

# 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. While market forces play a vital role in the housing sector of the economy, markets do not operate in a vacuum. County development ordinances, particularly the Zoning Ordinance, greatly influence the amount, type, and location of housing that will be built in the future. Such policy decisions must consider the County's future housing needs in attempting to strike an appropriate balance between market forces and longer-term County goals and objectives.

York County's first Zoning Ordinance was adopted in 1957, with major updates in 1964, 1977, 1978, 1985, and most recently in 1995, when both the amount of land designated for residential development and the allowable residential densities in the County were reduced in accordance with the 1991 Comprehensive Plan in response to concerns about rapid growth. These actions reduced the total number of housing units that could potentially be built by about 30%.

## HOUSING INVENTORY

### Overview

There are approximately 25,000 housing units in York County, most of them owner-occupied and most of them single-family detached. Approximately 1,500 of these are military units located in The Landings at Langley (formerly Bethel Manor) and at the Naval Weapons Station, Camp Peary, Cheatham Annex, and the U.S. Coast Guard Training Center. Although single-family detached homes dominate the landscape, the last twenty years have seen a marked increase in single-family attached homes (townhouses, duplexes, quadruplexes, etc.) and multi-family housing (apartments). In fact, over a third (36.5%) of the new housing built since 1990 has been of the single-family attached and multi-family variety.

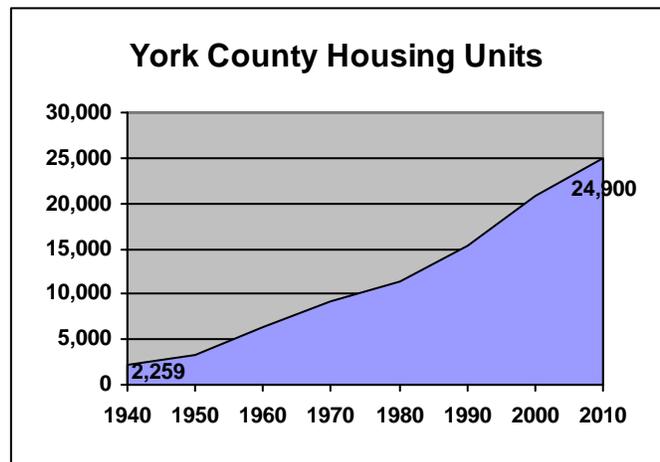


Figure 1

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 depicted in **Figure 1**. The past five decades have brought an average of 3,700 new housing units per decade, or 370 per year. New home construction was especially strong during the 1990s, when over 5,400 new homes were built, but has slowed down since then. A total of 4,200 units were built between 2000 and 2010. A large part of the slowdown can be attributed to the national economic recession that began in 2008, although it should be noted that the housing decline began two years earlier in 2006. It is likely that the diminishing supply of developable residential land and the reduction in allowable housing densities that was implemented in the 1995 update of the Zoning Ordinance and Map are also partly responsible for the decline.

