

A RESOLUTION RECEIVING THE PLANNING BOARD'S REPORT, "AFFORDABLE HOUSING DIALOGUE SESSIONS: RESULTS AND RECOMMENDATIONS"

Draft Resolution No. 106/2012-13

WHEREAS, an outreach committee of the Town of Carrboro Planning Board sponsored a series of three dialogue sessions on affordable housing held during the month of October, 2012; and

WHEREAS, the Chair of the Planning Board presented a report on the Planning Board's 2012 dialogue sessions on affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the report.

This is the 19th day of February in the year 2013.



## ***Affordable Housing Dialogue Sessions: Results and Recommendations***

### **A Report to the Board of Aldermen from the Planning Board and the Transportation Advisory Board**

In October 2012, the Planning Board held three Affordable Housing Dialogues aimed at educating and engaging the public and itself around this important issue. The sessions were the first of what will become an annual observance of National Community Planning Month, sponsored by the American Planning Association. Dialogue topics included:

- Housing Diversity and Affordability in Carrboro
- Financial and Systemic Issues Affecting Housing Affordability and Access in Carrboro
- Creative and Collaborative Solutions: Case Studies and Community Visioning

Turnout was good, with 71 individuals attending at least one session and an average 36 people attending each night. Participants included affordable housing practitioners and advocates, residents of affordable housing, neighborhood residents affected by affordability issues, architects and planners, students, staff from the Town of Carrboro, Town of Chapel Hill, and Orange County, advisory board members, aldermen, and county commissioners. Participants offered positive and constructive feedback on evaluation forms, including suggestions for outreach and publicity that will help increase racial and ethnic diversity in future events.

The Planning Board was grateful for the support of the Board of Aldermen throughout the series, especially from the Affordable Housing Task Force. In total, four aldermen were able to attend at least one session. Two partners also were extraordinarily helpful: the NC Housing Coalition provided a host of research, data, and facilitation support, and the UNC Department of Regional Planning provided meeting facilitation, publicity, and offers of future assistance. All of this assistance was provided to the Town free of charge.

Presentation materials, discussion notes, and evaluation results are posted on the Town's website. What follows is a summary of participant perceptions, feedback, and ideas; a set of recommendations to the Board of Aldermen; and supporting data and analysis provided by the Transportation Advisory Board.

### **Summary of Key Data**

The NC Housing Coalition provided an increasingly extensive set of data to fuel conversations over the three sessions. Particular discussion drivers included the following statistics:

- Of 19,582 residents in Carrboro, 14.4% are students and 23.7% are foreign-born.
- There are 9,408 housing units in Carrboro, of which 36% are owner-occupied and 64% are renter-occupied. As a comparison, Chapel Hill’s housing units are 48% owner-occupied and 52% renter-occupied.
- Area median income for a family of four in Carrboro is \$63,308, higher than in North Carolina overall (\$59,872) but lower than in Chapel Hill (\$75,178) and Orange County (\$68,700). Eighty percent of Carrboro’s area median income is \$50,646, which is the figure that the US Department of Housing and Urban Development would consider as low income in its definition of affordable housing for a qualified family of four.
- The fair market rent for a two-bedroom apartment in Carrboro and Chapel Hill is \$864 per month, which contrasts with the statewide fair market rent of \$709.
- The mean renter wage in Carrboro is \$9.67 per hour, much lower than the statewide mean renter wage of \$12.11. At this wage, a head of household must work 62 hours per week to afford a two-bedroom apartment at the fair market rent.
- Not surprisingly, 53% of renters in Carrboro are cost-burdened, meaning they spend more than 30% of their wages on housing costs. Similarly, 55% of homeowners are cost-burdened by their housing.
- Thirty percent of Carrboro workers commute to employment outside Orange County. More than 4,000 workers commute to Orange County in order to work.

## Trends in Housing and Affordability Locally and Nationally

In addition to considering data, participants aired and discussed the following local and national trends that are making affordable housing an increasingly urgent concern:

Local Trends	
<ul style="list-style-type: none"> <li>• Rental housing is going condo</li> <li>• Flat wages yet housing costs rising</li> <li>• Lack of affordable land and buildable lots</li> <li>• Growing immigrant population</li> <li>• ‘Small’ housing does not equal ‘affordable’ housing</li> <li>• Density is needed for successful development of affordable housing</li> <li>• Desirability of the area (transit, green, schools) leads to higher cost housing.</li> <li>• Lack of infrastructure due to OWASA services boundary</li> <li>• Reduced minority ownership</li> <li>• Property taxes are high</li> </ul>	<ul style="list-style-type: none"> <li>• Slow movement on real opportunities, such as the Green tract</li> <li>• Low quality of affordable units</li> <li>• Lack of retail/commerce for people with lower incomes</li> <li>• Lower income people require access to transit—areas being developed don’t necessarily have this.</li> <li>• Gentrification</li> <li>• Increased reliance on finance and developers role</li> <li>• Permitting process is a cost restriction</li> <li>• Big rental management companies are driving up rental costs.</li> </ul>

### Relevant National Trends

- Sellers market transitioned to a buyers market
- Transit-oriented development (TOD)
- Collapse of mortgage market
- Local government bonuses (not just density bonuses) are given in other places
- Mixed use development is a national trends
- Affordable housing bonding is happening successfully in California.
- Partnerships with developers
- Rehab assistance is being used successfully to help some populations stay in their homes
- Misperceptions of low-income people makes some people resistant to affordable housing, especially if built near them.

