HOUSING

Introduction

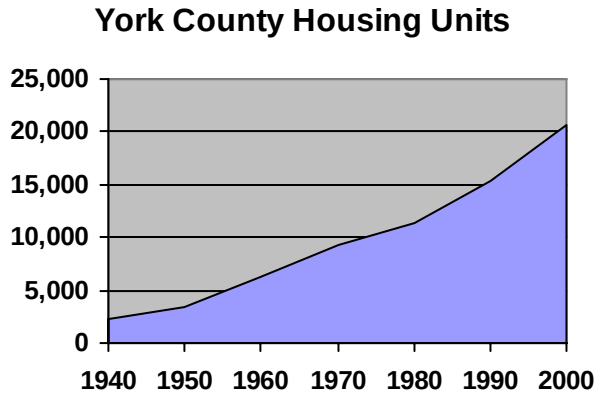
One of the factors contributing to the high quality of life in York County and its desirability as a living environment is the quality of its residential development. Shelter is a basic human need, but housing encompasses social as well as physical aspects. To a great extent, where we live determines whom we socialize with, where our children go to school, where we shop, and where public facilities are needed. Furthermore, the way our neighborhoods are designed can even affect our behavior. Both the physical and social aspects of housing are vital to the planning process.

Through its development ordinances, particularly the Zoning and Subdivision Ordinances, the County can influence both the amount and type of housing construction that will occur in the future. Such policy decisions will have to consider the County's future housing needs. There is a clear role for the County to plan and steer the type and quantity of housing within its boundaries. While market factors play an important role in determining housing availability, markets are not perfect and do not operate in a vacuum. There are social goals for the society at large that require government intervention if they are to be achieved. The challenge before the County is to strike the appropriate balance between short-term market forces and long-term County goals and objectives.

HOUSING INVENTORY

Overview

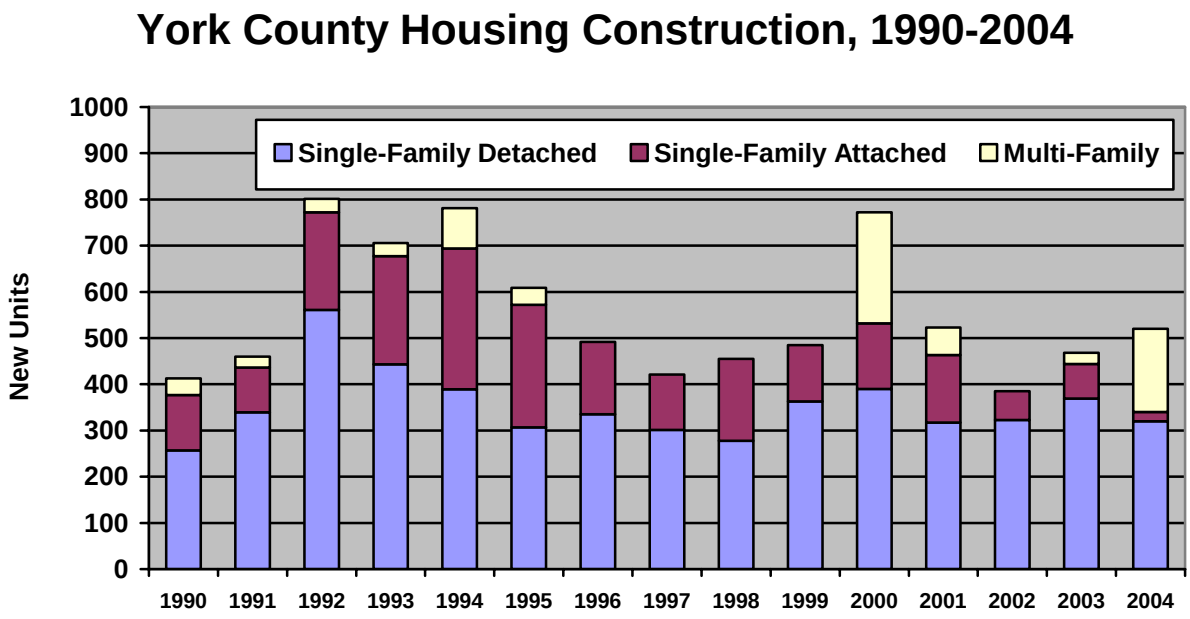
There are approximately 23,300 housing units (as of January 1, 2005) in York County, over 1,400 of which are military units located in Bethel Manor, the Naval Weapons Station, Camp Peary, Cheatham Annex, and the U.S. Coast Guard Training Center. Single-family detached homes continue to dominate the landscape, representing 70% of the housing stock. However, there are more than 6,000 townhouses, duplexes, apartments, and condominiums in the County, about 20% of which are on-base military units. Over a third of the new housing built since 1990 has been of the single-family attached and multi-family variety. Other types of housing in the County include mobile homes and accessory apartments.



The demand for housing in York County has been strong over the past several decades as reflected in the fairly steady growth in the housing stock – even during periods of national economic recession. An average of 513 new units per year have been built during the past ten years (1995-2004), somewhat less than the average annual increase of 562 units experienced during the 1990s. The gradual decline in home construction reflects not a reduction in housing demand but rather the diminishing supply of developable residential land and the reduction in allowable housing densities that began with the 1991 *Comprehensive Plan* as implemented in the 1995 update of the Zoning Ordinance and Map.

