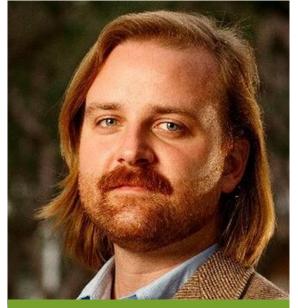


## Today's Speakers



**Toccarra Nicole Thomas, AICP** 

Director of Land Use and Development | Executive Director Form-Based Codes Institue Smart Growth America



M. Nolan Gray

Author, Arbitrary Lines: How Zoning Broke the American City and How to Fix It

University of California, Los Angeles (UCLA)



**Heather Worthington** 

Managing Consultant

Center for Economic Inclusion



**Jeremy Sharp** 

Zoning Administrator

City of Norfolk

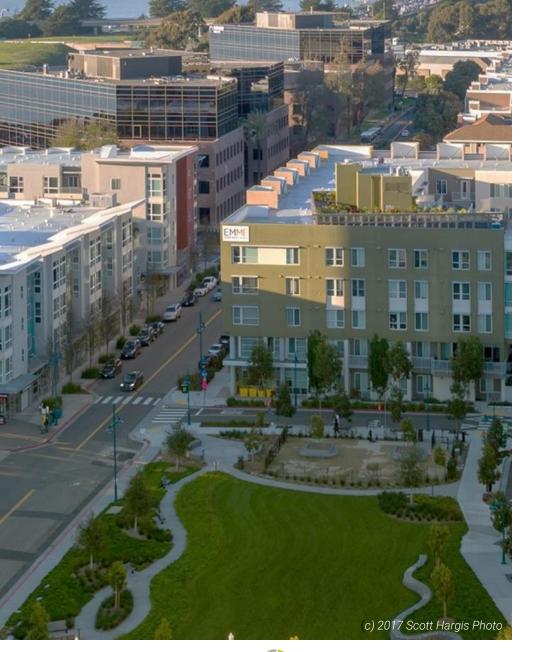




## Randall Lewis Center for Sustainability in Real Estate

Lead the real estate industry in creating buildings and places where people and the environment thrive









## Today's Agenda and Housekeeping

- 1. Overview of Reshaping the City report
- 2. Panelist Perspectives on Updating Zoning
- 3. What do you think? Attendee Polls
- 4. Discussion and Q&A
- 5. Survey

## Housekeeping:

- This presentation will be recorded and distributed
- Please submit questions through the Q&A feature, and upvote the questions you want to see asked



# 2023 RESILIENCE SUMMIT

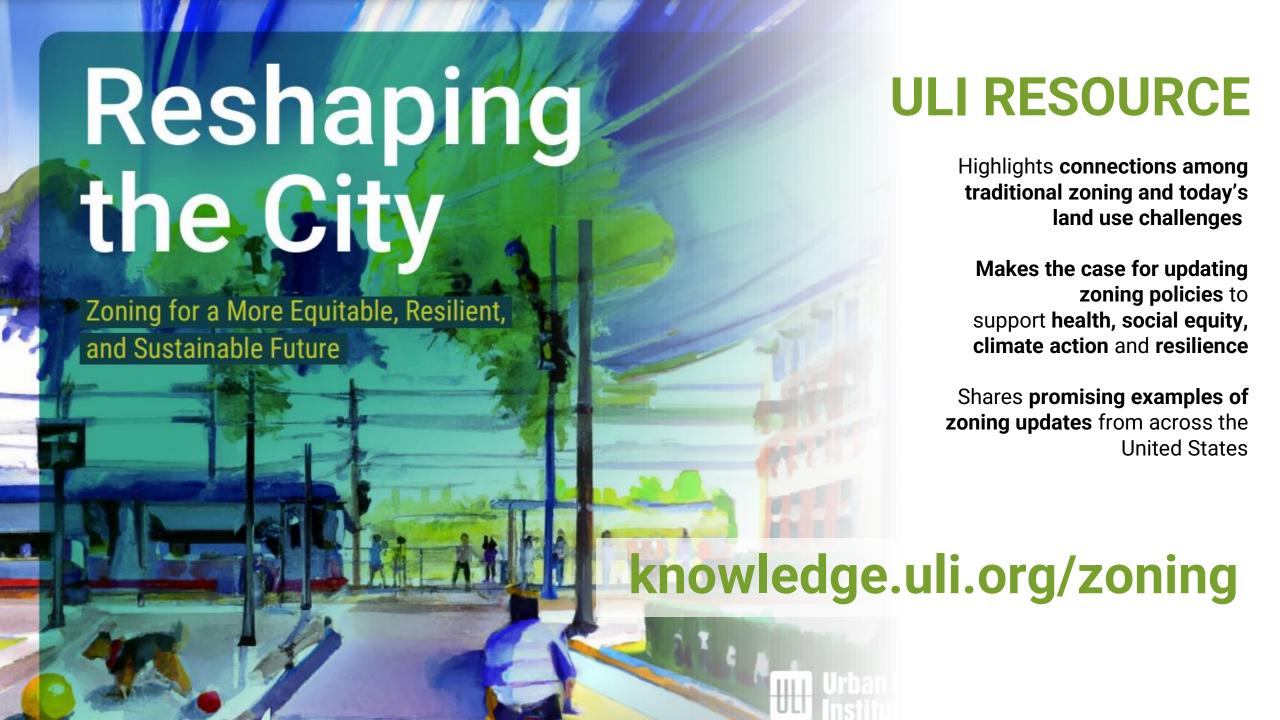
MAY 15 | TORONTO

SCAN TO LEARN MORE



Bringing together leaders in the fields of real estate and resilience to share practical solutions to protect communities and investment from climate risk while enhancing economic opportunity, environmental performance, and social equity

Hear from experts, engage in tours, and network at an exclusive closing reception!