### Housing Targets and Priority Goals

With quantifiable data and the aforementioned trends undergirding their discussions, dialogue participants wrestled with a series of difficult questions related to their vision for affordable housing and quality life in Carrboro.

#### ***Priority Demographics***

While the Town’s current policies are designed to increase access of affordable homeownership opportunities, dialogue participants were equally concerned about the growing need for affordable family rental units; for housing that serves the homeless and at-risk, including the disabled; and for low-wage workers earning less than 60% of area median income. Participants emphasized a vision for diverse housing options—and a diverse economy—that allow people to live and work in Carrboro.

#### ***Priority Goals for Affordable Housing in Carrboro***

Participants acknowledged there are many possible goals to achieve in designing and implementing affordable housing. While narrowing possible goals to a manageable list proved difficult, three goals resonated most with participants:

**Increasing the supply of affordable housing units.** Participants cited development density and related restrictions; relative underutilization of the Low-Income Housing Tax Credit in Orange County and Carrboro; and the need to incentivize affordable housing development through a more predictable process and interpretation of guidelines, streamlined project reviews, and more direct, bottom-line incentives.

**Increasing the quality of housing stock while maintaining affordability.** Participants bemoaned the declining quality of the lower-priced—but not necessarily affordable—housing in town. “We need to demand more,” said one participant, referring to landlords and property management companies. Participants wondered whether creative policies and

incentives could encourage the rehabilitation of older rental units while preserving relative affordability. Poor quality, they agreed, should not be the benchmark for affordable rent.

**Helping people stay in the homes they have (both owners and renters).** Participants were concerned about four dynamics: continuing foreclosure risks due to predatory lending and the continuing recession; property taxes that inordinately burden fixed-income seniors and other low-income owners; the need for additional rehab/repair assistance for low-resource owners and landlords; and the vulnerability of unemployed renters and the disabled, who are subject to changes in Social Security Disability Insurance payments.

### ***The Importance of Transportation***

A consistent theme throughout the discussion was the importance of public transportation. Lack of access to public transportation increases residents' cost of living, and members of the Transportation Advisory Board (TAB) urged that transportation costs be included in any definition of "affordability." Unfortunately, most new housing development is being created in places without transit routes. Furthermore, weekend bus routes that pass through downtown Carrboro are far too limited. Ironically, parking requirements for housing and mixed-use developments further burden residents who do not drive or own a car. Attachment 2, ***Transportation Costs and Housing Affordability***, was crafted and contributed by the TAB and offers a detailed analysis of the relationship between transportation and housing in Carrboro.

### ***A Word About Students***

Many participants raised the issue of the ever-increasing student market as a driver for higher rents. Not only does high student demand for units reduce availability of units better suited for families, but owners charge more for units demanded by students given the number of occupants likely to be sharing the rent. Some participants blamed the university for a lack of housing options on campus, yet the university has a substantial number of vacant on-campus units. According to university statistics, 2,820 students live in Carrboro.

Co-facilitator Carley Ruff of the NC Housing Coalition pointed out that the vast majority of renters in Carrboro are *not* students. Student demand influences but does not fully account for the housing dynamics in town. Ruff suggested approaching this market issue from a different angle, engaging UNC around affordable housing as a partner-contributor, rather than as an adversary. "Students help sustain the town in other ways," she said. "Use their growth and needs as a tool to also meet the needs of the town."

## Ways to Support Affordability in Carrboro

Participants offered a diversity of experience, perspective, and creative approaches to achieving a high-quality, diverse, and more affordable housing environment in Carrboro. Of the dozens of suggestions, the following surfaced most frequently:

