Type 2 Permanent Access Easements have a 5' building line;
- Properties abutting a shared driveway have a 3' building line;
- Special minimum building lines may be designated by the City Council for certain single-family areas to preserve the existing building line character; and
- Single-family lots located within the City along local or collector streets have a 10' building line and 17' building line for a garage or carport.



Single-Family Residential Lot Standards

The minimum lot size for a single-family residential lot is:

- 5,000 sqft in the extraterritorial jurisdiction (ETJ), or
- 3,500 sqft in the city.

The lot sizes may be as small as 1,400 sqft if the development provides compensating open space or meets certain performance standards when located within city limits.

Performance standards include provisions such as:

- Including common open space within the subdivision,
- Applying a maximum building coverage per lot,
- Incorporating a certain amount of permeable area on each lot,
- Not exceeding a maximum density in the subdivision of 27 units per acre, and
- Lot size can be less than 1,400 sqft if the average lot size of all lots within the subdivision is greater than or equal to 1,400 sqft.

The minimum lot width for a single-family lot along a street or shared driveway is 20', unless certain performance standards requiring that average lot widths across the subdivision are met.

Parking for Single-Family Residential Uses

Parking requirements for single-family uses require at least two off-street parking spaces per lot. When a secondary dwelling unit of not more than 900 sqft is provided, one additional off-street space is required and must meet certain standards.

Each new subdivision including a shared driveway or Type 2 Permanent Access Easement with six or more dwelling units must provide one additional parking space for every six dwellings. This parking is intended for guests and must be accessible to all residents.

Lot Access to Streets

Each lot must have access to a street or shared driveway and a single-family lot shall not have direct access to a major thoroughfare.

When a lot take access from a permanent access that easement, a note recognizing the City of Houston has no obligation to maintain or improve the access easement must be placed on the plat.

Single-family lots along a transit-oriented development or walkable places street should take access from a shared street or alley instead of direct vehicular access to the designated transit-oriented or walkable places street.

Lot Standards for Reserves (Non Single-Family)

An unrestricted reserve tract is any tract not designated for a particular use such as a utility or open space or parking. The standards for an unrestricted reserve tract are included below.

- Minimum Size: 5,000 sqft
- Type of street: Public Street
- Minimum street width: 60' (50' in a street width exception area)
- Minimum street frontage: 60'

Multi-Family Residential Standards

Additional standards for multifamily residential development include the provision of at least one private street that does not allow parking and is designed to remain clear at all times for emergency vehicle access. The minimum width of the private street is 28′ which is equal to the required pavement width.

Off-street parking required for multifamily residential developments is based on the unit size as described below:

UNIT SIZE	PARKING SPACES REQUIRED PER UNIT
Efficiency	1.25
One bedroom	1.333
Two bedrooms	1.666
Three or more bedrooms	2

Residential Buffering Standards

Buffering standards are intended to minimize the impacts of large scale structures on adjacent single-family houses. They apply to a new development that is greater than 75′ in height and is located adjacent to lots in use for or restricted to single-family residential use. The width of the buffer area is dependent on the street type as indicated below:

- Buffer areas along a collector street are 30′ from the property line of the abutting single-family lots.
- Buffer areas along a local street are 40′ from the property line of the abutting single-family lots.

The only type of development that can be placed in the buffer area is a surface parking lot. In addition a 10′ landscape buffer is required and must include an 8′ tall solid masonry wall and one tree every 20′.

TYPICAL DEVELOPMENT TYPES

DEVELOPMENT CODE STRENGTHS

Cities across the nation are re-thinking their development codes to step back their reliance on zoning. In Houston, pressing challenges surrounding community needs and market pressures are responded to quickly as a result of the absence of traditional zoning. Innovations to Houston's model, with insights gained from national best practices, will allow the City to continue to lead the nation in providing walkable places and affordable communities far into the future.

DEVELOPMENT CODE WEAKNESSES

The absence of zoning in Houston has led to a reliance on a one-size-fits-all approach to development regulations, focusing primarily on lot and reserve subdivision regulations. The process to alter these standards to fit within the context lacks predictability for the neighborhood and development community. In order to respond to this challenge, neighborhoods and newer communities use deed restrictions and covenants to preserve local character. The resulting patch work of deed restrictions lack uniformity and can otherwise become costly and burdensome to administer. In addition, this reliance on private covenants results in very limited protections for neighborhoods, especially in underserved communities where there are limited financial resources to retain professionals to make necessary amendments.

Affordable housing within the Avenue Place affordable development.
Source: Kinder Institute

PART II

PEER CITY EXAMPLES AND BEST PRACTICES

1. SUBDIVISION STANDARDS

The subdivision standards topic explores the types of subdivision regulations that promote vehicular and pedestrian-friendly access while enhancing the quality of the public realm.

Strategies studied include:

- Connectivity and Block Size
- Vehicular Access and Lot Frontage
- Maintenance of Shared Spaces

2. STRATEGIES FOR TRADITIONAL RESIDENTIAL NEIGHBORHOODS

This topic explores strategies to build more diverse housing types at higher densities in residential areas of Houston.

Strategies studied include:

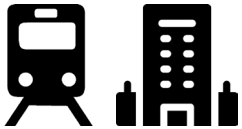
- Accessory Dwelling Units
- Corner Lots
- Cottage Courts

3. STRATEGIES FOR MAXIMIZING DENSITY

This topic explores strategies to build more diverse housing types at higher densities.

Strategies studied include:

- Focusing on Scale Over Density
- Pedestrian Access and Building Frontage
- Alternative Compliance and Design Intent



4. STRATEGIES FOR TRANSIT-SERVED AREAS

This topic explores strategies to encourage more residential development along transit corridors.

Strategies studied include:

- Pedestrian / Public Realm Improvements
- Parking Requirements

5. AFFORDABLE & WORKFORCE HOUSING DEVELOPMENT INCENTIVES

This topic explores strategies to incorporate more affordable housing through the use of development incentives.

Strategies studied include:

- Incentives Tailored to Small Scale Projects
- Incentives Tailored to Large Scale Projects

SUBDIVISION STANDARDS

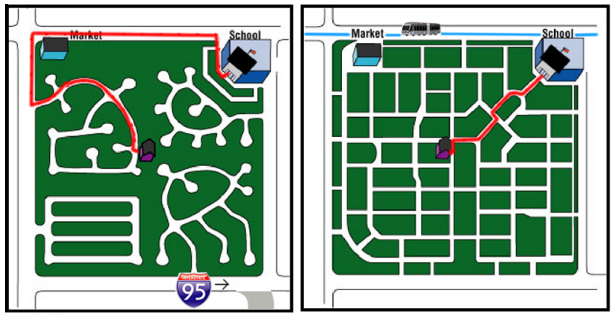
The first major step in the development process is to divide a parcel of land into lots, streets, and open spaces. How land is divided defines the pattern of a community, which in turn shapes its character. Dividing land also defines traffic circulation patterns and access, dedicates rights-of-way, and reserves tracts of land to protect environmental resources (floodplains, wetlands, forested areas). Careful consideration of subdivision standards related to connectivity and block sizes, vehicular access and lot frontage, the provision of shared open space, and the maintenance of private drives and shared spaces is key to establishing accessibility with transit-supportive densities in infill neighborhoods.

In *Designing the Walkable City*, Michael Southworth defines walkability as "the extent to which the built environment supports and encourages walking by providing for pedestrian comfort and safety, connecting people with varied destinations within a reasonable amount of time and effort, and offering visual interest in journeys throughout the network." Subdivision standards that create or improve accessibility include:

- Shorter blocks and increased connectivity,
- Provisions for mid-block pedestrian connections,
- Limited sidewalk breaks for driveways,
- A safe walking path separated from vehicles,
- Buildings that front the street and create interest, and
- A mixture of land uses.

CONNECTIVITY AND BLOCK SIZE

The form and scale of the street network is directly related to the connectivity of a neighborhood. Standards that require smaller block sizes and limited cul-de-sacs or dead-end streets create more accessible places. In addition provisions for pedestrian access easements to retrofit disconnected networks or break up a larger block are important tools to use in infill settings where the development pattern is already established.



Driving-only transportation pattern Walkable connected transporation network

Source: City of Nashville

VEHICULAR ACCESS AND LOT FRONTAGE

Standards for vehicular access and lot frontage impact:

- The availability of on-street parking,
- The provision of a continuous pedestrian path, and
- Visual interest.

Continuity of the pedestrian path can be disrupted by frequent driveways intersecting the sidewalk. Standards that limit the number of driveways along a block promote a higher level of connectivity along the pedestrian path.

Cities such as Nashville and Denver both limit the number of driveways along a block face by restricting front-loaded driveways on narrower lots. When narrow lots are created, access must be provided through shared driveways or a rear alley.

Other mechanisms that cities use to limit disruption of the pedestrian path are to allow lots to front on a common open space, providing vehicular access from a shared drive. Cities such as Los Angeles, Nashville, and Seattle allow the creation of lots that front on a shared open space, or private drive.

MAINTENANCE OF SHARED SPACES

Allowing and encouraging shared spaces can create increased opportunity for high density development. Requirements for the continued upkeep and maintenance of these places is important. The subdivision ordinances in cities such as Los Angeles, Seattle and Atlanta have included strong provisions to ensure the maintenance of these spaces during the subdivision process.

The City of Seattle has included specific standards required at the time of platting that ensure the maintenance and upkeep of private shared spaces. Key highlights of these standards include the following:

- The requirement that the applicant establish a homeowners association and provide covenants for the private maintenance of any shared spaces prior to the recordation of the plat.

- The recorded covenants give the City authority to perform any required maintenance not conducted by the homeowners association and the ability to recover those costs through a lien on the property.

CASE STUDY: REQUIREMENT FOR MAINTENANCE OF SHARED SPACES

SEATTLE, WA

Specific Code Language

All common open space and recreation areas and all private utility infrastructure located within a unit lot subdivision shall be maintained in perpetuity by the homeowners association. Prior to the recording of the subdivision, the applicant shall provide the covenants, declarations and restrictions required by subsection A of this section for review by the city, which shall provide that the following common areas and infrastructure are maintained by the homeowners association in accordance with all applicable provisions of the city code. Said covenants, declarations and restrictions shall provide authority for the city, after providing reasonable written notice to the homeowners association and opportunity to perform required maintenance, to recover any costs incurred by the city to maintain private infrastructure or common areas. This is due to a failure of the homeowners association to adequately maintain privately owned improvements, including a lien on the property or other appropriate assurance device, as determined by the city.

- *Private access drives;*
- *Vehicle and pedestrian access easements;*
- *Joint use and maintenance agreements;*
- *Common off-street parking;*
- *Common open space (including, but not limited to, landscape areas, gardens, woodlands, walkways, courtyards or lawns, and outdoor recreation areas);*
- *Private utility infrastructure (including, but not limited to, underground utilities and utility easements); and*
- *Any other common buildings or improvements.*

CASE STUDY: ALTERNATIVE LOT ARRANGEMENTS

CITY OF NASHVILLE

The City of Nashville has developed standards to allow for alternative subdivision standards intended to provide opportunities for individual ownership. The requirements for single-family cottage developments allow for small residential lots oriented onto a common open space. The allowance for alternative minimum lot sizes for attached housing encourages higher density single-family development. Following is a summary of the key standards applicable to a single-family cottage and attached housing units.

Single-Family Cottage Development

Each individual single-family cottage development within a subdivision shall contain four to ten cottage units in small lots around a common open space.

Cottage units shall be oriented to front and have a main entry facing the common open space. However, cottage lots abutting a street may front the street, but shall not have the rear of the unit facing the street. Cottage units fronting the street shall have a secondary entrance onto the common open space.

Minimum lot sizes are waived.

The common open space shall total at least 250 sqft per cottage unit, and shall have cottages abutting on at least two sides.

The common open space shall be accessible to all cottage units in the development.

Only one dwelling unit per lot shall be permitted.

The maximum building coverage, excluding covered porches, shall be 1,000 sqft.

The maximum height of a cottage shall be two stories.

Front, rear and side setbacks from the property lines shall be a minimum of three feet.

Cottage units abutting a public street shall meet the required setbacks.

Where a proposed development cannot comply with the standards of this section, the zoning administrator may approve other standards provided that the intent of this section is met.

Parking shall be located on the cottage development property.

Parking shall be provided at the rate of two spaces per unit.

Parking shall be provided on each cottage lot, or in the form of shared parking cluster(s) in commonly-owned space, or a combination of the two.

Parking clusters shall be no more than six adjoining spaces and shall not be visible from a public street.

Parking shall not be permitted in an established front yard setback or required common open space.

Parking may be permitted between, or to the side of structures, only when it is setback a minimum of ten feet from the leading edge of the front facade of a cottage unit and is accessed by a side or rear alley, or a side or rear private driveway.

The zoning administrator may approve other methods for the provision of parking provided the intent of this section is met.

Alternative Standards for Attached Housing

Applies to attached housing developments of at least three units.

Only one dwelling unit per lot shall be permitted.

The minimum street setback shall be three feet from the right-of-way line.

Parking shall meet the requirements for multifamily residential units of 1 space per bedroom up to 2 bedrooms and .5 spaces per bedroom for each additional.

Parking shall be accessed by a side or rear alley or a side or rear private driveway and shall not be visible from the street.

The zoning administrator may approve other methods for the provision of parking provided the intent of this section is met.

SUMMARY OF LOT STANDARDS AND ACCESS FOR SINGLE-FAMILY

	DIMENSIONS OF SHARED DRIVEWAYS, ACCESS EASEMENTS AND ALLEYS,	TYPICAL URBAN SINGLE-FAMILY LOT STANDARDS	SETBACKS AND ACCESS REQUIREMENTS
HOUSTON *Setbacks* *Shared Driveways* *Lot Standards*	Access Easements and Shared Driveways are permitted. All dimensions include pavement only. ▪ Shared Driveways: 16′ -18′ ▪ Type 2 Permanent Access Easement: 28′ ▪ Private Alley: 20′	▪ Minimum Lot Width: 20′ ▪ Minimum Lot Area: 1,400 sqft ▪ Maximum Lot Coverage: 60%	▪ Access may be provided by a shared driveway that is up to 200′ long. ▪ Building setbacks are 10′ for the building and 17′ for the garage along a public street. 3′ building line along shared driveways.
NASHVILLE *Setbacks* *Frontage* *Private Street*	▪ No more than ten lots may be served by a private street or network of private streets. ▪ Access easements and shared driveways streets are not regulated.	▪ Minimum Lot Width: Unregulated ▪ Minimum Lot Area: 3,750 sqft ▪ Maximum Building Coverage: .6	▪ Building Setbacks are 20′. ▪ With permission, lots may front a private street, or common open space. ▪ Access from shared drive or rear required for lots < 50′ wide. ▪ Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
DENVER *Development Code*	▪ Private Streets are only allowed with special permission.	▪ Minimum Lot Width: 25′ ▪ Minimum Lot Area: 3,000 sqft ▪ Maximum Building Coverage: 50%	▪ Maximum coverage of the parking and drive in primary setback area: 320 sqft ▪ Front Setback: 20′
SEATTLE *Access Easement Standards*	▪ Alley minimum width: 16′ ▪ Minimum frontage along a street or permanent vehicle access easement: 10′ ▪ Access Easement serving 2 or less: 10′ ▪ Access Easement serving 3 - 5 lots: 20′ ▪ Access Easement serving 5 -10 lots: 20′ plus a 5′ setback for lots. ▪ Access Easement serving more than 10 units: 32′ plus 10′ setback and one pedestrian walkway is included.	Seattle has a standard single-family lot and a Residential Small Lot (RSL). Residential Small Lot developments receive reduced standards in exchange for permanent affordability. Maximum Lot Width: ▪ Standard: Unregulated ▪ RSL: Unregulated Minimum Lot Area: ▪ Standard: 5,000 sqft ▪ RSL: none Maximum Building Coverage: ▪ Standard: 35% ▪ RSL: 50%	Front Setback ▪ Standard: 20′ ▪ RSL: 10′ Sidewalks, curbs, and curb ramps are required when ten or more lots are created or when ten or more dwelling units are developed. Pedestrian access easements are required where a residential lot does not abut a public street. The easement is a minimum of 5′ and extends from the lot to the street. Easements over 100′ in length require lighting at intervals not to exceed 50′.