## EFFECTS OF CURRENT ZONING APPROACHES



## **Promoting sprawl**

Roughly **75 percent** of land zoned for housing in major U.S. cities allows only single-family homes. (*Planetizen*)



## Creating and perpetuating residential segregation

Exclusionary zoning leading to residential segregation has created **disparities** in **health outcomes** and **economic opportunity**.



## Limiting the supply and affordability of homes

Common zoning provisions make housing more expensive and place barriers on multiunit and affordable housing.



Failing to mitigate and adapt to the effects of climate change Traditional zoning often fails to promote climate resilience and building decarbonization.



## **ZONING AND THE DEVELOPMENT PROCESS**

#### **Traditional zoning**



Zoning uncertainty **raises costs** at every stage of development



Adding features to comply with traditional zoning may raise costs and may not meet market demand



Existing zoning may force developers to build less economically viable products to avoid costly and lengthy approvals processes

#### **Updated zoning policies**



Simplifying zoning can reduce the cost of development and support affordability



Streamlining the approvals process may give municipalities room to require or incentivize community-supportive investments



Aligning zoning with community needs and market demand may unlock funds for features that support health, equity, resilience, and sustainability









## Toccarra Nicole Thomas, AICP

Director of Land Use and Development Executive Director, Form-Based Codes Institue

Smart Growth America



## **Smart Growth America**

Improving lives by improving communities











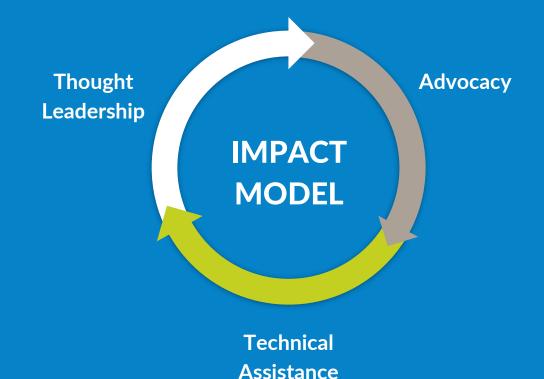
Zoning Reform from a Recovering Practitioner's View
February 21, 2023
Toccarra Nicole Thomas, AICP, MBA, CNU-A
Director, Land Use and Development | Executive Director Form-Based Codes Institute

# Smart Growth America a National Nonprofit

### **OUR NORTH STAR**

We envision a country where no matter where you live, or who you are, you can enjoy living in a place that is healthy, prosperous, and resilient.

We empower communities through technical assistance, advocacy, and thought leadership to realize our vision of livable places, healthy people, and shared prosperity.



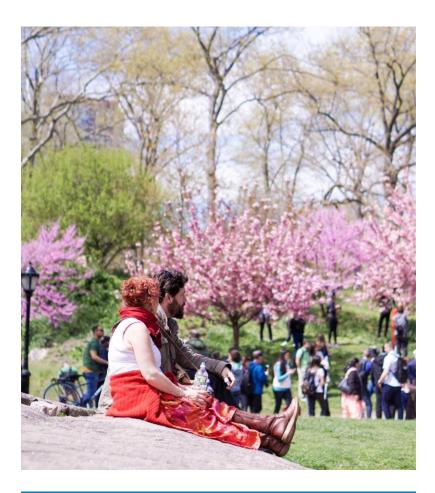




## **PROGRAMMATIC PRIORITIES**







CLIMATE CHANGE AND RESILIENCE ADVANCING RACIAL EQUITY

HEALTHY COMMUNITIES



Toccarra Nicole Thomas, AICP
Director Land Use and
Development |
Executive Director FormBased Codes Institute

Spheres of Influences at SGA:

Attainable Housing,
Zoning Innovation and Reform

#### **Practical Planning**

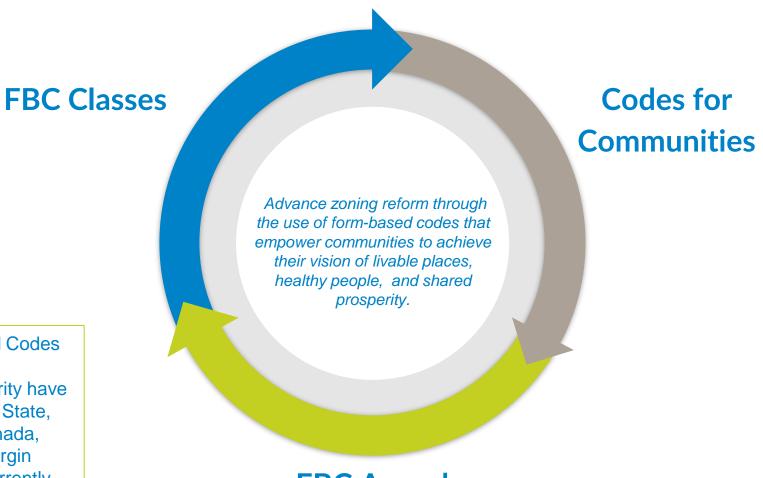
Experience: Comprehensive Planning, Zoning Administration, Community Development, Community Redevelopment, Economic Development

Housing Attainability Professional Passion





## Form-Based Codes Institute an SGA Program



More than 400 Form-Based Codes have been adopted into law Globally. The majority have been adopted in the United State, with several adopted in Canada, South Africa, and the US Virgin Islands, with many more currently being developed.