YORK COUNTY HOUSING CONSTRUCTION, 1990-2004				
Year	Single-Family Detached	Single-Family Attached	Multi-Family	Total
1990	257	120	36	413
1991	339	97	24	460
1992	561	211	29	801
1993	443	234	29	706
1994	389	305	87	781
1995	307	265	37	609
1996	335	157	0	492
1997	301	120	0	421
1998	278	177	0	455
1999	363	122	0	485
2000	390	142	240	772
2001	317	146	60	523
2002	323	62	0	385
2003	369	75	24	468
2004	320	20	180	520
Source: York County Certificate of Occupancy data				

Table 1



Housing Type

Single-family detached homes represent 70% of the County's total housing stock and about three-quarters (74.2%) of the *private* (i.e., non-military) housing stock. Single-family attached homes – which include townhouses, duplexes, quadruplexes, and other multiplex units – constitute 15.2% of all units and 12.2% of the private housing stock. Multi-family housing (apartments) represent 12.5% of all units and 11.5% of private units. Finally, there were 443 housing units classified by the Census Bureau as mobile homes. The term "mobile home" has come to be replaced by "manufactured home," which refers to housing units that are manufactured in a factory but require

some assembly and finishing at the construction site and meet Uniform Building Code Standards. As a share of the housing stock, manufactured housing has declined over the years and is likely to continue to do so since County zoning regulations limit additional placements to locations within either manufactured home parks or designated manufactured home subdivisions. There are approximately 15 manufactured home parks in York County. In addition, Whispering Winds in Tabb has been developed as manufactured home subdivisions**.**

York County Housing by Type, 2005			
Housing Type	**Off-Base Units**	**On-Base Units**	**Total Units**
Single-Family Detached	16,227	142	16,369
Single-Family Attached	2,662	882	3,544
Multi-Family	2,517	398	2,915
Mobile Homes	443	0	443
TOTAL	21,849	1,442	23,271
Sources: U.S. Census Bureau and York County Planning Division			

Table 2

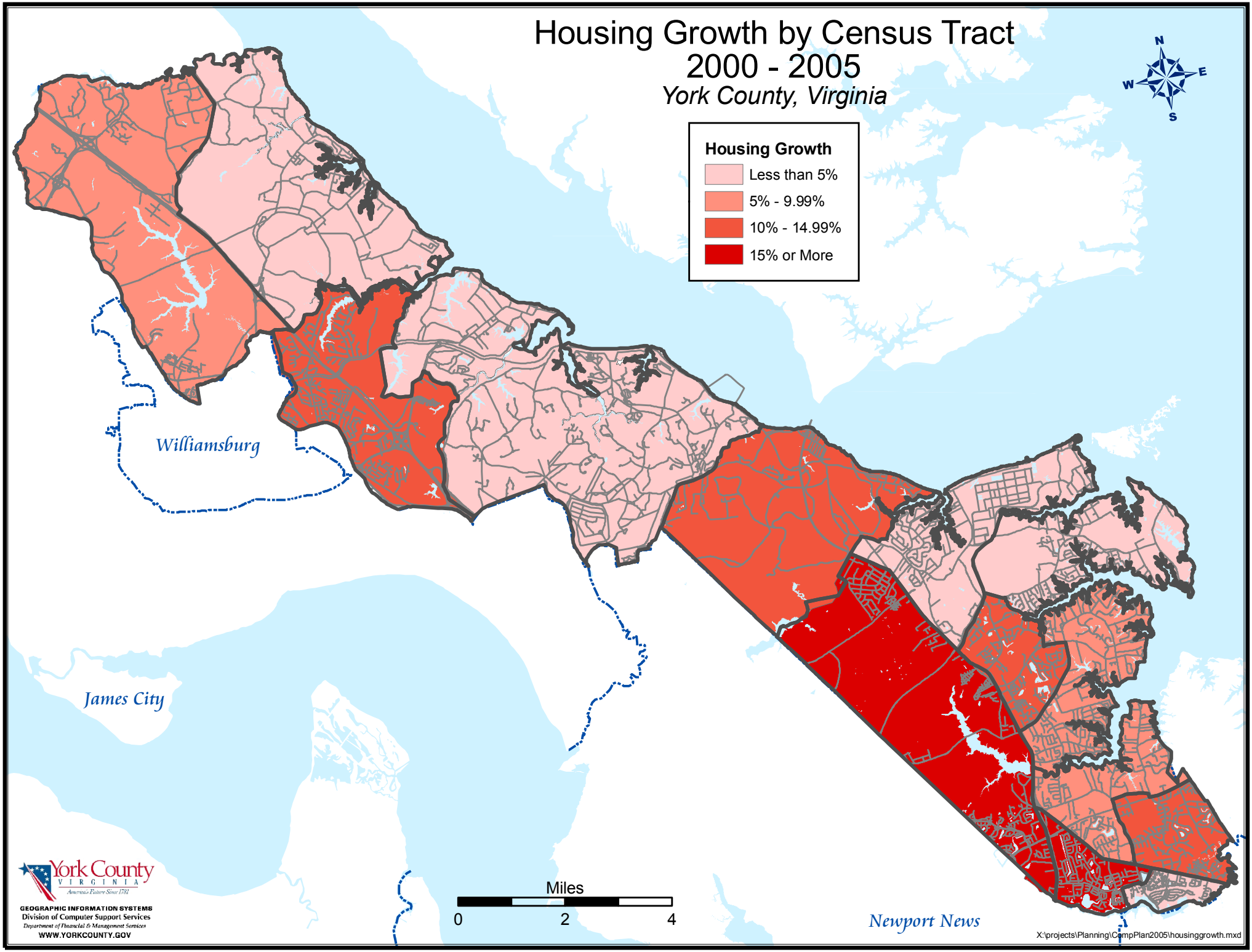
Housing Location

Although the upper County has attracted a growing share of the County's home construction in recent years, the housing stock is still overwhelmingly concentrated in the lower County, where more than four-fifths of the housing (82.1%) is located. In the past 25 years, the number of housing units in the lower County grew by 118% – more than twice the 57% increase experienced in the upper County.