- **Increased housing density.** Reduced open space requirements and planning for major redevelopment opportunities well in advance could alleviate price pressure caused by current land use policies. In addition to relieving supply-related pressures, participants noted that higher-density housing is particularly senior-friendly; creates efficiencies in urban services; and can lead to innovations in attractive, livable design.
- **A dedicated revenue stream for affordable housing.** Participants cited the City of Durham's Penny for Housing tax (which is actually half a penny) and municipal or county bond issues.
- **Community education** aimed at reducing misperceptions about affordable housing and low-income people, and shifting housing preferences and expectations toward zero-lot-line housing options.
- **Modified land use restrictions, zoning, and approval processes** to increase both predictability and efficiencies for developers when affordable housing is involved.
- Understanding and accessing the state's new **tenant-based rental assistance program** for the disabled.
- **Innovative and nontraditional housing models**, such as new-style boarding houses, equity-building rental models, and sustainable living models that compress housing density while increasing open space.
- **Help developers make better use of the Low-Income Housing Tax Credit**, which is the federal government's main engine for new units. Developers particularly need local subsidy or donated or reduced-price land for workable tax credit projects.
- **Publicly funded land acquisition and banking** specifically for affordable housing.
- **A housing trust fund** that can be used for emergency escrow, rent subsidy, down payment assistance, or matching funds for individual development accounts.

Two somewhat controversial issues also surfaced that are worth mentioning here. The first is **inclusionary zoning** that would require a percentage of new homeownership units in a development be affordable. Some argue that this strategy creates greater uniformity and certainty for developers. Facilitators helped clarify the different kinds of inclusionary zoning (mandatory, voluntary, and conditional) and outlined legal concerns that generally deter municipalities from adopting inclusionary rules. They also noted that municipalities have seen mixed results from their policies, particularly as they only apply to homeownership stock.

Nonetheless, when asked to choose a handful of tools for their vision for Carrboro, a majority of participants in the third dialogue chose inclusionary zoning for their toolbox.

The second issue was infrastructure, particularly the constraints of the **urban services boundary**. As one participant noted, “Without allowing water and sewer to be provided for workforce and affordable housing outside the urban services boundary, we will develop very few new single-family, duplex, or townhome developments that are well suited for families with school-age children.”

Others disagreed, citing opportunities to explore innovative development solutions that can increase diverse housing stock while preserving the intent of the rural buffer. The issue was raised multiple times by different stakeholders, and suggests that residents would like to see additional public discussion about the rural buffer in the context of affordability and livability in Carrboro.

### **Joint Recommendations from the Planning and Transportation Advisory Boards**

During discussions and on evaluation forms, participants were clear that increasing and maintaining housing affordability in Carrboro requires a collaborative, interdisciplinary approach with strong leadership by the Board of Aldermen. Both the Planning Board and the TAB agree

In December, the Board of Aldermen’s Affordable Housing Task Force made three preliminary recommendations specific to the Town’s chief policy tool:

- Modify affordable homeownership set-aside requirements from 15% to 12%.
- Reduce the affordability target from those earning 80% of area median income to those earning 65% of area median income.
- Modify payment-in-lieu policies to ensure a minimum 5% of built units are affordable.

These recommendations are consistent with the tenor of the dialogue sessions, and the Planning Board and TAB support them. However, like the Task Force, these advisory boards recognize there is more that can be done to align Town policies with the community’s vision and goals. While not all members agree on all points, the following recommendations are offered for further consideration and discussion by the Task Force, Board of Aldermen and community stakeholders:



1. Make the Affordable Housing Task Force a standing committee of the Board of Aldermen, and expand it to include other public and private stakeholders, such as advisory boards, affordable housing developers, and advocates. The Task Force should be charged with actualizing Vision 2020 policy section 6.0: *to develop a comprehensive housing policy that seeks to provide housing for all of Carrboro's citizens* (see Attachment 1). This policy should be developed, vetted, and approved by December 2013 and should include clear defining terms and measurable goals against which the Board of Aldermen can measure progress and modify policy over the long term.
2. In that comprehensive policy, consider a staggered approach to income targeting and goals, such that people along the income continuum of very low (less than 50% of median income), to low (50% - 80%) to moderate income (80% - 115%) can benefit in some way from Carrboro's policy efforts and investments.
3. Include transportation costs associated with housing location in the Town's consideration of "affordable housing" definitions and calculations. Consider the location and frequency of bus service, as well as walking and bicycling network distances to non-residential destinations when estimating household-level transportation costs. A more complete understanding of affordability will help the Town better identify policies, ordinances and subsidy necessary to achieve a comprehensive housing vision. Engaging Chapel Hill Transit and Triangle Transit in housing discussions could open the door for improved transit frequency and routes.
4. Modify parking requirements in the Land Use Ordinance for in-town apartment and condominium housing, especially in areas where public transportation is readily available. This would result in greater density, would unbundle parking costs from housing costs, and would encourage more creative transportation and parking solutions in development design.
5. Facilitate greater density in new ways. Look at re-zoning infill projects to allow for multifamily housing, connected housing, and zero lot line housing. Consider revising current limitations on or conditions for secondary units, particularly near downtown.
6. Question long-standing policies and our tolerance for the unintended effects of those policies. For example, consider how the current 40% open space requirement and the recreation space requirement impact housing affordability, environmental issues, tax rates, and monthly maintenance costs for homeowners. Ask how open

space can be made accessible to greater numbers of residents than to just those living in quasi-private housing developments. Ask whether current policy adequately weighs the value of open space against some standard for public benefit. Asking hard questions will help the Town better align policies with its visions for both affordability and sustainability.

