

## Attachment 2

### REGIONAL HOUSING PLAN PRELIMINARY RECOMMENDATIONS JULY 23, 2012

*Note: The following preliminary recommendations are excerpted and revised from Part 2 of Chapter XII of the draft Regional Housing Plan. The following preliminary recommendations were approved by the Advisory Committee on June 13, 2012 and July 23, 2012.*

#### **A. Affordable Housing**

1. Local governments that provide sanitary sewer and other urban services should provide areas within the community for the development of new single-family homes on lots of 10,000 square feet or smaller, with homes sizes of 1,100 to 1,200 square feet, to accommodate the development of housing affordable to moderate-income households. Sewered communities should also provide areas for the development of multi-family housing at a density of at least 10 units per acre, and 18 units or more per acre in highly urbanized communities, to accommodate the development of housing affordable to lower-income households. Such areas should be identified in community comprehensive plans. In addition, communities should include at least one district that allows single-family residential development of this nature and at least one district that allows multi-family residential development of this nature in their zoning ordinance.<sup>1</sup>
2. It is recommended that the Governor and State Legislature develop a new funding strategy that would eliminate or reduce the heavy reliance on property taxes to fund schools and local government services to help reduce housing costs and to help address concerns by school district and municipal officials that lower-cost housing is not as beneficial as higher cost housing for school district and municipal revenues.
3. Local governments should reduce or waive impact fees for new single- and multi-family development that meets the affordability threshold for lot and home size, in accordance with Section 66.0617(7) of the *Wisconsin Statutes*, which allows local governments to provide an exemption or to reduce impact fees for land development that provides low-cost housing.

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<sup>1</sup>*Counties with general zoning ordinances should also consider revising comprehensive plans and zoning and subdivision ordinances to comply with the recommendations for sewered communities if County regulations apply in sewered areas.*

4. Comprehensive plans and zoning ordinances should encourage a variety of housing styles in urban neighborhoods, including apartments, townhomes, duplexes, small single-family homes and lots, and live-work units. Flexible zoning regulations intended to encourage a mix of housing types (single-, two-, and multi-family) and a variety of lot sizes and housing values within a neighborhood, such as planned unit development (PUD), traditional neighborhood developments (TND), density bonuses for affordable housing, and adaptive re-use of buildings for housing should be included in zoning ordinances in sewered communities. Accessory dwellings should be considered in sewered and non-sewered communities to help provide affordable housing in single-family residential zoning districts.
5. Communities should eliminate requirements that increase housing costs but do not contribute to housing and site design and functionality. For example:
  - a. Communities should strive to keep housing affordable by limiting zoning ordinance restrictions on the size and appearance of housing, such as requiring masonry (stone or brick) exteriors or minimum home sizes of more than 1,100 square feet in all single-family residential zoning districts. Home builders and local governments should limit the use of restrictive covenants that require masonry exteriors and home sizes larger than 1,100 square feet.
  - b. Public and private housing developers could make use of alternative methods of construction, such as the panelized building process, for affordable and attractive new homes. Local governments should accommodate the use of the panelized building process as a method of providing affordable housing.
  - c. Site improvement standards set forth in land division ordinances and other local governmental regulations should be reviewed to determine if amendments could be made to reduce the cost of housing to the consumer while preserving the safety, functionality, and aesthetic quality of new development. Particular attention should be paid to street width and landscaping requirements. Recommended street cross-sections are provided on Table V-20 in Chapter V. Communities should also limit the fees for reviewing construction plans to the actual cost of review, rather than charging a percentage of the estimated cost of improvements.