YORK COUNTY HOUSING BY CENSUS TRACT 1980-2005									
Census Tract		1980		1990		2000		2005 (Estimated)	
1980 & 1990	2000	Number	Percent	Number	Percent	Number	Percent	Number	Percent
502.01	502.03	2,033	17.8%	2,359	15.4%	1,648	8.0%	2,313	9.9%
	502.04					2,091	10.1%	2,154	9.3%
502.02	502.05	938	8.1%	2,138	14.0%	1,503	7.3%	1,595	6.9%
	502.06					1,754	8.5%	1,986	8.5%
503.01	503.01	997	8.7%	1,341	8.8%	2,713	13.1%	3,195	13.7%
503.02	503.03	1,931	16.9%	3,200	20.9%	1,995	9.6%	2,227	9.6%
	503.04					1,776	8.6%	1,951	8.4%
504.01	504.01	841	7.4%	1,094	7.2%	1,207	5.8%	1,259	5.4%
504.02	504.02	1,084	9.5%	1,166	7.6%	1,351	6.5%	1,390	6.0%
505	505	924	8.1%	867	5.7%	926	4.5%	1,025	4.4%
Lower County		8,748	76.7%	12,165	79.6%	16,964	81.9%	19,095	82.1%
506		232	2.0%	262	1.7%	144	0.7%	144	0.6%
507		1,630	14.3%	1,805	11.8%	2,380	11.5%	2,699	11.6%
508		791	6.9%	1,052	6.9%	1,213	5.9%	1,333	5.7%
Upper County		2,653	23.2%	3,119	20.4%	3,737	18.1%	4,176	17.9%
Total County		11,401	100.0%	15,284	100.0%	20,701	100.0%	23,271	100.0%
Note: Census tract boundaries change over time. As a result, three of the tracts from the 1980 and 1990 Censuses were split for the 200 Census.									
Sources: U.S. Census Bureau (1980, 1990, and 2000 figures) and York County Planning Division (2005 estimates)									

Table 3

Housing Growth by Census Tract
2000 - 2005
York County, Virginia



Age and Quality

Because of the high rate of housing construction in recent years, adding almost 8,000 units since 1990, York County's housing stock is relatively young and of good quality. About 11% of the housing units in the County were built within the past five years (since the 2000 Census was taken), and slightly over a third (34.3%) were built within the past 15 years. There are also approximately 2,961 housing units (12.8% of the County's housing stock) that were built before 1960 and are now at least 45 years old. As these dwellings age, it is possible that some will need rehabilitation. It should be noted that the number of housing units in the County that lack complete plumbing facilities dropped from 86 in 1990 to 17 in 2000, while those without complete kitchen facilities fell from 31 to 4.

On average, homes and residential lots in the County are generally larger than in surrounding jurisdictions. According to the 2000 census, the average number of rooms per housing unit in the County was 6.6, which exceeds the averages for the metropolitan area (5.7) and the state (5.8) in this measure of housing quality.

Residential densities (housing units per acre) in York County are also relatively high in comparison with surrounding areas. Minimum lot sizes for conventional subdivisions, as set forth in the Zoning Ordinance for residential zoning districts, range from 13,500 square feet (slightly over three units per acre) to one acre. In areas where public utilities are not available, the minimum lot size increases to 1.5 acres (where only public water is available) or 2.0 acres (where neither public water or sewer is available). In areas where public utilities are available, the open space or cluster subdivision provisions permit smaller lots but with no increase in density. Smaller lots can also be permitted in Planned Developments (e.g., Coventry, the Villages of Kiln Creek, Yorkshire Downs), which must be specifically approved by the Board of Supervisors.

Occupancy

The vacancy rate in a given housing market is the proportion of the active housing stock available to prospective tenants or homebuyers. In an ideal market, some housing units should be vacant to allow adequate opportunities for households seeking new residences. Moreover, to operate efficiently, vacancy rates must run a fine line between an over-built market (usually considered above 7% vacancy) and an under-built market (below 3% is normally considered too low). The implications of an overbuilt market include mounting mortgage risks for lenders, investors, and developers. An under-built market tends to restrict residential mobility and increase housing prices as people bid up the price of available units. According to the Census, the County's vacancy rate declined from 5.5% in 1990 to 3.4% in 2000.

Tenure

York County has one of the highest rates of home ownership on the Peninsula, but there is still a significant amount of rental housing for those who either cannot afford the costs of home ownership or choose to rent. According to the 2000 Census, rental housing constitutes almost a quarter (24.2%) of the County's housing stock. Over a quarter of this housing (28.2%, or 4,840 units) is on-base military housing. Although commonly associated with apartments, rental housing is not limited to multi-family housing. In fact, the County's eleven apartment complexes (listed in Table) constitute only about half of the County's private (i.e., non-military) rental housing.

APARTMENT COMPLEX	LOCATION	NUMBER OF UNITS
Belmont Apartments	Tabb (Route 134)	300
Clairmont Apartments	Route 17	216
Country Club Apartments	Upper County (Route 143)	100
Grafton Station Apartments	Grafton	396
Four Seasons Apartments	Tabb (Route 134)	320
Pines of York Apartments	Tabb (Route 134)	248
Rivermeade Apartments	Goosley Road/Yorktown	80
Woods at Yorktown	Lackey	118
York Pointe Apartments	Tabb (Route 134)	202
Yorktown Square I and II	Goosley Road/Yorktown	116
Yorktown Village Apartments	Yorktown	89

Table 4

Housing Costs

The age, size (both home size and lot size), and quality of the housing stock contribute to the relatively high residential property values in the County. In 2000 York County's median house value of $152,700 was higher than the median values for both the Norfolk MSA ($110,100) and the state of Virginia ($125,400). Similarly, York County has the highest rents, on average, on the Peninsula. The median gross monthly rent in the County, as reported in the 2000 Census, is $708, compared to $615 for the Norfolk MSA and $650 for the state as a whole.

Housing costs and property values have risen considerably since 2000. In 2004[1] the median sale price of a home in York County was approximately $220,000; the mean average was somewhat higher (about $240,000). These figures include both new homes and resales, and they include all types of units – single-family detached homes, townhouses, duplexes, condominiums, quadruplexes, etc.

