Using Target Areas to Leverage Funds

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2:00pm

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About the Florida Housing Coalition

Statewide nonprofit organization providing training and technical assistance to local governments and nonprofits on all things affordable housing

Our work covers:

- Compliance with local, state, and federal affordable housing programs
- Affordable housing program design
- Capacity building for nonprofit housing providers
- Land use planning for affordable housing
- Research & data gathering

We can provide free training and technical assistance to you under the Catalyst Program.

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Webinar Logistics

- All participants are on mute

- Please type in your questions and comments into the question box on the side panel.

- We will not identify who has asked a question.

- Webinar is recorded.

- PPT is provided as a handout.

- For follow-up information or problems downloading handouts, please contact glazer@flhousing.org.

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Agenda

1. What are place-based programs?

2. Considerations for target areas & place-based initiatives

3. Target areas in practice

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Goals of today's training

- Explore the value of place-based affordable housing programs
- Provide ideas for how to:
  - Use existing target areas that are a part of existing affordable housing funding sources
  - Design target areas and place-based measures that deal with funding, land use, and the use of publicly owned land for affordable housing

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Basics of Target Areas & Place-Based Initiatives

Target Areas & Place-Based Strategies

- Strategies designed to target resources to defined geographic areas within a community.

- Policies aimed at addressing specific challenges and opportunities within a defined area.

- There are many ways to define target areas and place-based geographic areas including:
  - Community demographics
  - Community goals
  - Proximity to community goods
  - Proximity away from high-risk environmental areas

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Why are target areas & place-based strategies important?

- To improve decision making and priorities when deploying:
    - Public funding
    - Land use reforms
    - Publicly owned land for affordable housing
- Helps create **focused** housing policies.
- Opportunity for the community to identify community priorities and how *place* is centered in those decisions.
- Way to leverage public and private resources by generating excitement for "desired" areas.

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from HUD: "Developing Goals and Strategies for Target Areas" (downloadable as a handout)

Identifying Potential Target Areas	• What criteria do you want to use to identify potential target areas? • Are there thresholds that every target area should meet? • Are the criteria firm or will there be any exceptions? • Given availability of resources, how many target areas can you afford to invest in?
Selecting Target Areas	• What are the principal housing and community development needs in each of the neighborhoods in the community? • Do the needs in the community line up with the priority needs identified in applicable planning and funding documents (think Comprehensive Plan, Consolidated Plan, Local Housing Assistance Plan, etc.)? • Where are other investments taking place (private and public)? • What community organizations are working in these areas and which one(s) would be a strong partner(s)? • What target area is needed to ensure that public investments have a transformative impact?
Shifting to Targeted Investment	• How will you engage the community in a conversation about why it makes sense to target funds? • How and when will you approach the communities that you are considering as target areas? • Who should we speak to before approaching the community? • What types of investment are appropriate for the identified areas? • Who would be left out if you focus resources in target areas? • What would be the target community's likely concerns?

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Examples of Target Areas in Practice (more on this later)

Funding	Zoning & Land Use	Public Land
• Local affordable housing trust fund program prioritizes rental development applications in **Qualified Census Tracts**.	• Greater density for multifamily housing in areas within **3 miles** of a major employment center.	• Use public land for affordable housing that is further than ½ mile of an **environmentally sensitive area**.

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Be creative! The many possibilities of creating a Target Area for Public Resources

People-Based Metrics

- Household income
- Poverty levels
- Cost burden
- Opportunity metrics
- Homeownership rates
- Qualified Census Tracts (QCTs)
- Difficult to Develop Areas (DDAs)
- Opportunity Zones (OZs)

Place-Based Metrics

- Proximity to community goods & services
- Proximity away from environmentally sensitive areas
- Redevelopment potential
- Community goals

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People-Based Considerations

People-Based Considerations

- Refers to target areas that are designed based on the characteristics of the *people* that live in a specific geography.
- Includes metrics like:
  - Demographic data by census tract such as:
    - Household Income
    - Poverty Rate
    - Cost Burden
    - Homeownership Rate
- The considerations in this section can be utilized in a variety of affordable housing efforts.

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Census Tracts as Target Areas

- Policymakers often use census tract level data to identify target areas.

- Target areas can be identified based on one data point or a mix of factors.

- Examples:
  - Qualified Census Tracts
  - Opportunity Zones
  - Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)
  - Geographic Areas of Opportunity

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Data Points available at the Census Tract Level

Demographic & Economic Conditions	Property Values and Investment	Neighborhood and Housing Characteristics	Children Outcomes in Adulthood
Median household income	Median sales price	Density of housing units	Household income at age 35
Cost burden	Variance of sales price	% of owner-occupied households	Incarceration rate
Poverty rate	% of residential parcels built 2008 and after	Share of households with rental subsidy	Teenage birth rate
Educational attainment by level completed	% of residential parcels w/permits		Individual income
Median age	Share of residential addresses that are vacant		Fraction married at age 35
% by Race			% stayed in same tract as adults

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IDEAS: Using Census Tract Data in Practice

Down-Payment Assistance Program? Could identify target areas using a combination of census tract data on:

- % of Owner Occupied Households
- Median household income
- Cost burden
- Median Sales Price
- Variance of Sales Price

Rental development program? Could identify target areas using a combination of census tract data on:

- % of Owner Occupied Households
- Median household income
- Cost burden
- Poverty rate
- Density of housing units
- Share of households with rental subsidy

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Example: Tallahassee's Inclusionary Zoning Ordinance

- The City of Tallahassee has an inclusionary zoning ordinance that requires single-family developments with 50 or more owner-occupied units in **_selected census tracts_** to set aside a portion of the units as deed-restricted, affordable housing.

- **Selected census tracts:** census tracts where the median family income is greater than the countywide median, based upon the most recently published Census or HUD data.

- What does this accomplish?

  - Targets the IZ policy to areas of the City that are higher income to generate mixed-income communities
  - Avoids concentrating affordable housing in low-income census tracts

CITY OF TALLAHASSEE

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Qualified Census Tracts (QCTs)

- Qualified Census Tracts (QCTs) are designated by HUD and used in various housing programs – including as a means to incentivize Low-Income Housing Tax Credit (LIHTC) investment in areas with higher levels of need.

- A census tract must meet certain criteria to be a QCT:
    - At least 50% of households with incomes below 60% AMI, or
    - Have a poverty rate of 25% or more

- Policymakers can simply use QCTs as target areas for any funding, land use, or public land program.

    The locations of both QCTs and DDAs can
    be easily confirmed with HUD's publicly available mapping tools.

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Difficult Development Areas (DDAs)

- Difficult Development Areas (DDAs) are designated by HUD to incentivize Low-Income Housing Tax Credit (LIHTC) investment in areas with higher levels of need.

- DDAs are determined by HUD through calculations that factor:
  - o Fair market rents
  - o Maximum incomes for eligible tenants, and
  - o Whether a ZIP code is within a metropolitan area or nonmetropolitan area.

  Essentially, DDAs feature 1) high land costs; 2) high construction costs and 3) high utility costs relative to the Area Median Income (AMI).

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Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)

- Used by HUD as can be used as a tool for policymakers, planners, and researchers to better understand and address the spatial patterns of poverty and segregation, facilitating the development of strategies to improve economic opportunities and reduce disparities.

- R/ECAP requirements:
  a) non-white population of 50 percent or more; and
  b) concentrated poverty defined as census tracts with 40 percent or more of individuals living at or below the poverty line.

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Geographic Areas of Opportunity

- Geographic Areas of Opportunity are determined by FHFC as a target area for its RFAs.

- These areas are census tracts identified by FHFC which meet at least two of the following criteria based on the average of the three most recent 5-year averages of the American Community Survey:

    - (a) census tract median income greater than the 40th percentile of all census tracts within the county;

    - b) educational attainment above the median of all tracts in the county, measured as the proportion of adults over 25 years old who have completed at least some college; and

    - (c) tract employment rate greater than the statewide employment rate.

- This methodology can be utilized for other housing initiatives.

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Opportunity Atlas Metrics

- **Purpose:** Help to answer the question: Which neighborhoods in America offer children the best chance to rise out of poverty?
  - Indicates outcomes of children at 35 based upon census tract of origin
- The data is a collaboration between researches at the U.S. Census Bureau, Harvard University, and Brown University

- Data points:
  - Household Income at Age 35
  - Incarceration Rate
  - Employment rate at age 35
  - Fraction in Top % Based on Household Income
  - High School Graduation Rate
  - % of children staying in the same tract as adults
  - Teenage birth rate

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Neighborhood Revitalization Strategy Areas (NRSAs)

Strategy:

- Designate a Neighborhood Revitalization Strategy Area (NRSA), through the Community Development Block Grant (CDBG) program, to support a comprehensive approach to addressing economic development and housing needs in areas of opportunity. Activities will focus on promoting innovative programs in economically disadvantaged areas to increase access to affordable housing, expanded services, and economic opportunity.

Purpose and benefits:

- Stimulate investment in distressed neighborhoods.

- Empower low-income residents.

- Flexibility in the use of CDBG funds to support long term revitalization efforts.

- Exemption from certain regulatory requirements.