- d. Exterior building material, parking, and landscaping requirements for multi-family housing set forth in local zoning ordinances should be reviewed to determine if amendments could be made to reduce the cost of housing to the consumer while preserving the safety, functionality, and aesthetic quality of new development. Communities should work with qualified consultants, such as architects with experience designing affordable multi-family housing, to review these requirements and develop non-prescriptive design guidelines that encourage the development of attractive and affordable multi-family housing.
6. Communities with design review boards or committees should include professional architects on the board to provide expertise and minimize the time and cost associated with multiple concept plan submittals.
7. Education and outreach efforts should be conducted throughout the Region regarding the need for affordable housing, including subsidized housing. These efforts should include plan commissioner and board level training regarding demographic, market, and community perception characteristics that impact communities.
8. State and Federal governments should work cooperatively with private partners to provide a housing finance system that includes private, Federal, and State sources of housing capital; offers a reasonable menu of sound mortgage products for both single- and multi-family housing that is governed by prudent underwriting standards and adequate oversight and regulation; and provides a Federal guarantee to ensure that 30-year, fixed-rate mortgages are available at reasonable interest rates and terms.
9. Appraisers should consider all three approaches to value (cost, income, and sales comparisons); ensure that values, building costs, and other unique factors are considered; and stop the practice of considering distressed properties as comparables.
10. Tax increment financing (TIF) could be used as a mechanism to facilitate the development of affordable housing. Wisconsin TIF law (Section 66.1105(6)(g) of the *Wisconsin Statutes*) allows municipalities to extend the life of a TIF district for one year after paying off the district's project costs. In that year, at least 75 percent of any tax revenue received from the value of the increment must be used to benefit affordable housing in the municipality and the remainder must be used to improve the municipality's housing stock. Communities in subsidized housing priority sub-areas

(see Map XII-12) and sub-areas with a job/housing imbalance are encouraged to use this program to increase the supply of affordable housing.

## **B. Fair Housing/Opportunity**

1. Multi-family housing and smaller lot and home size requirements for single-family homes may accommodate new housing that would be more affordable to low-income households. A significantly higher percentage of minority households have low incomes compared to non-minority households. Communities should evaluate comprehensive plan recommendations and zoning requirements to determine if their plans and regulations act to affirmatively further fair housing.
2. Concerns have been raised that the conditional use process can be used to prevent multi-family residential development through excessive conditions of approval or the length of the review period. Multi-family residential uses should be identified as principal uses in zoning districts that allow multi-family residential development, subject to criteria specified in the ordinance.
3. Entitlement jurisdictions should explicitly require sub-grantees to certify that they will affirmatively further fair housing as a condition of receiving Community Planning and Development (CPD) funds, which include the Community Development Block Grant (CDBG) and HOME programs.
4. Funding should be maintained for organizations that advocate for fair housing to continue public informational programs aimed at increasing awareness of fair housing rights and anti-discrimination laws and assessing the procedures utilized by agencies charged with the administration and enforcement of housing laws, to ensure that all complaints of discrimination are fairly and expeditiously processed.
5. It is recommended that Assisted Housing Mobility Programs be established by counties and communities in the Region to help reduce the concentration of minorities in high-poverty central city neighborhoods by providing assistance to low-income families in making the transition to less impoverished areas, such as help in finding suitable housing, work, enrolling children in school, and other services. An assisted mobility program could be established as part of a

regional voucher program. It is recommended that the Governor and State Legislature provide State funding to help establish and administer assisted mobility programs.

### **C. Job/Housing Balance**

1. Increase the supply of modest single-family and multi-family housing to address job/housing imbalances. Sewered communities in sub-areas identified as having a potential year 2010 or projected year 2035 job/housing imbalance should conduct a more detailed analysis based on specific conditions in their community as part of a comprehensive plan update. The analysis could examine, for example, the specific wages of jobs in the community and the specific price of housing. If the local analysis confirms an existing or future job/housing imbalance, it is recommended that the local government consider changes to their comprehensive plan which would provide housing appropriate for people holding jobs in the community, thereby supporting the availability of a workforce for local businesses and industries:
  - a. Additional multi-family housing units at a density of at least 10 units per acre and modest apartment sizes (800 square feet for a two-bedroom unit) should be provided in communities where the community's analysis indicates a shortage of lower-cost housing in relation to lower wage jobs. The community's comprehensive plan should be updated to identify areas for the development or redevelopment of additional multi-family housing; and zoning ordinance regulations should be updated as necessary.
  - b. Additional single-family housing units at densities equivalent to lot sizes of 10,000 square feet or less and modest home sizes (1,100 to 1,200 square feet) should be provided in communities where the community's analysis indicates a shortage of moderate-cost housing in relation to moderate wage jobs. The community's comprehensive plan should be updated to identify areas for the development or redevelopment of moderate-cost housing; and zoning ordinance regulations should be updated as necessary.
2. State, County, and affected local governments should work to fully implement the public transit element of the year 2035 regional transportation system plan in order to provide better connectivity between affordable housing and job opportunities. Job-ride shuttle services should be maintained or established to provide transportation options to major employment centers as an interim measure until public transit is made available.