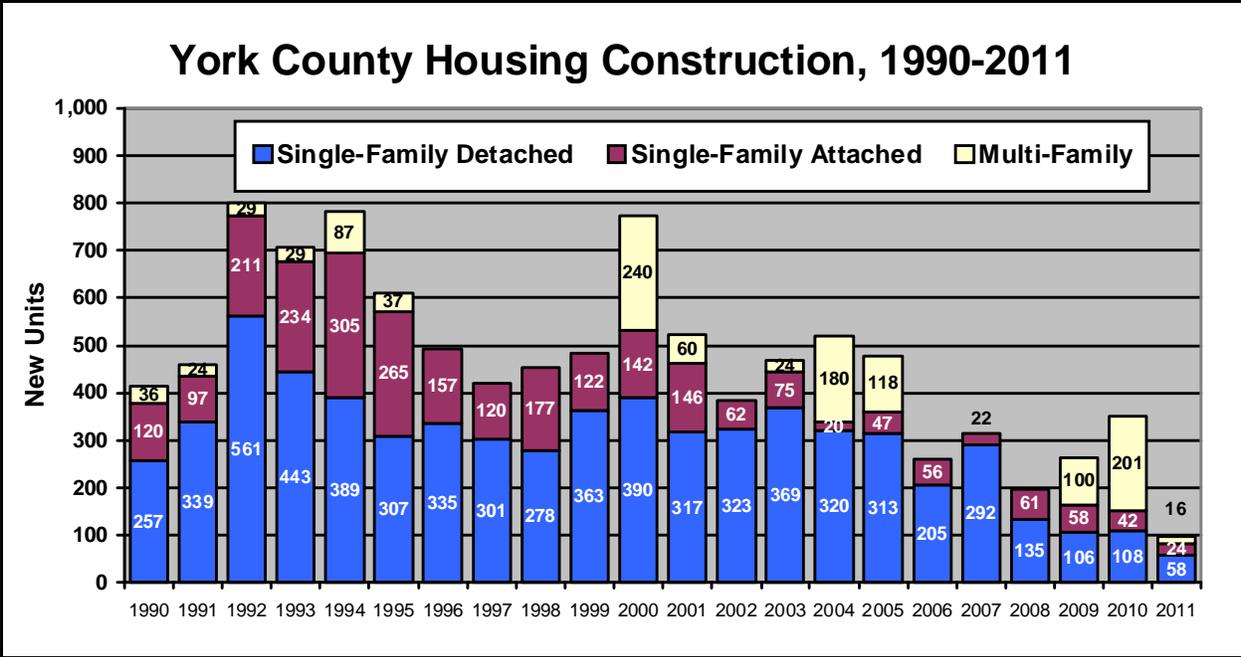


Figure 2

**Housing Types**

Single-family detached homes represent 70% of the County’s total housing stock (see **Figure 3**) and about three-quarters (73%) of the private (i.e., non-military) housing stock. Single-family attached homes – which include townhouses, duplexes, quadruplexes, and other multiplex units – constitute 13% of all units and 14% of the private housing stock. Multi-family housing (apartments) represents 10% of all units and 11% of private units, and there are also about 340 mobile homes in the County. The term mobile home is commonly used but such units are officially defined and referred to (in federal and state regulations) as *manufactured homes* and are characterized by a permanent chassis system that does not require a permanent foundation for support of the unit. They should not be confused with *modular homes*, which are a type of single-family detached dwelling unit that is constructed in units that are movable but not designed for regular transportation on highways. Modular homes are designed to be constructed on and supported by a permanent foundation and not by a chassis and they are built to meet the requirements of the Virginia Uniform Statewide Building Code. Whereas modular homes are permitted as a matter of right in all single-family residential zoning districts in York County, County zoning regulations limit additional manufactured (mobile) home placements to locations within either manufactured (mobile) home parks or designated manufactured home subdivisions. Consequently, mobile homes have