- Reduces record-keeping requirements of the grantee

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Neighborhood Revitalization Strategy Areas (NRSAs)

- Neighborhood Revitalization Strategy Area
- A very low-income geographic target area
  - Must be contiguous
  - Primarily residential
  - Must have a percentage of LMI residents that is equal to the highest quartile percentage or 70%, whichever is less, but always at least 51% LMI
- Developed by the local government grantee.
- Approved by HUD Office.
- Renewed every 5 years, usually during the Consolidated Plan cycle.

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Examples of NRSA Flexibility

- Aggregation of housing units
  - Outside a NRSA, 100% of single-family homes must be occupied by LMI households
  - Within an NRSA, only 51% have to be occupied by LMI households
- 15% Public Service Cap Exemption
- Job creation/retention can qualify as LMA benefit
- Exempt economic development project from the aggregate public benefit standards

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Summary of people-based considerations

- Policymakers can utilize a variety of census tract level data to target public policy efforts.

- Existing target areas like QCTs, DDA, R/ECAPs, etc. can be used for affordable housing program design.

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Location-Based Considerations

Guiding Questions

- Is there a preference in use of this tool for locating growth of <u>A</u>ffordable housing versus <u>a</u>ffordable housing? What kind of processes would these scenarios inform?

- What factors, if any, define basic parameters of areas to consider or not consider for residential growth?

- What remaining factors best capture local priorities to create distinct growth scenarios?

- Are there different answers to these questions for <u>A</u>ffordable housing versus <u>a</u>ffordable housing?

- *The following section provides <u>general guidance</u> for where to prioritize housing investment. Reference these guiding questions when determining how to consider location for a specific program or policy.*

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Why Location Matters

Availability and efficient use of public infrastructure/services
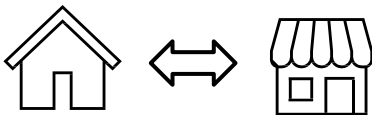
Access between housing and other destinations via:
- Proximity from use mix, compact development standards, increased density/intensity
- Affordable transportation options
- Safe, comfortable connections
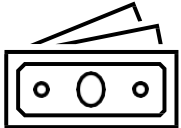
Fiscal impacts
- Capital + operating investments in public infrastructure and services
- Taxable value and property tax revenues per acre

Preservation of rural activities and undisturbed lands

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Location-Based Considerations

- Refers to target areas that are designed based on the characteristics of a specific place.

- Includes metrics like:
  - Proximity *to* community goods and services
  - Proximity *away* from undesirable locations (i.e. environmental sensitive areas, areas with high flood risk, etc..)

- Think **proximity scoring.**

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Location-Based Considerations Cont'd.

- Programs and strategies for affordable housing and community development will often **define clear locational requirements or preferences** as part of an administrative process to evaluate proposals.

- This is a policy approach to prioritize available resources for proposed developments that are well-situated to:
  - Provide high quality of life for residents
  - Serve areas and populations with demonstrated needs
  - Encourage future investment
  - Support local growth strategies

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Location-Based Considerations in Practice

- A **proximity scoring approach** allows for a range of location-based considerations to be factored into an administrative process.

- In practice, this approach can be used evaluate applications for AH funding resources by using a points-based system. This can be done to:
  - ✓ Determine eligibility for awards, and/or
  - ✓ Rank applications for awards.

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Proximity Scoring Criteria

Establishing proximity criteria to use as part of a selection process presents an opportunity to guide resources in a way that is compatible with a community's growth strategies and priorities.

Consider:

- *What resources should be located near new housing investments?*

- *What are the needs of the population(s) that would be served?*

- *What areas or hazards should be avoided?*

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What should be located <u>near</u> new housing investments?

Community-based resources and amenities

- Higher degrees of proximity to <u>resources and amenities</u> within a community are shown to reduce the amount of infrastructure needed per capita, reducing costs for municipalities. (Brookings).

- An adequate supply of housing in proximity to employment, public transportation, and community facilities, such as public schools, is not only desirable, but is necessary for a community to function. (American Planning Association).

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What are community-based resources and amenities?

May include:

- Grocery stores

- Medical facilities

- Pharmacies

- Public Schools

- Employment opportunities

- Retail options

- Public transit services

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Example: NCHFA's Site Score Evaluation process

- The North Carolina Housing Finance Agency (NCHFA) uses a points-based proximity scoring process that looks at amenities when evaluating the sites of proposed developments seeking funding awards.

- Applications with higher scores have a higher likelihood of being chosen for funding.

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Example: NCHFA's Site Score Evaluation process

Driving Distance in Miles

Primary Amenities (maximum 26 points)	≤ 1.5	≤ 2	≤ 2.5	≤ 3.5
Grocery	12pts.	10 pts.	8 pts.	6 pts.
Shopping	7 pts.	6 pts.	5 pts.	4 pts.
Pharmacy	7 pts.	6 pts.	5 pts.	4 pts.

Secondary Amenities (maximum 23 points)	≤ 1.5	≤ 2	≤ 2.5	≤ 3.5
Other Primary Amenity	5 pts.	4 pts.	3 pts.	2 pts.
Service	3 pts.	2 pts.	1 pt.	0 pts.
Healthcare	3 pts.	2 pts.	1 pt.	0 pts.
Public Facility	3 pts.	2 pts.	1 pt.	0 pts.
Public School	3 pts.	2 pts.	1 pt.	0 pts.
Senior Center or Community Center	3 pts.	2 pts.	1 pt.	0 pts.
Retail	3 pts.	2 pts.	1 pt.	0 pts.

Driving Distance in Miles, Small Town*

Primary Amenities (maximum 26 points)	≤ 2.5	≤ 3	≤ 3.5	≤ 4.5
Grocery	12 pts.	10 pts.	8 pts.	6 pts.
Shopping	7 pts.	6 pts.	5 pts.	4 pts.
Pharmacy	7 pts.	6 pts.	5 pts.	4 pts.

Secondary Amenities (maximum 23 points)	≤ 2.5	≤ 3.	≤ 3.5	≤ 4.5
Other Primary Amenity	5 pts.	4 pts.	3 pts.	2 pts.
Service	3 pts.	2 pts.	1 pt.	0 pts.
Healthcare	3 pts.	2 pts.	1 pt.	0 pts.
Public Facility	3 pts.	2 pts.	1 pt.	0 pts.
Public School	3 pts.	2 pts.	1 pt.	0 pts.
Senior Center or Community Center	3 pts.	2 pts.	1 pt.	0 pts.
Retail	3 pts.	2 pts.	1 pt.	0 pts.

Source: QAP24-FinalQAP.pdf (nchfa.com)

- Note that there are different distance requirements for "Small Town" development.
- "Small Town" - a municipality with a population of less than 10,000 people.

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What resources and amenities should be prioritized when evaluating proximity?

Consider:

1. **Public feedback**
   o What resources and amenities are most highly valued by the community?

2. **What are the needs of the population(s) that would be served?**
   o The needs of future residents may help to guide decisions on what resources should be located near future housing investments.

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Example: using public feedback to prioritize resources and amenities

Marion County Guided Growth Plan for Housing

- In creating a parcel ranking system to identify where development should be prioritized, Marion County's Community Service Division conducted a local survey to gauge how people value certain locational factors.

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What are the needs of the population(s) to be served?

When considering which proximity factors should be prioritized in a scoring process, consider the population(s) you are looking to serve.

- An <u>elderly or special needs</u> development may prioritize proximity to <u>medical facilities and pharmacy</u>.

- A <u>family</u> development may prioritize proximity factors such as <u>public schools, employment opportunities, and retail</u>.

- Certain proximity criteria may be important to <u>any population</u>, such as access to <u>public transit and grocery stores</u>.

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What areas or hazards should be avoided?

A proximity scoring process should also consider where housing should <u>not</u> be located.

- Certain environmental factors can also be evaluated to prioritize locations for housing investment.
  - Flood zones
  - Coastal High Hazard Areas
  - Evacuation zones
  - Wetlands
  - Brownfields
  - Sinkholes

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Proximity Scoring - Establishing "Buffers"

For a scoring process, exactly how close in proximity should desired amenities and resources be to a proposed development?

- Urban planning and design best practices indicate that **walkability** is within ~½ mile (~¼ mile for the BEST walkability).

- Bike-able distance is considered to be 1-3 miles.

- Food deserts are determined by a 1-mile radius. (USDA).

- Reference buffers used by other authorities, such as FHFC.

- More to follow!

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Target Areas & Zoning

How spatial analysis can impact targeted zoning & land use decisions

Targeted allowances for:

- By-right multifamily housing, including mixed use

- Prioritization of "missing middle" housing types

- Greater density

- Parking reductions

- Infrastructure investments

Targeted affordable housing requirements and incentives such as:

- Inclusionary housing requirement

- Density bonus programs (coordinate with other regulatory requirements to enable use of additional bonus density)

- Impact fee waivers

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Guide Growth via Existing Planning, Land Use + Zoning Processes

Regional plans

Comprehensive plans

Small area or topic-specific plans

Land development regulations + capital, operating, programmatic investments to implement plans

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Common Locational Considerations for Guiding Growth

- Infill opportunities in existing developed areas, within urban growth boundary

- Proximity to mixed-use, commercial, and employment nodes and corridors

- Areas with existing and future public infrastructure/ services areas (water, sewer, fire, etc.)