Connectivity and Block Standards:

Some recommendations for improving connectivity and walkability include:

1. Require pedestrian and bicycle access easements where vehicular connectivity is limited,
2. Limit the use of cul-de-sacs where connections are possible,
3. Require access easements to connect to adjacent tracts,
4. Enhance the standards for private drives to include pedestrian facilities to the street, and
5. Reduce the overall size of blocks.

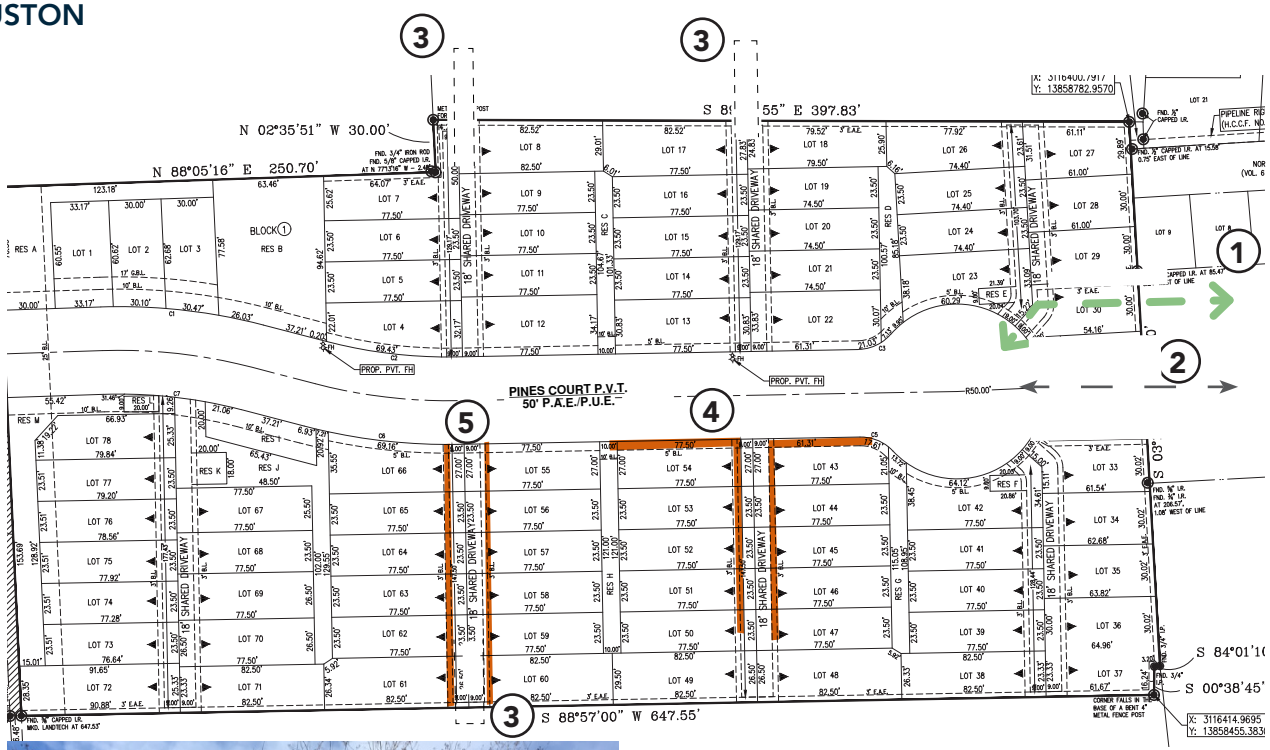
Vehicular Access and Lot Frontage

Ordinances encouraging accessibility prioritize buildings and spaces for people at the front of a lot and subordinate parking and vehicle access. Recommendations for the City of Houston vehicular access and lot frontage requirements include:

- Allowing lots to front on a common greenspace,
- Require lots along a public street to front on the street, and
- Encourage rear access and shared parking areas for narrow lots.

Maintenance of Shared Spaces

As new shared spaces are developed the City of Houston can utilize more tools, such as easements and covenants, to ensure the maintenance of those spaces as they are developed.



Source: City of Houston

Source: City of Houston

Source: City of Houston

The vehicular access and lot frontage requirements for the developments depicted below result in a substandard pedestrian realm dominated by vehicles.

STRATEGIES FOR TRADITIONAL RESIDENTIAL NEIGHBORHOODS

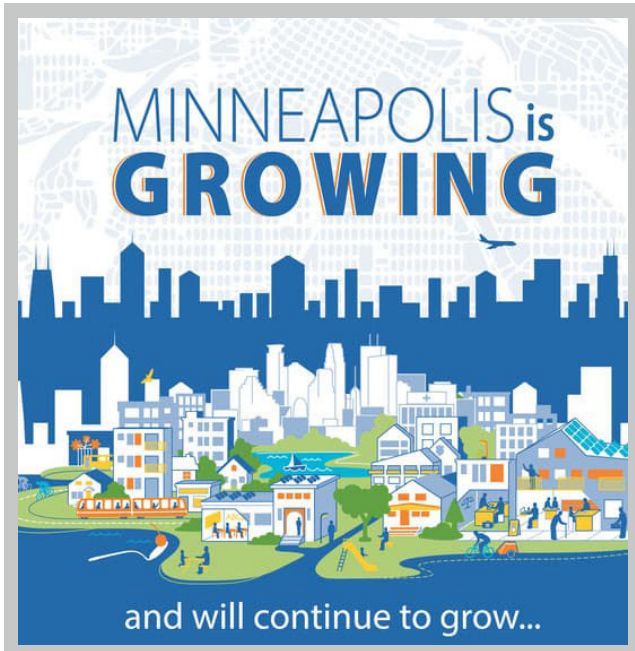
Cities across the nation are considering new ways to incorporate additional housing within traditionally single-family neighborhoods. Adding more homes in single-family neighborhoods makes it possible for more people to move into the neighborhood and has the potential to create more affordable options. Affordability comes from spreading one of the highest costs of development, the land, across multiple buildings. For example, the addition of just one more building on a lot will reduce the cost of land and infrastructure maintenance by 50%. In addition, since more homes are going in a smaller space the resulting units may be smaller.

This section analyzes the standards used to create three different strategies for accommodating new and smaller housing types within traditionally single-family areas:

- Accessory Dwelling Units,
- Corner Lots, and
- Cottage Court.

CASE STUDY: INCREASING THE NUMBER OF UNITS IN SINGLE-FAMILY AREAS

MINNEAPOLIS, MN



In the City of Minneapolis, all residential zoning districts allow at least three residential units per lot. This policy was approved with the Minneapolis 2040- The City's Comprehensive Plan and was implemented in January 2020. Standards for low density residential development are summarized:

Types of Buildings Allowed:

Single-family, two-family, multifamily dwelling, three (3) units

Accessory Dwelling Units:

Allowed on single-family or two-family lots

Parking Requirements:

1 space per dwelling, except ADUs are not required to provide off-street parking.

Max Height:

2.5 stories or 35'

Yard or Setback Requirements:

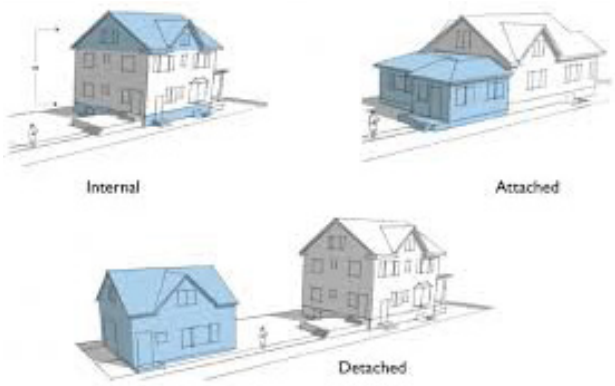
YARDS	REQUIREMENTS
Front	25'
Rear	6'
Interior Side	Lot Width less than 42': 5' Lot Width 42' -51.99': 6' Lot Width 52' - 61.99': 7' Lot Width 62' - 84.99': 8' Lot Width 85' - 99.99': 10' Lot Width 100' or greater: 12'
Corner Side	8'

Lot Dimension and Building Bulk Requirements:

USES	LOT AREA	LOT WIDTH	MAX. F.A.R.
Single-, two, or three-family dwelling	6,000 sqft min.	50' min.	.5 or 2,500 sqft of GFA, whichever is greater

ACCESSORY DWELLING UNITS

An accessory dwelling unit is a smaller, independent residential dwelling unit located on the same lot as a single-family home.



Source: City of Portland

Internal, attached, and detached accessory dwelling units all have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods. Consequently many cities have adopted regulations that allow accessory dwelling units within lower density neighborhoods. Regulations for accessory dwelling units may impact the number and type of accessory dwelling units built within a neighborhood.

ACCESSORY DWELLING UNIT STANDARDS AND REGULATIONS

How accessory dwelling units are regulated can have a significant impact on the number of accessory dwelling units permitted and built within a jurisdiction. Due to the size of the project, accessory dwelling units are frequently built by home owners and smaller scale builders who are less familiar with the planning and permitting process. Simple permitting and approval processes are key to realizing more accessory dwelling units within a jurisdiction. In addition to complexity of the permitting process, stringent development standards and regulations can limit the construction of accessory dwelling units within single-family neighborhoods. The following are recommendations included from a case study conducted by the State of Oregon.

Avoid Owner-Occupancy Requirements

Owner occupancy requirements limit financing and re-sale potential of a property.

Consider Waiving or Reducing Impact Fees

Impact fees have a larger impact on smaller projects.

Ownership of Accessory Dwelling Unit

An accessory dwelling unit is typically owned by the property owner and leased. However, in areas where property values are rising quickly and where the definition of an accessory dwelling unit does not require shared ownership, these units can be sold as a separate unit, like a condo.

	WHERE ARE THEY PERMITTED	OWNER OCCUPANCY REQUIRED	HEIGHT	PARKING	SIZE
HOUSTON	All lots greater than 3,500 sqft	No	N/A	1 additional space	Max 900 sqft
MINNEAPOLIS	All residential zones	Yes	Height of principal or 20', whichever is less	None	--
DALLAS	Areas approved by neighborhood	Yes	Height of principal	1 space unless within 1,200' of transit	Floor Area: 200 sqft min 700 sqft max
AUSTIN	Areas approved by neighborhood	No	Height of principal	1 space unless proximate to transit	Floor Area: 700 sqft max
ATLANTA	Certain single-family districts	No	20' max	None	Floor Area: 750 sqft max
PORTLAND	All areas	No	20' max	None	75% of house or 800 sqft max whichever is less
SEATTLE	All lots greater than 3,200 sqft (Seattle allows up to 2 detached ADUs per lot)	No	Height of principal	None	1,000 sqft max
SACRAMENTO	All residential zones	No	Height of principal	None	Detached: 1,200 sqft max Attached: 850 sqft max or 1/2 the main; whichever is greater

CASE STUDY: REDUCING BARRIERS TO THE CONSTRUCTION OF ACCESSORY DWELLING UNITS

LOS ANGELES, CA

Accessory dwelling units are often considered a tool to assist low income families earn extra money and remain in their homes in the face of rising property values. They also provide a neighborhood benefit by allowing more flexible housing options within the community. However, permitting requirements to obtain ADUs have proven challenging and precludes many families from being able to utilize this resource.

To change this, the State of California passed a law in 2017 which relaxed ADU building guidelines. This lead to a dramatic increase in the amount of ADU permits issued, where specifically in Los Angeles it increased by a factor of 30. This state law eliminated many barriers, such as parking requirements and access requirements, in addition to owner occupancy requirements. An update being pushed through the California legislation would also eliminate impact fees for units less than 750 sqft.

What does California's ADU law do?

In 2016, California passed statewide ADU reform in SB 1069, later tweaked in 2017 by SB 229 and AB 494. These laws require cities to:

- Permit one ADU per single-family home,
- Streamline ADU permitting by using a ministerial rather than discretionary process,
- Set utility fees in proportion to the burden of the ADU and reduce them for ADUs built inside the main house,
- Waive parking requirements for ADUs located within a half-mile radius of a transit stop or within a block of a car-share; for ADUs built inside the existing primary house that don't involve additions; and for ADUs in historic districts,
- Otherwise require no more than one parking space per ADU, and allow that space to be tandem,
- Waive requirements for "passageways"—a commonly required ten-foot-wide, open walkway from sidewalk to ADU,
- Allow zero setbacks for existing garages converted ADUs, and five-foot side and rear setbacks for ADUs above garages, and
- Cap ADU floorspace to 1,200 sqft for detached ADUs (backyard cottages); 1,200 sqft or 50 percent of house size, whichever is less, for an attached ADU that involves an addition to the main house; and no size limit for ADUs built entirely inside existing houses.

Because Los Angeles adopted the State's regulations without any modification they apply across the City without any confusing overlay or special districts. In addition, the law does not include an owner occupancy requirement. The following table shows the dramatic increase in the number of ADU permits issued in Los Angeles.

California's 2017 ADU reform boosted permit applications in several cities.

City	2015	2016	2017
Los Angeles	299	257	3,818
Long Beach	0	1	42
Oakland	33	99	247
Sacramento	17	28	34
San Diego	16	17	64
San Francisco*	41	384	593
San Jose	28	45	166

Sightline Article - 2019

CORNER LOTS

Corner lots present some advantages to providing additional dwelling units over interior lots and maintaining the existing residential character. Some of the advantages include:

- Two separate street frontages,
- More linear feet of on-street parking, and
- More available land area in some platting patterns.

Because of the two separate street frontages, corner lots also provide a good opportunity to subdivide into two fee simple lots.

The advantages of adding dwelling units on corner lots have led several jurisdictions including the State of Oregon and Washington as well as several cities including the City of Portland among others to specifically expand allowances for housing on corner lots.

On a corner lot both units of a duplex can be oriented to the street.

CASE STUDY: STRATEGIES FOR COMPATIBLE INFILL DEVELOPMENT

STATE OF OREGON

A case study by the State of Oregon explored the types of code provisions that were most and least supportive for encouraging density in infill neighborhoods. One of the tools highlighted was allowing for more housing on corner lots. The study looked at several different codes across the state and identified those that were more or least supportive of additional density on corner lots.