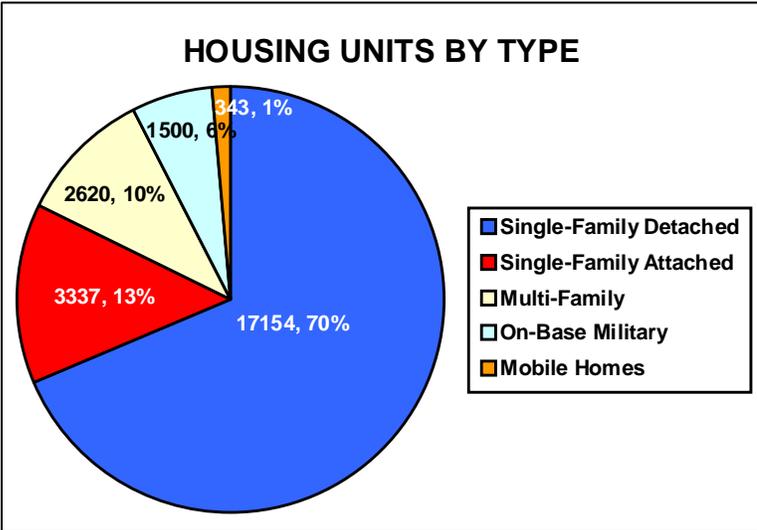


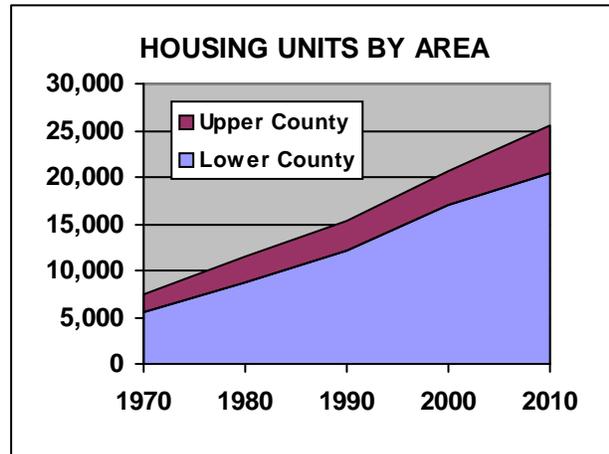
Figure 3

Consequently, mobile homes have

declined over the years as a share of the housing stock and are likely to continue to do so. There are approximately 15 mobile home parks in York County.

### **Geographic Distribution**

Although the upper County represents 52% of the County's land area, the housing stock is overwhelmingly concentrated in the lower County, where more than four-fifths of the housing is located (see **Figure 4**). 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. However, the upper County has attracted a growing share of the County's home construction in recent years, increasing from 18% of the housing stock in 2000 to 20% in 2010.



**Figure 4**

York County's housing stock is relatively young and of good quality. About 17% of the housing units in the County were built within the past eleven years (since the 2000 Census was taken), and slightly over a third (34.3%) were built within the past 15 years.

On average, homes and residential lots in the County are generally larger than in surrounding jurisdictions. According to the Census Bureau, the average number of rooms per housing unit in the County is approximately 6.7, greater than the 5.9-room average for both the metropolitan area and the state in this measure of housing quality.

Residential densities (housing units per acre) in York County are also relatively low 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), and there is also the opportunity for density increases; however, for a Planned Development, both the density allowance and lot size must be specifically approved by the Board of Supervisors.

### **Occupancy**

The vacancy rate in a given housing market is the proportion of unoccupied housing units that are for sale or rent, units that have been sold or rented but are not yet occupied, and "other" vacant units.<sup>1</sup> 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. The vacancy rate fluctuates with the housing market and thus has not followed

<sup>1</sup> Units held for occupancy by a caretaker or janitor and units held for personal reasons of the owner are two examples of "other vacant units" offered by the Census Bureau.

any clear trend: in York County, the overall vacancy rate was 4.1% in 1980, 5.3% in 1990, 3.4% in 2000, and 5.8% in 2010.

### **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 2010 Census, rental housing constitutes almost a quarter (24.8%, or 5,962 units) of the County's occupied housing stock. Although commonly associated with apartments, rental housing is not limited to multi-family housing. In fact, the County's fourteen apartment complexes (listed in **Table 4**) constitute less than half of the County's rental housing.

<b>APARTMENT COMPLEX</b>	<b>LOCATION</b>	<b>NUMBER OF UNITS</b>
Belmont Apartments	Tabb (Route 134)	300
Clairmont Apartments	Route 17	216
Colonial Harbor	Route 105/Route 17	118
Country Club Apartments	Upper County (Route 143)	100
Grafton Station Apartments	Grafton	396
Four Seasons Apartments	Tabb (Route 134)	320
Heritage Commons	Upper County (Commons Way)	100
Pines of York Apartments	Tabb (Route 134)	248
Rivermeade Apartments	Goosley Road	80
Verena Apartments	Upper County (Mooretown Road)	120
Villas at Coventry	Tabb (Owen Davis Boulevard)	96
Woods at Yorktown	Lackey (Route 238)	118
York Pointe Apartments	Tabb (Route 134)	202
Yorktown Square I and II	Goosley Road	116
Yorktown Village Apartments	Yorktown (Ballard Street)	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. According to the Census Bureau's American Community Survey for 2008-10, York County's median house value of \$324,500 was higher than the median values for both the Virginia Beach MSA (\$251,500) and the state of Virginia (\$249,100). A similar pattern exists in the rental market: the median gross monthly rent in the County is \$1,241, compared to \$993 for the Virginia Beach MSA and \$1,019 for the state as a whole.

