

SUSTAINABLE DEVELOPMENT PROJECT

(a.k.a. “Density Bonus”)

What is it?

An application type that provides additional density by-right for a residential project provided the project can meet basic criteria:

- Meet strategic goals by being either green or affordable
- Is a minimum of 5 units
- Is located within 1/8 mile of designated corridors

Why are we talking about it now?

Two reasons:

- 1) At the January 24, 2012 City Council Meeting, City Council members briefly discussed city policies as they related to a conditional zoning application for the White Oak Grove apartment development. Interest in further policy discussion regarding affordable housing, green building, and density was directed to the Planning & Economic Development (PED) Committee

- 2) Strategies for providing both green and affordable housing (and now add transportation choices to the mix) are being discussed in several Board or Commission meetings (SACEE, Affordable Housing Advisory Committee, Transit, & PED . . . others?)

What is the background on this?

The City of Asheville has numerous policies, adopted plans, and ordinances that support density in appropriate areas. In 2004, a Conditional Use Permit application was created to allow extra density for “exceptional developments”. Generally, these projects were high quality projects that met key city goals.

More recently, in 2008 the City initiated a Task Force on Affordable Housing which produced a report that included 33 recommendations, covering a wide range of issues, all related to the goal of meeting the City’s need for affordable housing.

The City Council reviewed this plan and identified their top priorities. A sub-group (or working group) of the original task force also reviewed the plan and identified their top priorities. Both bodies identified recommendation #6 amongst their top priorities.

For all proposed developments under 50 units, density bonuses for affordable housing should be a Use-by-right, Subject-to-special-requirements, not a Conditional Use. The special requirements should be developed with community input and should not be prohibitive or onerous.

With this direction, staff worked with the working group from the original task force and developed a draft amendment that eliminated the former CUP process and created a new by-right process provided the project could meet the special requirements. Beyond the basic eligibility requirements, higher density projects had to meet special standards related to operation, architecture, off-street parking and landscaping.

This proposal went through an extensive public review and public hearing process that evolved into a tug-of-war between affordable and green building advocates and neighborhood groups concerned about the impact that new high density projects could have on their neighborhoods – both from a nuisance and aesthetic standpoint. As a result, the original proposal was amended in an effort to find

a compromise that both groups could accept. As a result of that discussion, several changes were made which included:

- Excluding single family neighborhoods from consideration
- Limiting the overlay area to 1/8 of a mile from designated corridors
- Requiring a “Good Neighbor” agreement
- Developing numerous standards for parking, architecture, and landscaping that were intended to help mitigate conflicts

The wording amendment that created this option was adopted in October 2010 – at the height of the recession.

Immediately following the adoption of the amendment – staff was contacted by numerous individuals in the development community interested in the new application. Most of these meetings resulted in the discovery that the property under consideration was not eligible for the density bonus application. The most common reasons included:

- Not located within 1/8 mile of designated corridors
- Located in single family districts (even though they may be within the 1/8 mile)
- Fewer than 5 units.

More recently, two property owners who are eligible have met to discuss application requirements. One is expected to be submitted within the next week. The other is unknown although the likelihood seems quite good.

Where do we go from here?

There appears to be opportunity and interest in re-examining this application type, and a lot of related conversation occurring amongst a number of city affiliated committees.

- The Affordable Housing Advisory Committee has expressed interest in examining this item at some point, once their priorities are better established
- The Transit Commission, at a recent meeting, asked Planning staff to come and speak on the relationship between affordable housing and appears interested in exploring this further as a long range planning strategy
- SACEE has requested that staff develop marketing materials explaining all the incentive programs offered, including the density bonus application in an effort to promote smart density
- The Community Development division has participated in a pilot program to develop a Housing + Transportation Index with the Center for Neighborhood Technology (report expected within the next 30 days)

It may be beneficial to reexamine this application type once the H+T index is produced and after the Affordable Housing Advisory Committee Has the opportunity to review the existing standards and research other alternatives and options.

Other items to note:

The development of a FBC could significantly impact the approach to how density is promoted.