**FBC Award** 







## Innovative and Once in a Lifetime Projects working With a FBC









## **Innovative and Once in a Lifetime Projects working With a FBC**



Wrote and Implemented Neighborhood Stabilization Plan (\$5MM over 5 years) and Internationally Recognized and Award Winning Community Garden in a Food Desert







## **Innovative and Once in a Lifetime Projects working With a FBC**



\$25MM World Class Marina Village and Marina Redevelopment



# Traditional Zoning Constrained My Creativity





## Simple Questions Don't Have Simple Answers Which Led to Administrative Burden



Agriculture is Agriculture Right?
40 Page Amendment to Determine
How to Permit Cannabis

Roads Etc. Exclusion Zone ▼ Exclusion Zone Exclusion Zone Categories 1000' Buffer from Public Water Districts 1000' Buffer from Community Growth 1000' Buffer from Federal Indian Trust Lands \*\*\* Publicly Owned Land 'SOS' Zoning Combining Districts 15 Different Pieces of Information

For One Parcel

Layer List

▶ Show Parcel Numbers

**Growth America** 

Improving lives by improving communities

Image Credits:

User:Jennifer Martin Cannabis Plant



## Administrative Error Led to Expensive Rezoning without Any Relief







## **ZO Outright Prohibited Innovative Solutions to the Housing Crisis Which was Exacerbated by the Cannabis Industry**

Shipping Container House Tiny House Living, Book 3

Manufactured House Courtesy Clayton Homes



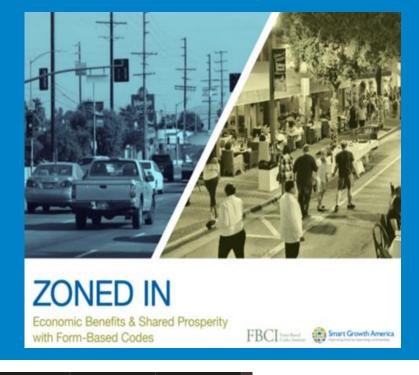


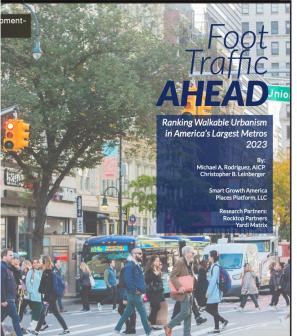
Tiny House Courtesy TinyNest



## Ultimately Zoning Reform and Housing comes down to choice...







#### Foot Traffic Ahead 2023 Key takeaways:

- People will pay a price premium for walkable, compact, mixed-use development
- GDP and 6.8% of the U.S. population are located in walkable urban places that represent just 1.2% of total landmass

## Zoned In: Economic Benefits& Shared Prosperity With Form-Based Codes Key Takeaways:

- Form-Based Codes Increase Economic Prosperity of Communities
- Bring Positive Impacts for equity and equitable development
- Provide a regulatory framework for good smart growth development



#### Dangerous By Design 2022 Key takeaways:

- More than 6,500 people were struck and killed while walking in 2020, an average of nearly 18 per day, and a 4.5 percent increase over 2019
- People of Color, particularly Native and Black Americas are more likely to die while walking than any other group.

## STAY IN CONTACT











@FORMBASEDCODES Smart Growth America

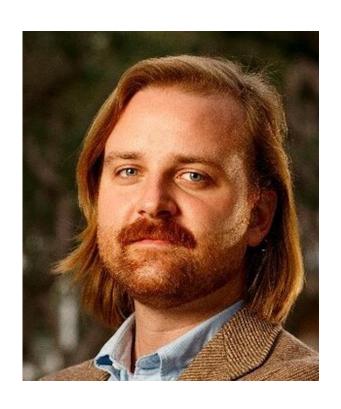
@Formbasedcodes

<u>WWW.FORMBASEDCODES</u> <u>.ORG</u>

WWW.SMARTGROWTHAMERICA.COM

Toccarra Nicole Thomas, *AICP*Director, Land Use and Development, Smart Growth America Executive Director Form-Based Codes Institute <a href="mailto:tthomas@smartgrowthamerica.org">tthomas@smartgrowthamerica.org</a>





## M. Nolan Gray

Author, Arbitrary Lines: How Zoning Broke the American City and How to Fix It

University of California, Los Angeles (UCLA)



...and Where We Go From Here





# Part | | | Paths to Reform

- Local governments can and should remove regulatory barriers to new housing production at all levels of the market.
- States also have an important role to play in putting up guardrails around local planning to ensure sufficient housing is built.
- In the long-term, we need a **fundamental rethink** both the way we do landuse planning.





## How Minneapolis became the first to end single-family zoning

Joy 23, 2019 5:24 PM FS

241 comments

Share •••

By – Megan Thompson
By – Melanie Saltzman

CityLab Housing

#### Gainesville, Florida, Moves to End Single-Family Zoning

The city commission recently voted to go ahead with the changes, despite vocal opposition.