Housing costs and property values have generally fallen since 2010 as a result of the national housing/financial crisis. Based on 2012 assessment data, the median house value in the County, is \$289,000, while the mean house value is \$313,000. Home sale prices during this period have been below these average levels. In 2011-12, as shown in **Table 5**, the median sale price of a home in York County was approximately

<b>YORK COUNTY HOME SALES BY PRICE RANGE, 2011-12</b>		
<b>Price Range</b>	<b>Total Sales</b>	<b>Percent of Total</b>
< \$100,000	27	3.9%
\$100,000 - \$149,999	74	10.7%
\$150,000 - \$199,999	104	15.0%
\$200,000 - \$249,999	146	21.1%
\$250,000 - \$299,999	94	13.6%
\$300,000 - \$349,999	83	12.0%
\$350,000 - \$399,999	53	7.7%
\$400,000 - \$449,999	54	7.8%
\$450,000 - \$499,999	21	3.0%
\$500,000 or more	36	5.2%
<b>TOTAL</b>	<b>692</b>	<b>100.0%</b>
Median home price	\$245,500	NA
Mean home price	\$274,760	NA
<i>Note: Includes all home sales between March 1, 2011 and March 31, 2012.</i>		
<i>Sources: York County Real Estate Assessment Office and York County Planning Division</i>		

**Table 5**

\$246,000, while the mean (average) was about \$275,000. These figures include both new homes and resales, and they include all types of units – single-family detached homes, townhouses, duplexes, condominiums, quadruplexes, etc.

**Affordability**

Housing affordability is measured by the ratio of housing cost to household income. The general rule is that no household should have to spend more than 30% of its annual gross income on housing. According to the Census Bureau’s American Community Survey for 2005-09, 26% of the households in York County were paying more than 30%. This was well below the average for both the state (34%) and the metropolitan area (39%). Not surprisingly, affordability appears to be more of a problem for renters, 39% of whom were spending more than 30% of their incomes on housing, than for homeowners, 23% of whom fell into this category.

York County encourages the construction of more moderately priced housing through the *Affordable Housing Incentive Provisions (AHIP)*, which are set forth in the Planned Development regulations of the Zoning Ordinance. The “encouragement” comes in the form of a reduction or elimination of otherwise applicable open space requirements. 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, with a combined total of 406 lots, have been approved by the Board of Supervisors under the Affordable Housing Incentive Provisions since their inception in 1986. Summary data for these four subdivisions appears in **Table 6**.

<b>PLANNED DEVELOPMENTS APPROVED UNDER THE AFFORDABLE HOUSING INCENTIVE PROVISIONS</b>						
<b>Name</b>	<b>Bruton Glen</b>	<b>Endview Woods</b>	<b>Quail Hollow Section 3</b>	<b>Sunset Meadows</b>	<b>Willow Lakes</b>	
					<b>(Detached)</b>	<b>(Duplex)</b>
Approval Date	5/1/96	11/6/96	12/7/89	10/16/07	11/15/95	11/15/95
Lots	87	33	16	22	99	149
Minimum Lot Size	4,356	5,227	6,970	4,793	4,356	3,485
Maximum Lot Size	19,602	17,424	27,878	8,687	7,405	6,534
Average Lot Size	7,100	7,604	9,612	6,049	5,056	3,975
<b>2012 Assessed Value</b>						
Minimum	\$193,700	\$183,600	\$184,200	\$182,970	\$191,100	\$183,100
Maximum	\$240,100	\$181,000	\$272,500	\$247,010	\$270,500	\$246,700
Average	\$210,880	\$234,200	\$220,170	\$213,480	\$235,950	\$220,070
<i>Source: York County Planning Division</i>						

**Table 6**

Four of these housing developments were built more than ten years ago, while the fifth, Sunset Meadows, was developed in 2012. Home values in the four established AHIP developments have risen over the years, as they have throughout the County, but most of them have retained their affordability relative to the median home sale price in the County.

The County administers a variety of federal, state, and local programs that are designed to help lower income residents meet their housing needs. These programs, listed below in **Table 7**, 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.

