

Affordable Special Needs Housing

Virginia Disability Commission

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Code of Virginia Requirements

- § 15.2-2223.
 - The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities
 - The plan shall include: the designation of areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

- § 15.2-2291. Group homes of eight or fewer single-family residence.
 - A. Zoning ordinances for all purposes shall consider a residential facility in which no more than eight mentally ill, mentally retarded, or developmentally disabled persons reside, with one or more resident counselors or other staff persons, as residential occupancy by a single family.

Why is there a problem?

- Development costs are prohibitive
- Operating costs may be prohibitive
- Inadequate capacity to develop and operate
- NIMBY trumps the Code of Virginia

Development Costs

- No requirement to plan for adequate levels of development
- Residential development assumed to be a fiscal loser
- Proffers reward underzoning
- No alternative for funding adequate public facilities

Inadequate Capacity

- No incentive for profit-oriented developers
- Need for capital subsidy or higher operating subsidy
- No “turn-key” program by a non-profit developer
- Service providers shouldn't be property developers

NIMBY

- Housing as investment
- Preponderance of research shows no impact on property values, if
 - Good quality development
 - Good management
- Need approaches to overcome NIMBY

Affordable Housing Policy Options

- Informational/Promotional Activities
- Capacity Building
- Regulatory
- Capital

Information/Promotional Activities

- Meetings, Forums
- Affordable Housing Information
 - Establish template for estimating demand and supply gap
- Community Acceptance
 - Conduct information campaign (“the face of affordable housing”)
 - Design standards for affordable housing
 - Guidelines for developers
 - Affordable housing portfolios & impacts
 - Negotiation and arbitration service
 - By-right provisions
- Advocacy at Federal, State and Local (Metropolitan region) levels
- Regional Fair Growth—“think regionally, act locally”
 - Require adequate zoning to meet demand

Capacity Building

- Local government capacity and responsibilities
 - CSBs shouldn't be property developers
- Turn-key by qualified nonprofit housing developers
- For profit
 - LIHTC developers

Regulatory

- Require adequate zoning
- Streamlined review and approval processes
- Affordable Dwelling Unit Ordinance
 - Provide extra incentive for special needs housing
- LIHTC criteria

Capital

- Sources of Capital
 - Federal pass-through funds (CDBG, HOME)
 - Tax credits
 - Bonds
 - Banks
 - Foundations
- Provide land
 - Proffers
 - Density bonus coupled with turn-key
- Create a purchase & adapt program
 - Wrap-around financing package
 - Establish design standards