3. It is recommended that the Wisconsin Housing and Economic Development Authority (WHEDA) or other appropriate State agency conduct a job/housing balance analysis.<sup>2</sup>
4. Amend State law to prohibit the creation of any new TIF district to be used for purposes other than providing affordable housing for lower- and moderate-wage workers unless the TIF proposal includes an analysis of wages likely to be paid by jobs to be developed in the proposed TID and the cost of housing in the local government in which the TID is proposed to be located. Proposed TIDs that would create or continue a job/housing imbalance in the community would be prohibited unless the TID includes documented steps that will be taken to reduce or eliminate the job/housing imbalance. Examples of provisions to reduce or eliminate the job/housing imbalance include use of the one-year TID extension authorized by current State law to fund affordable housing; development of a mixed-use project that includes affordable housing as part of the TID; contributions to a Housing Trust Fund or other funding for the development of affordable housing; and/or amendments to community plans and regulations that remove barriers to the creation of new affordable housing which would address the job/housing imbalance.
5. Job/housing balance should be a criterion considered by administering agencies during the award of Federal and State economic development incentives. Incentives should be directed to local governments that can demonstrate a current or projected job/housing balance, or to communities that will use the incentive to address an existing or projected job/housing imbalance.
6. SEWRPC will provide to communities requesting an expansion of their sanitary sewer service area and amendment of their sanitary sewer service area plan the findings of the job/housing balance analysis conducted under this regional housing plan. For those communities with a job/housing imbalance, recommendations for addressing the job/housing imbalance will be identified.
7. Strategies to promote job/housing balance should include the development of affordable housing in sewerred areas outside central cities and improved transit service throughout the Region to provide increased access to jobs; education and job training to provide the resident workforce with the skills needed by area employers; and increased economic development activities to

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<sup>2</sup> *It could be expected that the State's analysis of job/housing balance for each community would be a general analysis, and a community would be permitted to conduct a more detailed analysis to confirm whether a job/housing balance exists in their community.*

expand businesses and industries in areas with high unemployment, underemployment, and discouraged workers.

8. SEWRPC should work with local governments, through its Advisory Committees for Transportation System Planning and Programming for the Kenosha, Milwaukee, Racine, and Round Lake Beach urbanized areas and with review by the Environmental Justice Task Force, to establish revised criteria that include job/housing balance and provision of transit for the selection of projects to be funded with Federal Highway Administration Surface Transportation Program - Milwaukee Urbanized Area funding and Congestion Mitigation and Air Quality Improvement Program funding, and for inclusion in the Transportation Improvement Program (TIP).
9. Encourage the development of employer assisted housing (“walk-to-work”) programs through which employers provide resources to employees who wish to become home owners in neighborhoods near their workplaces.
10. The Wisconsin Department of Workforce Development should develop a method to document the number of migrant agricultural workers that come to the Region without a work agreement to help quantify the potential need for temporary housing for workers and their families.