<b>PROGRAM NAME</b>	<b>PROGRAM DESCRIPTION</b>
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 tenant greater freedom of choice in selecting housing.
Housing Rehabilitation Programs	Makes local, state and federal loan and grant funds available for general improvements.
Virginia Emergency Home Repair/Accessibility Grant Programs	Provides grants for housing units to make repairs to properties that present an immediate threat to the health and safety of their occupants. Grant funds may be used to make accessibility adaptation for the physically disabled.

**Table 7**

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.

## **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 is 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 target of 80,000 residents. Based on the telephone survey results, only 10%-12% of the citizens believe the maximum build-out population should be increased, whereas about 86% believe it should either remain at 80,000 or be reduced.

With regard to housing affordability, public opinion in the County is mixed. The telephone survey results indicate that 78% of County residents support policies to promote the development of more moderately priced housing for those who have lower-paid positions in the local work force while only 15% oppose them. However, only 37% support increasing the current High Density Residential allowance of three lots per acre in order to encourage more moderately priced housing, while 56% are opposed. Upper County residents appear to be especially inclined to support efforts to improve housing affordability (by a margin of 85% to 13%), compared to lower County residents (76% in favor, 16% opposed). Similarly, upper County residents are basically evenly split (46% in favor, 48% opposed) on whether or not to allow higher density neighborhoods to improve housing affordability. Lower County residents reject this idea by 58% to 34%.

The survey results also indicated relatively low public support for increasing residential densities in order to attract and support commercial establishments, such as various national retailers and restaurants, that require a larger population base. This strategy is opposed by 54% of the citizens, while 40% support it. Here again, support for higher densities appears to be stronger in the upper County, with 52% in favor and 47% opposed, than in the lower County, where the strategy is opposed by a margin of 56% to 38%.

## **PLANNING ISSUES FOR THE FUTURE**

There are approximately 4,700 acres of vacant residential land in the County 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, chapter of this Plan, residential development in York County is projected to add approximately 5,700 new housing units by the year 2035.

The principal tools 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. 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 results of the citizen input process conducted as part of this Plan update 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 that contribute to the perception of a rural atmosphere while reducing 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.

Largely because of its schools, York County has always been attractive to families with children, and single-family detached homes with large yards and plenty of space are ideal for this segment of the housing market. This does not mean that higher density and multi-family housing are not appropriate in areas of the County that can support it. A diverse housing stock with a range of housing types, sizes, densities, and prices is necessary to meet the needs of a diverse and changing population – from young singles and couples who are just starting their careers to older so-called “empty nesters” who are retired or approaching retirement. Although they are at opposite ends of the age spectrum, both of these groups are typically drawn to apartments (rental or condominium), townhouses, duplexes, quadruplexes, and other multiplex housing. Such housing can also provide a moderately priced option for members of the local labor force with more limited buying power, such as service and retail workers, health care workers, entry-level teachers, firefighters, etc. This concept is often referred to as “workforce housing” – the notion of expanding housing opportunities for members of the work force who have difficulty affording homes in the communities in which they work. The phrase “one size fits all” clearly does not apply to the housing market.

### **Housing Affordability**

Section 15.2-2223.D of the Code of Virginia requires that comprehensive 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.” As a guideline, Section 15.2-2201 defines “affordable housing” as “housing that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent of his gross income for gross housing costs, including utilities.” The area median household income, according to the U.S. Department of Housing and Urban Development (HUD), was \$70,900 in 2012. HUD also establishes income thresholds for low, very low, and extremely low-income families (80%, 50%, and 30% of the area median respectively). These thresholds are shown in **Table 8**, which attempts to quantify the availability of housing to lower income households by showing both the percentage of homes sold that were affordable to those households and the percentage of

homes in the housing stock with values within these same affordability ranges. 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 4% interest rate.<sup>2</sup> Under these assumptions, a median income household can afford up to a \$326,800 home. The maximum affordable home price drops to \$260,100 for a “low-income” household, \$160,000 for a “very low income” household, and \$93,200 for an “extremely low income” household.