- Areas with existing and planned transportation network and transit routes

- Avoidance of/mitigation in environmentally vulnerable and sensitive areas – e.g., flood plains, Coastal High Hazard Areas, preservation land

Criteria for zoning for housing allowances may be more general and account for future public investment/potential private development when compared with criteria for scarce programmatic investments (funding, land, etc.) that may also focus on certain demographics.
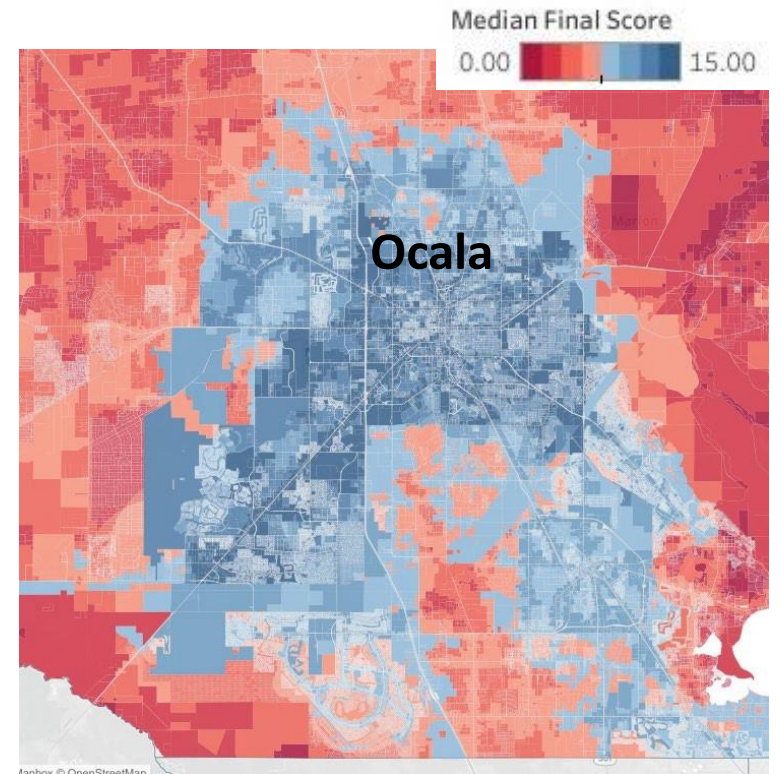
Guided growth exercise for Marion County indicated various growth area opportunities primarily in and near Ocala (higher score/ darker blue indicates most suited for growth).

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Example: St Petersburg NTM-1 Zoning District

Allows:

- Up to 4 units/building (fourplex) and "bungalow court" small-scale multi-family housing types

- Up to 30 units/acre

Location:

- Future Major Streets (includes transit routes)

- Avoids Coastal High Hazard Area, Special Flood Hazard Areas, Hurricane Evacuation Zone A, Preservation lands, listed species habitat, and other environmentally sensitive lands

Target Areas & Zoning

NTM (PR-R) Zoning

Date: 11-04-22

Planning and Development Services
City of St. Petersburg

NTM (Neighborhood Traditional Mixed Residential) Zoning
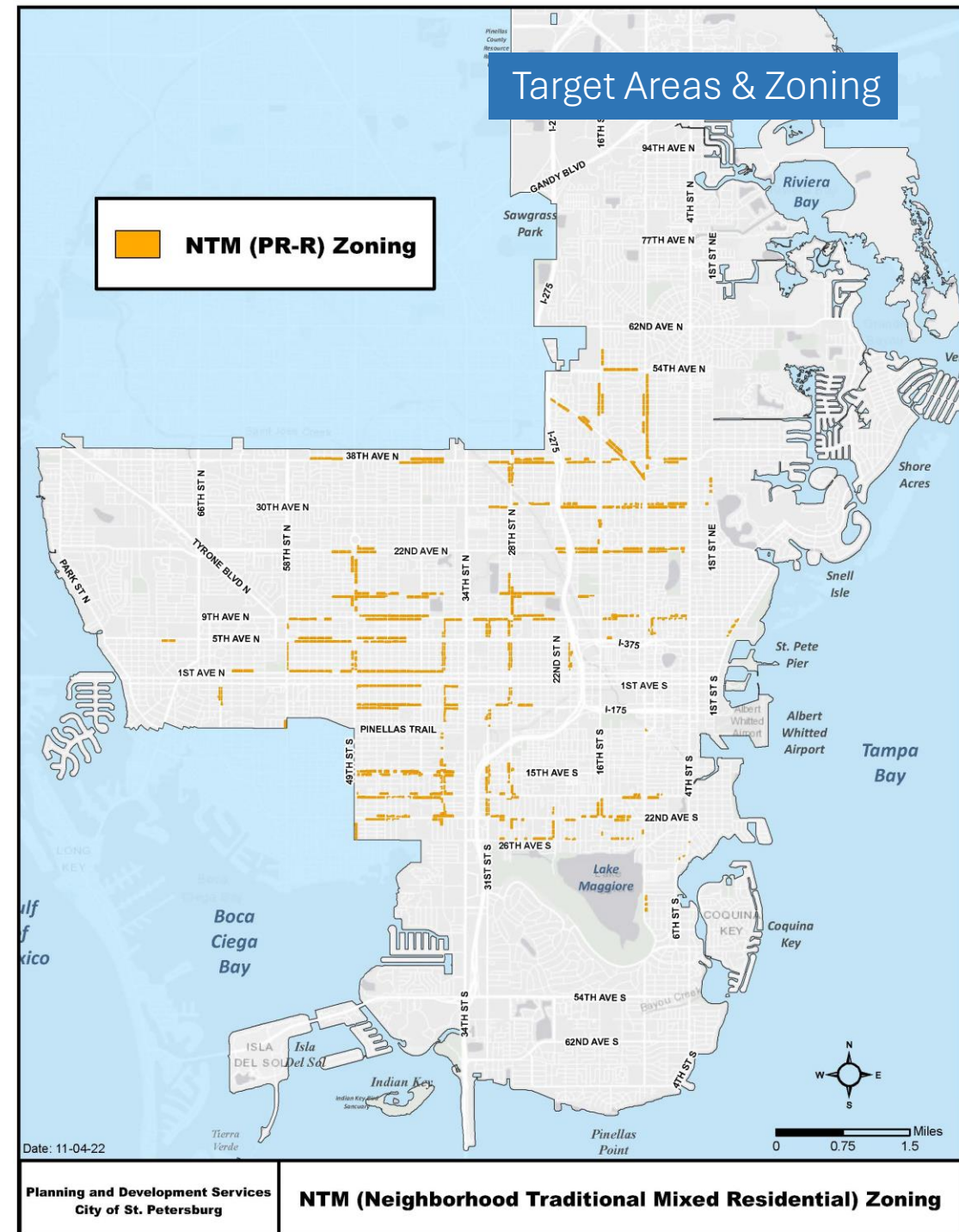
Example: Targeted Parking Reductions
Live Local Act Land Use Mandate

The Live Local Act included favorable entitlements for eligible affordable housing developments in commercial, industrial, and mixed-use areas.

Parking requirement reductions/removal included:

- Reduction of at least 20% if proposed development is
  - Within ½ mile of "major transportation hub"; and
  - Has available parking within 600 ft.
- Elimination of parking requirements:
  - If proposal is in an area recognized by the local government as a transit-oriented development (TOD) or area.
  - Any project that is TOD/in a TOD area must also be mixed-use with residential.

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Guided Growth Process in Steps

FHC Applied Guided Growth Process

Florida Housing Coalition applied a guided growth process in two prior projects:

- Marion County guided growth plan for housing

- Alachua County inclusionary housing feasibility study

We'll walk through the process for these examples in steps.

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Marion County: Determining Criteria

The Marion County project included a stakeholder survey to determine physical and socioeconomic priorities for locational criteria/weighting to guide residential growth and use of SHIP funding:

Distant from protected wetlands and other environmentally sensitive areas	Within 1 mile of a grocery store
Within Urban Growth Boundary	Within .5 miles of a transit stop
Within .5 miles of an existing road	Within areas of relatively high poverty
Within .5 miles of existing water and sewer lines	Within areas shown to help children thrive as adults
Within 5 miles of a fire station	Within areas where cost of transportation is low
Within school zones that have the capacity for more students	On low-cost parcels
Within 3 miles of a job center	Within highly ranked school zones
Within 3 miles of a medical facility	

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Marion County: Determining Criteria

Final criteria and buffer distances to define proximity based on survey input, urban planning best practice, project team expertise.