#### **D. Accessible Housing**

1. Sewered communities in sub-areas identified as having a household income/housing and/or a job/housing imbalance should identify areas for additional multi-family housing in their comprehensive plan, which would help to address both affordability and accessibility needs.
2. Local governments should support efforts by private developers and other housing providers to include construction design concepts such as Universal Design and Visitability. Visitability is a movement to change home construction practices so that all new homes, not just custom built homes, offer a few specific features that make the home easier for people with a mobility impairment to live in or visit. Visitability features include wide passage doors, at least a half-bath on the first floor, and at least one zero-step entrance approached by an accessible route on a firm surface no steeper than a 1:12 grade from a driveway or public sidewalk. Other features that promote ease of use for persons with disabilities include wide hallways, a useable ground floor

bathroom with reinforced walls for grab bars, and electrical outlets and switches in accessible locations.<sup>3</sup>

3. It is recommended that the Governor and State Legislature continue to support funding for publically-funded Long Term Care programs such as Family Care; Include, Respect, I Self-Direct (IRIS); and Family Care Partnership as these programs provide the major funding for home modifications which allow persons with disabilities and the elderly to maintain their independence in their homes and communities. It is also recommended that State funding be provided to the Department of Health Services or other State agency to develop a database to track housing units that have received grants or loans for accessibility improvements and other housing units known to include accessibility features.
4. It is recommended that public funding be maintained for Independent Living Centers to continue providing services to persons with disabilities.
5. Local governments will have access to estimates regarding accessibility of housing through the American Housing Survey (AHS) beginning in 2012. Local governments should analyze AHS and census data to estimate the number of accessible housing units in the community to help ensure that there are plentiful housing options for persons with mobility disabilities not only to reside in, but also to visit their families and neighbors. To achieve this, municipalities should prioritize accessibility remodeling with funding from sources such as CDBG, HOME, TIF extensions, and other sources.
6. Local government code enforcement officers and building inspectors should receive training on the accessibility requirements of State and Federal fair housing laws with regard to multi-family housing construction and rehabilitation.
7. A number of government programs refuse to fund accessibility modifications for renters, leaving a large segment of the population with less access than homeowners to funding that may help them remain in their housing. It is recommended that programs be modified to allow renters to use funding sources for accessibility improvements that are available to homeowners, in consultation with the property owner as provided in Fair Housing laws.

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<sup>3</sup> *The Wisconsin Uniform Dwelling Code now requires minimum 28-inch wide doorways and zero-step entrances between housing units and attached garages for new one- and two-family housing units.*

## **E. Subsidized and Tax Credit Housing**

1. Support Federal initiatives to simplify subsidized housing programs to make more efficient use of resources. Public Housing Authorities (PHAs) and entitlement jurisdictions should continue working with Federal agencies and Congress to maintain funding levels for housing and related programs.
2. Administrators of voucher programs, county and local governments, and housing advocates should continue to work with Federal agencies and Congress to increase funding levels for additional housing vouchers to help meet the demand for housing assistance in the Region. There are 45,676 housing choice vouchers and subsidized housing units in the Region, compared to a potential need for 187,395 vouchers to help provide housing for 100,111 extremely-low income households (incomes less than 30 percent of the Regional median income, or less than \$16,164 per year) and an additional 87,284 very-low income households (incomes between 30 and 50 percent of the Regional median income, or \$16,164 to \$26,940 per year).
3. Communities with major employment centers should seek and support new multi-family housing development using LIHTC and other available funds to provide workforce housing for households earning 50 to 60 percent of the Region's median annual household income.
4. Communities in economic need priority sub-areas and subsidized workforce housing need priority sub-areas should work with HUD or their entitlement jurisdiction to secure HUD Housing and Community Development Program and other available funds to provide additional housing in the community that is affordable to extremely and very low-income households. Local PHAs whose jurisdictions include priority sub-areas shown on Map XII-12 should seek to provide assistance through subsidy programs that can encourage housing development for households at a variety of income levels, such as the Section 8 Housing Choice Voucher program, LIHTC developments, and the Choice Neighborhood program.
5. WHEDA should study models in other States of how to best reach extremely-low income households and incorporate that target population into the Qualified Allocation Plan (QAP) used by WHEDA to award LIHTC funding.