<b>2012 Home Values and Sales by HUD-Defined “Low-Income” Categories</b>						
<b>Income Level</b>	<b>Maximum Income</b>	<b>Maximum Affordable Home Price</b>	<b>Home Values in Income Range</b>	<b>% of Home Values in Income Range</b>	<b>Home Sales in Income Range</b>	<b>% of Home Sales in Income Range</b>
Median	\$70,900	\$326,800	3,725	18.2%	122	17.6%
Low	\$56,720	\$260,100	6,195	30.3%	245	35.4%
Very Low	\$35,450	\$160,000	2,319	11.3%	105	15.2%
Extremely Low	\$21,270	\$93,200	127	0.6%	22	3.2%

*Sources: U.S. Department of Housing and Urban Development (income levels), York County Real Estate Assessment Office (home sale and value data). Maximum Affordable Home Prices calculated by the York County Planning Division based on 30% of income and an assumed 30-year mortgage with a 5% down payment and 4% interest rate.*

**Table 8**

Based on this analysis, York County has an adequate amount of “affordable housing,” at least as the Code of Virginia defines it. Of all homes sold in the County in 2011-12, 71.4% were affordable to the 50% of households with incomes below the median, and 60.5% of houses in the County have values below the affordability threshold for median-income households. In fact, 42.2% of the homes sold in this period were affordable to those “low-income” households with incomes between \$35,450 and \$56,720, thus helping to address the “workforce housing” issue noted earlier. The minimum annual salary for entry-level teachers, firefighters, and deputy sheriffs in York County is in the \$37,000-\$43,000 range<sup>3</sup>, with a maximum affordable house price range of approximately \$167,000 to \$198,000. Full-time health care workers’ average annual income also falls within this range, according to average weekly wage data reported by the Virginia Employment Commission (\$694 per week).

For “very low-income” households earning between \$21,270 and \$35,450 (which includes full-time retail workers, with an average weekly wage of \$424, or an annual income of \$22,048), the percentage of affordable home sales is somewhat lower at 11.9%. Townhouses, duplexes, and condominiums are particularly prevalent in this price range, accounting for almost half (47.6%) of homes sold for between \$93,200 and \$160,000 in 2011-12. Single-family detached homes in this range tend to be older homes with an average age of 50 years and are scattered throughout the County, with particularly large clusters along the Merrimac Trail, Penniman Road, and Hubbard Lane and in the Lackey area.

Not surprisingly, it is in the “extremely low-income” category – households earning less than \$21,270 annually – where the shortage of affordable housing opportunities exists. This income range includes most of the Accommodations and Food Services workers who represent the largest share of the County’s civilian employment and have an average weekly wage of \$323 (an annual income of \$16,796) and a maximum affordable house price of \$58,054. 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. Census Bureau estimates indicate that 1,000 to 1,500 households in the County fall

<sup>2</sup> 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.

<sup>3</sup> Minimum starting salaries for Fiscal Year 2012-13 are \$36,875 for Firefighters and Deputy Sheriffs, and range from \$39,042 to \$42,627 for full-time teachers depending on their academic credentials.

in this income range while there are only about 325 rental units affordable to households in the extremely low income category (i.e., monthly rents at or below \$532). Home ownership opportunities are much more limited for these households; based on County real estate assessments, there are only 29 homes that are affordable to this group. Most households in the “extremely low income” category would likely be eligible for the previously mentioned Housing Choice Voucher Program and other federal and state income assistance programs.

Home builders and affordable housing advocates commonly cite government regulation as a barrier to the production of affordable housing in the United States. Most of the barriers commonly cited – minimum house size or floor area requirements, excessive subdivision street width requirements, excessive lot width and building setback requirements, cash proffers for residential rezonings – do not exist in York County. However, the County does have large-lot zoning and densities that are relatively low, primarily because environmental constraints preclude higher densities in many areas. Furthermore, in the absence of an Affordable Dwelling Unit (ADU) ordinance (as authorized by §15.2-2305 of the Code of Virginia), there is no guarantee that small lots and higher densities would necessarily translate into increased housing affordability. Under an ADU ordinance, residential developers would be granted density bonuses in exchange for a legally binding commitment to provide a certain percentage of units 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.