7. Review all vacant or non-revenue-generating publicly- and privately-owned land, including parking lots, and identify tracts available for affordable housing or commercial uses that support affordable living.
8. Develop a master land use plan that clearly displays overlay districts and roadway network connectivity. Such a plan will help developers better understand development and redevelopment priorities and opportunities in Carrboro. If zoning follows the plan, it is reasonable and rational and will hold up in court in the event of a legal challenge.
9. Research effective rental registry models, including the program in Athens, Ohio, and determine the efficacy of a similar program here to protect renters and neighborhoods from further deterioration of housing stock. (It is unclear whether state statutes allow rental registries, but there may be similar ways to achieve the same objectives.)
10. Collaborate with affordable housing providers, Orange County government, the university, and others to establish a public-private housing trust fund as a permanent source of matching funds for new construction, rehabilitation, or refinancing of affordable rental and homeownership units. Direct all new payments in lieu to this housing trust fund.
11. Support local and statewide advocacy efforts that will preserve or expand the resources and tools available to affordable housing developers, managers, and residents. Examples include:
  - financially supporting the creation of an Orange County Affordable Housing Coalition or similar organizing effort;
  - joining and participating in the education and advocacy programs of the NC Housing Coalition;

- reviewing and commenting on proposed state and federal policy or regulatory changes affecting affordable housing, public transportation, utility rates, and living wages;
  - providing letters of support for local applicants to state and federal funding programs.
12. Increase opportunities for the Town’s advisory boards to engage with each other, town staff, and the Board of Aldermen around planning, economic development, and transportation issues that are better approached collaboratively rather than in silos.

## Attachment 1: Vision 2020: Housing Category

### 6.0 HOUSING

The town should develop a comprehensive housing policy that seeks to provide housing for all of Carrboro's citizens.

#### 6.1 Housing for a Diverse Population

- **6.11** Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.
- **6.12** The variety of strategies to be considered should include the investigation of alternative public and private funding for construction and renovation of low and moderate income housing. A low interest loan pool for individuals and nonprofits that wish to buy and rehabilitate housing is desired.
- **6.13** The town should review all vacant municipally owned land for the purpose of making unneeded tracts available for housing programs.
- **6.14** The town should continue to advocate for inclusionary zoning techniques to increase the local stock of affordable housing.
- **6.15** The town should pursue the development of density bonus provisions for projects incorporating environmentally sensitive development and building practices.
- **6.16** With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.
- **6.17** The town should interact with non-profit groups that work to provide affordable housing, including but not limited to the Land Trust, Orange Community Housing Corporation, Empowerment Inc., and Habitat for Humanity.
- **6.18** A minimum of 15 percent of the residential units in any residential development should meet the affordability criteria specified in Section 15-182.4 of the Carrboro Land Use Ordinance.

## Attachment 2: Transportation Costs and Housing Affordability An Analysis by the Transportation Advisory Board

- The proposed definition of affordable housing, i.e. “housing that is valued at less than 80% of AMI” is not sufficiently inclusive. It must include transportation costs associated with housing location.
- According to AAA’s annual *Your Driving Costs*, the average American spends **\$8,946 a year** to own, operate, insure and maintain one sedan car or nearly **\$750/month per car**.
- The average cost per mile driven is **59.6 cents**<sup>1</sup>. According to the *2009 National Household Travel Survey*, the average household made **9.5 trips per day**, with an average trip distance of **9.7 miles**<sup>2</sup>. To illustrate the import of considering household-level transportation costs, consider the following scenarios:
  - The average American household making 9.5 trips per day, driving 9.7 miles each trip, will drive 92 miles driven per day at a cost of \$0.596 per mile, which is about \$55 a day or **\$1,650 a month** (\$55 x 30 days).
  - A plausible no car alternative in a two-worker household might involve purchasing two 31-day regional passes from TTA for \$68 x 2 = \$136; renting a car an average of four days a month from Enterprise = \$52.64 x 4 = \$210.56<sup>3</sup>; and keeping two bikes maintained at an average cost of \$60/month. Monthly transportation costs = (\$136 + \$210.56 + \$60) = **\$436.56**.
- The hidden cost of residential parking directly impacts people living in condo and apartment housing. Carrboro’s Land Use Ordinance requires an average of 1.5 car parking spaces per bedroom and 2 spaces per unit with two or more bedrooms<sup>4</sup>. Yet, one in 10 households in Carrboro have no vehicle available (this figure is **more than 15 percent** for single-person households and **more than 13 percent** for 4-or-more-person households<sup>5</sup>). This has implications for projects like Shelton Station, where the increase in housing unit cost per parking space will range from **\$50,000 and \$70,000**<sup>6</sup>. Unbundling parking costs from