SUPPORTIVE AND LIMITING CODE PROVISIONS TABLE:

	SUPPORTIVE CODES	LIMITING CODES
Number of Units Allowed	▪ Increase the number of units allowed on corner lots.	▪ No increase on corners. ▪ Small increase by decreasing the minimum lot sizes for a duplex .
Lot Size	▪ Allow a duplex on a standard size lot, or ▪ Allow the subdivision of the lot to two smaller lots with frontage on each street.	▪ Only allow a duplex and do not allow the subdivision to two smaller lots.
Design Compatibility	▪ Allow each home to meet the size and footprint standards of the base zone.	▪ Require the structure to be attached as one building that is limited to one large house.
Parking	▪ Reduce or eliminate off-street parking requirements. ▪ Waive parking minimums when in proximity to transit.	▪ Apply the minimum parking requirement to both units ▪ Require a separate driveway for each unit
Approval Process	▪ Allow by-right.	▪ Require discretionary review process.
Additional Standards	▪ Allow multiple duplex configurations including side-by-side; stacked; or detached. ▪ Require front doors to face different streets.	

COTTAGE COURT

A cottage court development can go by different names (i.e. Paseo Homes, Park Lots, etc.) but is made up of a cluster of small lots arranged around a common courtyard instead of a public right-of-way. Cottage courts can fit well within the fabric of a traditional single-family neighborhood both at the edge or interior to the block. According to Opticos Design, "Typically, bungalow courts are between five and ten units, with each unit ranging from 500 to 800 sqft. These types usually occupy 100' – 150' (wide and/or deep) lots. While they can work in a variety of settings, cottage courts are a good solution for irregularly shaped lots with limited frontage.

There are a few key considerations that need to be accounted for when allowing and encouraging cottage court style developments within single-family neighborhoods, like:

Location of Vehicular Access:
Vehicular access should be shared and should be located at the rear or along the outside of the property. No vehicles should be permitted within the courtyard.

Location and orientation of the courtyard:
The courtyard should have a minimum of one side open to the public right-of-way.

Size of Units:
The size of each individual dwelling unit should be limited in order to achieve the desired character.

Orientation to the street:
Buildings located at the street edge should be oriented to the street and include a street facing entrance.

Source: City of Seattle

CASE STUDY: RESIDENTIAL SMALL LOT ZONE

SEATTLE, WA

The City of Seattle's Residential Small Lot Zoning District is a single-family zoning district allowing a diverse group of housing types including cottage courts. Below is a description of the development standards applicable to cottage courts in single-family areas of Seattle.

Permitted Uses:
Apartments, carriage houses, cottage housing development, rowhouse development, and townhouse developments.

Accessory Dwelling Units:
Each principle structure may have one accessory unit.

Mandatory Housing Affordability:
Some developments subject to mandatory affordable housing requirements.

Minimum Lot Area:
None

Maximum Lot Coverage:
50% of lot

F.A.R. Limit:
.75; 50% of the floor area contained in an existing structure built prior to 1982 is exempt from F.A.R.

Height Maximum:
30'

Setbacks:

YARD	
Front	10'
Rear	10'; 0' when abutting an alley
Side	5'

Separation between principle structures:
10' min.

Density Limits:
Minimum lot area is 2,000 sqft per unit.

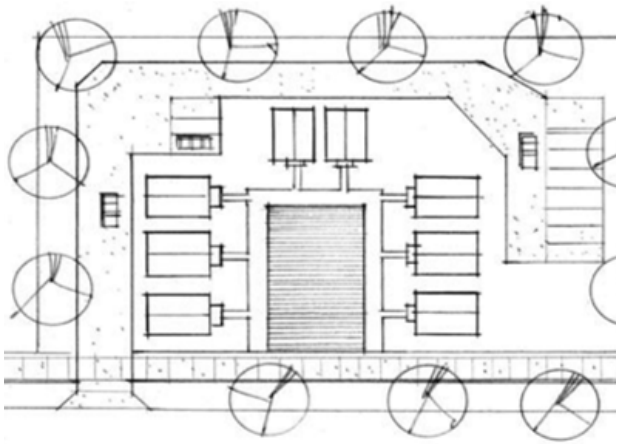
Maximum Dwelling Unit Size:
2,200 sqft

Design Standards:
Pedestrian access is provided between each unit and the street.

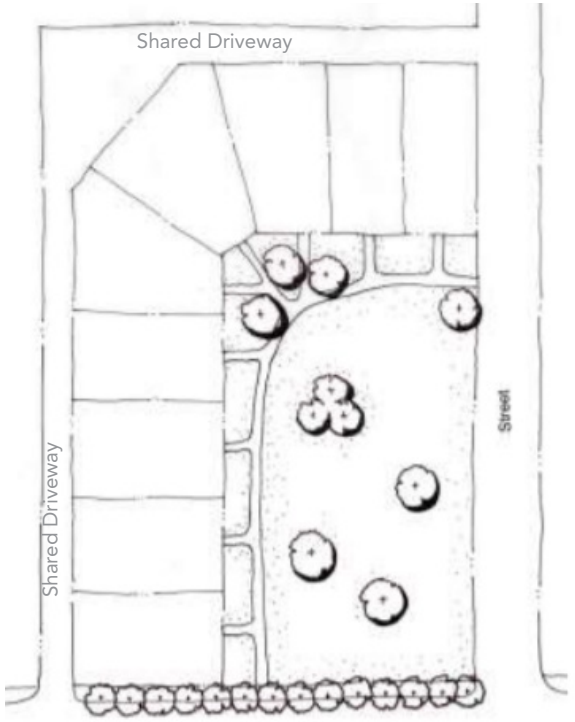
Street facing entrance is required for any unit where the facade is within 40' of the street lot line.

Off-Street Parking Requirements:
1 space per dwelling unit. If located adjacent to transit no minimum parking requirements apply.

Source: Opticos Design



Source: Olympia Washington



Source: City of Nashville

Cottage court developments come in a number of names and a number of configurations. They typically include shared access and orientation to a common open space instead of backyards.

Determining the number of units on a restricted lot in the City of Houston is based on conformance with the following standards:

- Lot area,
- Lot width at the frontage,
- Dwelling units per acre, and
- Total number of units allowed.

Following are recommendations for accommodating more diverse housing types with the potential for increased affordability.

Lot Area and Lot Width at the Frontage:

Consider allowing greater flexibility for smaller lot area and lot width requirements when associated with greater performance standards related to an enhanced public realm and accessibility. For example, consider modifying the current performance standards for lot sizes less than 3,500 sqft and also introducing performance standards for narrow lot widths when the following conditions are met:

- Limit the amount of front yard dedicated to parking and access,
- Require rear access,
- Require building orientation towards the front of the lot,
- Require street facing entrances on buildings within a certain distance from the street,
- Require front porches,
- Give preference to corner lot configurations, and
- Give preference to a cottage court design incorporating open space.

Dwelling Units per Acre (DUA):

Consider eliminating or increasing the DUA for existing infill lots. Maximum DUA is not the most effective tool for regulating development intensity in an infill setting. Consider instead focusing more attention on standards that control the massing and scale of new buildings such as a maximum building coverage or impervious cover percentage. This would ensure enough greenspace to help manage water run-off without discouraging smaller units.

Total Number of Units Allowed:

Consider increasing the total number of units allowed on corner lots from 2 to 3 when certain performance standards are achieved. Standards should include maximum impervious cover or building coverage and two street facing facades.

Preservation of Existing Housing:

Some parts of the City that may be experiencing rapid redevelopment and gentrification would benefit from performance standards that encourage the preservation of existing buildings. These types of standards may allow additional units only when existing units are being preserved or allow existing buildings to be divided into more units. Consider allowing the total number of lots on a property to increase from 2 to 3 when the existing buildings are preserved on site.

STRATEGIES FOR MAXIMIZING DENSITY

Development patterns across the country primarily consist of detached single-family homes on medium to larger lots and three to four story multifamily developments on large lots. There is a whole range of housing types between these two development patterns that have been largely forgotten. Housing types such as town homes, tri-plexes, four-plexes, smaller multifamily, and courtyard housing fall in this range. These housing types have been labeled missing middle housing and are described as"house-scale buildings with multiple units in walkable neighborhoods" by Opticos Design.

The typical U.S. approach to regulating housing has made these products illegal in most areas of U.S. cities. As cities are striving to incorporate more housing choices to meet the needs of a changing demographic and to find solutions for affordability, the effort to modify development regulations and encourage these housing types in more places has become front and center for many cities and some states.

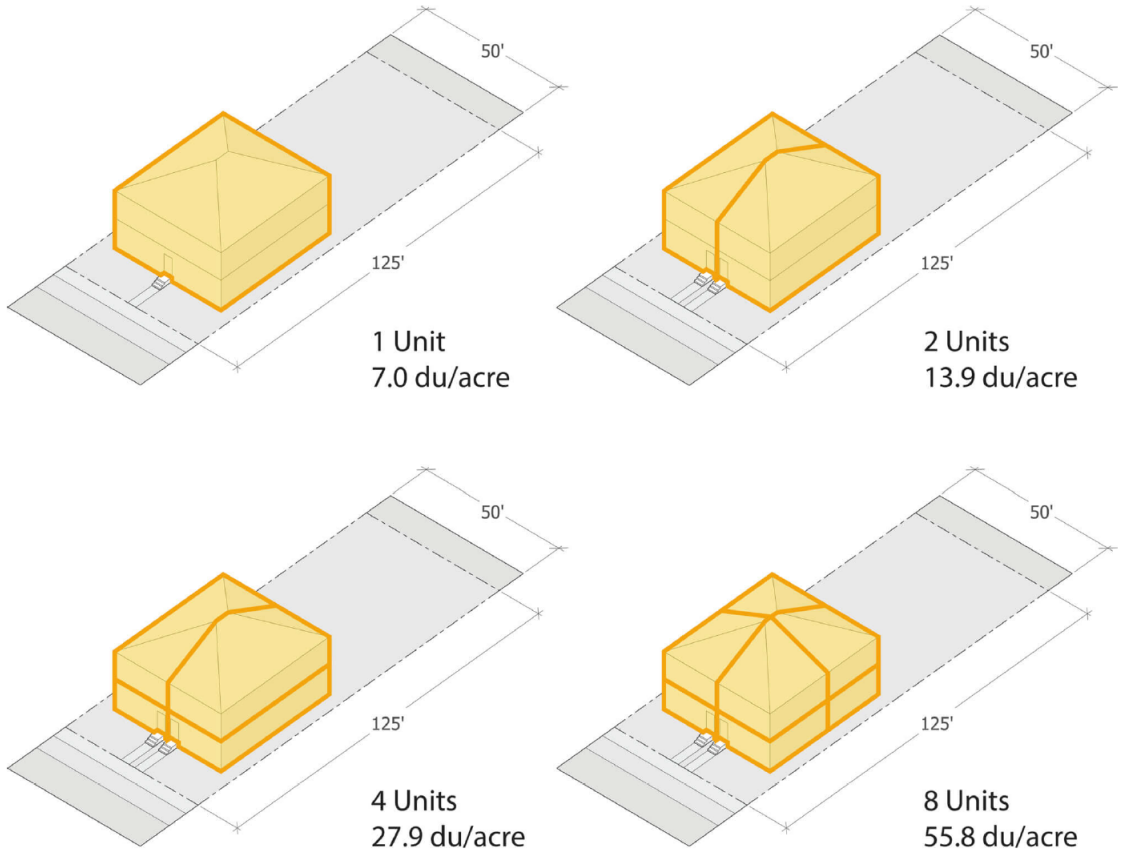
The following is a discussion and case studies on some of the key components of a development code that allows and encourages missing middle housing including:

- Focus on scale over density,
- Focus on public realm and frontage, and
- Focus on design intent.

FOCUS ON SCALE OVER DENSITY

Missing middle housing is characterized by smaller, well-designed units. Smaller units can lead to much higher densities that frequently exceed 30 dwelling units per acre. Cities that have recently adopted missing middle ordinances have found a need to loosen density standards and increase building scale and massing standards.

In the diagram below, a maximum density standard may preclude this quad-plex or eight-plex from being created. When regulating multifamily development, the City of Portland uses the development standards to encourage smaller buildings with more units.



The same building envelope accommodates one, two, four, and eight units.

Source: Opticos Design

CASE STUDY: FOCUSING ON BUILDING SCALE AND MASS OVER DENSITY

PORTLAND, OR

Maximum F.A.R.:
Floor area ratios (F.A.R.s) regulate the amount of use (the intensity) allowed on a site. F.A.R.s provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. F.A.R.s also work with the height, setback, and building coverage standards to control the overall bulk of development.

Standard for maximum F.A.R. in Medium Density Areas: 2 to 1

Maximum Density:
In order to encourage smaller buildings with more units, the City of Portland has eliminated maximum density as a standard in multifamily developments.

Standard for maximum density in Medium Density Areas: None

Minimum Density:
The minimum density standards ensure that the service capacity is effectively utilized and that the City's housing goals are met. The standards also ensure that incremental development will not preclude the ability to meet the intended development intensity of the zoning of a site.

Standard for minimum density in Medium Density Areas: 1 unit per 1,000 sqft of site area

Height and Step-Down Height:
The height standards serve several purposes:

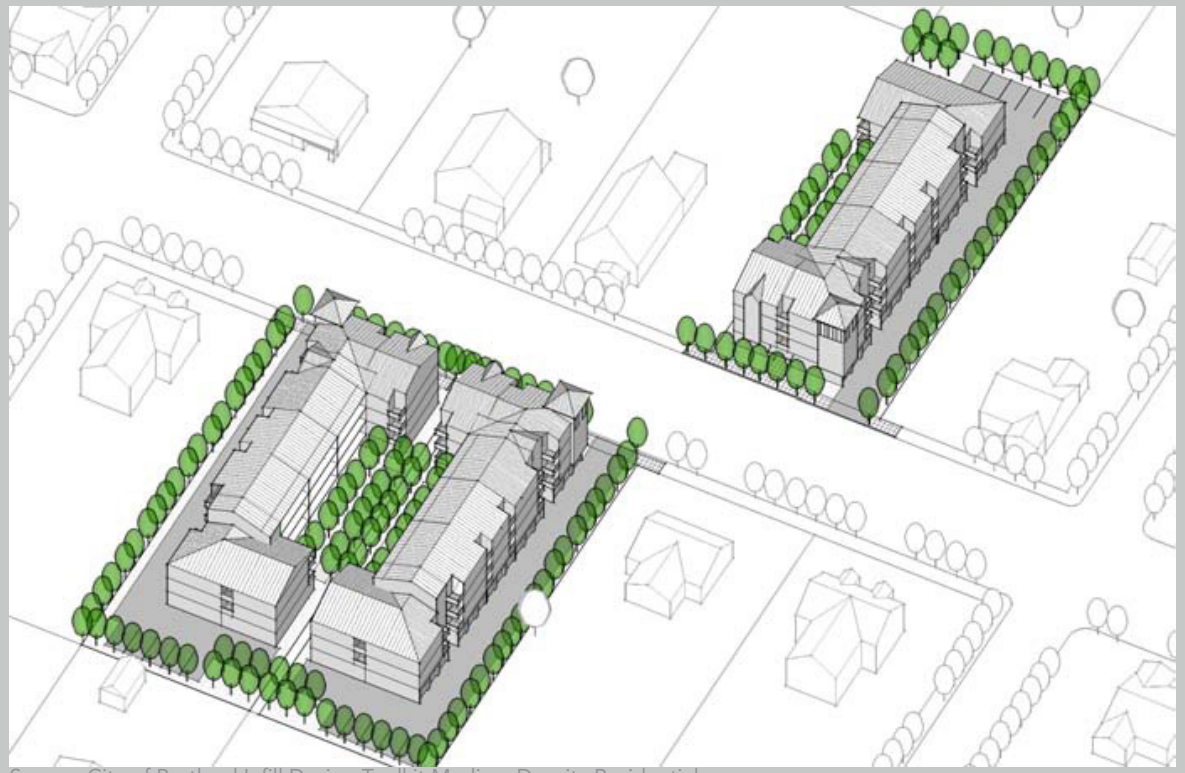
- They promote a reasonable building scale and relationship of one residence to another;
- They promote options for privacy for neighboring properties; and
- They reflect the general building scale of multi-dwelling development in the City's neighborhoods.