As noted earlier, townhouses, duplexes, and condominiums have improved housing affordability in the County by 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. However, as the availability of vacant land zoned for these types of housing declines, the County will not be able to rely on the construction of single-family attached housing in the future to achieve its affordability goals. Currently there are approximately 24 acres of undeveloped land zoned for multi-family residential development (which, based on the current maximum density of 10 units per acre, could yield up to 240 units) in addition to approximately 1,500 approved units that are slated for construction in the future. Since it is estimated that the County has enough residentially designated land for approximately 10,400 additional housing units, this means that approximately 17% of those future units will be either multi-family or single-family attached unless more land is made available for these types of housing units, which currently make up about 25% of the non-military housing stock. If the current mix of housing types is to be maintained in accordance with the longstanding goals of providing for a range of housing types and densities and promoting more moderately priced housing, it will be necessary to consider increasing the opportunities for townhouses and apartments, either as stand-alone projects or as units incorporated into a mixed-use development, and the conditional zoning process would be a useful tool to ensure that any desired “affordability” objectives, infrastructure/public facility capacity, and community character considerations are addressed.

Conditional zoning has been in place in York County since 1987. It is a process whereby a property owner or developer submits an application to rezone property subject to voluntarily proffered conditions (commonly referred to as “proffers”) that are intended to enhance the chances for favorable action on the request. Conditional zoning (proffers) is a technique that can make a “good” rezoning request “better” but it should not be viewed as a way to allow approval of rezoning request that is inconsistent with Comprehensive Plan policies and objectives. Typically, proffers relate to such things as use restrictions, timing/phasing of development, construction of off-site improvements, additional aesthetic features, capital contributions for public facilities, and similar items either not otherwise required under the normal plan approval process. In residential rezoning applications, proffers can help address affordability concerns by limiting the sale prices or by guaranteeing that a certain percentage of the units to be built will be moderately priced. In James City County, for example, 734 units have been proffered at reduced rents or sale prices within new developments since 2000. Mixed-income projects have been successfully developed in other communities where the moderately-priced units blend in with the higher priced homes such that they are indistinguishable. Developers can also proffer off-site improvements – public

facilities, road improvements, etc. – to mitigate the effects of residential growth and housing density. In York County, developers have proffered school and fire station sites, turn lanes, sidewalks, and cash payments for parks and recreational facilities in connection with residential rezoning applications. This growth management tool is especially effective with Planned Development proposals, which typically involve increases in housing density. Of course, its availability is somewhat limited in that whether or not to submit proffers is at the sole discretion of the developer; conditions must be voluntarily proffered and cannot be imposed or required by the locality. Furthermore, the opportunity arises only when someone submits an application to rezone land from a non-residential to a residential classification (e.g., commercial to residential) or from a residential classification to a higher intensity residential classification.

## **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 began in 2011 as the first members of the “baby boom” generation turned 65, will have a significant impact on the housing market for many years.

The term “senior housing” 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 may have difficulty coping with housing expenses and maintenance 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 or other assistance.

The Board of Supervisors amended the Zoning Ordinance in 2003 to provide for a range of senior housing opportunities, including independent living, congregate care, assisted living, and continuing care retirement communities. Under current provisions, “seniors” are defined as age 55 or older. Any age-restricted housing development requires approval from the Board of Supervisors. 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 is also an important consideration since older Americans, particularly those over the age of 70, are less likely to drive.

Since 2003 the Board has approved several age-restricted housing developments with a combined total of 1,049 approved units, only about 400 of which have been built so far. This suggests that the demand for senior housing, at least for independent living, has not lived up to the expectations of the development community and that other models for meeting the housing needs of seniors should be explored. Nationwide survey data suggests that most seniors would prefer to “age in place,” either in the homes where they have lived for many years or in another non-institutional setting in the community,<sup>4</sup> but often they are unable to for various reasons, such as a lack of senior-accessible housing features (e.g., first-floor master bedrooms, no-step entrances, wide hallways<sup>5</sup>) or distance from shopping, services, and amenities. To address these barriers, senior citizens’ advocates promote, which typically include the following:

---

<sup>4</sup> Nicholas Farber, JD, and Douglas Shinkle: *Aging in Place: A State Survey of Livability Policies and Practices* (A Research Report by the National Conference of State Legislatures and the AARP Public Policy Institute), December 2011

<sup>5</sup> Thomas Jefferson Planning District Commission, *Transportation and Housing Alliance Toolkit – Second Edition* (June 2009)

- the use of so-called “universal design” principles in single-family detached housing,
- mixed-use developments where people can live in close proximity – often within walking distance – to shops, doctors’ offices, banks, etc.,
- public transportation facilities, and
- sidewalks.