Variable to Guide Growth	Spatial Data Source	Buffer Distances to Measure Development Proximity	Weights
Job Concentration	LEHD	Within 1, 3, and 5 mi (more points for closer proximity)	Low
Transit Stop	County Data	Within 0.25 mi	Low
Medical Facility	HIFLD, County Data	Within 3 mi	Low
Fire Station	County Data	Within 3 mi	Moderate
Road	County Data	Within 0.1 mi	Moderate
Water/Sewer	County Data	Within 0.25 mi	Moderate
Protected Wetland or Other Protected Area	County Data	At least 0.5 mi away	High
Urban Growth Boundary	County Data	Within boundary	High

For travel distance to key destinations (job concentration, transit stop, medical facility, fire station), can consider buffer by road network depending on analysis software

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Near Fire Station | Near Hospitals | Near Job Centers | Away from Environmentally Sensative Areas
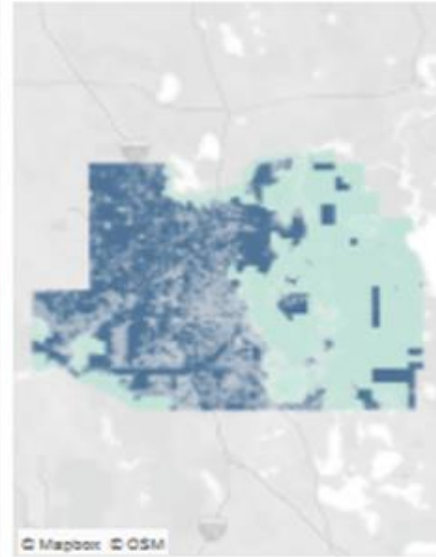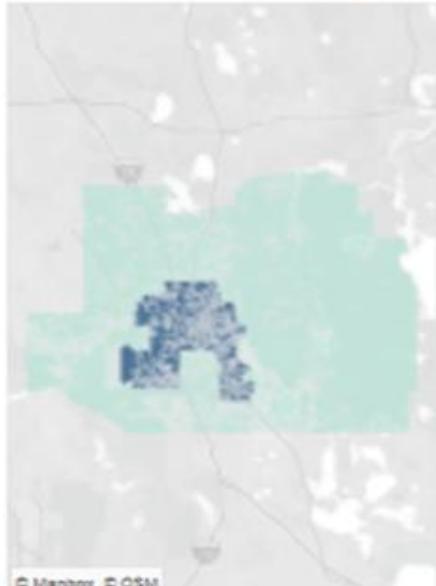
In Urban Growth Boundary | Near Major Road | Near Existing Sewer/Water | Near Transit Stops
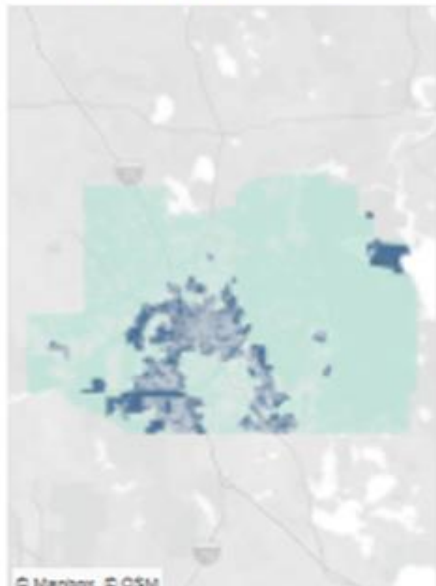
Marion County: Results of Individual Criteria

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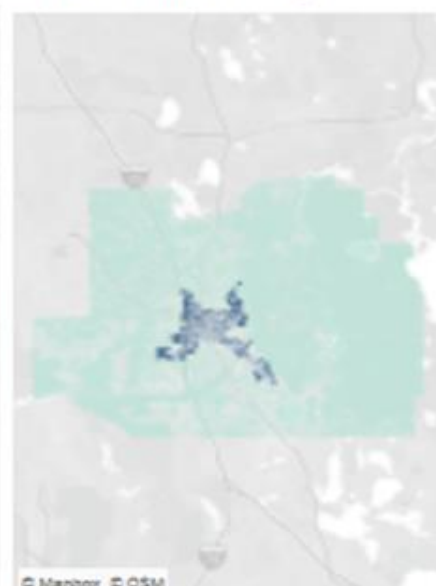
Marion County: Results of Combined Criteria

- Correspondence of areas with various levels of positive favorability (blue areas on map) to Urban Growth Boundary, which was prioritized in scoring and overlaps with many other factors considered.

- Validates local growth management/ comprehensive planning processes.

- Favorable areas in general can be considered for additional regulatory allowances for housing.

- Areas can be further targeted for different investments for affordable housing, such as SHIP.

Median Final Score

0.00 ▮▮▮▮▮▮ 15.00
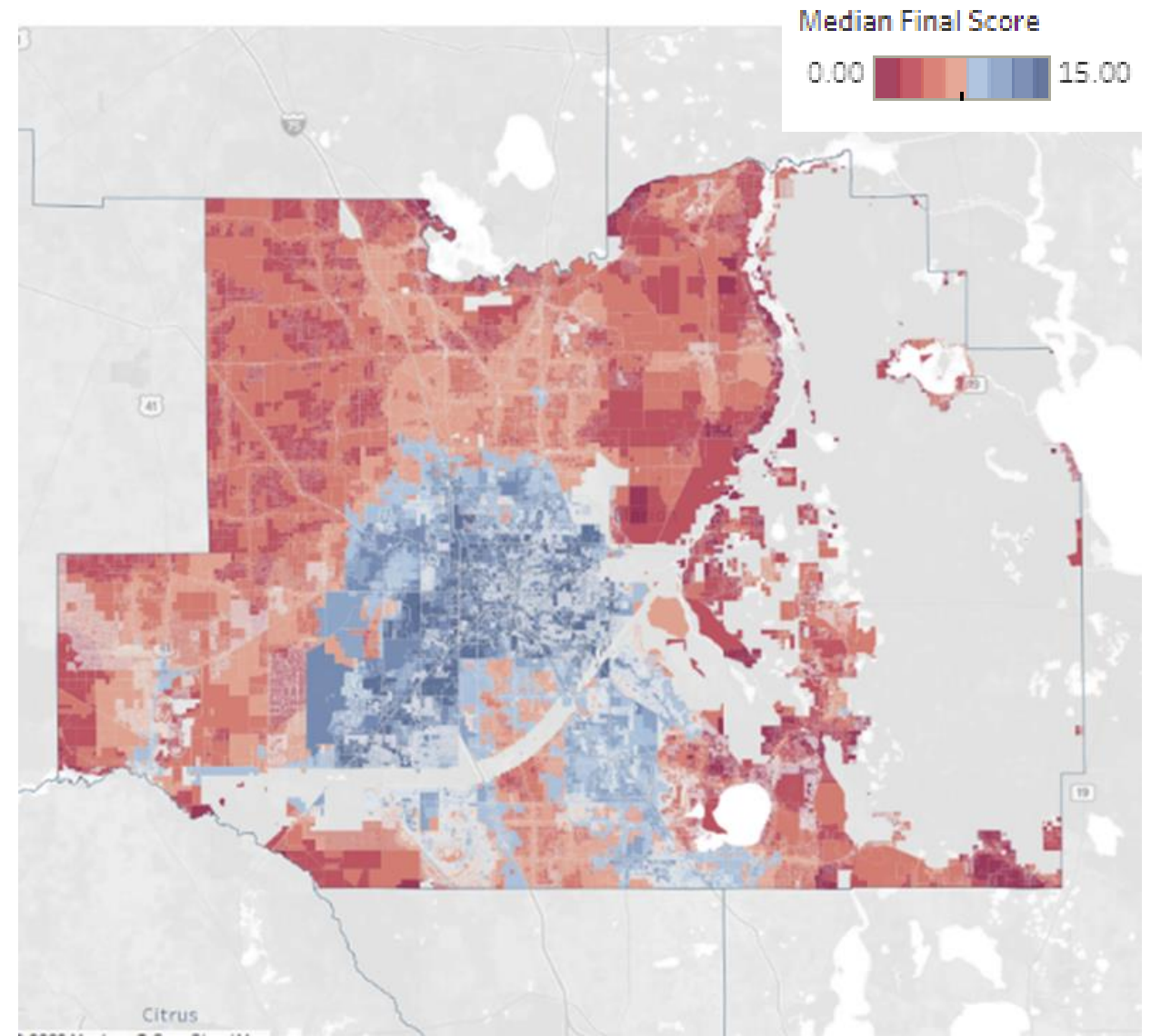
Marion County: Site Considerations for Likely Development

At site level, consider parcels that are vacant, redevelop-able, and agricultural parcels that may rezone for areas that may see more immediate use of any additional allowances that may be provided.