Standard for base height in Medium Density Areas: 65'

Standard for Step-Down Height in Medium Density Areas: 35' when located within 25' of a lot line abutting single-family residential and 45' when across the street from single-family residential

Maximum Building Coverage:
Maximum building coverage standards, along with the height and setback standard, limit the bulk of buildings close to the street.

Standard for maximum building coverage in Medium Density Areas: 85% of site



Source: City of Portland Infill Design Toolkit Medium Density Residential

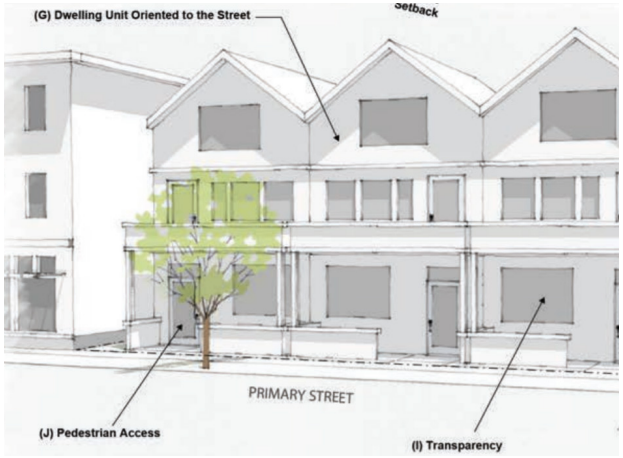
PEDESTRIAN ACCESS AND BUILDING FRONTAGE

Activated streets make places feel safer for all users including pedestrians and bicyclists. By moving buildings closer to the street and providing more direct connectivity from the street to the door, the buildings will interact with all users of the street - not just the vehicles. Standards that require activated streets are important as the density of an area increases. When addressing strategies to increase housing in medium density residential areas, the incorporation of standards that lead to activated streets and a high quality public realm are important

Two different types of standards have been utilized by cities to ensure a walkable public realm exists.

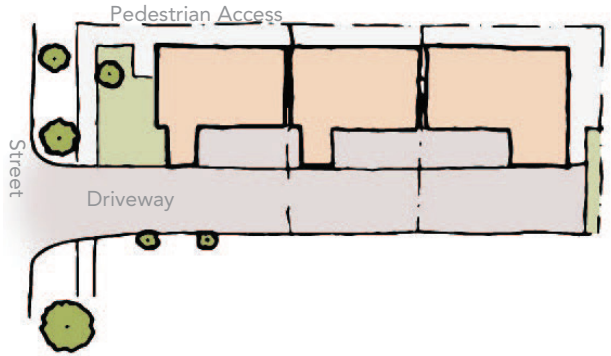
Pedestrian Access:

To define and activate the street, a pedestrian entrance should connect the main entrances of buildings with available access points including parking, streets, sidewalks and transit stops. In addition to the access way, many cities require a street facing entrance for any building within a certain distance from the street.



Source: City of Denver Development Code

Pedestrian access can also be provided to lots that are not directly fronting on the street by incorporating a pedestrian access easement into the design.

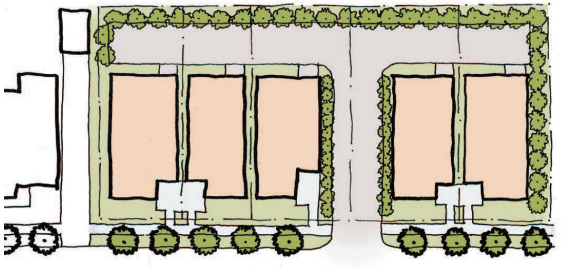


Source: City of Los Angeles Small Lot Design Standards

Units Oriented to the Street:

To ensure that buildings contribute to vibrant pedestrian-oriented streets, Development Codes may require buildings located within a certain distance from the street frontage orient towards the street.

Source: City of Denver Development Code



Source: City of Los Angeles Small Lot Design Standards

ALTERNATIVE COMPLIANCE AND DESIGN INTENT

Infill development often deals with irregularly shaped lots and challenging conditions where one-size-fits-all standards can preclude creative solutions to adding housing. However, when density increases within an area design solutions are important for activating the street and achieving the desired built results. In order to address the need for flexibility, development codes can incorporate strong intent sections for the standards and provide criteria for decision-making when the standard may not fit the specific situation.

The process of alternative compliance has been implemented in cities like Denver. Alternative compliance doesn't allow the waiver of a standard but instead considers an alternative way to meet the intent of the standard for a specific situation. Processes to allow alternative approvals need to balance the need for flexibility and creative solutions and the need for consistency and simplicity in decision-making. Alternative compliance processes need to balance objective and more subjective decision-making processes. The example included on this page from the City of Denver is a more objective form of alternative compliance similar to the City of Houston's performance standard process. The case study of the design review process in the City of Seattle is an example of a decision-making processes that allows more flexibility and creativity.

Approval Processes:

In general, the more subjective the decision-making process the longer the approval time and the harder it is for those decisions to be made administratively.

Decision-Making Criteria:

Decisions are typically made based on the extent to which the proposed alternative method of compliance meets the intent and purpose of the standard.

CASE STUDY: PERFORMANCE STANDARDS

DENVER, CO

The City of Denver is a good example of a development code that utilizes performance standards as the grounds for the alteration of certain standards. They are referred to as design alternatives in the Denver Code and do not require a decision-making process based on intent but instead a more objective set of standards to pick from. The Code Section below demonstrates how alternative compliance is used.

SECTION 4.3.6 DESIGN STANDARD ALTERNATIVES

4.3.6.1 Required Build-To Alternatives

A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades. Additionally, to allow relief for vehicle access when alley access is not feasible per Section 4.3.7.6 in the Town House building form.

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.8.E:

REQUIRED BUILD-TO ALTERNATIVES									
ZONE DISTRICT	BUILDING FORM	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURT-YARD (MAX % OF BUILD-TO)	VEHICLE ACCESS (MAX FEET OF BUILD-TO)
E-MU E-RX E-MX E-MS	Town House	na	na	na	na	na	na	30%	12 feet
E-RX	All Others	na	na	25%*	30%**	30%**	100%	100%	na
E-CC E-MX	All Others	10'*	na	25%*	30%**	30%**	100%	100%	na
E-MS	All Others	na	na	25%*	30%**	30%**	100%	na	na

*Permitted increase in the maximum depth of the required build-to range.
**If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than 30% of required build-to.

CASE STUDY: DESIGN REVIEW PROCESS

SEATTLE, WA

The City of Seattle has a design review process that applies to certain multifamily, commercial, mixed-use and downtown developments. The level of review for a project is based on the size of the project and its context within the City. Projects with a larger size and/or located adjacent to smaller scale construction or within a historic district are subject to the highest level of design review.

The purpose of the design review is to:

- Encourage better design and site planning to help ensure that new development enhances the character of the city and sensitively fits into neighborhoods, while allowing for diversity and creativity;
- Provide flexibility in the application of development standards to better meet the intent of the Land Use Code as established by City policy, to meet neighborhood objectives, and to provide for effective mitigation of a proposed project's impact and influence on a neighborhood; and
- Promote and support communication and mutual understanding among applicants, neighborhoods, and the City early and throughout the development review process.

TYPES OF DESIGN REVIEW:

	DESCRIPTION	GENERAL APPLICABILITY
Full Design Review	Review and approval by an appointed board; includes public notice and at least 3 public meetings with the board.	• Adjacent to single-family • Lot greater than 43,000 sqft • GFA greater than 35,000 sqft
Administrative Design Review	Administrative review and approval including public notice and a public comment period.	GFA between 8,000 - 35,000 sqft
Streamlined Design Review	Similar to the Administrative process but allows the concurrent submission and review of a building permit application.	In certain situations when the GFA is between 8,000 - 15,000 sqft
No Design Review	No design review process is applicable.	GFA less than 8,000 sqft

Approval Criteria for Design Review:

The approval criteria for design review is different depending on who is making the decision.

For design review decisions made by the board, the board makes a determination of whether the design complies with the guideline priorities and makes a recommendation to approve, condition, or deny the requested departure from development standards.

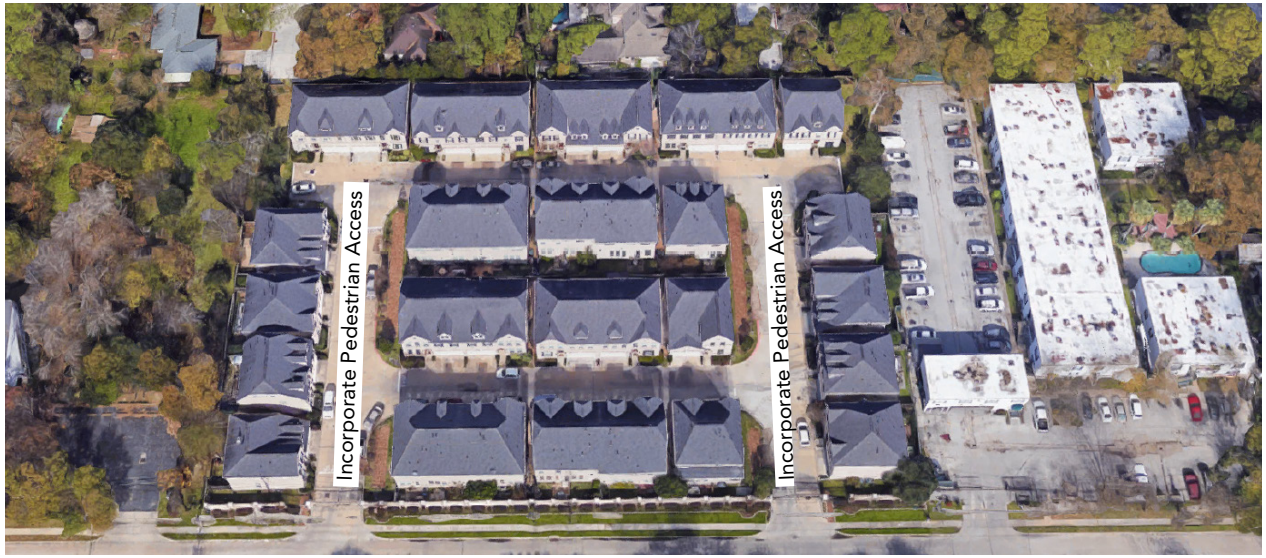
For design review decisions made administratively, the Director's decision is made based on the extent to which the proposed project meets the guideline priorities and in consideration of public comments on the proposed project.

Consider modifying one-size-fits-all minimum lot size requirements by including performance standards for the construction of affordable housing and design standards for the public realm.

Consider incorporating minimum standards to improve the public realm and investments in walkability. Standards that require the following could open the door for more flexibility on minimum lot size, lot area, and maximum density standards:

- Pedestrian access ways along private drives,
- Street facing orientation,
- Activated ground floor,
- Build-to requirements, and
- Parking location.

Consider including intent and purpose statements for all standards and provide performance standards and criteria to allow for alternative methods of achieving the intent.



Source: City of Houston

These examples of typical development in typical medium density areas show the opportunity to activate the street by incorporating pedestrian access and orienting buildings to the front.

Source: City of Houston

STRATEGIES FOR TRANSIT-SERVED AREAS

Cities across the country are recognizing the opportunity for transit corridors to provide housing in high opportunity areas with great access to jobs, services, and amenities. Attaining new housing at higher densities along these corridors requires a holistic approach including both economic development tools and development standards tailored to the creation of a walkable mixed-use environment. Reduced parking requirements are also key to creating a regulatory environment that supports high density mixed-use development along transit corridors.

PEDESTRIAN / PUBLIC REALM IMPROVEMENTS

A vibrant, walkable, and activated space with services and amenities to support a day time population is key to encouraging more residential development along transit corridors and in downtown settings. The City of Dallas and the City of Austin both represent large metropolitan cities that have been successful in attracting residential development to their downtown business districts and along transit corridors. In both of these cases the cities utilized economic development tools coupled with a focus on enhanced walkability and livability standards to achieve these successes.

CASE STUDY: TAX INCREMENT FINANCING (TIF) DISTRICTS

DALLAS, TX

City Center TIF District creates a residential neighborhood from abandoned office towers to support new retail in the Main Street core near the flagship Neiman Marcus. Successes include:

- Property value increase by 14 times,
- Reconstruction of aging public infrastructure,
- Higher development densities,
- Pedestrian amenities, and
- Links to the Light Rail System.

Requirements for TIF funding include:

- Affordable housing,
- Strong urban design,
- Preferential hiring to neighborhood residents,
- Enhancement of other public investments and core assets of the City of Dallas,
- Benefits in distressed areas,
- Funding for educational/job training programs,
- Park/trail/green space, and
- M/WBE business hiring.

The Master Design Guidelines set general standards applicable for all TIF districts. The guidelines outline design concepts such as promoting wide sidewalks, streetscape amenities, doors/windows facing the street, etc. There is also a section for each individual TIF district's goals and character.

TIF are reimbursed upon completion of obligations under the TIF. Generally reimbursements are allocated proportionately, based on the increment created by the project.

PARKING REQUIREMENTS

The number of parking spaces incorporated into a development can represent one of the most defining features of a building. As the ratio of parking spaces per bedroom increases, one of two things happen. Either the amount of square footage within the building dedicated to residential units decreases, or the massing and cost of the building increases. When walkability is desired, there is an opportunity to reduce the amount of space for vehicle storage.

Many cities are recognizing that transit corridors represent an opportunity to provide meaningful reductions to minimum parking requirements. Of the cities studied to the right, the City of Houston has the highest minimum parking requirements along transit corridors.

Many cities also offer parking reductions for the use of other Transportation Demand Management (TDM) tools or for the incorporation of affordable housing. TDM strategies can include encouraging biking, walking, carpooling, transit, as well as some employer-based strategies regarding parking or subsidies. Many times TDM strategies are associated with transit ridership as well. Parking reductions are most effective when coupled with a TDM strategy.