Gainesville, Florida, could see more residential density in the not-too-distant future. Photographer: Walter Bibikow/The Image Bank Unreleased



#### Parking Requirements E Massachusetts

A major zoning amendment was appropriately considered and appropriately 24, 2022.





Adam Coppola Photography / Flickr

# Lexington Uses Nationwide Precedent To Repeal Parking Mandates

Asia Mieleszko · January 24, 2023



(Source: Flickr/Brian Rawson-Ketchum.)

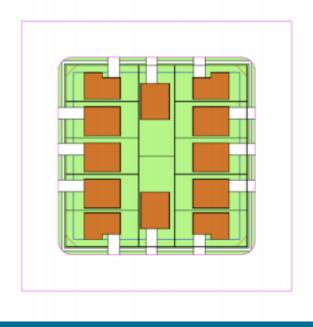


## BOLISHES (ING

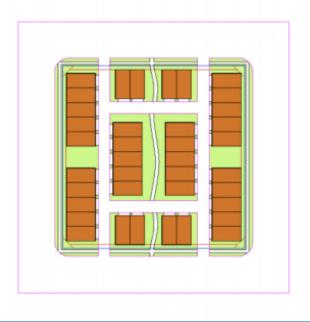
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• BEFORE 1999



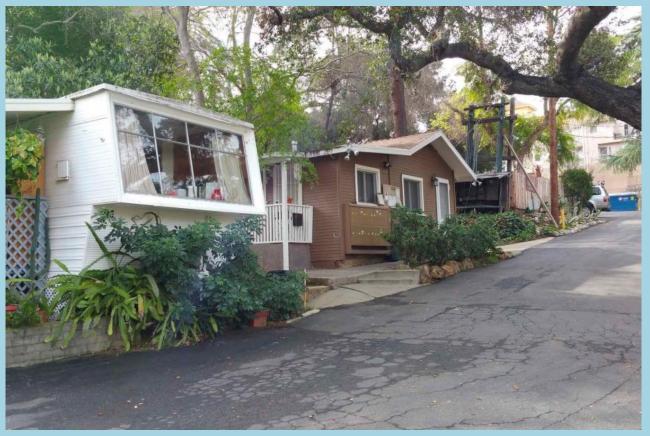
• AFTER 1999



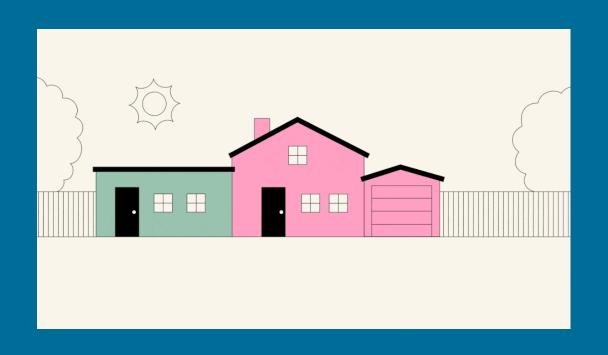




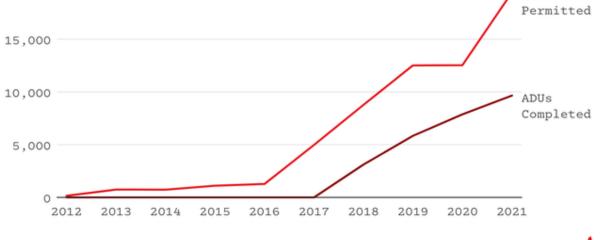








# Accessory Dwelling Units in California



Source: California Department of Housing and Community Development



ADUs

# Part III Reviving the California Dream, One Bill At a Time

## 2021

- SB 9: Allowing duplexes and lot splits as low as 1,200 sqft statewide.
- SB 10: Exempting missing middle upzonings from onerous environmental review mandates

## 2022

- AB 2011: Allowing mixed-income multifamily in all commercial zones.
- AB 2097: Ending parking mandates within a half-mile of transit



CityLab Perspective

### A Red-State Take on a YIMBY Housing Bill

Utah's SB 34, aimed at increasing the state's supply of affordable housing, may hold lessons for booming cities of the Mountain West, and beyond.



A new subdivision under construction in South Jordan, Utah. Douglas C.

By Brandon Fuller and Nolan Gray February 20, 2019 at 4:00 AM PST

Share this article



The U.S. housing affordability crisis scope, but media coverage tends to cities like San Francisco, San Jose, a where skyrocketing rents and a blos In My Backyard") movement have is from lawmakers. In his inaugural ac year, newly elected California Goveralled for a "Marshall Plan" for afforwould add 500,000 new homes in the year.

#### FAQS: 60-DAY RULE FOR ZONING, OTHER ISSUES

By Paul D. Reuvers and Stephanie A. Angolkar, Iverson Reuvers

Date: February 2019

## White House: Oregon single-family zoning law could be model for nation

The Biden administration asked House Speaker Tina Kotek to join a panel on solutions to a housing crisis

BY: **JULIA SHUMWAY** - OCTOBER 29, 2021 4:30 PM















in House Speaker Tina Kotek addresses the chamber during a legislative special session on Monday, Sept. 20, 2021. (Amanda Loman/Oregon Capital Chronicle)

To encourage local government units to consider in a timely manner septic systems and other specific issues, Minnesota Statute, Section 1 deny a request within 60 days. Failure to approve or deny within 60 d

This may sound simple enough, but several questions arise repeated answers to the most frequently asked.