Median Final Score
0.00 — 15.00
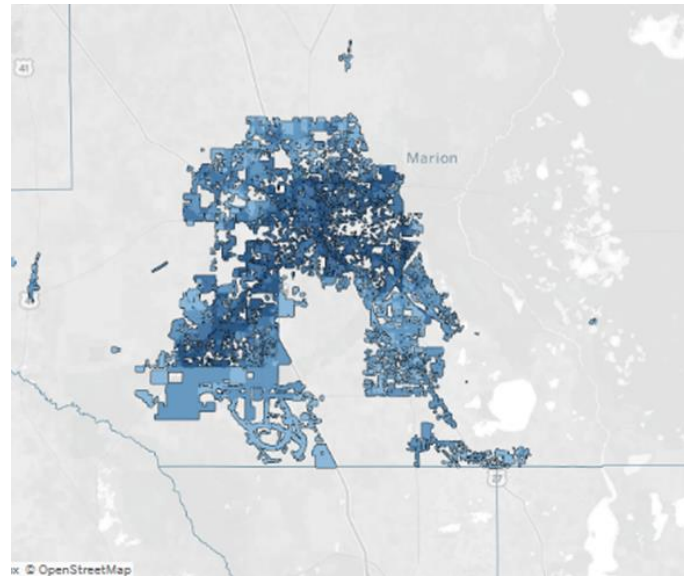
Vacant ($0 improvement value)
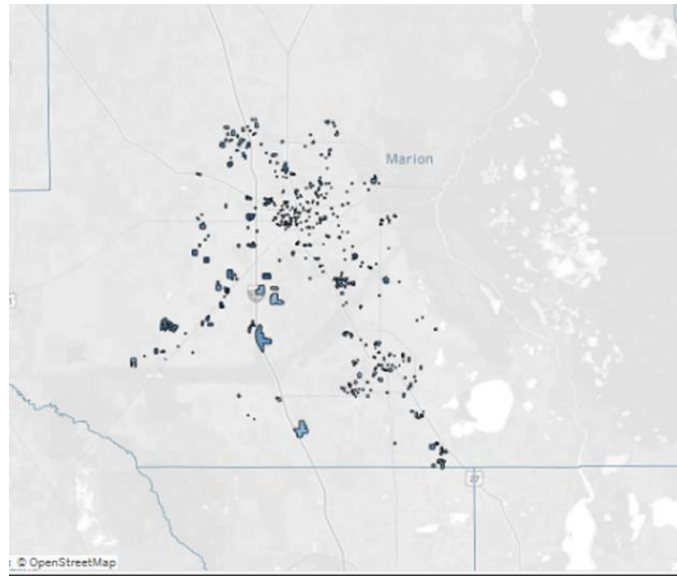
Redevelopable ($5-$10k improvement value)
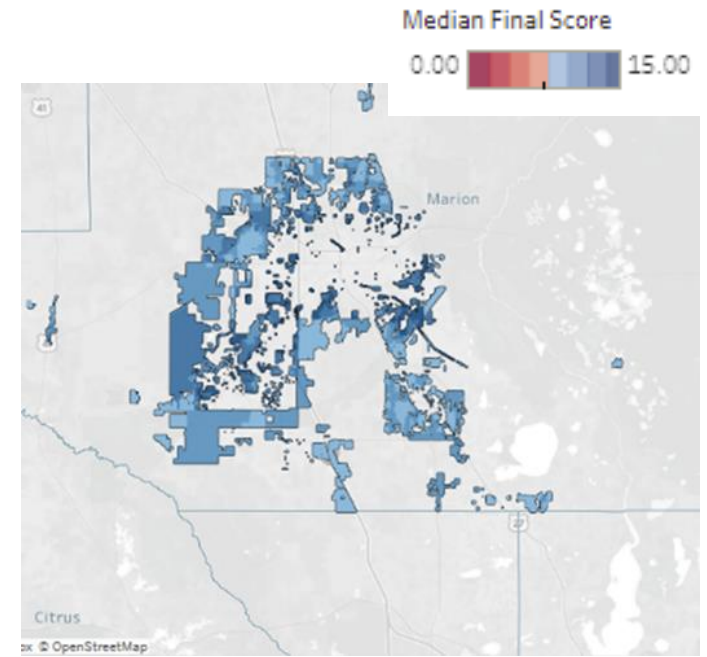
Agricultural (based on zoning)

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Alachua County: Initial Guided Growth Factors

- Guided growth analysis in Alachua County helped evaluate opportunities for more housing allowances with potential required affordable set-aside and additional by-right small-scale housing allowances.

- Initial criteria and proximity for Alachua County project reflected best practices in urban planning and project team experience, including prior Marion County project.

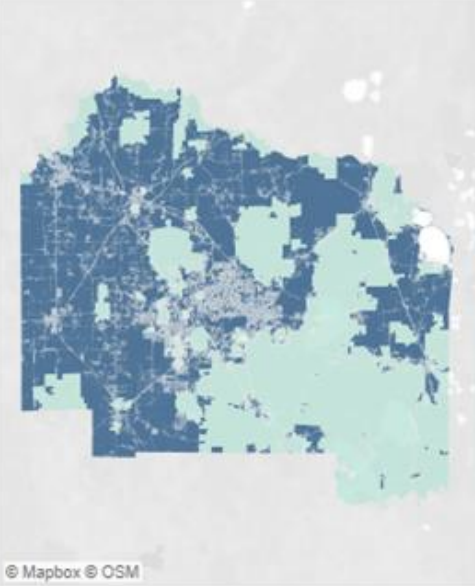| Variable to Guide Growth	Spatial Data Source	Buffer Distances to Measure Development Proximity	Weights
Job Concentrations	LEHD	Within 1 mile of a job concentration	1
Transit Stop	County Data	.25-mile buffers around transit stops.	1
Medical Facility	County Data	3-mile buffer from a medical facilities	1
Fire Station	County Data	Within 3-mile "as the crow flies" from a fire station	2
Protected Areas	County Data	.5-mile buffer away from Preservation Lands	2
Sewer and Water	County Data	Within .25 miles of Sewer	2
Urban Cluster Area	County Data	Within UCA	3
Road	County Data	.1-mile buffer from a major road	3

Near Transit | Within Urban Cluster Area | Away from Environmentally Sensitive Areas | Near Fire Station

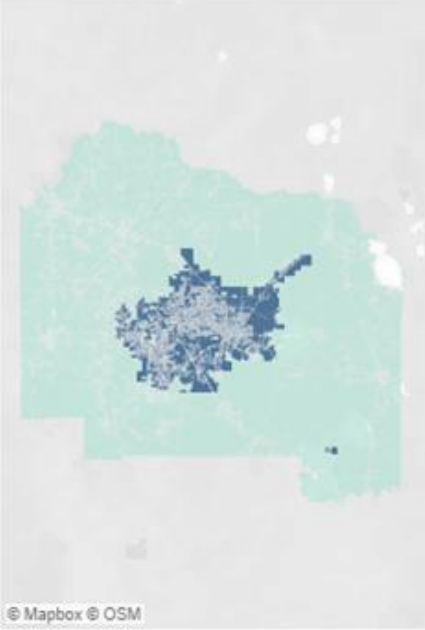Near Job Concentrations | Near Medical Facilities | Proximity to Road | Proximity to Sewer/Water

Guided Growth Process

Alachua County: Results of Individual Criteria

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# Alachua County: Results of Combined Criteria

- Again, guided growth factors indicated some level of positive favorability (areas in blue on map) generally aligned with the Urban Cluster (i.e., Urban Growth Boundary)

- Urban growth boundary eventually proposed as a categorical basic parameter of where to consider growth to for access to public infrastructure and services

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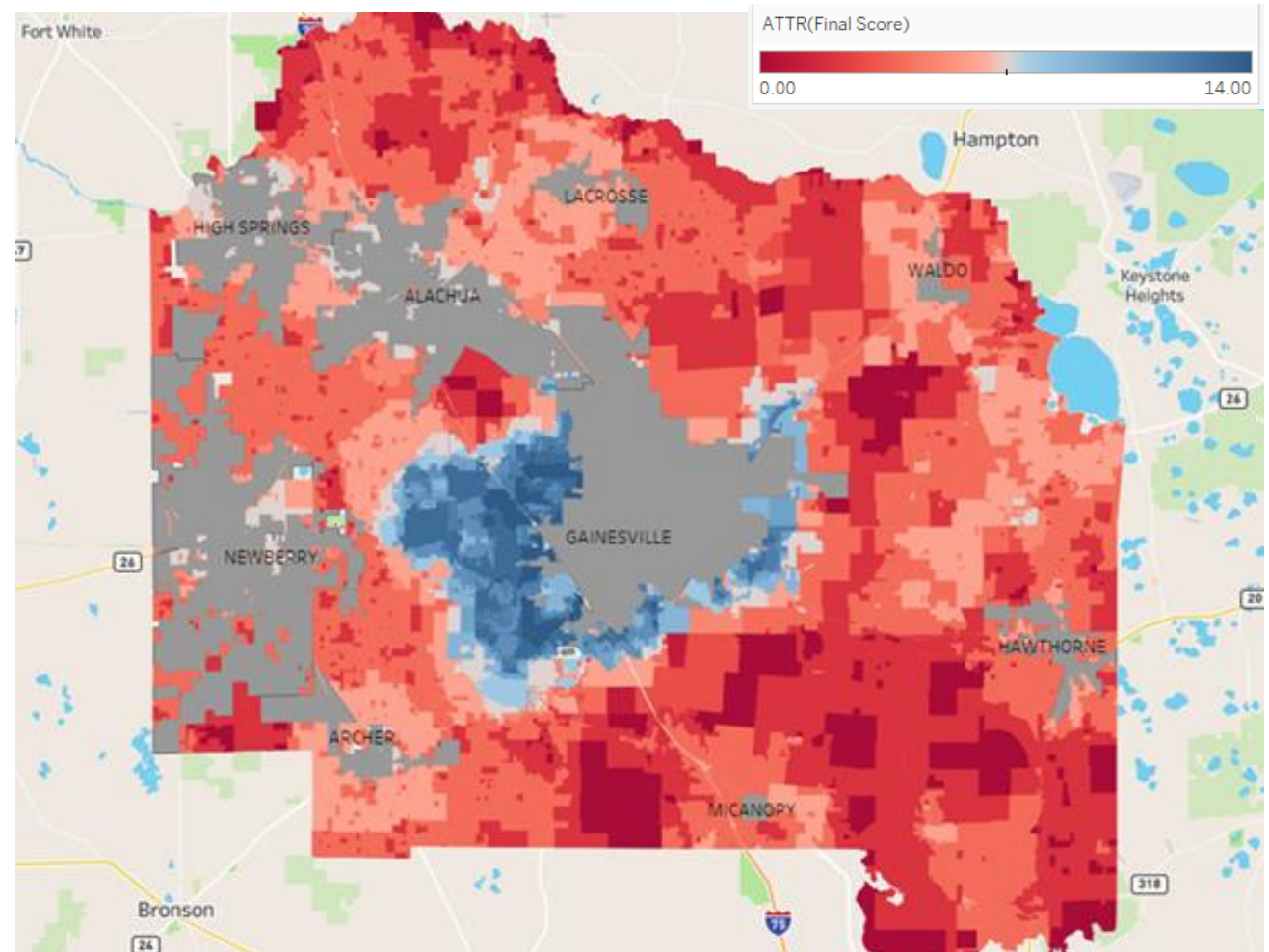
Alachua County: Refined Proximity Priorities