	MF PARKING	MF PARKING TRANSIT CORRIDORS	MF PARKING DOWNTOWN
Houston	1.25 - 2 spaces per dwelling unit	1 - 1.6 spaces per dwelling unit 20% reduction	Market-based parking
Dallas	1 space per 500 sqft of dwelling unit floor area	—	1 space per dwelling unit
Austin	1.5 spaces per dwelling unit +0.5 space for each additional bedroom above 1	0.9 space per dwelling unit +0.3 space for each additional bedroom above 1 40% reduction	No minimum
Minneapolis	1 space per dwelling unit	0 - 0.9 space per dwelling unit based on distance from transit stop and service level	No minimum Maximum 1.5 - 2 spaces per dwelling unit
Denver	1.25 spaces per dwelling unit	—	0.75 space per dwelling unit
Cincinnati	1 - 1.5 spaces per dwelling unit	0.75 space per dwelling unit 50% reduction	0 - 0.75 space per dwelling unit
Seattle	1 space per dwelling unit	0.5 space per dwelling unit 50% reduction	No minimum Maximum 1 space per 1,000 sqft
Portland	0.5 space per dwelling unit	0 - 0.33 parking space per dwelling unit	No minimum Maximum 1.35 spaces per dwelling unit
Nashville	1 space per bedroom +0.5 space for each additional bedroom above 2	0.9 space per bedroom +0.45 space for each additional bedroom above 2 10% reduction	No minimum

RECOMMENDATIONS FOR THE CITY OF HOUSTON

The City of Houston's current transit corridor development ordinance has both mandatory and voluntary components that allow a building to be built up to the property line of an identified transit-oriented development street in exchange for improvements to the public realm and other incentives. Street classification will designate if components are mandatory (primary classification) or voluntary (secondary classification). The City has indicated that with the previous ordinance containing 100% optional performance standards, fewer developers had utilized the allowance and developed under the ordinance.

When crafting a voluntary ordinance the incentive for opting into the new requirements should be significantly greater than the risk in additional review, or the cost and additional design required to meet the ordinance. Additional incentives that could be considered to entice more developers to utilize this ordinance include:

- City participation or reimbursement for improvements within the public right-of-way along certain high priority streets, and
- Expedited review times.

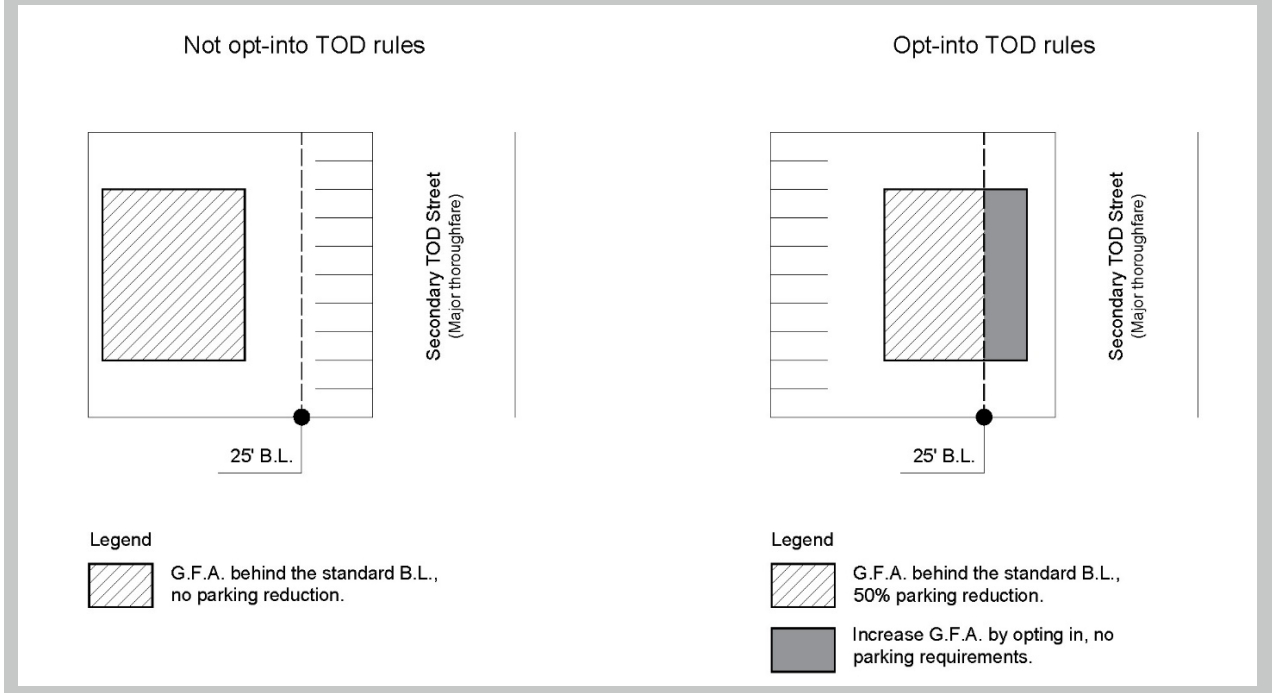
With the addition of these incentives, the City can strengthen the minimum standards that are currently included within the ordinance and provide reimbursement funds when the minimum standards for improvements in the public realm are exceeded.

As the City continues to encourage more housing along transit corridors it will be important to ensure that a percentage of those units are affordable. Any reimbursement funds offered should require a certain percentage of the units to be affordable.

Other general improvements to the ordinance could include the addition of intent and purpose statements and a process for alternative compliance. Additionally, the City could consider expanding this ordinance to require mandatory compliance on more of the designated transit-oriented development streets along transit corridors and other high priority areas to support public infrastructure investments.

CITY OF HOUSTON TRANSIT-ORIENTED DEVELOPMENT ORDINANCE

The City of Houston's Transit-Oriented Development Ordinance was recently updated and allows applicants to opt-into a reduced building line in exchange for better standards within the pedestrian realm. These include standards such as an expanded pedestrian realm, buildings located along the frontage, limiting parking and driveways at the frontage and replacing with buildings, providing direct pedestrian entrances, and open space or other forms of street activation among others. In order to have higher density and mixed-use development along these corridors, the primary TOD streets are mandatory but allow for parking to be market based and the secondary TOD streets are voluntary but allows for a 50 percent reduction in parking versus the 20 percent from the previous ordinance.




Central Station Main

AFFORDABLE & WORKFORCE HOUSING DEVELOPMENT INCENTIVES

The increase in housing costs is outpacing wage growth in the City of Houston and other growing cities across the nation. The preceding topic briefs in this report discuss ways to increase the supply of housing and decrease the size of dwelling units to provide more options for affordability with good access to services and transit. In addition to these recommendations, development-based incentives for housing restricted to accommodating residents earning up to 80% of Area Median Income (AMI) is another important tool towards meeting the affordability goals of Resilient Houston and Plan Houston.

Development-based incentives are a form of performance rule, where a waiver or relaxation of a development standard is provided in exchange for a desired outcome such as affordable housing. Development incentives can be provided in different contexts with different outcomes.

Development incentives offered in lower density residential areas with large traditional lots have the potential of creating for-sale affordable housing. In contrast, height or density bonuses applied to larger multifamily development or along transit corridors typically include options for affordable rental housing.

Included within this topic brief is a description of the two types of development incentives that have been used and case studies from cities that have recently implemented these tools.

INCENTIVES TAILORED TO SMALL SCALE PROJECTS

In September 2020, the City of Portland approved the Residential Infill Program which took a fresh look at the rules that govern types of housing permitted in their neighborhoods. The changes made by this project allow more housing options in Portland's neighborhoods, including duplexes, triplexes and fourplexes, provided they follow new limits on size and scale. Additional primary elements of this program include bonuses in both density and F.A.R. available for projects that commit to providing affordable housing. In an interview with the project manager for the City of Portland, it was revealed that much of the discussion around the bonuses being offered in the ordinance surrounded whether or not they were enough of an incentive to deliver on affordability. For-sale affordability on a small scale is challenging for a traditional home builder due to the administrative costs associated with managing the affordability in the long term. While it was recognized that the bonuses for smaller scale affordability might not be frequently used by traditional developers, they would be used by nonprofit affordable housing developers. These incentives would provide them the competitive advantage needed to keep up with increasing land values and deliver more affordable options within the City.

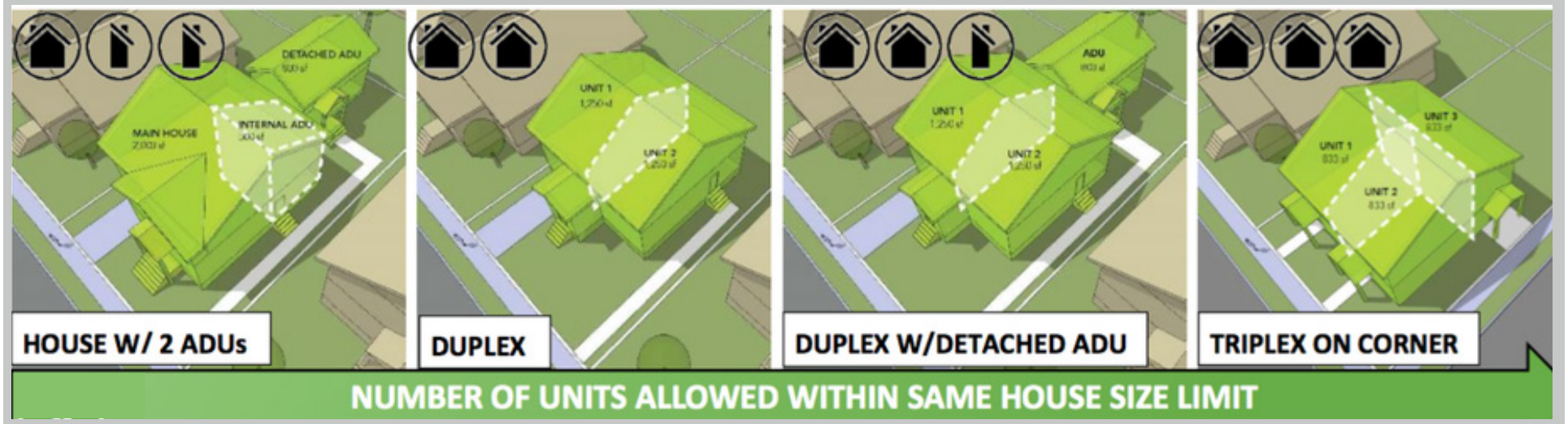
CASE STUDY: AFFORDABILITY BONUS IN SINGLE-FAMILY AREAS

PORTLAND, OR

The City of Portland is proposing 2 tiers of affordability bonuses in single-family areas. Tier I proposes to allow a modest increase in F.A.R. for properties where one home on the lot is affordable to those making up to 80% AMI. The deeper affordability option is applicable when up to 50% of the homes are affordable to those making up to 60% AMI. The economic feasibility of such a steep affordability requirement means that this provision is unlikely to be utilized without some additional funding sources. However, for nonprofit housing providers especially those with existing housing portfolios in single-family areas, this bonus provides benefits in terms of encouraging a greater mix of income variability within a single building, but also allows these units to be located in more neighborhoods throughout the city.

UNITS	HOUSING TYPE	FAR	MIN. LOT SIZE (SQFT)	MAX. BLDG SIZE	AVG. UNIT SIZE
1	House	.5	3,000	1,500	1,500
2	Duplex **or** House + ADU	.6	3,000	1,800	900
3	Triplex **or** Duplex +ADU **or** House + 2 ADUs	.7	4,500	3,150	1,050
4	Fourplex	.7	4,500	3,150	787.5
4 - 6*	**Multi-Dwelling Structure**	**1.2**	**5,000**	**4,500**	**900 - 1,350**

*** The multi-dwelling structure is only permitted under the deeper affordability bonus program that requires 50% of the units to be affordable to those earning up to 60% of AMI.**



INCENTIVES TAILORED TO LARGE SCALE PROJECTS

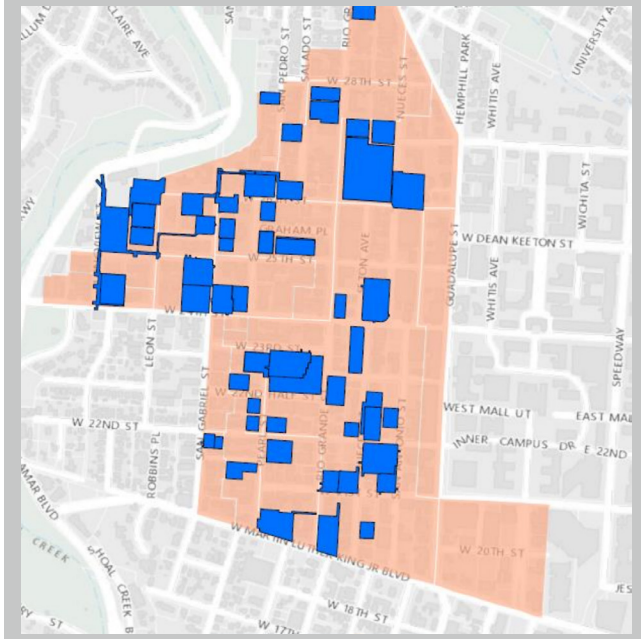
Density bonuses allow developers to build more units than are allowed by a site's base zoning if the developer agrees to set aside a portion of units for income-restricted affordable housing. In some cases, they may pay a fee-in-lieu of providing affordable housing. The City of Austin has crafted a number of different development incentive programs that have in some cases been very successful. The table to the right includes all of the development incentive programs currently offered in the City of Austin.

In addition to the Development Incentive Program targeted to conventional developers, the City also has recently created the Affordability Unlocked Program. It is designed to fully leverage public resources by allowing housing providers to build more units in their developments when significant amounts of affordable housing are included. Similar to the City of Portland's program, Affordability Unlocked is specifically designed to offer benefits to affordable housing builders so that the public assistance and grant money being utilized can be further leveraged providing more units with each development.

CASE STUDY: UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT (UNO)

AUSTIN, TX

The University Neighborhood Overlay district was established in 2004 as an optional, incentive-based district implemented in an area experiencing strong development pressures. In this area, developers are provided the option of complying with an alternative set of development regulations with significantly increased development potential on the site in exchange for affordable housing and a strong focus on the public realm.



Key District Standards:

- Green Building
- Ground Floor Active Uses
- No Compatibility Requirements
- No Setbacks
- Min. 12' public realm
- Street trees, lighting, and furniture required
- Limited vehicular access
- No F.A.R.
- No max building coverage
- No open space
- Design Guidelines are applicable
- 40% base parking reduction with additional reductions for implementation of Demand Management Strategies
- Surface Parking largely prohibited
- 10% of units at 60% AMI

Key District Successes 2004 - 2019:

- 53 Projects Completed
- 10,056 Units / Bedrooms
- 800 On-site Affordable Units
- $2,760,313 Fee-in-lieu

CASE STUDY: DEVELOPMENT INCENTIVE MATRIX

AUSTIN, TX

The City of Austin keeps a matrix of all development incentives related to affordable housing including the type of incentive, where it applies, what is modified and how much housing is required. What is important to note is that each of these policies are optional and that they are all calibrated to the specific location and market where they are employed.