#### Does this apply to verbal requests?

No. The "request," as defined in the statute, must be submitted to the

#### What does "written request relating to zoning" mean?

It refers to a written request that has a "connection, association, or lo building development or the uses of property." Courts have broadly examples include variances, conditional/interim use permits, and rez rule, however, does not apply to building permits.

#### Does the applicant need to use the county's form?

Yes. If the county has an application form, the applicant must use it. I the request must clearly identify on the first page the specific govern

#### start counting?

when the county receives a written request containing all information requestion fee. If the fee is paid a few days after the application is submitt

: does not submit all required information?



#### S.1614 - Yes In My Backyard Act

117th Congress (2021-2022)



Sponsor: Sen. Young, Todd [R-IN] (Introduced 05/13/2021)

Committees: Senate - Banking, Housing, and Urban Affairs

Committee Meetings: 06/24/21 10:00AM

Latest Action: Senate - 06/24/2021 Committee on Banking, Housing, and Urban Affairs. Hearings held. (All Actions)

Tracker: i Introduced

#### H.R.2483 - Build More Housing Near Transit Act of 2021

117th Congress (2021-2022)



Sponsor: Rep. Peters, Scott H. [D-CA-52] (Introduced 04/13/2021)

Committees: House - Transportation and Infrastructure; Financial Services

Latest Action: House - 04/15/2021 Referred to the Subcommittee on Highways and Transit. (All Actions)

Tracker: i Introduced

#### Category I exclusively low-rise residential zone



This zone is designated for low rise residential buildings. The permitted buildings include residential buildings which are also used as small shops or offices and elementary/junior high school buildings.

#### Category II mid/high-rise oriented residential zone



This zone is mainly designated for medium to high rise residential buildings. In addition to hospital and university buildings, the permitted buildings include certain shops and office buildings with a floor area of up to 1,500m² to provide conveniences for the local community.

#### Quasi-residential zone



This zone is designated to allow the introduction of wehicle-related facilities along roads while protecting the residential environment in harmony with such facilities.

#### Quasi-industrial zone



This zone is mainly occupied by light industrial facilities and service facilities. Almost all types of factories are permitted excepting those which are considered to considerably worsen the environment.

#### Category II exclusively low-rise residential zone



This zone is mainly designated for low rise residential buildings. In addition to elementary/junior high school buildings, certain types of shop buildings with a floor area of up to 150m² are permitted.

#### Category I residential zone



This zone is designated to protect the residential environment. The permitted buildings include shops, offices and hotel buildings with a floor area of up to 3,000mt.

#### Neighborhood commercial zone



This zone is designated to provide daily shopping facilities for the neighbourhood residents. In addition to residential and shop buildings, small factory buildings are permitted.

#### Industrial zone



Any type of factory can be built in this zone. While residential and shop buildings can be constructed, school, hospital and hotel buildings are not permitted.

#### Category I mid/high-rise oriented residential zone



This zone is designated for medium to high residential buildings. In addition to hospital and university buildings, certain types of shop buildings with a floor area of up to 500m are permitted.

#### Category II residential zone



This zone is designated to mainly protect the residential environment. The permitted buildings include shops, offices and hotel buildings as well as buildings with karaoke box.

#### Commercial zone



Banks, cinemas, restaurants and department stores are constructed in this zone. Residential buildings and small factory buildings are also permitted.

#### Exclusively industrial zone



This zone is designated for factories. While all types of factory buildings are permitted, residential, shop, school, hospital and hotel buildings cannot be constructed.

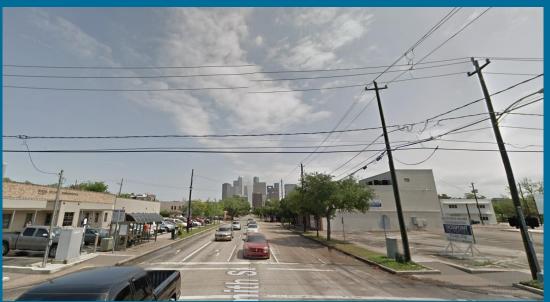
#### Table 2: Control of Land Use by Zones

							Legend:		= Can be built			= Can't be built	
Examples of buildings	Category I exclusiv ely low- rise residenti al zone	Category II exclusive Iy low- rise residenti al zone	Category I mid/hig h-rise oriented residenti al zone	Category II mid/hig h-rise oriented residenti al zone	Category I residenti al zone	Category II residenti al zone	Quasi- residenti al zone	Neighborho od commercial zone	Commerc ial zone	Quasi- industri al zone	Industri al zone	Exclusive ly industria I zone	Areas with no land- use zone designatio n (Urbanizati on Control Areas are excluded)
Houses, Houses with other small scale function (store, office, etc.)													
Kindergartens, Schools (Elementary, Junior High, Senior High)													
Shrines, Temples, Churches, Clinics													
Hospitals, Universities													
Stores (mainly selling dairy commo dities)/Restaur ants with floor space of 150m max. on the first or second floor												D	
Stores/Restaurants with floor space of 500m max. on the first or second floor												D	
Stores/Restaurants not specified above				А	В								
Offices, etc. not specified above				А	В								
Hotels, Inns					В								
Karaoke boxes													
Theaters, Movie theaters							С						
Theaters, Movies theaters, Stores, Restaurants, Amusements facilities and so on, with more than 10,000 m of floor area													
Bathhouses with private rooms													
Independent garage with floor space of 300m max. on the first or second floor													
Warehouse of warehousing company, Independent garage of other types than specified above													
Auto repair shop					E	E	F	G	G				
Factory with some possibility of danger or environmental degradation													
Factory with strong possibility of danger or environmental degradation													