Refined prioritization of job proximity in Urban Cluster based on

- BOCC input

- Prior repeal of small-scale multi-family allowances throughout Urban Cluster (opportunity for more targeted approach to this allowance)
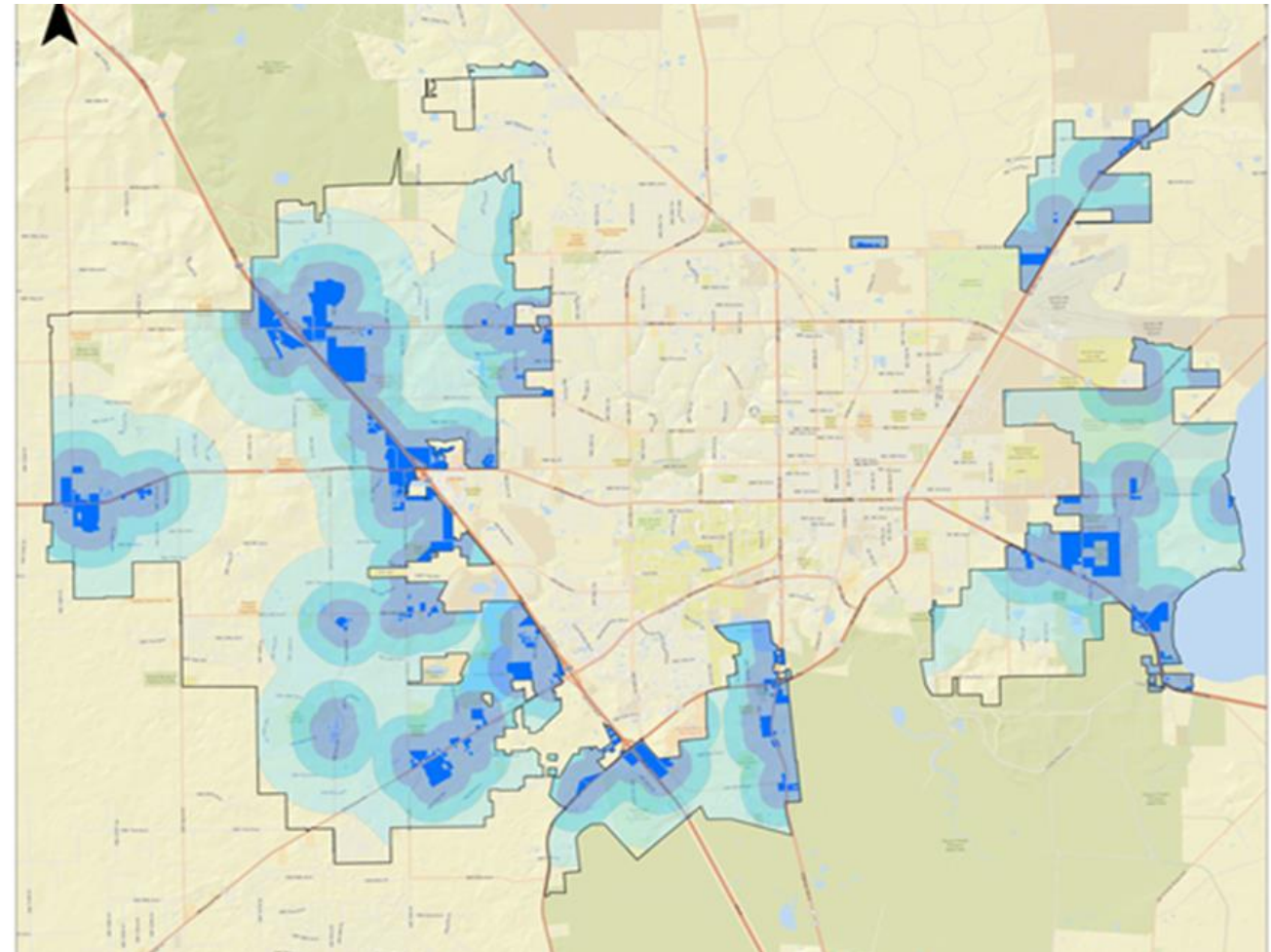
Commercial Buffers

- 0.250000
- 0.250001 - 0.500000
- 0.500001 - 1.000000

Commercial Zoning and Retail/Office Existing Uses Group

- Commercial Zoning and Retail/Office Existing Uses

Urban Cluster Line

- Urban Cluster Line

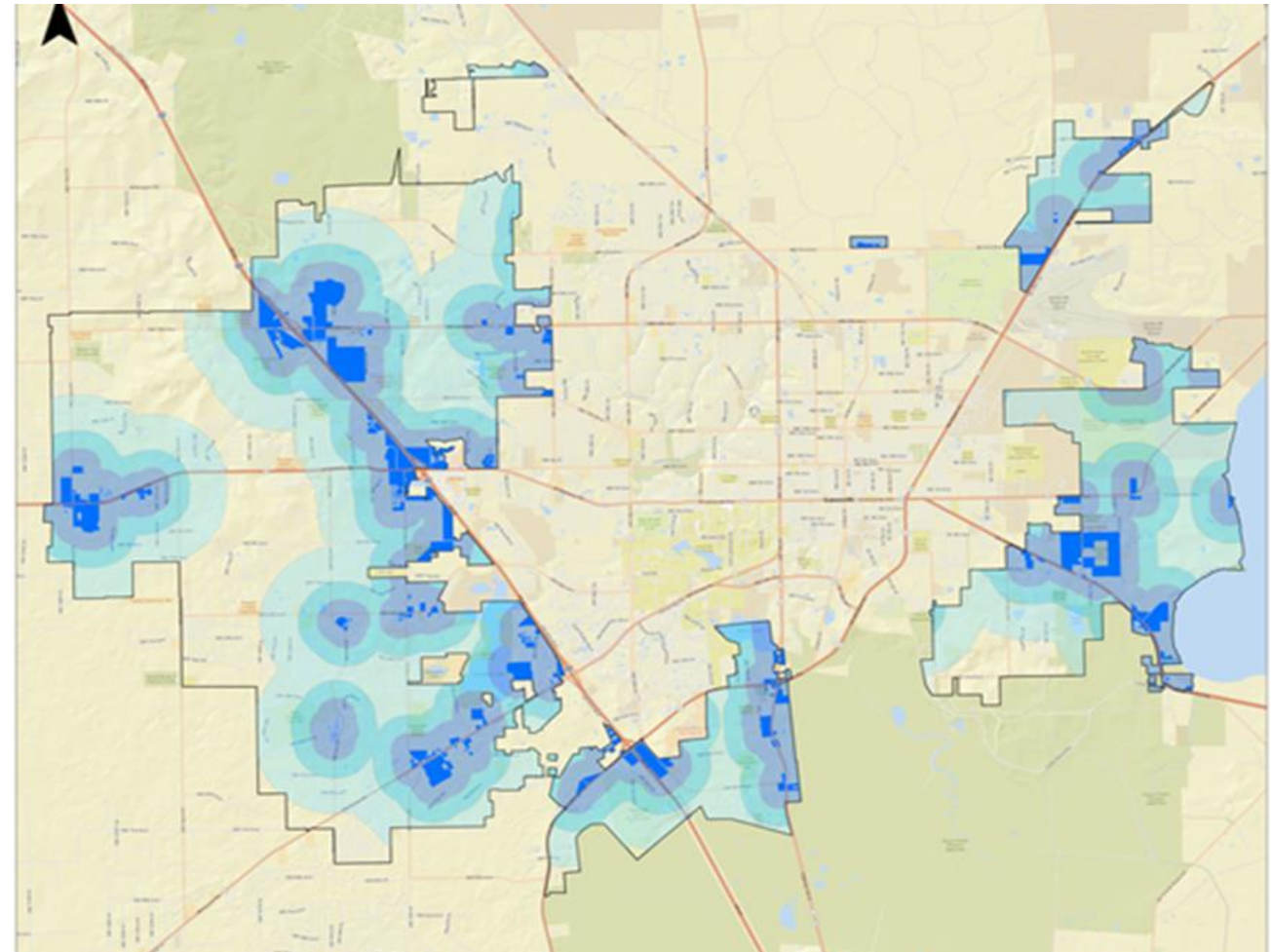THE FLORIDA HOUSING COALITION

Alachua County: Refined Proximity Priorities

Commercial, office, retail existing land use and zoning captured major employer locations

3 proximity levels at the ¼ mile, ½ mile, and 1-mile distances from commercial and retail office centers.