Policy	Incentive Policy Type	Applicability	Development Incentives & Waivers/Modifications	Affordability Set-Aside Requirements	Maximum Income Limit (as % of MFI)*		Affordability Period		Fee-in-Lieu Rate	Year Adopted
					Owner	Rental	Owner	Rental		
Downtown Density Bonus (DDB)	Density Bonus	Central Business Distict	Increased maximum height and floor-to-area ratio (FAR)	10% of residential bonus area	120%	80%	99 years	40 years	$3 to $10 per gross bonus square foot for residential projects only. No fee for non-residential projects.	2013
East Riverside Corridor (ERC) Development Bonus	Density Bonus	East Riverside Corridor Regulating District	Increased maximum height, FAR, and modification to compatability standards	25% of bonus area	80%	60%	99 years	40 years	$1 per gross bonus square foot for buildings over 90 ft. (no in-lieu option under 90')	2013
Micro-Unit Density Bonus	Density Bonus	Applies to multifamily use in Transit Oriented Development Districts or along Core Transit Corridors when units are 500 square feet or less	Waiver of minimum site area requirements and reduction in off-street parking requirements	10% of total units	80%	50%	99 years	40 years	None	2014
North Burnet Gateway (NBG) Development Bonus	Density Bonus	North Burnet Gateway Regulating District	Increased maximum height and FAR	10% of bonus area	80%	60%	99 years	40 years	$7 per gross bonus square foot	2009
Planned Unit Development (PUD) Density Bonus	Density Bonus	Planned Unit Developments where the proposed land use exceeds base entitlements	Increased maximum height, FAR, and building coverage	10% of bonus area (rental) and 5% of bonus area (ownership)	80%	60%	99 years	40 years	$7 per gross bonus square foot	2008
Rainey Street Density Bonus	Density Bonus	Rainey Street Subdistrict	Waiver of maximum height up to 8:1 FAR	5% of total residential area	80%	80%	none	none	None	2005
S.M.A.R.T. Housing	Fee Waivers & Development Incentives	Citywide	Permit, inspection, and Capital Recovery fee waivers	At least 10% of total units	80%	80%	1 year	5 years	None	2007
S.M.A.R.T. Housing Greenfield Single-Family Density Bonus	Density Bonus	SF-2 & SF-3 zoning districts on lots 3 acres or greater	Site may be developed under SF-4A zoning district standards	10% of total units	80% and 100%	60%	1 year	5 years	None	2008
S.M.A.R.T. Housing Greenfield Multi-Family Density Bonus	Density Bonus	Undeveloped lots with MF-2 through MF-5 zoning	Site may be developed under MF-6 zoning district standards	10% of total units	80% and 100%	60%	99 years	40 years	None	2008
Transit Oriented Development (TOD) Development Bonus	Density Bonus	Plaza Saltillo, Crestview, and MLK Transit Oriented Development Districts	Increased maximum height, FAR, and modification to compatability standards	At least 10% of total area	80%	50% and/or 60%	99 years	40 years	$12 per gross bonus square foot	2009
University Neighborhood Overlay (UNO) Density Bonus (Pre 2/24/14)	Density Bonus	University Neighborhood Overlay District, On or Before February 24, 2014	Increased maximum height, FAR, and modification to compatability and parking standards	At least 10% of total units	65% and/or 80%	65% and/or 80%	15 years	15 years	None	2004
							15 years	15 years	$0.50 per net rentable square foot	
University Neighborhood Overlay (UNO) Density Bonus (Post 2/24/14)	Density Bonus	University Neighborhood Overlay District, After February 24, 2014	Increased maximum height, FAR, and modification to compatability and parking standards	At least 10% of total area	50% and/or 60%	50% and/or 60%	40 years	40 years	$1 per net rentable square foot for residential use or $2 per net rentable square foot for hotel use	2014
							40 years	40 years		
Vertical Mixed Use (VMU)	Density Bonus	Vertical Mixed Use and Mixed Use Combining Districts	Relaxed site area requirements, setbacks, and parking requirements, and waiver of FAR	10% of total units	80 and 100%	60% or 80%	99 years	40 years	None (Fee amount for commercial space above ground floor pending)	2010

Source: City of Austin Current Development Incentives Policies

RECOMMENDATIONS FOR THE CITY OF HOUSTON

One challenge with implementing development incentives to attract affordable housing in the City of Houston is that the regulatory environment is already so permissive that there are not many standards to modify. In order for traditional developers to take advantage of incentives, the level of bonus needs to be much higher than the public benefit received in order to make the incentive effective. The City of Austin's UNO district is an example of this concept where the level of incentive was high enough that most developments within the area participated resulting in the incorporation of significant affordability in the area.

However, one of the strengths the City of Houston has is a strong base of nonprofit and community-based entities providing affordable housing within the area. For affordable housing developers, modified standards result in more affordable housing within the City. Standards to be modified may include:

- Reductions in lot size,
- Increase in number of units allowed,
- Waiver of residential buffering requirements,
- Reductions in required parking, and
- Simplified permitting processes.

Implementing development incentives for affordable housing developers enables those developments to further leverage subsidies to deliver affordability in high opportunity areas with higher land values.

It is important to note, however, that increased design standards for walkability and accessibility should be included in addition to the requirement for a high percentage of income restricted housing in order to assure a durable and quality project.

APPENDIX

The appendix includes the full demographic analyses of the model cities research as well as notes taken during interviews of peer cities on the housing topics.

DALLAS, TX

BEST PRACTICES

VOLUNTARY INCLUSIONARY HOUSING

- Development Bonus Programs (2019)

Mixed-income housing development bonuses allow for increased code flexibility.

ACCESSORY DWELLING UNITS

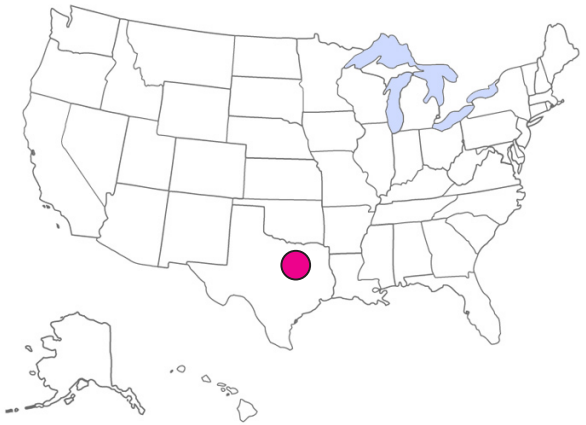
- Accessory Dwelling Unit Ordinance (2018)

ADUs are allowed on a neighborhood-by-neighborhood basis.

TAX FINANCING

- Affordable Housing Set Aside for TIF District (2005)

All TIF Districts created after 2005 in the City of Dallas require that 20% of all housing with TIF funding be set-aside for affordable housing.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 29.0%
	Black Alone - 24.3%
	Hispanic/Latino - 41.7%
	Asian Alone - 3.4%
	Am. Indian/AK Native - 0.3%
	Native HI/Pacific Islander - 0.0%
Population Total	1.34 Million People
City Size	340.52 Square Miles
Population Density	3,518 People per Square Mile
Median Home Value	$169,400
Median Income	$50,100

AUSTIN, TX

BEST PRACTICES

DENSITY BONUS

- Affordable Housing Development Incentives (2004)

Various voluntary density bonus programs are calibrated to the neighborhood to encourage the development of affordable housing units.

ACCESSORY DWELLING UNITS

- Accessory Dwelling Unit Ordinance (2015)

An ordinance which allows ADUs in certain areas and under specific standards.

TAX FINANCING

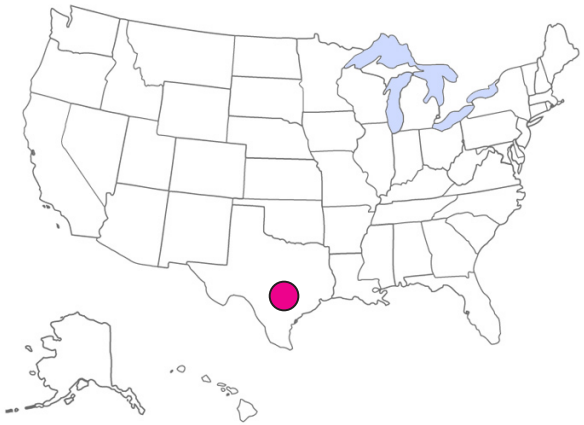
- Homestead Preservation District (2007)

The creation of a financing district with the purpose of promoting and expanding the ownership of affordable housing and preventing the involuntary loss of homesteads.

FEE WAIVERS

- S.M.A.R.T. Housing Program (2007)

The program will waive specific development and impact fees for housing developments that fulfill the requirements of the 'S.M.A.R.T.' program.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 48.3%
	Black Alone - 7.8%
	Hispanic/Latino - 34.3%
	Asian Alone - 7.3%
	Am. Indian/AK Native - 0.6%
	Native HI/Pacific Islander - 0.0%
Population Total	979,000 People
City Size	297.9 Square Miles
Population Density	2653.2 People per Square Mile
Median Home Value	$312,300
Median Income	$67,462

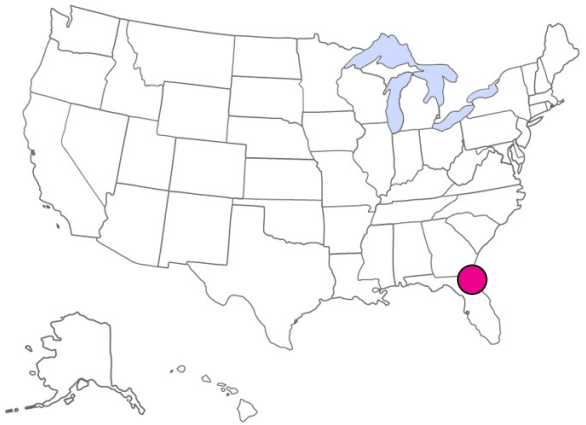
JACKSONVILLE, FL

BEST PRACTICES

INFILL DESIGN INCENTIVE PROGRAM

- Infill Incentive Program (2019)

The Infill Development Incentive Program is designed to further the affordable housing goals of the City. The program will provide up to $50,000 in grant funds and up to 80% of total project costs in loan funds for eligible projects. Properties must be located in a low-moderate income census block or tract located in the City of Jacksonville, Duval County.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 51.8%
	Black Alone - 31.0%
	Hispanic/Latino - 9.6%
	Asian Alone - 4.8%
	Am. Indian/AK Native - 0.2%
	Native HI/Pacific Islander - 0.1%
Population Total	912,000 People
City Size	747 Square Miles
Population Density	1,100 People per Square Mile
Median Home Value	$160,900
Median Income	$52,567

ATLANTA, GA

BEST PRACTICES

INCLUSIONARY HOUSING

- Inclusionary Housing Ordinance (2018)

The program applies to all new multifamily rental developments with at least 10 units that are located within the BeltLine Overlay District (roughly ½ mile of the BeltLine corridor) and the Westside Overlay District.

CODE REFORM

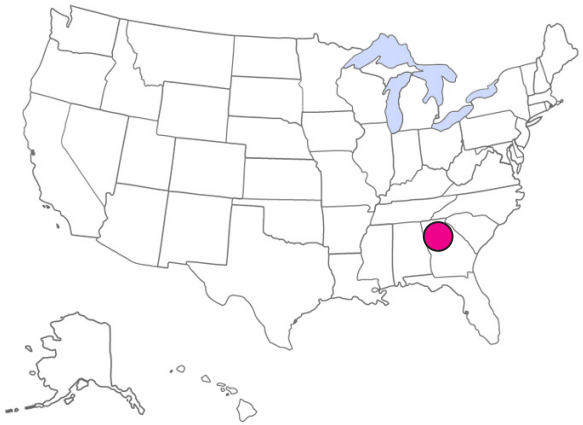
- Code Updates (2018 - current)

The City of Atlanta performed a code diagnostic with the purpose of identifying codes and subdivision regulations that act as barriers to missing middle and other types of housing. Phase I and Phase II of the ordinance have been adopted and include amendments to the Accessory Dwelling Unit Ordinance and inclusion of a new district to encourage missing middle housing.

ACCESSORY DWELLING UNITS

- Accessory Dwelling Unit Ordinance (2017)

ADUs are allowed in all standard residential districts.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 37.6%
	Black Alone - 51.8%
	Hispanic/Latino - 4.3%
	Asian Alone - 4.2%
	Am. Indian/AK Native - 0.2%
	Native HI/Pacific Islander - 0.0%
Population Total	507,000 People
City Size	133.15 Square Miles
Population Density	3,154 People per Square Mile
Median Home Value	$261,400
Median Income	$55,280

NASHVILLE, TN

BEST PRACTICES

DOWNTOWN FORM-BASED CODE

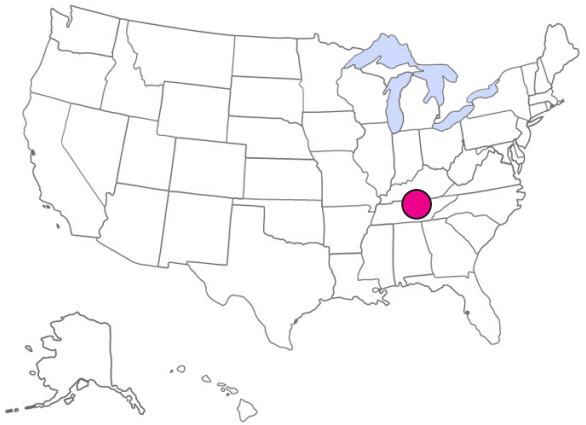
- Downtown Code (2010; updated 2017)

Form-Based Code encourages dense urban development within the Downtown Core. The Code is based on a regulating plan that matches the form of lots and buildings within each sub-area.

WALKABLE SUBDIVISION ORDINANCE

- Walkable Subdivision Ordinance (2017)

The greatest impact the subdivision regulations have on creating urban development patterns is through the regulation of block size, the scale of the street relative to the anticipated uses, street connectivity, additional pedestrian connections, and requirements for open space such as neighborhood parks or urban plazas and buildings within each sub-area.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 55.4% Black Alone - 27.9% Hispanic/Latino - 10.4% Asian Alone - 3.6% Am. Indian/AK Native - 0.2% Native HI/Pacific Islander - 0.1%
Population Total	671,000 People
City Size	475.13 Square Miles
Population Density	1,265.4 People per Square Mile
Median Home Value	$216,500
Median Income	$55,870

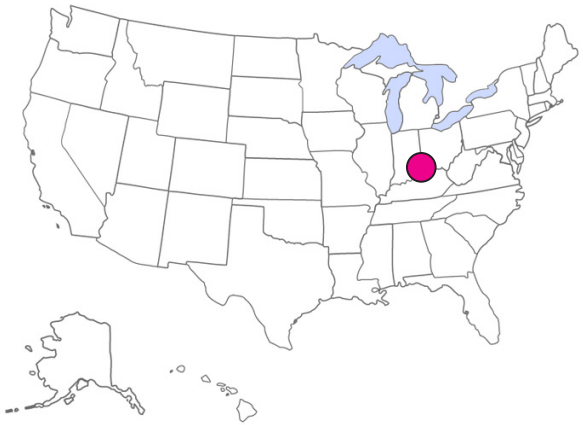
CINCINNATI, OH

BEST PRACTICES

FORM-BASED CODE

- Form-Based Code (2013)

The Cincinnati Form-Based Code was first adopted in 2013 and includes standards for neighborhood small footprint lots and buildings supporting a variety of residential building types.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 48.2%
	Black Alone - 42.7%
	Hispanic/Latino - 3.7%
	Asian Alone - 2.0%
	Am. Indian/AK Native - 0.1%
	Native HI/Pacific Islander - 0.1%
Population Total	304,000 People
City Size	77.94 Square Miles
Population Density	3,809.8 People per Square Mile
Median Home Value	$129,100
Median Income	$38,540

MINNEAPOLIS, MN

BEST PRACTICES

INCLUSIONARY HOUSING

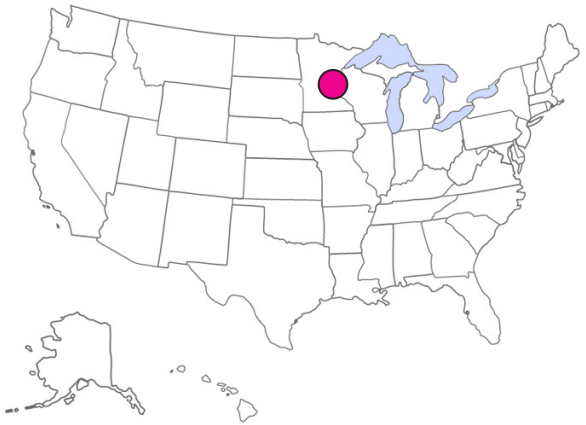
- Inclusionary Housing Ordinance (2020)

Inclusionary housing aims to create mixed-income communities by requiring affordable units within new housing developments.