Notes:

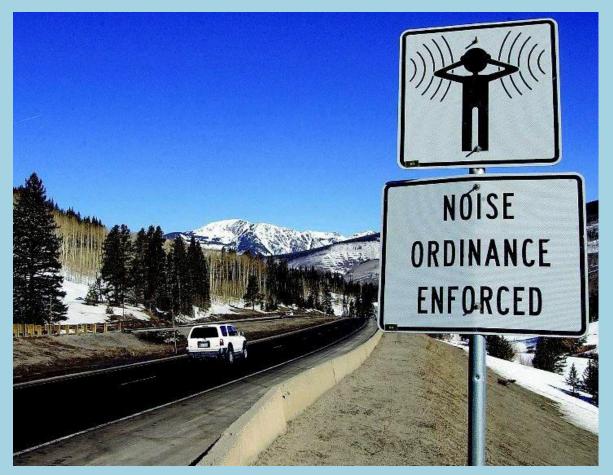








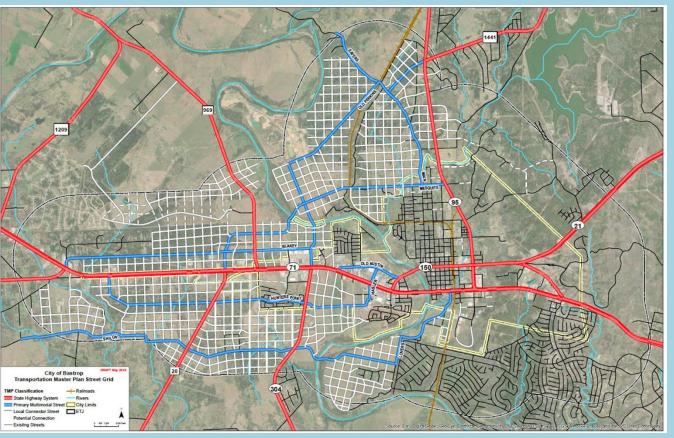














## Conclusion What Can You Do?

- Get involved with (and support) your local state and local YIMBY chapters, who are driving the reform wave we're seeing today.
- Work with your state and local electeds and planners who get it—explain the regulatory barriers to housing affordability and collaborate on solutions.
- Leverage new laws to build the housing our cities need—show policymakers that the market can provide the housing we need.





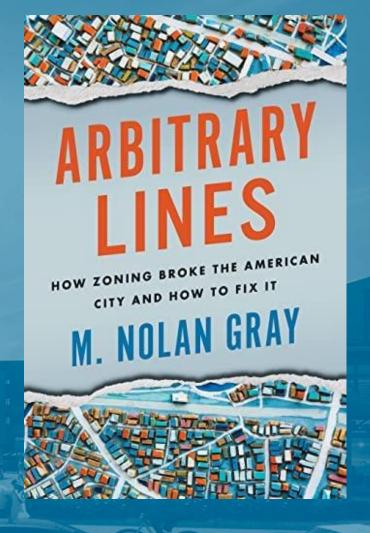






## Thank you!

nolan@cayimby.org @mnolangray









## **Heather Worthington**

Managing Consultant

Center for Economic Inclusion

## Minneapolis 2040

## Lessons Learned

Heather Worthington
Center for Economic Inclusion
Managing Consultant

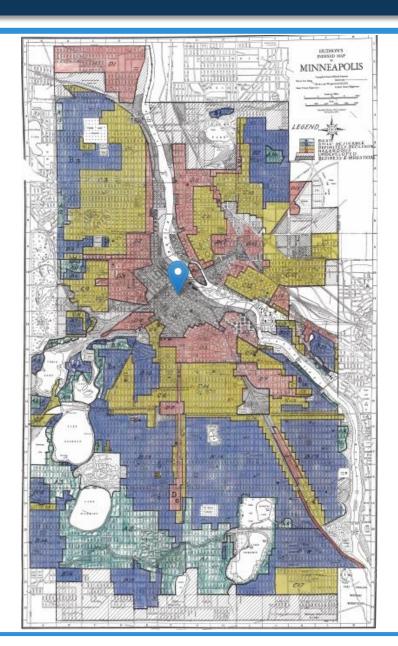


# A new narrative for Housing

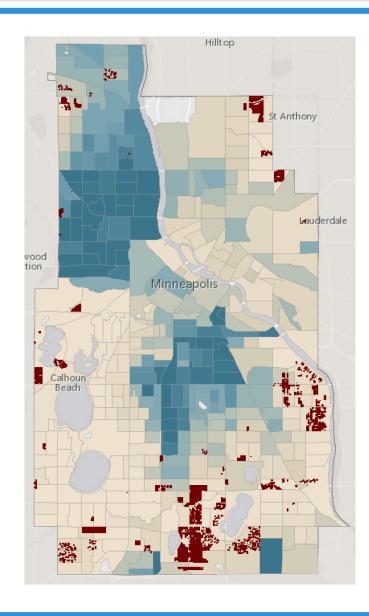
- We know that stable, affordable housing is the common denominator for success
  - Kids who have stable housing do better in school
  - Adults with stable housing have a higher rate of employment; less "underemployment"
  - Low-barrier housing for people struggling with drug and alcohol use is key to the housing "ecosystem" in communities and one of the largest issues impacting homelessness
- We must reshape the dominant narrative about housing—and commit to "housing as a human right" approach