Data sources:

- Geospatial data layer from the County GIS department

- Florida Geospatial Open Data Library's (FGDL) Generalized Land Use layer

- Florida Commerce's Employer Database

- Census Longitudinal Employer-Household Dynamics OnTheMap tool

Commercial Buffers
- 0.250000
- 0.250001 - 0.500000
- 0.500001 - 1.000000

Commercial Zoning and Retail/Office Existing Uses Group
- Commercial Zoning and Retail/Office Existing Uses
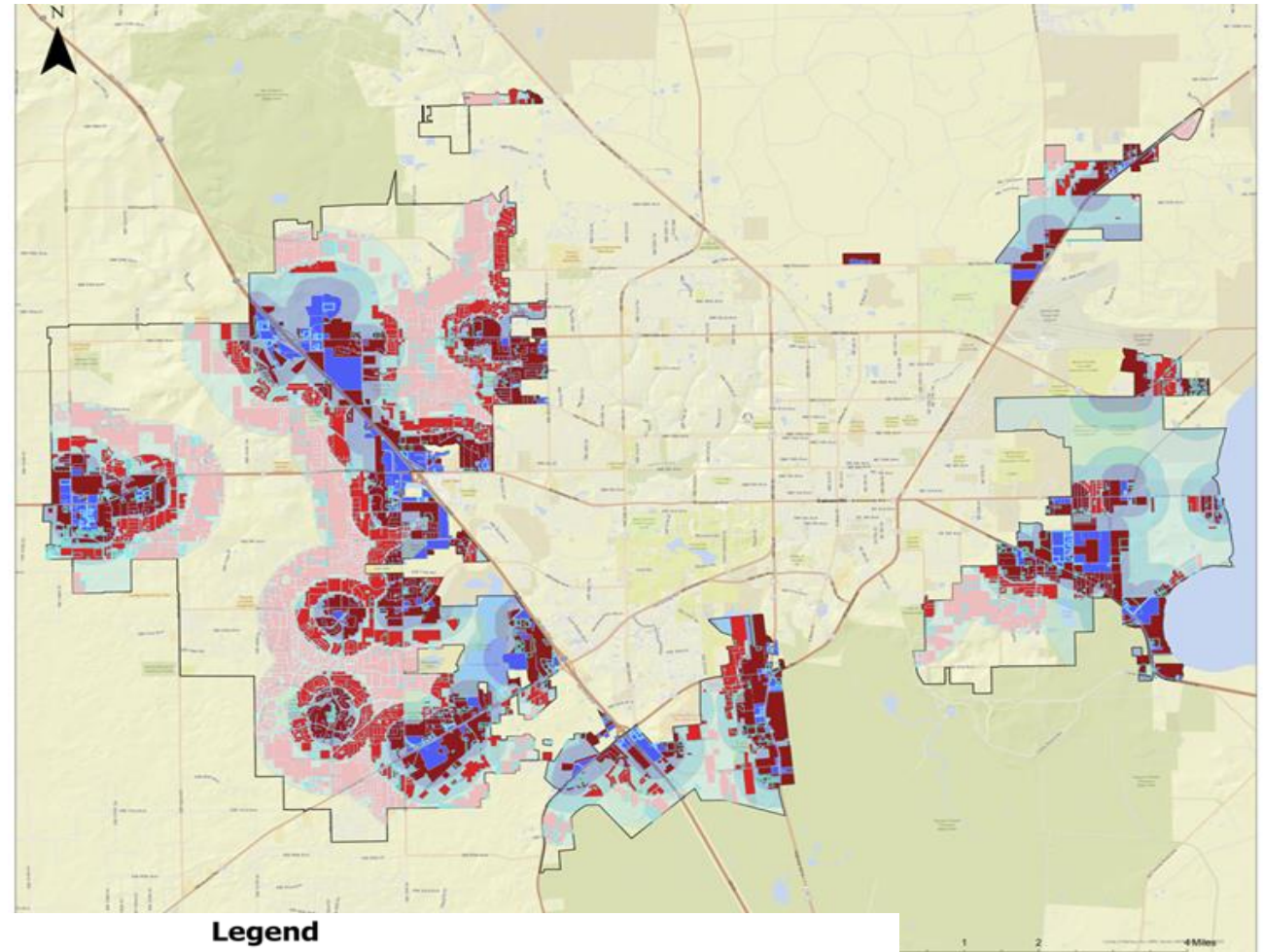
Urban Cluster Line
- Urban Cluster Line

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Alachua County: Targeting Larger Scale Multi-Family Allowances

- Additional larger scale multi-family in ¼-mile buffer, smaller scale multi-family regulatory allowances in other tiers based on land use transitions from urban design best practice

- Sets foundation for more compact development and housing options; could guide further connectivity/ multi-modal transportation investments – bike and ped, transit service – to further access to jobs

Legend

Commercial Zoning and Uses
- Commercial Zoning and Retail/Office Existing Uses

Commercial Buffer (mi)
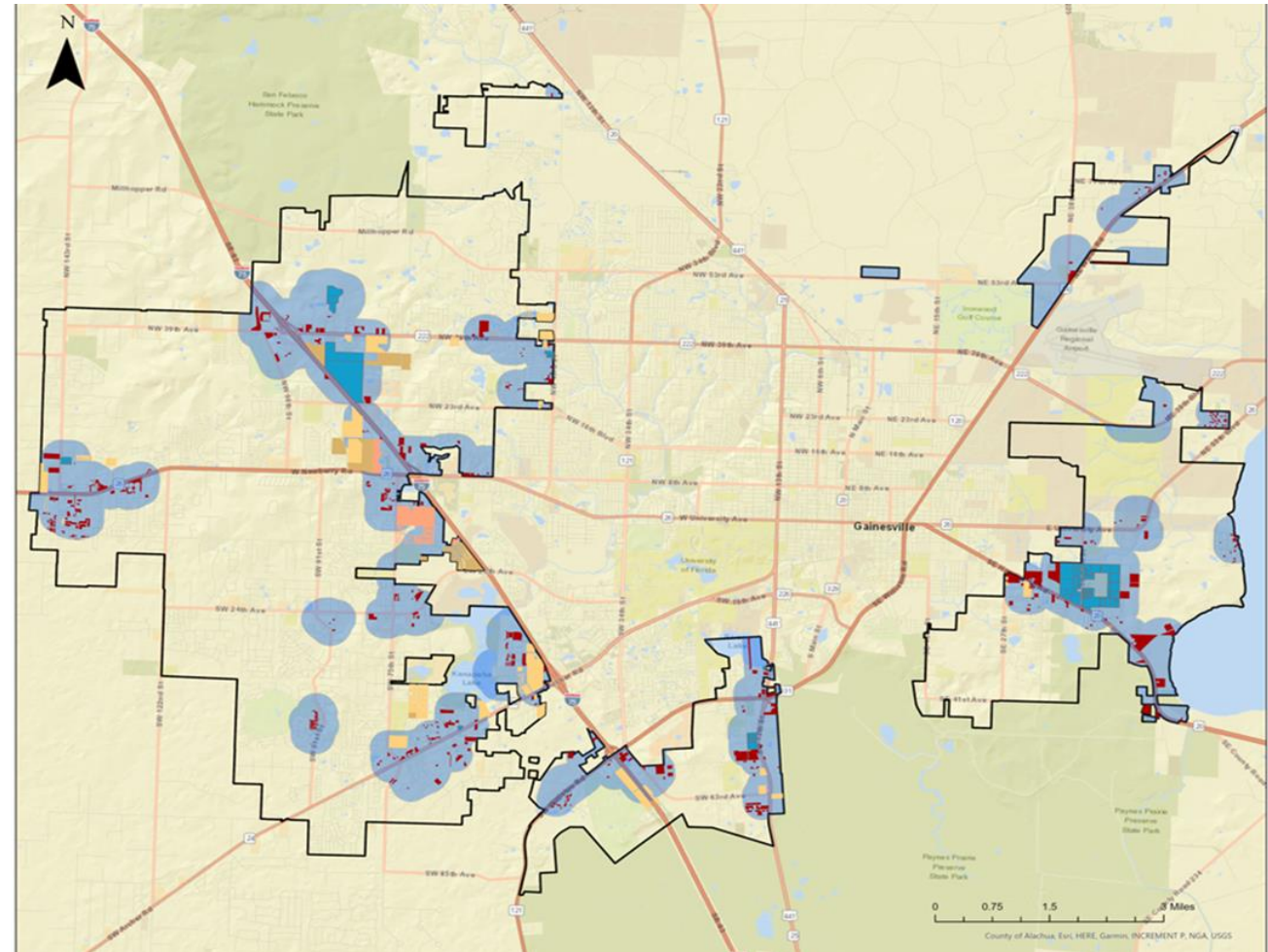- 0.250000
- 0.250001 - 0.500000
- 0.500001 - 1.000000

Commercial Proximity Tiers
- 1
- 2
- 3

Urban Cluster Line
- Urban_Cluster

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Alachua County: Site Considerations for Likely Development

Regarding additional larger scale, high-density multi-family allowances in ¼-mile buffer:

- Dark red parcels are vacant residential, commercial, and industrial within ¼ mile of commercial use.

- These parcels may see more immediate development if allowances increase or, in the case of commercial and industrial land, if developed with Live Local Act allowance for multi-family affordable housing.