ACCESSORY DWELLING UNITS

- Accessory Dwelling Unit Ordinance (2014)

ADUs are permitted on lots where single- and two-family homes are allowed as a permitted or conditional residential use throughout the City. In addition, the property owner must reside in either the main house or in the ADU as their primary residence.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 59.8%
	Black Alone - 19.4%
	Hispanic/Latino - 9.6%
	Asian Alone - 6.1%
	Am. Indian/AK Native - 1.4%
	Native HI/Pacific Islander - 0.0%
Population Total	250,000 People
City Size	53.97 Square Miles
Population Density	7,008.3 People per Square Mile
Median Home Value	$235,900
Median Income	$58,990

DENVER, CO

BEST PRACTICES

TINY HOMES

- Temporary Tiny Home Village (2019)

The intent of this temporary use permit is to grant flexibility from building form and site design requirements for providers of housing for people who are experiencing homelessness or are at risk of becoming homeless.

HEIGHT INCENTIVE OVERLAY

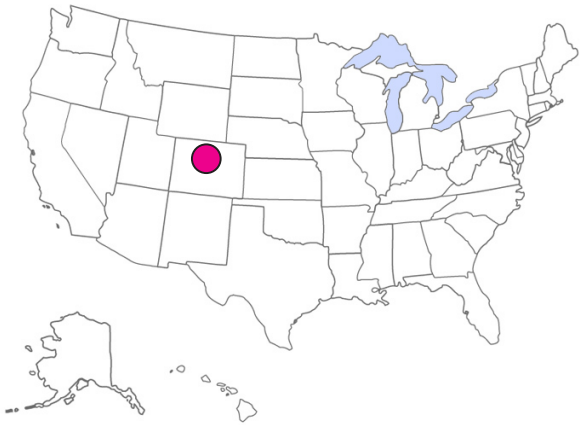
- Height Incentive Overlay Ordinance (2018)

The city seeks to promote the creation and integration of affordable housing and mixed income development by adopting a new regulatory approach, an incentive overlay zone district in Article 9 of the Denver Code. This overlay would allow building heights to exceed existing requirements in exchange for community benefits, including the provision of affordable units.

MISSING MIDDLE HOUSING

- Urban Edge Neighborhood Context (2010)

The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 53.7%
	Black Alone - 9.4%
	Hispanic/Latino - 30.3%
	Asian Alone - 3.8%
	Am. Indian/AK Native - 1.0%
	Native HI/Pacific Islander - 0.1%
Population Total	727,000 People
City Size	153 Square Miles
Population Density	3,922.6 People per Square Mile
Median Home Value	$357,300
Median Income	$63,790

BOULDER, CO

BEST PRACTICES

INCLUSIONARY HOUSING

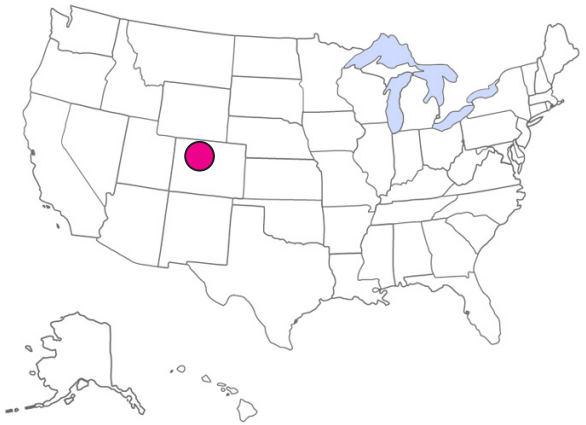
- Inclusionary Housing Ordinance (2017)

The primary objective of this chapter is to obtain a significant amount of permanently affordable dwelling units. Provisions of this chapter provide for various approaches to creating additional affordable housing units. Those provisions recognize the fact that individual site, legal and economic factors have an impact on which alternatives will work for different developments.

ACCESSORY DWELLING UNIT

- Accessory Dwelling Unit Ordinance (2020)

The intent of the existing ADU regulations is to foster additional housing choices in the form of ADUs within residential districts, including the conversion of legally existing accessory structures into ADUs.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 79.8%
	Black Alone - 1.2%
	Hispanic/Latino - 9.8%
	Asian Alone - 5.6%
	Am. Indian/AK Native - 0.3%
	Native HI/Pacific Islander - 0.1%
Population Total	106,000 People
City Size	24.66 Square Miles
Population Density	3,948.3 People per Square Mile
Median Home Value	$645,600
Median Income	$66,120

LOS ANGELES, CA

BEST PRACTICES

SMALL LOTS

- Small Lot Subdivision Ordinance (2005, Revised 2016)

As an amendment to the Los Angeles Municipal Code, this ordinance permits small lot developments in the form of detached townhouses. To accomplish this, the definition of "lots" was amended to specify that the 20-foot street frontage requirement would not apply to an approved small lot subdivision. Parking requirements were also amended.

DESIGN GUIDELINES

- Small Lot Design Guidelines (2016)

Supplemental design standards have been created to assist in shaping this type of development with its unique complexities. All small lot subdivision projects are required to comply with the Small Lot Design Standards through an Administrative Clearance process.

ACCESSORY DWELLING UNITS

- Accessory Dwelling Unit Ordinance (2019)

ADUs are allowed in all standard residential districts.

DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 28.5%
	Black Alone - 8.9%
	Hispanic/Latino - 48.6%
	Asian Alone - 11.6%
	Am. Indian/AK Native - 0.7%
	Native HI/Pacific Islander - 0.2%
Population Total	3.98 Million People
City Size	468.87 Square Miles
Population Density	8,092.3 People per Square Mile
Median Home Value	$599,700
Median Income	$58,390

SACRAMENTO, CA

BEST PRACTICES

ACCESSORY DWELLING UNITS

- Accessory Dwelling Unit Ordinance (2019)

ADUs are allowed in all standard residential districts.

HOUSING IMPACT FEE

- Mixed Income Housing Ordinance (2015)

The Housing Impact Fee is a citywide fee on all new residential units, as established in the Mixed Income Housing Ordinance.

DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 32.5%
	Black Alone - 13.4%
	Hispanic/Latino - 28.7%
	Asian Alone - 18.9%
	Am. Indian/AK Native - 0.8%
	Native HI/Pacific Islander - 1.7%
Population Total	514,000 People
City Size	97.92 Square Miles
Population Density	4,764.2 People per Square Mile
Median Home Value	$313,400
Median Income	$58,460

OAKLAND, CA

BEST PRACTICES

ACCESSORY DWELLING UNITS

- Accessory Dwelling Units (2017, Revised 2020)

ADUs are allowed in all standard residential districts.

DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 28.2%
	Black Alone - 23.6%
	Hispanic/Latino - 26.9%
	Asian Alone - 15.7%
	Am. Indian/AK Native - 0.9%
	Native HI/Pacific Islander - 0.6%
Population Total	433,000 People
City Size	55.79 Square Miles
Population Density	7,004 People per Square Mile
Median Home Value	$672,800
Median Income	$68,440

PORTLAND, OR

BEST PRACTICES

INFILL STANDARDS

- Residential Infill Program (Not adopted)

The changes proposed by this project would allow more housing units to be built in residential neighborhoods, but only if they follow new limits on size and scale.

ACCESSORY DWELLING UNITS

- Accessory Dwelling Units (2019)

ADUs are allowed in all standard residential districts.

SUBDIVISION STANDARDS

- Density and Lot Dimensions Guide (2018)

Includes minimum density standards for multifamily zones in order to ensure that lots are consistent with the desired character of the district.

PREFERENCE POLICY

- N/NE Housing Strategy Preference Policy (2014)

The Preference Policy is an effort to address the harmful impacts of urban renewal by giving priority placement to applicants who were displaced, are at risk of displacement, or who are descendants of households that were displaced due to urban renewal in North and Northeast Portland.

DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 70.5%
	Black Alone - 5.8%
	Hispanic/Latino - 9.7%
	Asian Alone - 8.1%
	Am. Indian/AK Native - 0.7%
	Native HI/Pacific Islander - 0.7%
Population Total	655,000 People
City Size	133.43 Square Miles
Population Density	4,375.2 People per Square Mile
Median Home Value	$383,600
Median Income	$65,740

SEATTLE, WA

BEST PRACTICES

RESIDENTIAL SMALL LOT DISTRICT

- Residential Small Lot District (2019)

An urban village that provides for the development of homes on small lots that may be appropriate and affordable to households with children while other households might otherwise choose existing detached houses on larger lots.

ACCESSORY DWELLING UNITS

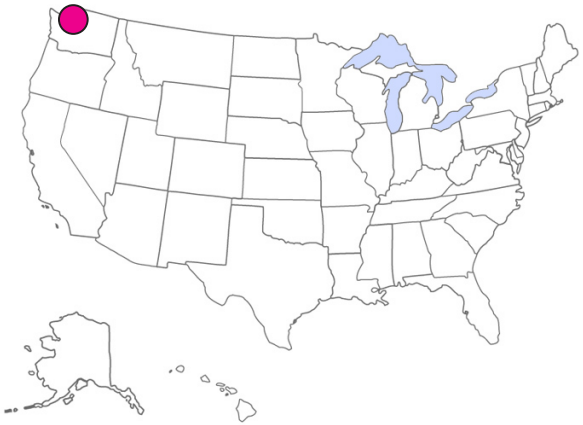
- Accessory Dwelling Units (2019)

ADUs are allowed in all standard residential districts.

PLANNING COMMISSION STRATEGY

- Neighborhoods for All (2018)

This is a policy and strategy document, not an ordinance, but was included due to the detailed strategy related to incorporating missing middle housing. The strategies included revolve around allowing more housing in single-family zones, especially in high-cost areas, to stem the rapid increase of displacement in Seattle's most vulnerable communities.



DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 64.5%
	Black Alone - 7.0%
	Hispanic/Latino - 6.6%
	Asian Alone - 15.1%
	Am. Indian/AK Native - 0.6%
	Native HI/Pacific Islander - 0.3%
Population Total	754,000 People
City Size	83.94 Square Miles
Population Density	7,250.9 People per Square Mile
Median Home Value	$605,200
Median Income	$85,560

OLYMPIA, WA

BEST PRACTICES

WALKABLE STREETS

- Pedestrian Street Overlay District (Revised 2019)

This ordinance will implement city and regional transportation plans by establishing a pedestrian street overlay district that results in a network of active, aesthetically pleasing, and interesting streets that link to the downtown retail core.

INFILL DESIGN STANDARDS

- Infill and Other Residential (2014)

Minimize the appearance of building scale differences between proposed dwelling unit(s) and existing neighborhood residential units. Reflect the architectural character of neighboring residences (within 300' on the same street) through use of related building features. On narrow lots (30 feet wide or less), the average height of the adjacent residences shall not be exceeded unless the apparent scale of the proposed building is reduced through modulation.

DEMOGRAPHICS

Population Breakdown	White Alone (not Hispanic) - 76.5%
	Black Alone - 2.8%
	Hispanic/Latino - 8.4%
	Asian Alone - 7.3%
	Am. Indian/AK Native - 1.1%
	Native HI/Pacific Islander - 0.4%
Population Total	53,000 People
City Size	17.82 Square Miles
Population Density	2,608 People per Square Mile
Median Home Value	$276,300
Median Income	$58,610

PORTLAND, OR INTERVIEW NOTES

ATTENDANCE:

Morgan Tracy (City of Portland), Natalie Raper (Lionheart Places), Chris Perkes (Lionheart Places), Abby Gillfillan (Lionheart Places), Rebecca Leonard (Lionheart Places)

Meeting Date: July 16, 2020

SPECIFIC INTERVIEW TOPIC:

Residential Infill Program

SUMMARY/TAKEAWAYS:

HOW LONG HAS THE ORDINANCE BEEN IN EFFECT?

It's about a month from being done. It took about 5 years because of bumps in the road (which were primarily the result of administration changes). The final council meeting and second reading are left.

OF THE EXISTING DEVELOPMENT CODES ENCOURAGING SMALLER DENSER INFILL HOUSING WHAT HAS BEEN THE MOST EFFECTIVE?

ADUs. There were some fears- preservation of neighborhood character, parking, impact on community. Originally there were strict ordinances, but slowly the city started getting rid of them over time. During the recession ADU buildings boomed because waived system development charges (about $12,000). From a couple dozen permits a year to 300-400 a year. It served as an home equity option people could take advantage of.

The Living Smart Program, which included preapproved narrow house designs, was a good idea but didn't take off. People didn't have to develop new plans and received an expedited review process. The designs themselves were costly though. They worked in some neighborhoods and didn't in others. Program ended because of layoffs. There are maybe a dozen built while in place. The concept is interesting, and could be applied to other types of housing, such as cottage clusters. Preapproval is a big incentive because saves about a year in the process.

DOES THE ORDINANCE ALLOW ADMINISTRATIVE WAIVERS AND WHAT ARE THE CRITERIA FOR MAKING THOSE DECISIONS?

The City is currently revising the design review process. Oregon state law has clear and objective standards paths for 'needed housing'. Typically it exempts projects below a certain size (20,000 sqft and 55ft in height). For residential infill housing project types, it will likely always be exempt from design review. However, there are other design standards in place for many of these properties in the base zone which primarily deal with character-type issues, like windows that face the streets and the garage's position relevant to the house.

Also, the adjustment process standards. Staff level decisions that are appealed to an adjustment committee. A purpose statement for each standard which is a criteria is required that then becomes relevant during appeals. Does the adjustment meet or exceed the intention of this purpose statement?

TO WHAT EXTENT DOES THE CITY OF PORTLAND ALLOW PRIVATE ACCESS DRIVES? ARE LOTS PERMITTED TO FRONT ON A COMMON GREEN?

