

City of Wilmington/New Hanover County
Workforce/Affordable Housing Ad hoc Committee

November 15, 2016

Meeting Notes

Present: Elizabeth Dodson, Gloria Green, Phil Humphrey, Robert Rosenberg, Steve Spain, Dave Spetrino, Jody Wainio, Tilghman Herring, Katrina Redmon, Katrina Knight, Paul D'Angelo, Will Bland

Staff –Suzanne Rogers, City of Wilmington; Julia Moeller, NHC;

Presenters: Ken Vafier, NHC; Ron Satterfield, City of Wilmington

Absent: Linda Smith,

Resigned: David Barnes, Carlos Braxton

Robert Rosenberg, Vice Chairman, called the meeting to order and introduced the presenters Ken Vafier, NHC; Ron Satterfield, City of Wilmington (presentation attached). After an update on the status of the revision of NHC and City of Wilmington land use ordinances the group discussed the following issues related to land use regulations impact on affordable housing:

Strategies for addressing housing affordability issues:

Accessory Dwellings

- Not permitted in County
- City allows accessory housing, attached or detached
- Cannot regulate residency (courts have ruled on this matter)
- In City, accessory dwellings can be up to 1/3 the size of the primary dwellings

There is concern over the interpretation of codes

- Accessory Dwelling could become a "frat house"
- The Committee may want to offer some recommendations to improve the accessory dwelling language in code to make it more flexible for affordable/workforce housing, for example encouraged in certain neighborhoods where more appropriate...

What were the challenges of the affordable housing development in Castle Hayne?

- Using the right language
- NIMBYs over density and traffic concerns
- The population in NHC is rising exponentially (additional 120,000-140,000 people by 2040) so density is necessary but we can do it and should do it intelligently.
 - Not density for density's sake; rather density in places where the infrastructure can support it
- Recognize that Northeast NHC is a greenfield and can expect residential development to occur in that area; should be sure that affordable/workforce housing is part of the growth here

We need an educational campaign about density

- Density won't hurt property values
- Density can be attractive
- Density can have a positive impact on traffic (i.e. more people using alternative transportation to employment centers, services, and entertainment)

Height: How do we overcome the fear?

- Goes back to fire codes and ladder heights
- Do we need more education?
- Put parking under housing to reduce impervious pavement
- The City encourages height

What about parking concerns?

- The City regulates maximum parking instead of minimum parking in urban mixed use and the central business district
- Affordable housing clientele doesn't need as much parking because some don't have cars and some don't drive (seniors).

What is the minimum dwelling unit size? Can seniors, LMI, single mothers, etc. cohabitate?

- Depends on building code
- Dwelling units must have a kitchen
- City/County should consider cohabitation in Ordinances to alleviate housing costs for seniors and single mothers (private bedrooms sharing a common living space).

What is the benefit of annexation?

- City has different design requirements
- City deals with more mixed use

NHC is not alone in NIMBY problem or aversion to affordable housing.

Density bonuses – why aren't they used?

- The Code is confusing
- Even staff has a hard time interpreting it
- Developers can get the same incentives with conventional housing just by asking for it.
- Charleston, SC and Asheville, NC use density bonuses, we can look at those models

NIMBY and Double Standards

- There's an added layer when you say "affordable housing" to City Council or County Commission. You have to convince them that everyone is excited about the AH project, where conventional housing projects will get approved more easily even with opposition from citizens.
- "You have better odds at Vegas than with a rezoning for affordable housing."

Taxes

- Land costs in the City are much higher than in the County and properties in City have city & county taxes
 - This should be an incentive to build more affordable housing in the County and the County needs to take the lead on this

- City could give better incentives than the County offers to offset higher costs or adjust the tax assessment/valuation on rental housing in the city so that tax not passed on to tenants

Zoning

- Inclusionary zoning does work but you have to have elected officials on board
- Design the system so that it defaults to what you want, meaning it should be less work for the developer to build housing that is affordable than housing that is not affordable.
- Make affordable housing by-right

Final thoughts on strategies

- Develop a Land Bank for affordable housing projects
- Use infill housing
- Streamline the development and permitting process to save the developer money