## minneapolis | 2040

Redlining Map Minneapolis c. 1925



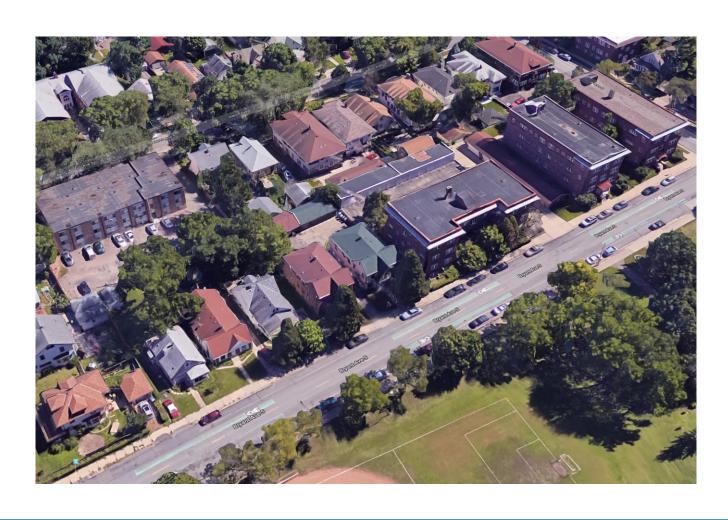
## minneapolis 2040



- Predominantly People of Color
- Predominantly White
- Found Racial Covenants

## **Inner Neighborhoods**





### minneapolis 2040

#### Rental Housing Affordability in Minneapolis Neighborhoods

Change in Rental Affordability by Race/Ethnicity 2000 and 2014

ource: Author calculations, 2000 Census, 010-2014 ACS, 2000 IPUMS, 2010-2014 PUMS

Il bolded values adjusted to 2014 dollars

Median Renter Income:

Affordable threshold:

\$14,951

\$374

ncomes for households

EURA

#### very affordable The typical renting household can afford to rent 50% or more of the units in the neighborhood Neighborhood with no housing Black or African American White Not Hispanic or Latino Hispanic or Latino 2000 Median Rent: \$809 (\$575 in 2000 dollars) Median Renter Income: \$26,729 (\$19,000 in 2000 dollars) \$40,234 (\$28,600 in 2000 dollars) \$39,390 (\$28,000 in 2000 dollars) Affordable threshold: \$688 (\$475 in 2000 dollars) \$1,006 (\$715 in 2000 dollars) \$985 (\$700 in 2000 dollars) 2014 Median Rent: \$854

\$30,491

\$762

\$39,525

\$988

## What we're still missing

- We aren't addressing the gap between <u>cost</u> of housing (both new construction and rent) and <u>ability to pay</u>—and we can't continue to demand that the "market" fill this gap—this is a shared responsibility
- Housing markets continue to experience low inventory and extreme price increases in most of the US—we need to build more housing at every price point immediately
- We need to look more deeply at the regulatory levers we can pull—these include:
  - Material costs, parking requirements, other costs related to regulation
  - Incentives for ADUs, cottage courts and other novel housing typologies
  - Eviction reform—especially to improve housing stability
  - Intentional actions that will address the impact of racially biased zoning, land use and regulation—not just eliminating those regulations
  - More construction of housing that includes low-barriers to entry (e.g. for active drug and alcohol users), and wrap-around services to ensure that residents are successful and get the help they need
  - We must intentionally preserve NOAH in our communities—we need a hedge strategy to address the continuing conversion of these units for market-rate tenants. Local governments can use their HRA, PHA and other housing tools to purchase and hold these units, just as they built many of these units in the 1950s-1970's.
  - States and Locals should look at their reliance on property tax as a revenue generator; this tax is deeply regressive and cannot be sustained in neighborhoods that are threatened by gentrification and displacement
- An alliance of housing advocates who pull in the same direction—we don't need
  to agree on everything, but we should be using our shared values to address this
  issue, and we should demand that this is a priority



## **Jeremy Sharp**

Zoning Administrator

City of Norfolk



## Norfolk, Virginia



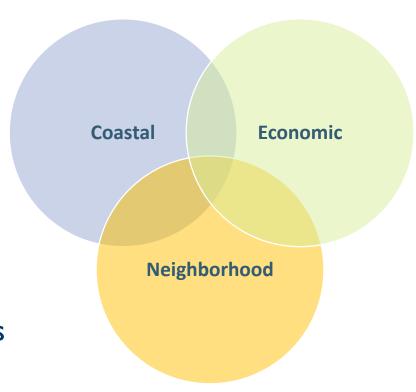
- Independent city of 238,000 (3<sup>rd</sup> largest in Virginia)
- 54 square miles, 144 miles of coastline, 97% developed
- World's largest Naval Station and Port of Virginia (3<sup>rd</sup> busiest on east coast)





### Resilience in Norfolk

- Norfolk's Resilience Challenges
  - Coastal Resilience
    - Recurrent flooding and SLR
  - Economic Resilience
    - Navy and Port are dominant; too little else
  - Social (Neighborhood) Resilience
    - Concentrated poverty; disconnected communities