In single dwelling zones, there are a couple of alternative street types: shared court (functions like a driveway, brick or concrete usually) and common green types (lawn). Currently allowed in multidwelling zones and subdivisions and in multifamily zones only- not single-family. In single-family, they'd be private streets. Private streets, which are recorded with the plat, are fairly new.

IF ALLOWED, WHAT MECHANISMS DO YOU USE TO ENSURE MAINTENANCE OF THESE SHARED SPACES?

Since they're fairly new, major maintenance has not been needed and is undetermined at this time. Heritage private streets exists, but they are few.

IF LOT ACCESS IS ALLOWED FROM PRIVATE OR SHARED ACCESS STREETS, WHAT CODE PROVISIONS HAVE BEEN MOST EFFECTIVE AT MAINTAINING A STRONG PUBLIC REALM?

Main entrance requirements, such as front door facing the streetscape, are part of the base zone requirements. Public streets mean building fronts have to face outwards.

WHAT TOOLS HAVE BEEN MOST EFFECTIVE IN THE CITY OF PORTLAND TO ENCOURAGE MORE RESIDENTIAL DEVELOPMENT ALONG TRANSIT CORRIDORS AND CENTERS?

Generally, area specific planning on corridors. One example is Division Street. It was rather quiet, a few restaurants moved in, then more moved in and Residential Development started in the area. The City developed specific design standards for the street, specifically stormwater and environmental standards, upzoned a number of sites, provided guidelines for ecofriendly improvements, and completed some CIP projects. The development community ran with it.

Others include transit. Barbara Blvd. concept plan will have a new light rail stop. It is still in development, but the City is now looking at town center plans for the corridor. Still pending funding. It is a 1-2 billion dollar investment.

The City is also pretty generous with nonsingle-family zones. Capitol improvements have helped with attracting development.

Finally, trees made places walkable- super important.

DALLAS, TX INTERVIEW NOTES

ATTENDANCE:

Pam Thompson (City of Dallas), Natalie Raper (Lionheart Places), Chris Perkes (Lionheart Places), Abby Gillfillan (Lionheart Places), Rebecca Leonard (Lionheart Places)

Meeting Date: July 20, 2020

SPECIFIC INTERVIEW TOPIC:

Dallas TIFs and General Code Questions

SUMMARY/TAKEAWAYS:

HOW LONG HAS THE CITY OF DALLAS BEEN REQUIRING A SET ASIDE FOR AFFORDABLE HOUSING WITH ESTABLISHMENT OF A TIF DISTRICT?

A long time. The City will exchange funds for community benefits within the TIF districts. Developers must meet design requirements. They can pick out which buildings received money in certain areas, because while the underlying zoning was good, buildings that received TIF money specifically had to accommodate for walkability and other place making elements.

There were originally no affordable housing requirements with TIF money because housing was more or less affordable in Dallas. That changed to 20% of units had to be set aside for 80% Area Median Income (AMI). In 2016 the program changed again for set aside for voucher holders.

ARE THERE ANY BUILT EXAMPLES THAT YOU CAN THINK OF THAT BUILT OUT UNDER THIS ORDINANCE?

TIFs are fairly concentrated in/around downtown. Originally used to revitalize Downtown in the 1980s because it was all office. It was used as reimbursement, rather than upfront. A goal of Downtown residential development was created because there was already enough office. Also, office floor plans needed to transition to other uses because they didn't work for office needs anymore. One example is 1401 Elm/Main in the middle of downtown which was converted into 1,000,000 sqft. of residential.

The Scoman Corridor TIF had mixed results. It was used to transition older apartment corridor out, but the 2008 recession hit in the middle of it, so old apartments were torn down but not rebuilt.

HAS THE CITY OF DALLAS MADE ANY RECENT AMENDMENTS TO THE DEVELOPMENT CODE TO ENCOURAGE MISSING MIDDLE HOUSING IN TRANSITION AREAS?

Clustered housing district, Code 51A. It is not a traditional district/zone, so many people haven't used it as much as it could have been used. Designed to be more flexible for smaller lots. Not designed for tiny houses, but for smaller footprint housing on smaller lots.

The City is considering creating R2.5/3 (residential 2,500 or 3000 sqft lot) for single-family on a smaller lot. Shared access drive are privitized, but no HOA to collect money for long term upkeep. The City is trying to transition away from privatized drives to public streets for anticipation of long term care.

HAS THE CITY OF DALLAS MADE ANY AMENDMENTS TO THE DEVELOPMENT CODE TO ENCOURAGE MORE HOUSING TYPES IN TRADITIONALLY SINGLE-FAMILY AREAS? ADUS?

ADUs could only be rented to people who were related to the family (no Airbnbs/renters). The Ordinance changed 2 years ago to allow ADUs through a neighborhood petition process or individually through the BDA (Board of Adjustment) process to rent. It's seen limited use from individuals and no use from neighborhoods.

The owner must occupy the ADU or the main structure. There is a compromise for airbnbs in both units. Provisions included for selling off one of the structures, which would become duplex zoning if they were split up and it wouldn't work with underlying zoning.

IF LOT ACCESS IS ALLOWED FROM PRIVATE OR SHARED ACCESS STREETS, DOES THE CITY HAVE MECHANISMS IN PLACE TO ENSURE A STRONG PEDESTRIAN ENVIRONMENT?

West Dallas is an example of a huge development that will have all the checkmarks from zoning, but the built product is not actually pedestrian friendly because of site layouts. Also, firetrucks have been having issues with navigation because of narrower streets in these areas.

MINNEAPOLIS, MN INTERVIEW NOTES

ATTENDANCE:

Tammi Williamson (City of Houston), Jason Whittenberg (City of Minneapolis), Chris Perkes (Lionheart Places), Natalie Raper (Lionheart Places), Abby Gillfillan (Lionheart Places)

Meeting Date: July 28, 2020

SPECIFIC INTERVIEW TOPIC:

Minneapolis 2040 Conversation

SUMMARY/TAKEAWAYS:

HOW LONG HAS THE POLICY BEEN IN EFFECT?

January 2020 it went into effect. It came from a 5 year process that engaged a lot of people that hadn't been targeted previously. It resulted in more housing options throughout the city. Also *Mapping Prejudice- Redlining in the Minneapolis* (a university publication), which showed Minneapolis' connections between redlining and single-family zoning, had come out around the same time.

WHAT WAS THE PURPOSE OF THE ORDINANCE?

It recommended to allow up to 3 units (at least) on every single-family lot in Minneapolis. Most publicly noticed, but not most controversial in the Plan.

The Interior 1, 2, 3, will accommodate small scale apartment buildings (depending on lot size, usually 4+ units). 1-3 unit provisions started in January. Now starting with built form policies transitions. Height, F.A.R., etc. Expected to be done by end of the year.

Next is land use provisions. Phasing between what is allowed and what exists in the zoning. The City doesn't have the resources to do a city wide rezoning.

It intentionally tackled missing middle design and regulation issues, and it specifically focued on the needs of that housing types in 2021.

HOW EFFECTIVE HAS IT BEEN IN FACILITATING INFILL DEVELOPMENT IN WALKABLE PLACES?

1st 6 months was fewer than 10 projects, so significant, but not crazy. It is hands off in terms of design. There are incentives and requirements, but (with exception of historic districts) the city don't go too in depth. Minimal requirements of durability standards, door facing the streets. One thing that has been problematic is the side yards have been based on height. They've had to issue many variances for this and are looking to change it.

WHAT IMPACT HAS THE ORDINANCE HAD ON AFFORDABILITY IF ANY?

The Affordability Bonus the City had was not very effective because there was not enough reward to offset cost, so inclusionary zoning started Jan 1. It is currently effective of 50 units or more, they will phase into 20 units or more soon. Money gained goes into affordable housing pot.

WAS THERE ANY CONSIDERATION TAKEN TO ENSURE THAT THE ORDINANCE DIDN'T HAVE THE UNINTENDED CONSEQUENCE OF LIMITING INFILL DEVELOPMENT? FOR EXAMPLE, THE EXEMPTIONS FOR RESIDENTIAL BUILDINGS, SMALLER BUILDINGS, AND THE ABILITY FOR ADMINISTRATIVE WAIVERS WHEN THE INTENT SECTION WAS MET?

One unintended consequence of changing lot sizes: the lot size maximum is being considered. Adopted some maxes for 1-3 units buildings, 7500-9000 sqft. with the unintended consequences of a duplex with lot line down the middle.

Lot size minimums: Buildings can now be 1-3 units with 5,000 sqft minimums. About 15% of buildings exist in the 4,000-5,000 sqft range, and in some areas this is a significant pattern. In missing middle housing in 2/3 interiors, minimum of 9,000 sqft but otherwise minimum of 5,000 sqft still.

DOES THE CITY OF MINNEAPOLIS ALLOW PRIVATE ACCESS DRIVES OR DO ALL LOTS NEED TO FRONT ON A PUBLIC RIGHT-OF-WAY?

Not a really big issue as many residential lots are served by alleys. Prohibit curb cuts where a lot is served by an alley. Minneapolis is a compact city of 58 miles. Pattern of alleys goes back to WW2, which is different from Houston. Minneapolis doesn't see a lot of greenfield development.

WHAT TOOLS DOES THE CITY OF MINNEAPOLIS USE TO ENCOURAGE MORE RESIDENTIAL DEVELOPMENT ALONG TRANSIT CORRIDORS AND CENTERS?

Previous comprehensive plans focused growth and in areas in transit corridors, more growth will likely still happen there.

Reduced minimum parking requirements and eliminated parking requirements downtown. Also looking to completely eliminate parking requirements. If within a quarter mile or half mile of transit there are no parking minimum for multifamily for up to 50 units, half spot for over 50 units. Now the ratio is about .8-.9 spaces/ unit. Single-family (1-3 units) still has parking requirement of 1 space/ unit. By the end of the year, there should be no minimum.

Floor area bonuses are not super effective.

These all make it easier to build things downtown and along corridors.

AUSTIN, TX INTERVIEW NOTES

ATTENDANCE:

Sam Tedford (City of Austin), Lyndi Garwood (City of Austin), Greg Dutton (City of Austin), Natalie Raper (Lionheart Places), Chris Perkes (Lionheart Places), Rebecca Leonard (Lionheart Places), Abby Gillfillan (Lionheart Places)

Meeting Date: July 30, 2020

SPECIFIC INTERVIEW TOPIC:

SMART Housing and Density Bonus

SUMMARY/TAKEAWAYS:

WHAT ARE THE MOST EFFECTIVE TOOLS TO GET AFFORDABLE HOUSING?

Affordability Unlocked is a Bonus Program to encourage deeply affordable housing, which can be applied almost anywhere in the city. Mostly people receiving some other subsidy to build the program. Otherwise, normally bonus programs are linked to specific geographic areas. The ordinance is pretty new, so there are a few in progress. There are different 'tiers' based on unit numbers. Different tiers receive different bonuses.

ARE DENSITY BONUSES COUPLED WITH DESIGN GUIDELINES?

There are design guidelines in the existing code and the upcoming revised code which are applied to residential and commercial developments. They're not specifically tied to bonus programs, but often go hand in hand because they're tied to geographic regions which happen to have overlay bonuses.

Downtown Density Bonus also includes other elements that aren't tied to housing, like streetscape program 'Gatekeeping Requirements".

WHAT ABOUT THE VERTICLE MIXED-USE DENSITY BONUS?

It's primarily for corridors with intense development pressures. The program waives site area requirements completely, so there is no maximum density. It is a substantial incentive but also a substantial ask- 10% of all units must be affordable. Participation is quite low in VMU program because only some corridors can actually support the requirement of 10%, some cannot support it. Additionally, compatibility is not waived unlike with Affordability Unlocked, so it is subject to those requirements. This program is targeted to developers who are working on Affordable Housing and makes the City of Austin's dollars go further. Not created for market rate developers, really.

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ADVICE FOR OTHER CITIES?

Focus on what is feasible. What is feasible could change with time or geography. Set aside requirements don't matter if no one uses it. If it gets too high, no one uses it and no one benefits. Additionally, what are the inhibitors to development? Take those aspects and use those to entice developers.

DENVER, CO INTERVIEW NOTES

ATTENDANCE:

Andrew Webb (City of Denver), Abby Gillfillan (Lionheart Places), Natalie Raper (Lionheart Places), Chris Perkes (Lionheart Places)

Meeting Date: July 28, 2020

SPECIFIC INTERVIEW TOPIC:

Tiny Homes and Urban Edge

SUMMARY/TAKEAWAYS:

HOW LONG HAS THE ORDINANCE BEEN IN EFFECT?

The Temporary Uses code amendment was last Fall to allow Tiny Home Camps as a use.

WHAT WAS THE PURPOSE OF THE ORDINANCE?

To target homeless population. Through unlisted temporary use permit, mini tiny home villages can pop up. They don't have to meet any requirements for shallow set back or transparency. They used the prefab buildings, yurt as a common kitchen area, portable bathrooms and showers. These are not trailered tiny homes, but ones on a tiny foundation.

It has low standards to meet and the permit can last for up to 4 years. Afterwards, the village could either add to it or update it to meet standards for a permanent building, redoing the facilities using building code standards. That was the compromise between the citizens and the proposed use changes to the Code.

This Code amendment also included other temporary uses, like construction parking, event tents, etc.

Denver has a hybrid form-based code, so all development has to fit into a permitted code use for a zone lot. Multiple primary zone structure within a zone lot is where Tiny Homes fit within the Code. Build to proportion of line to the street, transparency standard, access standards, ground floor active use standards, etc.

Any use that can meet the base requirements can go in. Some houses which were built at zone lot line met the requirements above, or a building with a common facility (shared kitchen or bathroom).

Market forces are likely the prohibitive forces. Developers will likely maximize height for apartments because the high land value.

ARE THERE ANY BUILT EXAMPLES THAT YOU CAN THINK OF THAT BUILT OUT UNDER THIS ORDINANCE?

Example: Beloved Community Village by Colorado Village Collaborative. The village is popular and has been moved a few times, but still exists. An operator serving that population is now exempt from requirements after code amendment last fall for temporary uses.

DOES THE CITY OF DENVER ALLOW PRIVATE ACCESS DRIVES OR DO ALL LOTS NEED TO FRONT ON A PUBLIC RIGHT-OF-WAY?

Overall arching goal is that homes front on the public street. They create a neighborly feel. Other project includes 'slot home' which are not allowed anymore because of push back from community. Every home now has to have a door that is a primary access point that faces a public street. This started in the last year or two and is related to the ethos behind building form requirements.

The City tries to encourage developers to not turn developments inward. Public realm is the greenspace, rather than a privatized shared greenspace.

WHAT TOOLS DOES THE CITY OF DENVER USE TO ENCOURAGE MORE RESIDENTIAL DEVELOPMENT ALONG TRANSIT CORRIDORS AND CENTERS?

Transit corridors have housing increases. All transit stations have elaborate policy framework: Evan's, 38th/Blake, the "Blueprint": Seeks to concentrate highest intensity near transit stations. Allowed it via upzoning, incentive height overlay, and also land use policies. Denver Economic Development and Opportunity Dept. partners with developers to work on affordable housing and criteria of location within a transit corridor.

ACNOWLEDGEMENTS

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