Notes prepared by Suzanne Rogers w/contribution from Julia Moeller

Unified Development Ordinance

Ken Vafier
Planning Manager

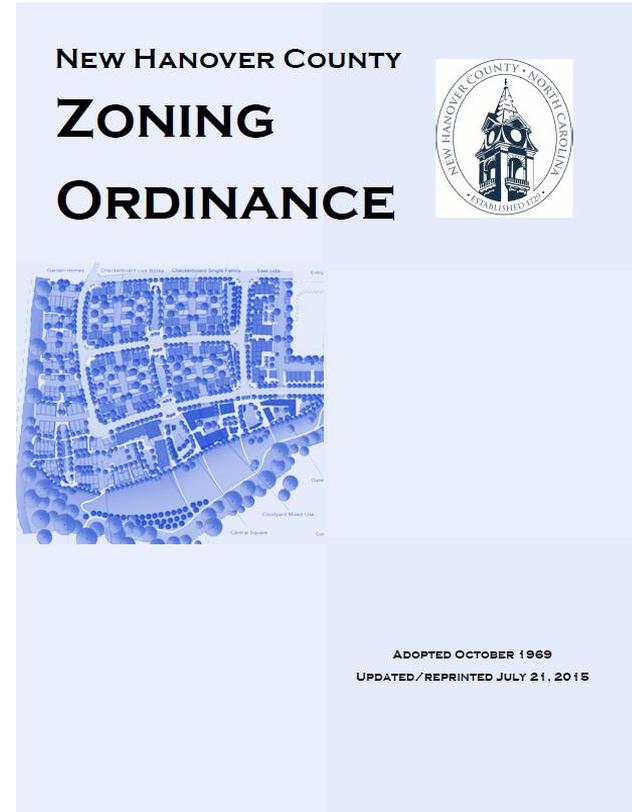


Planning & Inspections
New Hanover County

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Current Tools to Guide Community

- New Hanover County Zoning Ordinance - adopted in 1969
- Other Land Use Regulations – Subdivision Ordinance, Flood Damage Prevention Ordinance, MHP Ordinance, Airport Height Ordinance
- Long Range Planning Documents – Comprehensive Land Use Plan, Small Area Plans, Transportation Plans



How is Development Changing?

- Mix of Uses
- Cluster Development
- Vertical
- Form Based
- Multi-Modal Transit
- Smart Growth
- Adaptive Reuse



Transitioning to a UDO

- Currently, there are many areas of conflict, interpretation or outdated practices in NHC's land use regulations
- Regulations can be revised to offer better opportunity to utilize contemporary development practices
- Major implementation strategy for *Plan NHC*



Project Goals

- Draft and adopt a Unified Development Ordinance using commonly accepted planning practices. The process will involve multiple stakeholders, elected and appointed officials, staff, citizens, and other parties with extensive public engagement;
- Incorporate modern and contemporary zoning tools into final document;
- Create clear procedures that are easily administered along with being easy to read and understand for all users including citizens, public officials, County staff, and developers;
- Support sound responsible economic development, multimodal transportation, and a sustainable built and natural environment;
- Utilize a regional approach and coordination with adjacent counties and municipalities, particularly with the City of Wilmington;
- Integrate with and cross-reference other land use related ordinances and documents and ensure consistency with local, state, and federal laws and regulations.



Scope of Work

- Project Orientation
- Issue Identification
- Stakeholder Outreach
- Technical Audit
- Coordination Meetings
- Draft Documents
- Public Forums
- Adoption Process
- Administrative Manual
- Staff Training
- “Checkups”



Expected Deliverables

- Diagnostic report on land use regulations to identify areas where improvement is needed or recommended;
- Method to share documentation easily with the general public (i.e. website)
- Potential zoning changes, and a strategy for implementing the changes;
- Administrative Manual to UDO;
- Draft and Final documents



Areas of Interest

- Revised procedures for development types and zoning districts that will allow different mix of housing types;
- Accessory dwelling units;
- Incentives/Bonuses for a variety of specific purposes;
- Conservation Overlay District revisions;
- Technical Review Committee procedures;
- Organization and presentation





Questions?



City of Wilmington Density Bonuses

Sec. 23.11. - Low and moderate income housing; density bonuses.

(a)

The city council may provide for the granting of density bonuses in one or more zoning districts in which residential uses are permitted, or provide other incentives of value to a developer of housing within the City and its extraterritorial zoning jurisdiction, if any, if the developer agrees to construct at least fifteen percent (15%) of the total housing units within the development for persons and families of low and moderate income. The size of the density bonus may vary with the percentage of housing units constructed within the development for persons or families of low or moderate income.

(b)

The city council may provide for the enforcement of a developer's commitment to provide low and moderate income housing by ordinance or through the adoption of rules and regulations. Such ordinance or rules and regulations may require the developer to record restrictive covenants applicable to the property, to convey real estate interests in the property, to enter into binding contracts satisfactory to the city or to take other lawful action prescribed by the city. The city may prescribe the period of time during which the developer's commitment shall be binding.

(c)

When used in this section, the following terms have the meanings indicated:

(1)

"Density bonus" means an increase in the number of housing units allowed on the tract of land upon which the development is located, when compared to the maximum number of housing units which would be allowed on the tract of land in the absence of the density bonus.

(2)

"Low and moderate income" has the meaning prescribed by the regulations of the United States Department of Housing and Urban Development applicable to the City of Wilmington. In the absence of such regulations, the term "low and moderate income" shall have the meaning prescribed by the City Council by ordinance or resolution. The term "low and moderate" shall also be construed to mean low or moderate income.

(Sess. Laws 1991, Ch. 119, § 1; Sess. Laws 1991, Ch. 615, § 2)