## How can zoning respond to resilience challenges?



## Zoning Ordinance Rewrite

- 3½-year process
- 1,000's of residents reached
  - ~125 public/stakeholder presentations
  - Series of workshops with Tidewater Builders Association (that continue today)
- Council adoption January 23, 2018
  - Went live March 1, 2018

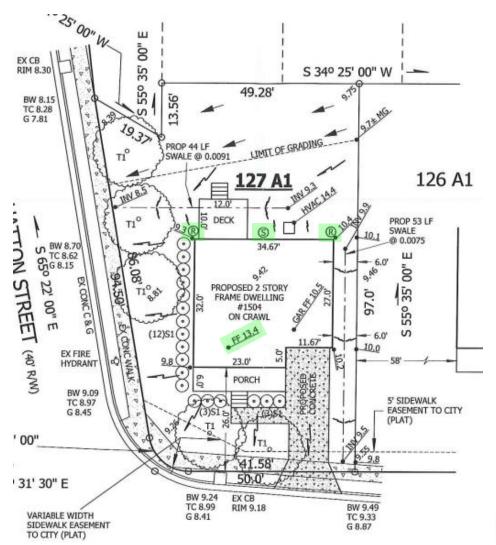




## Resilience Quotient for Single-Family

### Simpler options

- I. Risk reduction elevate by 16"
- Stormwater management –
  capture 200 gallons of rainwater
  -or- plant/preserve I-2 trees per
  25 ft. of lot frontage
- 3. <u>Energy resilience</u> install generator hookup





## Resilience Quotient

### Single-family

- Elevate by 16"
- 2. Capture 200 gallons of rainwater or plant/preserve I-2 trees
- 3. Install generator hookup

## Multifamily/Commercial

I. Elevate 16" and capture first 1.25" of rainfall

-or-

2. Select options from points tables

RESILIENCY QUOTIENT REQUIREMENTS				
COMPONENT 1: RISK REDUCTION	110 MILE WIND LOAD BUILDING DESIGN IMPACT-RESISTANT ROOF IMPACT RESISTANCE WINDOWS	2.0 POINTS 0.5 POINTS 0.5 POINTS		
COMPONENT 2: STORMWATER MANAGEMENT	PERVIOUS PAVING ON 50% PARKING AREA	1.0 POINT		
COMPONENT 3: ENERGY RESILIENCE	COOL ROOF ENERGY EFFICIENT SITE LIGHTING HVAC SYSTEM MULTI-ROOM MINI-SPLIT HEATING AND COOLING SOLAR OR TANKLESS WATER HEATING SYSTEM AUTO-OFF OUTDOOR LIGHTING HYBRID/ELEC./LOW ENERGY VEHICLE PARKING	1.5 POINTS 1.0 POINTS 0.5 POINTS 0.5 POINTS 0.5 POINTS 0.25 POINTS 0.25 POINTS		

RESILIENCE QUOTIENT COMPLIANCE PER NORFOLK ZONING ORDINANCE §5.12.6(B)				
§5.12.6(B)(1) PROPOSED BUILDING IS ELEVATED MORE THAN 16" ABOVE NEAREST FEMA BASE FLOOD ELEVATION (FFE = 13.00'   FEMA BFE = 8.0')				
§5.12.6(B)(2) ENTIRE BUILDING AND PARKING GARAGE DRAIN TO STORMWATER DETENTION FACILITY WITH CAPACITY FOR 1.25" OF RAINFALL ONSITE IMPERVIOUS AREA 62.092 SF				
ONSITE STORMWATER STORAGE REQUIRED	62,092 SF 6,468 CF (1.25" OF RUNOFF FROM IMPERVIOUS AREAS)			
ONSITE STORMWATER STORAGE PROVIDED	22,330 CF (SEE BMP DETAILS ON SHEET C-8.3)			



## Olde Huntersville Neighborhood (2017)

## Neighborhood of approximately 1,300 homes one mile north of Downtown

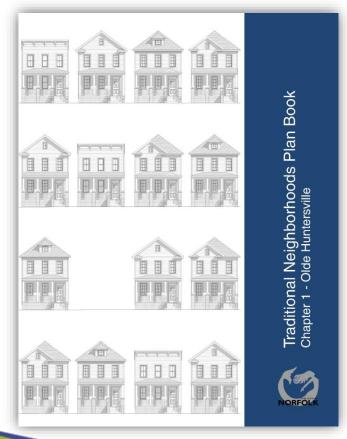
- 96% minority
- 32% homeownership
- \$117,000 median home value
- \$29,000 median household income
- Approximately <u>300 vacant lots</u>
- Newer development rarely fit neighborhood pattern
- Little to no development interest





## Traditional Neighborhoods Plan Book

Olde Huntersville (2017) and Bruce's Park (2021) Neighborhoods













## Olde Huntersville Zoning Framework

#### Minimum lot dimensions

- Most lots are 25'  $\times$  100', while zoning required 50'  $\times$  100'
- Minimum lot size reduced to 25' x 100'

#### Form and development standards

- Incorporated strict standards directly into zoning
- Focus on elevation, porch size, garage location

#### **Process**

- Follow City plans by-right permit
- Deviate from plans CUP



### Results

## Approximately 60 new homes permitted since 2017

 Nearly all built on 25' lots using Traditional Neighborhoods Plan Book









## For More Information

Jeremy E. Sharp, AICP CFM

Zoning Administrator

jeremy.sharp@norfolk.gov



