

## The Affordable Housing Advisory Committee Land Use Work Group Recommendations

January 17, 2017

The Affordable Housing Advisory Committee Land Use Work Group (Work Group) was charged by Co-Chair of the Affordable Housing Advisory Committee (AHAC), Kerrie Wilson, and by the Director of the Fairfax County Department of Housing and Community Development (HCD), Thomas Fleetwood, to identify high-level land use recommendations that would assist the county in meeting its needs for the provision of affordable housing opportunities that contribute to its quality of life and the needs of its future workforce.

The Work Group's recommendations below are high-level and intended to provide focus for future work by AHAC, HCD, and the Department of Planning and Zoning (DPZ). Implementation of many of the recommendations will require changes in the Comprehensive Plan, the Zoning Ordinance and/or County policy guidance. It is anticipated that the Board of Supervisors' Housing Committee will review the recommendations and determine which to pursue and include in the Countywide Housing Strategic Plan.

Except where otherwise specified below, the Work Group's recommendations seek to promote mixed-income communities with a higher proportion of affordable and workforce housing than currently established by existing requirements and expectations, and that these new expectations will be based upon quantified thresholds established by the County.

These recommendations are reality-based and were crafted to support important community goals such as protecting stable residential neighborhoods and enforcement of existing regulations. The work group also recognized the critical role of partnerships among Fairfax County, non-profit housing corporations and private developers in achieving the County's housing goals.

Finally the Work Group encourages the County to undertake a clear communication strategy directed toward informing the public on how the implementation of the Countywide Housing Strategic Plan benefits the county as a whole and acts as a positive force on other issues such as overcrowding, neighborhood improvement and achieving a better quality of life for all. This communication strategy should also include a clear definition and explanation of what the term "affordable housing" means in the Fairfax County context.

### **Recommendations:**

#### **1. Incorporate residential developments into office, commercial and industrial areas where appropriate. Specific strategies include:**

- Use undeveloped or under-developed land that is currently zoned for commercial or industrial uses for residential developments that include significant <sup>1</sup>affordable housing.

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<sup>1</sup> In this document the term "significant" means more than minimum threshold requirement of 12% affordable housing set forth in the adopted Policy Plan, and the term "extraordinary" means more than "significant." [Note: I would define "significant" as 12 to 49% affordable and "extraordinary" as those projects where the majority of the units are affordable.]

- Consider offering incentives to developers, particularly for land that allows for affordable housing that is close to amenities and transit.
- Focus efforts on areas of the county that are more amenable to residential development and avoid areas with heavy industrial uses and those characterized by a high degree of truck traffic such as warehousing.
- Develop a list of preferred characteristics of commercial and industrial areas that seek to be mixed income/affordable housing development, such as areas zoned for uses that will minimize land use conflicts with residential use, and areas adjacent to residential, etc.
- Add mixed income affordable housing to older commercial and retail sites while ensuring that the affordable housing will be well-integrated with the existing development.
- Look for opportunities to allow extraordinary affordable housing projects by-right in certain non-residential zoning districts or provide a streamlined approval process in certain circumstances (see criteria TBD above) to encourage through faster approval processes, mixed-income housing with a significant affordable component that would not reduce existing commercial/industrial use potential
  - Perhaps create a special exception for affordable housing in such circumstances so that a rezoning is not required.
  - Perhaps make small-scale affordable housing development by-right; consider a size threshold.
- Support efforts of the Fairfax County Building Repositioning Workgroup to promote adaptive reuse of vacant or underutilized commercial buildings, including their use for affordable housing serving a spectrum of income levels

**2. Use Publicly Owned Land for Mixed-Use Communities**

- Consider use of County-owned property for projects that provide a significant amount of affordable housing.
- Identify and provide opportunities to use or trade County land for significant or extraordinary affordable housing commitments, such as the recent workforce housing project at the County Government Center.
- Develop a policy that establishes a minimum percentage of affordable housing on any County-owned land that is traded or used for residential development. For example see the “The Disposition of District Land for Affordable Housing Amendment Act” from Washington, D.C.
- Include language in various County policies and procedures associated with the Capital Improvement Program process to encourage the inclusion and co-location of affordable housing with future development or redevelopment of public facilities such as fire stations, community centers, and libraries.

**3. Preserve Existing Market-Rate Affordable Housing**

- Develop an inventory of existing market-based affordable housing. Document affordability based on rents and the percentage of Area Median Income being served.

- Develop an approach for preservation of such housing stock that balances leaving all existing affordable housing as-is against total redevelopment of the site. Pilot an approach where both preservation of market-based affordable units and redevelopment are priorities.
- Explore special exception opportunities to incentivize affordable housing preservation and rehabilitation. Incorporate language into planning and zoning policies that encourage the preservation and rehabilitation of existing affordable housing.

#### **4. Improve Code Enforcement**

- Strengthen efforts to enforce regulations that limit overcrowding and ensure quality management of affordable housing in order to build community trust and openness to developing additional affordable housing and flexible housing options.
- Clarify the rights and responsibilities of residents of affordable housing units.
- Provide code enforcement support, education and outreach to residential communities and neighborhood associations.

#### **5. Proffer Contributions**

- For projects that include extraordinary affordable housing components, consider establishing different proffer guidelines than those in effect for market rate developments, particularly those related to cash contributions for schools, parks and other facilities that add to development costs. Develop explicit guidance for these proffer requests and identify where the funding will come from to pay for the impact to county services. This should not be seen as a precedent for other types of projects that provide a public benefit.
- The aforementioned proffer guidance should not undermine basic health, safety and environmental commitments.

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