YORK COUNTY HOME SALES BY PRICE RANGE, 2004		
Price Range	**Total Sales**	**Percent of Total**
< $50,000	9	0.7%
$50,000 - $99,999	90	7.0%
$100,000 - $149,999	214	16.7%
$150,000 - $199,999	266	20.8%
$200,000 - $299,999	347	27.1%
$300,000 - $399,999	241	18.8%
$400,000 - $499,999	85	6.6%
> $500,000	29	2.3%
TOTAL	1,281	100.0%
Median home price	$220,000	NA
Mean home price	$240,000	NA

Note: Includes all home sales between January 1 and August 31, 2004.

Sources: York County Real Estate Assessment Office and York County Planning Division

Table 5

Affordability

Housing affordability is measured by the ratio of housing cost to household income. The concept of housing affordability is based on the general rule that no household should have to spend more than 30% of its annual gross income on housing. According to the 2000 Census, 21% of the households in York County were paying more than 30%. This was slightly below the average for both the State (25%) and the metropolitan area (30%). In assessing affordability, however, it is important to distinguish between those residents who pay more than 30% because they *have* to and those who *choose* to. Of those households that were spending more than 30% of their incomes on housing, approximately 2,500 – 12.5% of all households in the County – had incomes at or below 80% of the median family income for the metropolitan area, which is the U.S. Department of Housing and Urban Development (HUD) definition of "low income." The *total* number of "low-income households" in the County, as defined by HUD, was approximately 3,500.

[1] Includes all home sales from January 1 through August 31, 2004.

Another 1,750 households fell into the category of "very low income" (less than 50% of the median family income), and 1,000 in the "extremely low income" (less than 30% of the median).

Since 1999 the area median family income has increased from $49,186 to $55,900 (as of 2004), according to HUD, raising the "low," "very low," and "extremely low" income thresholds to $44,720, $27,950, and $16,770 respectively. Applying the 1999 percentages to the number of households in 2004 (22,560) yields a total of approximately 7,050 households classified as low-income, very low-income, or extremely low-income.

York County encourages the construction of more moderately priced housing through the *Affordable Housing Incentive Provisions,* which are set forth in the Planned Development regulations of the Zoning Ordinance. This is accomplished through the reduction or elimination of otherwise applicable planned development open space requirements depending on whether the proposed lots are less than or greater than 7,500 square feet. In exchange, these provisions require either modular dwelling units or other approved single-family detached dwelling units and establish a maximum unit size, all with the objective of promoting affordability. Five planned developments have been approved by the Board of Supervisors under the Affordable Housing Incentive Provisions since their inception in 1986. Four of these developments, encompassing a total of 459 approved units, have actually been built; the fifth, an approved 151-lot subdivision on the south side of Denbigh Boulevard near the Newport News city line, was never built. Summary data for these four subdivisions appears in **Table 3**.

PLANNED DEVELOPMENTS BUILT IN ACCORDANCE WITH THE AFFORDABLE HOUSING INCENTIVE PROVISIONS

Name	**Bruton Glen**	**Endview Woods**	**Quail Hollow**	**Willow Lakes**	
				(Detached)	**(Duplex)**
Approval Date	5/1/96	11/6/96	11/6/86*	11/15/95	11/15/95
Census Tract	507	505	503.01	503.03	503.03
Lot Size (square feet)					
Minimum	4,356	5,227	6,970	4,356	3,485
Maximum	19,602	17,424	27,878	7,405	6,534
Average	7,100	7,604	9,612	5,056	3,975
Projected Sale Price**	$80,000	$69,990	$60,000	$110,000	NA
Projected Sale Price***	$95,000	$99,990	$80,000	$130,000	NA
2004 Assessed Value					
Minimum	$120,300	$114,100	$92,300	$141,200	$129,800
Maximum	$158,400	$181,000	$156,200	$183,100	$166,100
Average	$138,600	$135,000	$119,300	$170,377	$153,188
2004 Home Sales					
Number of Sales	2	1	1	16	34
Average Sale Price	$158,000	$199,900	$158,000	$178,548	$165,914

*Phase 2 was approved 12/7/89

**Minimum sale price as projected by the developer at the time of approval

***Maximum sale price as projected by the developer at the time of approval

Source: York County Planning Division

Table 6

Home prices in these four developments have escalated over the years, as they have throughout the County, but most of them remain affordable to the "low income" segment of the population.

CITIZEN INPUT

In general York County's citizens support the direction that was established by the 1991 *Comprehensive Plan*, which emphasized managed growth and relatively low housing densities overall. There appears to be little public support for increasing the County's *maximum build-out population* – that level that the population would reach if all residential land were developed at its maximum allowable density – above the current level of 80,000 residents. According to the telephone survey results, a little under half of County residents (48%) believe it should be reduced, while 37.4% said it should remain at 80,000. Only 14.5% feel it should be increased.

With regard to housing affordability, the results were mixed. Although the telephone survey results indicate that two-thirds of County residents believe there is not enough quality housing in the County for people who earn below-average incomes, they generally do not consider it important for the County to encourage the construction of new homes to address this deficiency. The survey asked how important it is on a scale of 1 to 5 for the County to encourage the construction of new single-family homes that are priced for people earning below average incomes, the average rating was 2.98 – basically neutral. Another question asked if the County should allow more high-density neighborhoods in some areas of the County as a way to provide more affordable housing; a 70% majority answered "no." Affordable housing is one of the issues on which there was a distinct difference between upper and lower County responses. Upper County residents are much more inclined to support efforts to improve housing affordability, which they rated a 3.40 on a scale of 1 to 5; the average score among lower County residents was 2.88, which indicates general opposition. Similarly, upper County residents are evenly split (49.4% for, 50.6% against) on whether or not to allow higher density neighborhoods to improve housing affordability. Lower County residents reject this idea by a 3 to 1 margin.

The response to senior housing was more positive. According to the telephone survey more than half of County residents (55.2%) consider it important or extremely important for the County to encourage the construction of housing specially designed for seniors age 62 and older. On a scale of importance from 1 to 5, the overall rating for this item was 3.64.