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<sup>1</sup> <http://newsroom.aaa.com/tag/your-driving-costs/>

<sup>2</sup> <http://nhts.ornl.gov/2009/pub/stt.pdf>

<sup>3</sup> [http://www.enterprise.com/car\\_rental/location.do?selectedLocationId=5330&transactionId=WebTransaction1](http://www.enterprise.com/car_rental/location.do?selectedLocationId=5330&transactionId=WebTransaction1)

<sup>4</sup> <http://www.townofcarrboro.org/PZI/PDFs/LUO/Art-xviii.pdf>

<sup>5</sup> [http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?\\_afpt=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?_afpt=table)

<sup>6</sup> Greenberg, A. (2005). *How new parking spaces may effectively increase typical U.S. urban housing total unit costs by \$52,000 to \$117,000*. Paper presented at the 84<sup>th</sup> TRB Annual Meeting.

housing costs presents greater housing options for people who cannot afford a vehicle and for those who choose to live without one.

**From Northeastern University's Dukakis Center for Urban and Regional Policy:**

“Residential parking is generally provided as an inseparable part of housing arrangements: a parking space is part of the apartment lease or condominium purchase. The price of parking can, however, be separated or ‘unbundled’ from that of the housing either if developers and landlords choose to do so or if municipal regulators so require. As San Francisco’s Metropolitan Transportation Commission has explained, ‘Unbundling parking is an essential first step towards getting people to understand the economic cost of parking and providing users with the opportunity to opt out of parking and make alternative travel decisions. **Without unbundled parking, tenants experience parking as free, while transit costs them money**’” (MTC, 2007, p. 31).<sup>7</sup>

**Figure 1** on the following page displays the variation in vehicle ownership by 2010 Census Tract in Carrboro.

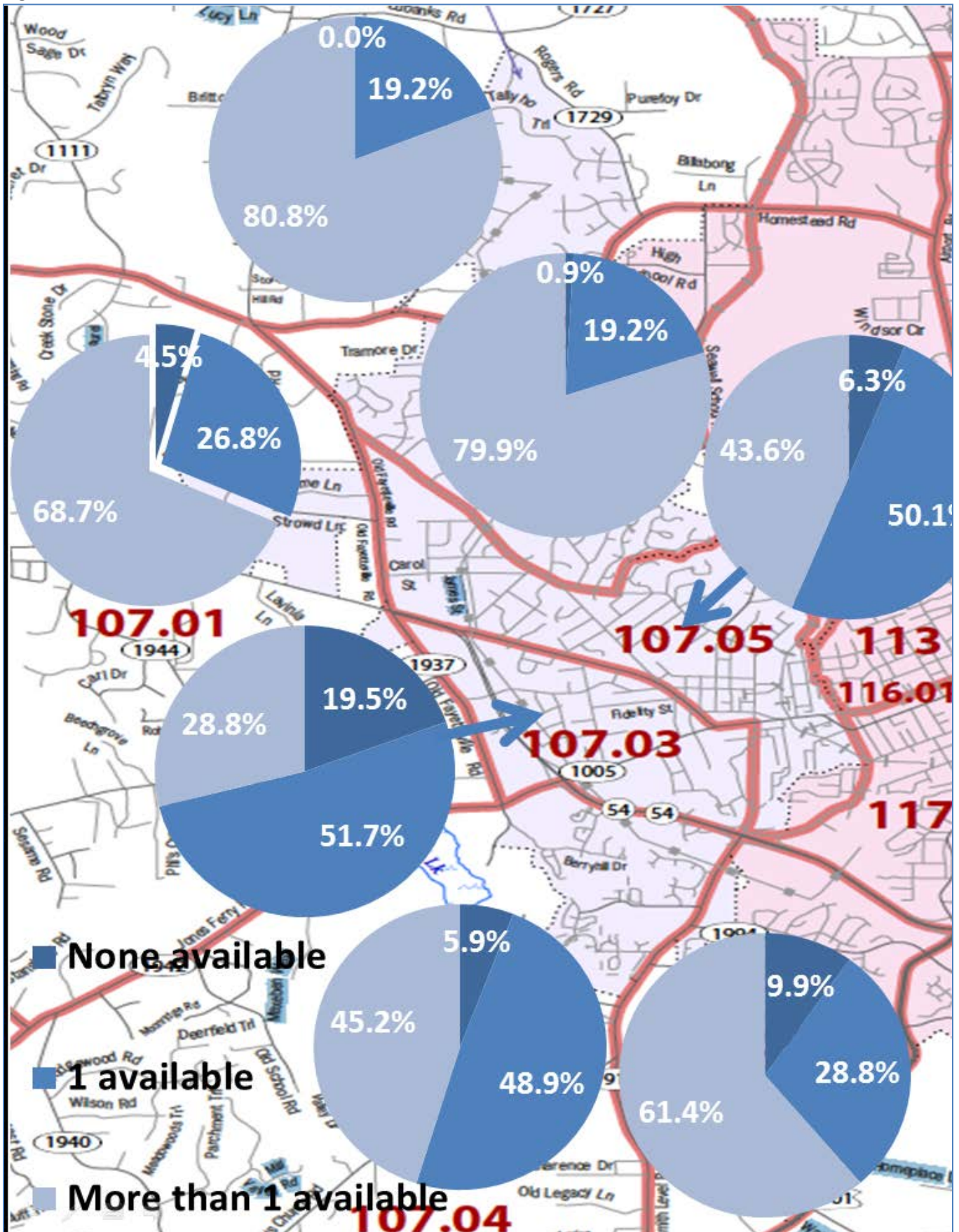
**Figure 2** on the final page displays results from the Center for Neighborhood Technology’s *Housing and Transportation Affordability Index*. The map on the left shows the distribution of households (by 2010 Census-defined block groups) where housing costs are both less than and greater than 30 percent of the households’ income—30 percent is commonly considered the cut-off point for household-level housing affordability. Households that allocate more than 30 percent of the combined household’s income toward housing costs are considered “cost burdened”. The map of the right shows the distribution of household where housing costs AND household location-derived transportation costs are both less than and greater than 45 percent of the households’ income. Households that allocate more than 45 percent of the household’s income toward housing and transportation are also considered cost burdened. Figure 2 illustrates how cost burdened status might apply to more of Carrboro’s households after including household transportation costs into estimates of housing affordability.