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Alachua County: Site Considerations for Additional Upzoning + Likely Development

Guided Growth Process

- At site level, particular upzoning opportunities for agricultural and low-density residential land within targeted buffer areas

- Look at vacant land and land likely to redevelop

Legend

Multifamily and Mixed Use Parcels
- Mixed Use Districts
- Multiple-family districts
- Urban 7

Commercial Zones/Uses and Agricultural Zones
- Commercial Zoning and Retail/Office Existing Uses
- Agricultural (A)

Single Family Zones
- Planned Development (PD)
- Residential Single Family (R-1A)
- Residential Single Family (R-1AA)
- Residential Single Family (R-1B)
- Residential Single Family (R-1C)
- Residential Single Family Estate (RE)
- Residential Single Family Estate (RE-1)

Boundaries
- Urban Cluster Line

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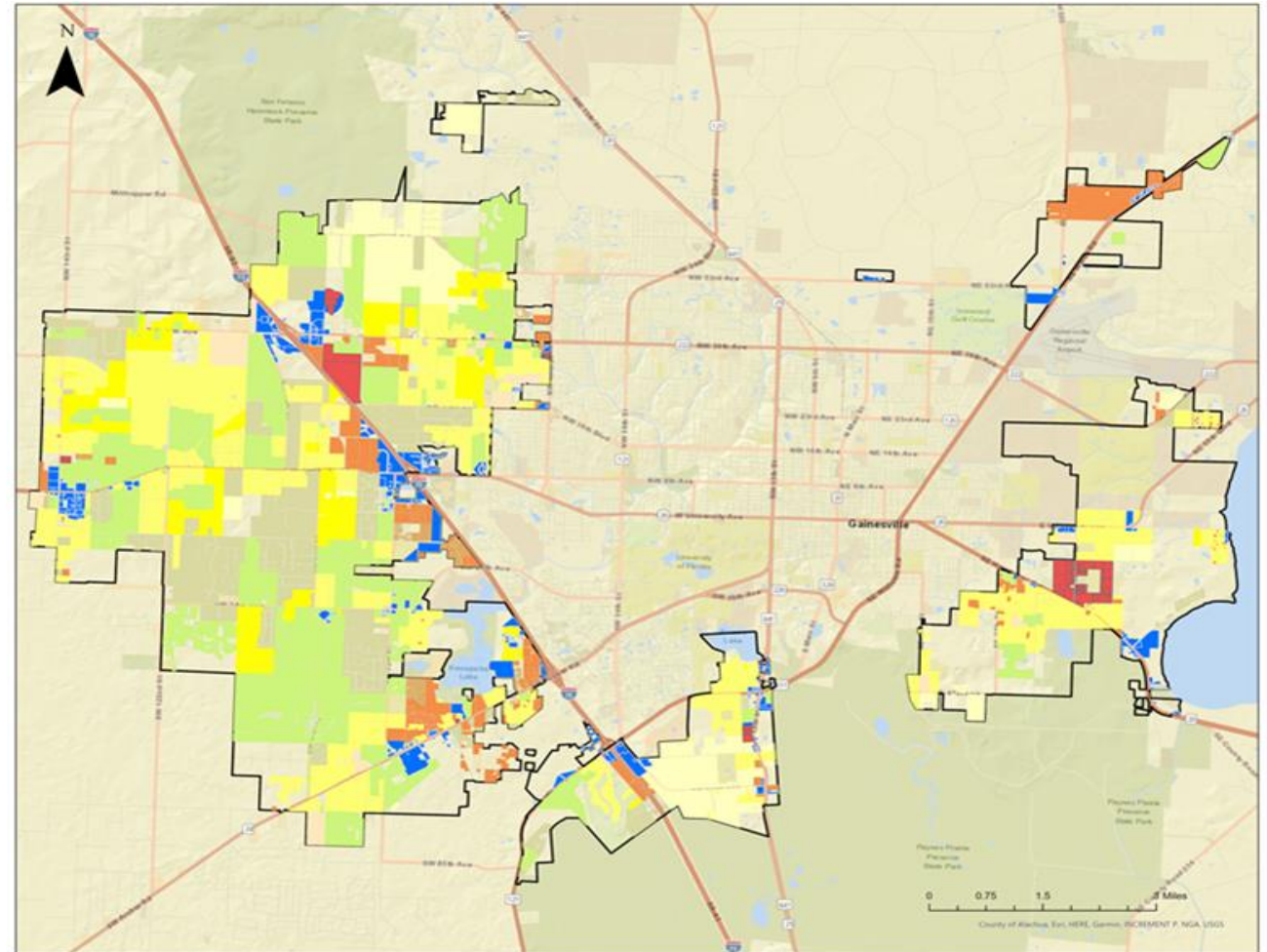
Fair Housing Considerations

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Be mindful of the Fair Housing Act & Other Anti-Discrimination Laws

- Be aware of anti-discrimination laws when designing target areas and avoid designing programs that discriminate on the basis of a protected class.

Statutory

- Fair Housing Act (federal, state, & local)
- Title VI of Civil Rights Act (federal)
- Age Discrimination Act of 1975 (federal)
- Funding source-specific laws and regulations

Constitutional

- Equal Protection Clause of the 14th amendment of the U.S. Constitution
- Basic Rights provision of Article 1, section 2 of the Florida Constitution

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Fair Housing Act(s)

- Three "levels" of Fair Housing laws:
  - Federal Fair Housing Act – Title VIII of Civil Rights Act. 42 U.S.C. § 3601 *et seq.*
  - Florida Fair Housing Act – Part II of Ch. 760, Florida Statutes
  - Local ordinances

- Prohibits discrimination in a broad variety of housing-related activities, including the sale, rental, or financing of dwellings, on the basis of a protected class.

- The Fair Housing Act applies to the provision of government assistance for housing to a target area, zoning decisions, and use of publicly owned land for affordable housing, among other public actions.

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Protected classes under Fair Housing Act

Federal Fair Housing Act	Florida Fair Housing Act	Additional Protected Classes in Local Ordinances
• Race • Color • National Origin • Religion • Sex • Familial Status • Disability	• Race • Color • National Origin • Religion • Sex • Familial Status • Disability • Source of financing (for land use decisions)	• Age • Sexual Orientation • Source of Income • Gender Identity • Marital Status • Pregnancy • Veteran Status • Domestic Violence Victim Status

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Two ways to violate the FHA

1. Disparate treatment
   - Finding that a party had a <u>discriminatory intent</u> against or for a protected class

2. Disparate impact
   - Party can violate FHA if it is found that a policy or practice <u>creates unjustified disproportionate effects</u> on members of a protected class *even if* no evidence of discriminatory intent
   - Examples of policies that may create discriminatory effects:
     - Only using publicly-owned land for affordable housing in certain neighborhoods (race)
     - Charging higher broker fees for certain neighborhoods (race, national origin, religion)
     - Residency preferences if the area in question heavily skews towards a protected class

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Place-based considerations that could violate the Fair Housing Act

- **Disparate Treatment.** Priority or designation of an area based on:
  - Prevalence of members of a certain race or lack thereof
  - Prevalence of kids or families (familial status)
  - Age of households (only if age is included as a local fair housing protected class)

- **Disparate Impact.**
  - A target area that skews heavily towards or away from persons/households of a specific race
  - A target area that is based on a metric that has strong relationship with a protected class

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Residency preferences & residency requirements?

- Individual funding sources may limit or prohibit the use of local residency <u>requirements</u>.

- From CH 4 of HUD Handbook for Occupancy Requirements of Subsidized Multifamily Housing:
  - Owners must <u>never</u> adopt a residency <u>requirement</u> (meaning the owner will not lease to any applicant who does not live in the defined jurisdiction or municipality))
  - Owners may adopt a residency <u>preference</u> if it is "developed, implemented, and executed in accordance with the non-discrimination and equal opportunity requirements listed at 24 CFR 5.105(a)."

- 24 CFR 5.655 and 24 CFR § 960.206 are examples of federal regulations that govern residency requirements

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Residency preferences & non-discrimination

- <u>Hypothetical</u>: A local government selects a target areas by prioritizing areas with a high prevalence of long-term residents that work in the jurisdiction.

- Things to be mindful of:
  - What are the demographics of the target area? Is it predominately & disproportionally one race or other protected class?
  - Is there an opportunity to expand the target area to be more inclusive?

- **Langlois v. Abington Housing Authority**, 234 F. Supp. 2d 33 (D. Mass. 2002): case that found that a residency preference violated the FHA because the subject area was predominately white.

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Questions?

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PUBLICATIONS

Access these valuable resources and more under the Publications tab at Flhousing.org

Housing News Network Journal

Florida Home Matters Report

Accessory Dwelling Unit (ADU) Guidebook

Adaptive Reuse of Vacant Rentals

Affordable Housing Resource Guide

Affordable Housing Incentive Strategies

CLT (Community Land Trust) Primer

CLT Homebuyer Education – Teacher's Guide

CLT Homebuyer Education – Buyer's Guide

Community Allies Guide to Opportunity Zones

Community-Based Planning Guide

Creating a Local Housing Disaster Recovery

Creating Inclusive Communities in Florida

Credit Underwriting Guide for Multi-Family Affordable Housing in Florida

Developing & Operating Small Scale Rental Properties

Disaster Management Guide for Housing

Landlord Collaboration Guidebook

PSH Property Management Guidebook

Residential Rehabilitation Guide

SHIP Administrators Guidebook

Surplus Lands Guidebook

Supporting Households Moving Out of Homelessness

Using SHIP For Rental Housing

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