The survey also asked how important it is for the County to encourage mixed-use development that mixes homes, businesses, offices, and public spaces in a single pedestrian-oriented area. The citizen response was basically neutral in the lower County (with an average rating of 3.01 on a scale of 1 to 5) and somewhat more positive in the upper County (with an average rating of 3.42). Countywide the overall average rating was 3.09.

At the Neighborhood Open Houses, many citizens spoke of the need for sidewalks within and between neighborhoods and between residential and nearby shopping areas. The desire to be able to walk and bicycle safely to schools, parks, and stores was a common sentiment expressed by County residents.

PLANNING ISSUES FOR THE FUTURE

Despite the high rate of growth in recent decades and the County's relatively small land area, there is still approximately 2,000 acres of vacant residential land available for development. In addition, there are many homes on large lots that are capable of being subdivided into multiple smaller lots. As noted in the Demographic Profile and Projections, residential development in York County is projected to add over 6,000 new housing units by the year 2025.

The principal vehicles for implementing housing policy in York County are the Zoning Ordinance, the Zoning Map, and the Subdivision Ordinance. These three documents, which are adopted by the Board of Supervisors, determine how much housing can be built, where it can be built, how it will relate to the land on which it is built (e.g., building setbacks and height) and, in a general way, what it will look like.

York County's first Zoning Ordinance was adopted in 1957, with major updates in 1964, 1977, 1978, 1985, and 1995. The general purpose of zoning ordinances, set forth in §15.2-2286 of the *Code of Virginia*, is to promote the health, safety and general welfare of the public. This section also spells out several more specific purposes, some of which, listed below, relate directly to housing:

- To provide for adequate light, air, convenience of access, and safety from fire, flood, crime and other dangers;
- To facilitate the creation of a convenient, attractive and harmonious community;
- To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic or other dangers; and
- To promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality as well as a reasonable proportion of the current and future needs of the planning district within which the locality is situated.

The comprehensive revision of the Zoning Ordinance and Map that took place in 1995 as a result of the 1991 *Comprehensive Plan* reduced both the amount of land designated for residential development and the allowable residential densities in the County. These actions, which were taken in response to concerns about rapid growth that began to emerge in the 1980s, had a significant effect on housing policy in the County, reducing from 45,300 to 31,500 the total number of housing units that could potentially be built. The results of the citizen input process indicate that the citizens support the continuation of the direction established in 1991 and implemented in 1995, which emphasized managed growth and relatively low densities. Low-density residential development, it should be noted, is more than just a growth management tool; if done in a well designed, environmentally sensitive layout, it helps to enhance the overall quality of life in the County by contributing to the perception of a rural atmosphere. It also reduces the strain on County infrastructure and services and on the environment as well, since much of the land in the County cannot support high-density development because of wetlands, soils, topography, and a high water table.

The emphasis on low densities does not mean that high-density and multi-family housing are not appropriate in areas of the County that can support it. It is important to have a diverse housing stock with a range of housing types, sizes, densities, and prices to meet the needs of a diverse and changing population. Household age, size, structure, and income are key variables in determining housing needs. For example, young singles just starting their careers are more likely to live in apartments, while townhouses, duplexes, and quadruplexes are particularly attractive both to young couples with limited buying power and lesser space needs and to older couples or singles – sometimes referred to as "empty nesters" – whose children have moved away. Couples with children are attracted to single-family detached homes with large yards and plenty of space. The phrase "one size fits all" clearly does not apply to the housing market.

Housing Affordability

§15.2-2223 of the *Code of Virginia*, which sets forth the scope and purpose of city and county comprehensive plans, requires that plans 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." Based on the 30% housing cost/income standard, housing affordability is less of a problem in York County than in its neighboring jurisdictions, according to data reported in the 2000 Census. Nevertheless, the 2004[2] median sale price of a home in the County – approximately $220,000 – is beyond the reach of many area residents.

[2] Includes all home sales from January 1 through August 31, 2004.

Table 7 attempts to quantify the availability of housing to low-income households, as defined by HUD, by comparing the percentage of households in each of these income categories with the percentage of homes sold that were affordable to those households. The "maximum affordable home sale price" for each income category was computed based on the 30% ratio of housing cost to household income and an assumed 30-year fixed rate mortgage with a 5% down payment and a 6% interest rate. It should be noted that this analysis represents a "snapshot in time" since mortgage terms, particularly interest rates, are highly subject to change, and the calculation of affordable home prices is extremely sensitive to interest rate fluctuations.

2004 Home Sales and Households by HUD-Defined "Low-Income" Categories

Income Level	Maximum Income	Households (Estimated)	Percent of Households	Maximum Affordable Home Sale Price	Home Sales	% of Home Sales
Low	$44,720	3,950	17.5%	$166,000	309	24.1%
Very Low	$27,950	1,970	8.8%	$102,000	87	6.8%
Extremely Low	$16,770	1,130	5.0%	$59,000	13	1.0%

Sources: U.S. Department of Housing and Urban Development (income levels), U.S. Census Bureau and York County Planning Division (household estimates), York County Real Estate Assessment Office (home sale data). Maximum Affordable Home Sale Price calculated by the York County Planning Division based on 30% of income and an assumed 30-year mortgage with a 5% down payment and 6% interest rate.

Table 7

According to this analysis, 31.9% of the homes sold in 2004 were affordable to the 17.5% of households classified as low-income (with household incomes between $27,950 and $44,720). For "very low income" households earning between $16,770 and $27,950, the percentage of affordable home sales (7.8%) is slightly less than the percentage of households (8.8%). Not surprisingly, it is in the "extremely low income" category – households earning less than $16,770 annually – that the percentage of households (5%) greatly exceeds the percentage of affordable home sales (1%). It is unlikely in today's market that new housing can be built in this price range without some form of subsidy, and it should be recognized that it is not practical to provide home-ownership possibilities for every income level.