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<sup>7</sup> <http://www.dukakiscenter.org/unbundled-parking/>

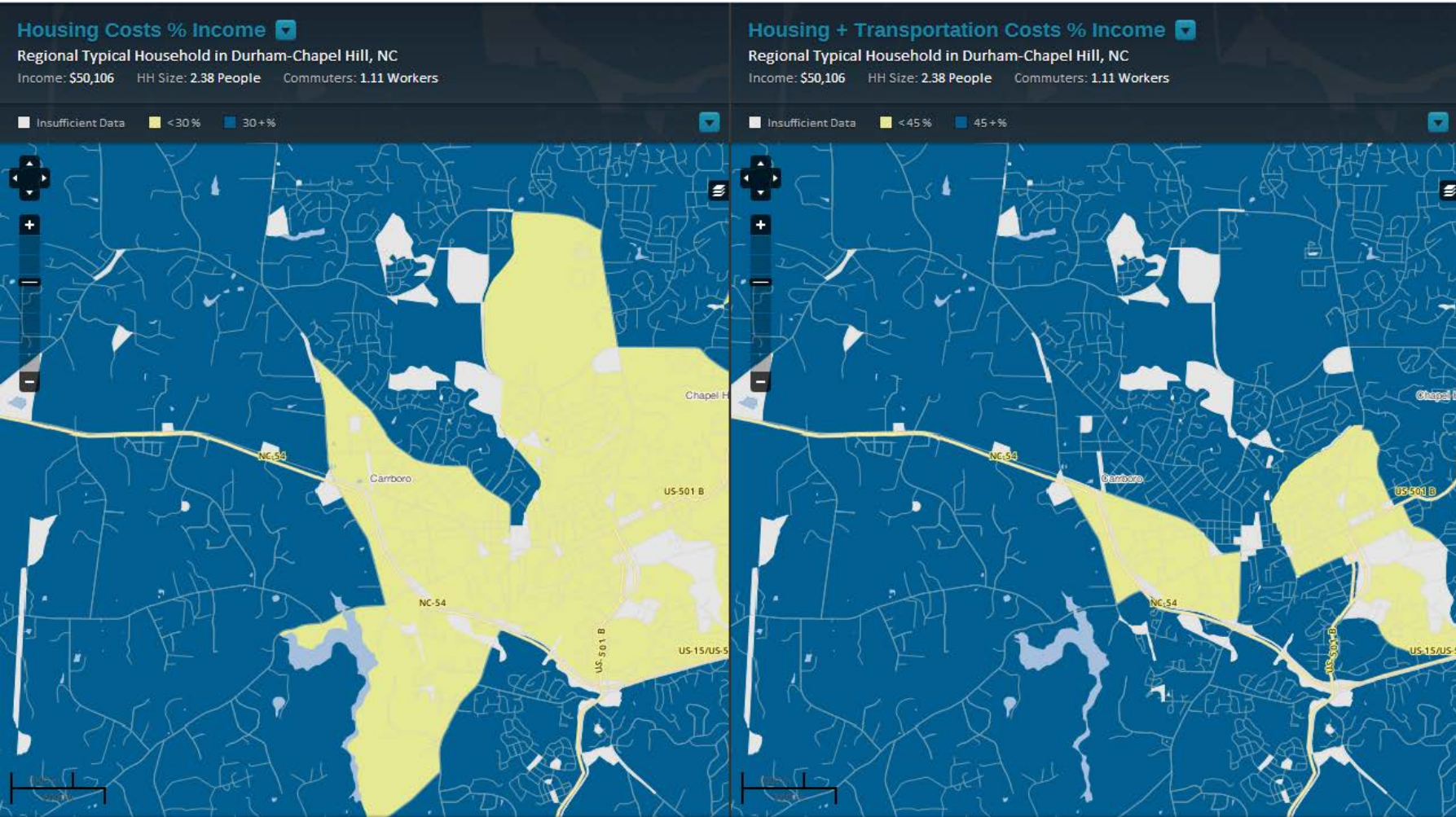
# Vehicles Available by 2010 Census Tract in Carrboro