6. HUD should consider modifications to the Section 8 Housing Choice Voucher program to remove financial disincentives for administering vouchers regionally. Administrators of voucher programs in the Region should work together to develop a regional Section 8 Housing Choice Voucher program if modifications are made to the program at the Federal level.
7. It is recommended that the Governor and State Legislature amend the Wisconsin Open Housing Law to recognize housing vouchers as a lawful source of income.
8. WHEDA should consider revising the criteria used to determine LIHTC awards to potentially award allocation points based on a lack of affordable housing in a community and/or the type of jobs and associated income levels in the community, to award points in communities identified as priority areas on Map XII-12, and to award points to non-elderly housing developments in communities with a job/housing imbalance. Projects should not be penalized if there is a lack of community support for the project.
9. In order to provide housing for very-low income households, communities should develop partnerships with non-profit organizations to provide affordable housing, and/or assist in assembling small parcels, remediating brownfields, and disposing of publicly-owned parcels at a reduced cost for development of new affordable housing.
10. Establish a regional Housing Trust Fund for Southeastern Wisconsin (HTF-SW) with a focus on county-specific policy goals that will help achieve the objectives of the regional plan, e.g., to assist in the acquisition of land and development of affordable housing. Addressing the Region's housing needs will require greater public sector coordination, greater private sector participation, and interjurisdictional collaboration that address both the supply side of the equation and the demand side. The foundation of the HTF-SW could be formed initially through the merger of the existing Housing Trust Fund of the City of Milwaukee, Milwaukee County Special Needs Housing Trust Fund, and Milwaukee County Inclusive Housing Fund, and expanded to communities in other Counties, and ultimately all seven Counties in the Southeastern Wisconsin Region. A combined fund could ease the administrative burden for applicants, spread the funding burden across larger population and tax bases, raise the profile and scale of the fund, and have more potential to attract donors.

## **F. Housing Development Practices**

1. Within the context of community-level comprehensive plans, local governments should consider preparing detailed neighborhood plans for each residential neighborhood or special planning district where significant urban development or redevelopment is expected. While such plans may also vary in format and level of detail, they should generally:
  - a. Designate future collector and land-access (minor) street locations and alignments, pedestrian paths and bicycle ways, and, in communities with transit service, transit stops and associated pedestrian access.
  - b. For areas designated for residential use in the comprehensive plan, more specifically identify areas for multi-, two- and single-family development, with a variety of lot sizes for single-family development, and, potentially, areas for mixed uses (retail, service, or office with residential, and live-work units). The overall density for the neighborhood should be consistent with that recommended in the community comprehensive plan.
  - c. Identify specific sites for neighborhood parks, schools, and retail and service centers which are recommended on a general basis in the community-level plan. Neighborhood commercial centers may contain compact mixed-use developments.
  - d. Identify environmentally significant areas to be preserved consistent with the community-level, county, and regional plans.
  - e. Indicate areas to be reserved for stormwater management and utility easements.
2. Achievement of communities and neighborhoods that are functional, safe, and attractive ultimately depend on good design of individual development and redevelopment sites. Local governments should promote good site design through the development of design standards to be incorporated into local zoning and subdivision ordinances.
3. Local governments should promote the redevelopment and infill of vacant and underutilized sites, including the cleanup and reuse of brownfields, as a key element in planning for the revitalization of urban areas. Tools such as TIF and State and Federal brownfield remediation grants and loans

may assist in these efforts. It is recommended that the Governor and State Legislature consider establishing a Wisconsin tax credit program to assist in the remediation of brownfields.

4. Local governments, PHAs, and developers should consider Crime Prevention Through Environmental Design (CPTED) elements when developing and reviewing site plans for proposed housing developments.
  
5. PHAs and developers (both for-profit and non-profit) should consider the use of green building methods and materials for new and renovated housing where financially feasible, with priority given to energy-saving materials and construction practices, such as low-flow water fixtures; energy-star appliances; and high-efficiency furnaces, water heaters, windows, and insulation.

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