The County administers a variety of Federal and state programs that are designed to help lower income residents meet their housing needs. These programs, listed below in **Table 8**, include rental subsidies and housing rehabilitation loans and grants. Numerous other general and neighborhood housing programs are available to provide housing assistance to low-income households. The Housing and Neighborhood Revitalization Division of the County's Department of Community Services is the local agency charged with administering these programs.

PROGRAM NAME	PROGRAM DESCRIPTION
Virginia Fair Housing Program	Ensures compliance with Virginia fair housing laws.
Housing Choice Voucher Program	Assists low-income families in obtaining decent, safe, and sanitary rental housing. Under the Housing Voucher Program, private owners receive the difference between what tenants can afford (up to 40% of adjusted income) and the fair market rent. Vouchers provide the provide tenant greater freedom of choice in selecting housing.
Housing Rehabilitation Programs	Makes local, state and federal loan and grant funds available for general improvement and energy-related improvements.
Virginia Emergency Home Repair/Accessibility Grant Programs	Provides grants of up to $1000 per housing unit to make repairs to properties that present an immediate threat to the health and safety of its occupants. Grant funds for up to $1,000 may be used to make accessibility adaptation for the physically disabled.
Homeownership	Provides homeownership counseling to potential homeowners

PROGRAM NAME	PROGRAM DESCRIPTION
Counseling	
Sponsoring Partnerships and Revitalizing Communities (SPARC)	Provides low-interest financing to first-time homebuyers
USDA-Rural Development Loans and Grants	The Division partners with USDA-Rural Development for the provision of low interest financing and grants to eligible households in the County

Table 8

In addition, the County offers a tax relief program for elderly (age 65 and older) and permanently disabled citizens who meet certain income eligibility criteria.

The introduction of townhouses, duplexes, and condominiums in the 1980s and '90s improved housing affordability in the County, making home ownership available to households whose options previously had been extremely limited, or who perhaps had been shut out of the housing market entirely. Indeed, more than half (52.8%) of the homes sold in 2004 that were affordable to "low income" households were townhouses, duplexes, and condominiums. Construction of such units has declined in recent years, however, as the availability of vacant land zoned for these types of housing has dropped: currently there are approximately 24 acres of land zoned for multi-family residential development with another 45 acres poised for redevelopment. Moreover, the average sales price of new single-family attached housing has jumped significantly in recent years as the market has shifted away from providing moderately priced starter homes for younger households and toward providing luxury townhouses for retirees with large amounts of disposable income. As these trends continue it appears the County will not be able to rely on the construction of single-family attached housing in the future to achieve its affordability goals.

Residential developers and affordable housing advocates often cite government regulation as a barrier to the production of affordable housing in the United States. The argument is that zoning and subdivision regulations and building codes increase development costs and thereby drive up the cost of housing. A U.S. Department of Housing and Urban Development report titled *"Why Not in Our Community?" Removing Barriers to Affordable Housing* claims that development costs could be reduced by up to 35% if various affordable housing barriers were removed.[3] However, most of the barriers cited in the study do not exist in York County. Commonly cited examples of regulatory barriers to affordable housing include minimum house or floor area sizes, excessive subdivision street width requirements, large-lot zoning, excessive lot width and building setback requirements, and insufficient land zoned for medium- and high-density housing.[4] In York County, unlike other localities, there are no minimum house sizes, and street width standards were reduced in 1998. Also unlike many other localities, York County has no "per unit" cash proffers for residential rezoning applications. York County does have large-lot zoning and densities that are relatively low; in many areas this is because environmental constraints preclude higher densities. Furthermore, it should be noted that there is no guarantee that the cost savings of eliminating regulation would be passed on to the home purchaser or that small lots and higher densities would necessarily translate into increased housing affordability; in 2004 the average sale price of a home in The Greenlands, where the average lot size is less than 10,000 square feet (under a quarter of an acre) was over $360,000 – 1½ times the County average.

There is a way to ensure that density increases result in increased affordability. §15.2-2305 of the *Code of Virginia* authorizes York County and other counties, cities, and towns to adopt an "affordable housing dwelling unit ordinance" that provides for optional increases in density in exchange for a commitment on the part of the developer to provide a certain percentage of units

[3] U.S. Department of Housing and Urban Development, *"Why Not in Our Community?" Removing Barriers to Affordable Housing*, February 2005, p. 1

[4] *Affordable Housing: Proactive & Reactive Strategies*, Planning Advisory Service Report Number 441, S. Mark White, American Planning Association: Chicago (1992) pp. 44-45

within a price range specified by the locality. In addition, such a program would require that a system of price/rent controls for the "affordable" units be established and remain in place for a period of fifty years. In previous years the proliferation of townhouses, duplexes, and other forms of single-family attached units has helped to keep the price of housing down, so the County has not elected to adopt such a program in the past. Today, as noted, there is very little land left designated for such housing, and the types of single-family attached units currently being built are typically in the same price range as detached units. Furthermore, skyrocketing housing prices in recent years have reduced the role of the resale market in promoting affordability. The "Affordable Housing Incentive Provisions" of the Zoning Ordinance have resulted in the construction of over 400 moderately priced homes. One of the weaknesses of these provisions, which were last utilized in 1996, has been the lack of a pricing mechanism to guarantee affordability; rather, they promote cost-containment by limiting home sizes and reducing requirements for open space and recreation space. The logical next step to address this weakness would be to research the advantages of, and potentially implement, the affordable housing program enabled by the State Code.

Senior Housing

One segment of the housing market that will need particular attention in the future is the rapidly growing senior population. This dramatic increase in the number of older Americans, which will begin in 2011 as the first members of the "baby boom" generation turn 65, will have a significant impact on the housing market.