Figure 1.



# Housing + Transportation Costs in Carrboro, NC<sup>8</sup>

Figure 2.



### Methodology

The H+T Affordability Index is a model that describes the relationships between three dependent variables (auto ownership, auto use, and transit use) and independent household and local environment variables. Neighborhood level (**Census block group**) data on household income (both median and per capita), household size, commuters per household, household density (both residential and gross), street connectivity (as measured using average block size and intersection density), transit access, and employment access are the independent or predictor variables.

<sup>8</sup> <http://htaindex.cnt.org/map/>



## ARTICLE IV

### PERMITS AND FINAL PLAT APPROVAL

**Section 15-54.1 Affordable Housing Goal and Alternative Methods of Achieving the Goal (AMENDED 6/28/05; REWRITTEN 6/26/07; AMENDED 10/28/08); AMENDED 6/26/12.**

(a) The Board of Aldermen has established as a policy goal that at least fifteen percent of the housing units within all new residential developments should consist of affordable housing units as described in Section 15-182.4. That section, as well as Section 15-188, establish incentives for developers to provide for such affordable housing. The purpose of this section is to establish alternative processes whereby developers who do not achieve the 15% objective can nevertheless contribute to the fulfillment of this goal in another way, and also to create a process to ensure that developers understand the importance of attempting to meet this goal.

(b) An applicant for approval of any residential development containing five or more dwelling units or lots that does not elect to meet the Board's 15% affordable housing policy goal by constructing affordable housing units or donating affordable housing lots (as those terms are described in Section 15-182.4) shall nevertheless be considered to have met this goal if such applicant makes a payment to the Town's Affordable Housing Special Reserve Fund in lieu of such construction or donation in an amount calculated as provided in this subsection:

- 1) The number of dwelling units or lots authorized within the development (including additional units or lots authorized under Section 15-182.4 when the developer constructs affordable units, provides affordable housing lots, or is authorized by the Board to construct density bonus units by making a payment in lieu of constructing units) shall be multiplied by 0.15 and the product shall be carried to two decimal places. **(REWRITTEN 1/22/08)**
- 2) There shall be subtracted from the product derived under subsection (b)(1) of this section (i) the number of affordable housing units or affordable housing lots the developer proposes to provide under Section 15-182.4, plus (ii) the number of affordable housing payment in lieu fees the Board has agreed to allow to be regarded as the equivalent of providing an affordable housing unit under Subsection 15-182.4(d1). **(REWRITTEN 1/22/08)**
- 3) The product derived under subsection (b)(2) shall be multiplied by the affordable housing payment in lieu fee. The result is the amount that must be paid to satisfy the provisions of this subsection (b).
- 4) The affordable housing payment in lieu fee shall be an amount established by the Board of Aldermen and shall be included in the Town's Miscellaneous Fees and Charges Schedule. In establishing the amount of this fee, the Board may consider

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(i) the extent to which the costs incurred by a developer in constructing and selling a two bedroom affordable housing unit (including land cost, the cost of construction, interest cost, closing costs, and other costs allocable to such unit) exceed the maximum amount for which that housing unit could be sold (as an affordable housing unit) by the developer in accordance with Section 15-182.4, (ii) the extent to which non-monetary factors might induce developers to prefer paying a fee in lieu of constructing an affordable housing unit if the monetary cost of doing one or the other were roughly equivalent, and (iii) any other factors the Board deems relevant in establishing a fee that provides developers with a practical and financially viable means of satisfying the Town's affordable housing policy goals. **(AMENDED 10/28/08; 6/26/12)**

(c) An applicant for approval of any residential development containing five or more lots restricted to single-family residential use (which lots the developer intends to sell undeveloped) who does not elect to meet the Board's 15% affordable housing policy goal by donating affordable housing lots (as those terms are described in Section 15-182.4) or making a payment in lieu as provided in subsection (b) above shall nevertheless be considered to have met this goal if such applicant chooses to follow the process that reserves lots for purchase by the Town of Carrboro and makes a payment for the eventual purchase of such lots as outlined in this subsection.