The term "senior housing" is somewhat misleading since it implies that all seniors are alike and have the same housing needs when, in fact, seniors are a diverse group of individuals with widely varying needs. Many older Americans are physically and financially able to remain in homes where they have lived for many years, while others with limited retirement income and diminishing strength often have difficulty coping with housing expenses and household demands. As a general rule, though, older residents tend to seek housing that is relatively easy to maintain and thus are especially drawn to single-family attached units or smaller, one-story detached units on small lots. While many older people welcome the independent lifestyle that such units offer and others are capable of leading independent lives with limited support services, some need special nursing care.

In recognition of the diverse housing needs of the County's growing senior population, the Board of Supervisors amended the Zoning Ordinance in 2003, following a thorough study of the senior housing issue by an ad hoc committee of County citizens, to provide for the full range of senior housing, including independent living, congregate care, assisted living, and continuing care retirement communities. Since then the Board has approved a 118-unit congregate care facility in the lower County and a 100-unit independent living facility in the upper County. In addition, through the rezoning process, the Board has approved three condominium developments[5] totaling 316 quadruplex units, one of which is age-restricted (62 and older) and two of which are targeted mainly to people who are age 55 and older.

Any housing development designed specifically for seniors requires approval from the Board of Supervisors through the granting of a Special Use Permit. This approach allows for case-by-case evaluation of senior housing proposals based on their individual merits in terms of location, design, and amenities. Specifically, such housing should be targeted to areas where the residents will have easy access to local shopping and services. The availability of transit – either public transit or private transportation services that are commonly provided to residents of such developments – is also an important consideration since older Americans, particularly those over the age of 70, are less likely to drive.

[5] Rainbrook Villas, The Villas on Shady Banks on Route, and The Villas at Yorktown.

Developers of age-restricted and age-targeted housing typically tout the low service impact of such housing, particularly with regard to schools since school-age children are not likely to reside in senior housing developments. However, there is evidence that these projects do cause an *indirect* increase in school enrollment as "empty nesters" in the County sell their homes to younger families that have school-age children. While the incremental impact of any single senior housing project on the maximum build-out population, school enrollment and other County services, and the balance between residential and commercial development may be relatively low, the cumulative impact of a large number of senior housing projects could become significant over time. These impacts should be carefully monitored in the evaluation of future requests for senior housing on property zoned for commercial or lower density residential development, and it should be recognized that the County's capacity to sustain age-restricted and age-targeted housing is not unlimited.

A type of housing that can enable the older population to "age in place" is the accessory apartment, which is an independent living unit developed in connection with an existing single-family detached home. They can be within or attached to the primary dwelling, or they can be in a detached accessory building. Accessory apartments provide opportunities for households with an older relative who needs some degree of assistance to remain independent. They also provide an opportunity for elderly persons to remain in their homes with a live-in family member, allowing each of them to maintain a certain level of privacy and independence. York County permits accessory apartments as a matter of right in most single-family residential zoning districts, but a Special Use Permit is required in many instances. The "Elderly and Disabled Tax Relief Program," mentioned earlier, is another mechanism that helps older citizens "age in place" by exempting their real estate taxes, in full or in part, if they meet certain income criteria.

Housing and Neighborhood Design

Residential development should be designed to provide pleasant and attractive living environments. Poorly designed developments detract from the County's visual appeal and can potentially reduce property values in surrounding areas. Well-designed neighborhoods – with sidewalks, common open space that is owned by and accessible to all the residents, and narrow, tree-lined streets that provide multiple means of ingress and egress – can reduce the strain of new development on County infrastructure, facilities, and services. Incorporating these and other design elements can foster a sense of community among the residents and increase public safety.

These design elements are some of the critical features of a burgeoning design movement commonly referred to as *neo-traditional design* or *Traditional Neighborhood Design.*" TND is "an approach to land-use planning and urban design that promotes the building of pedestrian-friendly neighborhoods with a mix of uses, housing types and costs, lot sizes and density, architectural variety, a central meeting place such as a town square, a network of narrow streets and alleys, and defined development edges."[6] The mixing of residential and commercial uses in a compact environment with pedestrian linkages enables people to "live, work, play, and shop within their own neighborhood"[7] without ever getting in their cars. The consequent reduction in vehicle trips (and auto emissions) helps to offset the adverse impacts of growth commonly associated with the high residential densities typically required to make a TND successful. Such "live/work" communities have been successfully developed all over the country; the most prominent local example is Port Warwick in Newport News, where single-family detached homes, apartments, condominiums, townhouses, duplexes exist in close proximity to shops, offices, and restaurants within a single pedestrian-oriented development that will ultimately be home to an estimated 1,500 residents and 1,000 jobs.

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[6] Harvey S. Moskowitz and Carl G. Lindbloom, *The Latest Illustrated Book of Development Definitions*, (Rutgers, The State University of New Jersey: New Brunswick, NJ) p. 406

[7] Moskowitz and Lindbloom p. 406

Despite the benefits of neo-traditional development in terms of land use efficiency, community appearance, health and recreation, traffic, and economic development, many communities have adopted zoning and subdivision regulations that advertently or inadvertently discourage or even prevent this type of development. A November 2002 American Planning Association report titled *Smart Growth Audits* notes that although the idea of "a highly livable 'smart growth' development, a mixed-use community that is walkable, close to transit, with plenty of open space and urban amenities" sounds pleasant, "the comprehensive plans and land-use regulations adopted in most communities do not allow this type of development. A community's comprehensive plan, policies, zoning ordinance, and other implementation devices serve, in Randall Arendt's terms, as the 'DNA' that programs a city or county for a certain type of growth in the future. Many local jurisdictions are surprised to discover that their DNA code, their growth policies and regulations, contain the genetic building blocks for sprawl rather than smart growth."[8] Zoning that encourages the separation of uses and favors low residential densities, excessive building setback requirements that prevent homes from having any orientation to the street, and street width requirements that mandate subdivision streets that are much wider than they need to be and thus encourage speeding are examples of typical development standards that hinder neo-traditional design.