- 1) The developer shall request that a condition that obligates the developer to comply with the provisions of this subsection be added to the special or conditional use permit that authorizes the subdivision in question, and such condition shall be added by the permit issuing authority.
- 2) Before the final plat is approved, the developer shall designate on the plat a number of lots that are reserved for purchase by the Town of Carrboro. The number of lots so reserved shall be equal to the product of the number of lots within such subdivision multiplied by 0.15, rounded down to the nearest whole number.
- 3) The purchase price for each reserved lot shall be the estimated market price as agreed upon by the Town and the developer, which price shall be specified in the condition added to the special or conditional use permit.
- 4) The lots so designated shall be restricted by the permit to the development of affordable housing as defined in Section 15-182.4 of this chapter.
- 5) The lots so designated shall be in all other ways equal to the market rate lots and shall be provided with utility connections and other necessary infrastructure so as to render them buildable at the time of sale.

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- 6) With respect to all other lots within the subdivision, no certificate of occupancy shall be issued for any dwelling unit constructed on such lots unless and until a payment is made to the town in an amount determined as follows:
  - a. Prior to approval of the permit for such subdivision, the applicant for the permit shall estimate the total market value of all developed lots (i.e. lots with houses completed on them) within the subdivision that are not restricted to affordable housing units, and calculate from this number the percentage number that, when applied to the total market value of such developed lots, would yield the number of dollars necessary to purchase the lots within the subdivision that are restricted to affordable housing use.
  - b. If the town accepts the percentage number derived above as a reasonable estimate, such percentage shall be included as part of the condition on the permit prohibiting the issuance of a certificate of occupancy until a payment is made to the town as provided in this subsection.
  - c. The amount of the payment shall be determined by applying the percentage determined in accordance with this subsection to the appraised value of the completed house and lot, as determined by a licensed appraiser.
- 7) The funds so received shall be held and reserved for the purchase of the lots designated to be developed with affordable housing.
- 8) The town shall have the right to purchase the designated lots at any time after final plat approval, and must purchase the lots not later than ninety days after sufficient funds to do so have been received by the town from the other lots.
- 9) If sufficient funds have not been received by the town to purchase one or more of the affordable housing lots after the last certificate of occupancy is issued for the other lots within the subdivision, then the town shall either purchase such affordable housing lot or lots using such funds as may be available to the town within ninety days after the date of issuance of such certificate of occupancy, or the condition limiting the use of such designated lot or lots to affordable housing shall be deemed to have expired and such designated lot or lots may thereafter be conveyed without this restriction.
- 10) If the funds received exceed the amount necessary to purchase the lots that have been reserved then such funds shall be retained in the fund and used for other purposes authorized for that fund.

*Art. IV PERMITS AND FINAL PLAT APPROVAL*

(d) The Board finds that some developers may not fully understand how the affordable housing provisions of this chapter operate or the incentives that are available under the ordinance to encourage affordable housing. Therefore, the Board concludes that, when developers of proposed developments containing five or more dwelling units propose to construct such developments without meeting the affordable housing goals established by the town for new developments, it may be beneficial to both the developers and the town for the Board and such developers to have an opportunity, prior to the formal consideration of a permit request, to discuss the town's affordable housing policy, the affordable housing opportunities and incentives provided by this chapter, and any questions or concerns such developers may have about utilizing those provisions. Subsections (e) and (f) below provide for that opportunity.

(e) The applicant for any residential development containing five or more lots or dwelling units, and therefore required to obtain either a special use permit from the Board of Adjustment or a conditional user permit from the Board of Aldermen, shall be required to participate in an Affordable Housing Review Meeting with the Board of Aldermen if the residential development does not meet the Board's affordable housing goal in any of the ways described in this section or Section 15-182.4.

(f) Should an applicant for any residential development containing five or more lots or dwelling units decide in the course of the development review process to change the application in such a way that it no longer satisfies the Board's affordable housing policy goal, further review of the project will be delayed until the applicant participates in an Affordable Housing Review Meeting with the Board of Aldermen.



**TOWN OF CARRBORO**

**TRANSPORTATION ADVISORY BOARD**

**RECOMMENDATION**

**February 7, 2013**

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SUBJECT: Affordable housing recommendations

MOTION: The Transportation Advisory Board endorses the Affordable Housing Report with the condition that the factual statements in the report be cited with sources.

Moved: Perry

Second: Štolka

VOTE: Ayes (7): LaJeunesse, Štolka, Perry, Sieff, Haac, Nicopoulos, Kim. Nays (0). Abstain (0). Absent (0).

*Jeffery S. Balh*  
for  
*Seth LaJeunesse*  
\_\_\_\_\_  
TAB Chair

*2 / 14* /13  
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DATE