Neo-traditional design has great potential for helping to address some of York County's housing, economic development, and transportation needs, but so far it has not been attempted in the County. The Zoning Ordinance provides for mixed-use development through the Planned Development (PD) provisions of the Zoning Ordinance, and although the Coventry and Villages of Kiln Creek Planned Developments include commercial areas, neither has the level of commercial activity or the functional integration of homes and businesses characteristic of a true mixed-use development. In order to take advantage of the benefits of neo-traditional design, the Planned Development standards should be thoroughly analyzed and revised as necessary to provide the design flexibility needed to encourage the utilization of this design technique in appropriate areas as designated on the 2025 Land Use Map. Alternatively, it might be necessary to create a new zoning district specifically for mixed-use development.

It should also be noted that pedestrian and bicycle accessibility, tree-lined streets, and open space preservation are not simply TND concepts; they can also be incorporated into traditional single-family subdivisions. These design elements contribute greatly to the residents' quality of life and, based on input from the citizens, are needed in York County. Street trees and open space are required in most residential subdivisions, but the lack of sidewalks is a major deficiency. Since 1991, the County has required sidewalks in residential subdivision but only in certain prescribed circumstances that are fairly limited (i.e., only along one side of higher order street in subdivisions of a certain density); as a result, in subdivisions approved prior to 1991 there are no sidewalks just as there are none in many approved since.

As noted, recreation and open space amounting to 7.5% of the total lot area is required in all subdivisions with 25 or more lots. For open space – more commonly referred to as *cluster* – development the minimum amount of common open space increases to 40% of the gross acreage. The cluster development technique is a tool that provides for reduced lot sizes in exchange for the preservation of significant open space. With this technique, homes are clustered around a large area or areas of commonly owned open space, hence the name. Because of the large proportion of open space, the overall development density is no different from what it would have been if developed as a conventional subdivision. This technique provides an attractive natural amenity that enhances the marketability of a development while helping to ensure the preservation of environmentally sensitive features. Furthermore, open space development can improve housing affordability through reduced lot sizes and the developer's ability to save costs by shortening utility lines and roads. Because there is no minimum lot size, developers can build a wide range of housing styles in a single development. This design technique is increasingly utilized in the County as the availability of vacant residential

[8] Jerry Weitz and Leora Susan Waldner, *Smart Growth Audits (Planning Advisory Service Report Number 542)*, American Planning Association: Chicago, November 2002, p.1

land in the County has declined and development is considered for sites that had previously been "passed over" because of environmental constraints, and there are likely to be more and more open space subdivisions as the County approaches build-out. So far the results have been mixed. There are several cases in the County where lots in cluster subdivisions have been arranged in such a way that land designated as "common open space" does not benefit the entire community but rather the abutting lot owner, becoming little more than a functional extension of his or her private backyard. To achieve the benefits of open space preservation, the County should continue to encourage the use of the cluster provisions but the regulations should be reviewed and amended as necessary to ensure that open space is beneficial, both from an environmental and recreational value standpoint, and that the design and layout of the development is truly superior to that which could be achieved through conventional subdivision techniques.

Housing Rehabilitation

Although York County's housing stock is relatively young and of good quality, there are almost 3,000 housing units that were built before 1960 and are now at least 45 years old. As these dwellings age, it is likely that some will need rehabilitation. Although most of the citizen concerns about blight had to do with vacant commercial structures, many citizens spoke also about blighted residential areas, particularly older housing stock, and the need for improvement. The County should continue to support and use private and public rehabilitation to assist low- and moderate-income households in maintaining the physical safety of their properties. Part III of the Virginia Uniform Statewide Building Code (USBC) contains the regulations for the maintenance of existing structures and it enforced at the option of the local government. To date York County has not chosen to adopt this section of the USBC but it could choose to do so in the future. To initiate such a program would, of course, require additional inspection and enforcement staff and other resources.

GOAL, OBJECTIVES, AND IMPLEMENTATION STRATEGIES

Goal

Ensure that decent, safe, sanitary, and affordable housing is available to all County residents.

Objectives

1. Promote the development of pleasant and attractive living environments.
2. Make suitable housing available to households of all income levels.
3. Provide for a range of housing types and densities corresponding to the needs of a diverse population.
4. Protect residential areas from encroachment by incompatible land uses that adversely affect the quality of life.
5. Increase opportunities for safe and convenient walking and bicycling in residential areas.
6. Encourage mixed-use development in appropriate areas.
7. Prevent neighborhood blight and housing dilapidation.

Implementation Strategies

1. Provide opportunities through zoning for a variety of housing types.

2. Use the "Affordable Housing Incentive Provisions" and other development opportunities of the Zoning Ordinance that promote cost-containment.

3. Continue to use federal and state housing subsidies, grants, loans, and tax savings programs to help meet the housing needs of lower income residents.

4. Continue to require landscaped transitional buffers between residential development and incompatible land uses.

5. Continue to require open space, recreation space, and street trees in all new residential development.

6. Amend the Zoning and Subdivision Ordinances to remove barriers to mixed-use development that allows the integration of different types of housing units (i.e., single-family detached, townhouses, duplexes, condominiums, apartments, etc.) with each other and with businesses within a single pedestrian-oriented development under a coherent overall master plan.

7. Amend County development ordinances to require sidewalks in more instances within and between residential neighborhoods and between homes and nearby schools, parks, and shopping areas.

8. Research the effectiveness of and consider establishment of an "affordable dwelling unit program," pursuant to §15.2-2305 of the *Code of Virginia*, to authorize increases in housing density in exchange for the construction of moderately priced housing within a price range defined by the Board of Supervisors.

9. Encourage the use of clustering techniques that provide for the permanent retention of open space for the common use and enjoyment of all the residents in a given development and that provide a superior design and layout to that which could be achieved under conventional subdivision techniques.

10. Continue to support and use private and public rehabilitation to assist low- and moderate-income households in maintaining the physical safety of their properties.

11. Support the development of housing for senior citizens in appropriate locations with convenient access to shopping, services, and – where it is available – transit.