Other than universal design, these so-called “livability” features are often desired not just by seniors but by home purchasers at large. With respect to universal design features, the Code of Virginia does not authorize localities to mandate them, nor would it be wise to do so. People should have the freedom to choose whether or not they want to live in a senior-accessible house (and pay for additional features for which they have no need or desire). However, the County can require such features in age-restricted housing and or even promote them by offering density bonuses for single-family “pocket neighborhoods” designed for seniors seeking the privacy of a single-family detached home but also liking the sense of community that comes from living close to their neighbors. Such “pocket neighborhoods,” which have been developed in other communities, can be especially attractive to seniors whose children have moved out of the house and who are seeking to downsize to a smaller home (and yard) that requires less maintenance. Senior housing has no direct impact on school enrollment and generates fewer vehicle trips per unit than general market housing, thereby alleviating some of the main concerns commonly associated with density.

For those seniors who want to “age in place” not just in their communities but in their homes, one option 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 continue to live in their homes by exempting their real estate taxes, in full or in part, if they meet certain income criteria.

## **Housing and Neighborhood Design**

As noted earlier, the Code of Virginia states that one of the purposes of zoning ordinances is “to facilitate the creation of a convenient, attractive and harmonious community.” Indeed, 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, open space, trees, and interconnected streets – 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)*.” 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.”<sup>6</sup> The mixing of residential and commercial uses in a compact environment with pedestrian linkages enables people to “live, work, play, and shop within

---

<sup>6</sup> 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

their own neighborhood”<sup>7</sup> without getting in their cars. The resulting 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. The Code of Virginia refers to these types of developments as Urban Development Areas (UDAs); once mandatory for high-growth communities such as York County to include in their comprehensive plans, they are now optional. Prominent local examples of mixed-use development include Port Warwick and City Center in Newport News, New Town in James City County, and High Street in Williamsburg.

In recognition of the potential benefits of mixed-use development, the 2005 Comprehensive Plan established a Mixed-Use overlay designation for six areas of the County and recommended that the Zoning Ordinance be amended to provide for mixed-use development. The Board of Supervisors subsequently adopted the PDMU (Planned Development-Mixed Use) zoning district and performance standards, which were developed and recommended for approval by an ad hoc

task force formed by the Economic Development Authority (EDA). Since the adoption of the PDMU provisions, three mixed-use developments have been approved in the County: Nelson’s Grant on the east side of Route 17 north of the Fort Eustis Boulevard extension; Yorktown Crescent, also on the east side of Route 17 but on the south side of the Fort Eustis Boulevard extension; and Commonwealth Green, located at the



Rendering of Nelson’s Grant

end of Commonwealth Drive along the Newport News city line with a secondary access to Route 17. Of these three projects, only Nelson’s Grant is under construction, while the other two projects are still in the planning stages. When completed, these three developments will have a combined total of up to 766 townhouses and apartment units (rental and condominium).

It should also be noted that pedestrian and bicycle accessibility, tree-lined streets, and open space preservation are not simply TND concepts; they also can be and have been incorporated into traditional single-family subdivisions. Street trees and open space are required in most residential subdivisions in York County, but the lack of sidewalks is a major deficiency that will largely be addressed, at least in new subdivisions, by the new Secondary Street Acceptance Requirements (SSAR) adopted by VDOT in 2009 and revised in 2011. Unlike the previous VDOT Subdivision Street Requirements, the new street standards require new subdivision streets to include sidewalks in many instances, depending on such factors as the density of development, proximity to schools, and traffic volumes.

### **Housing Rehabilitation**

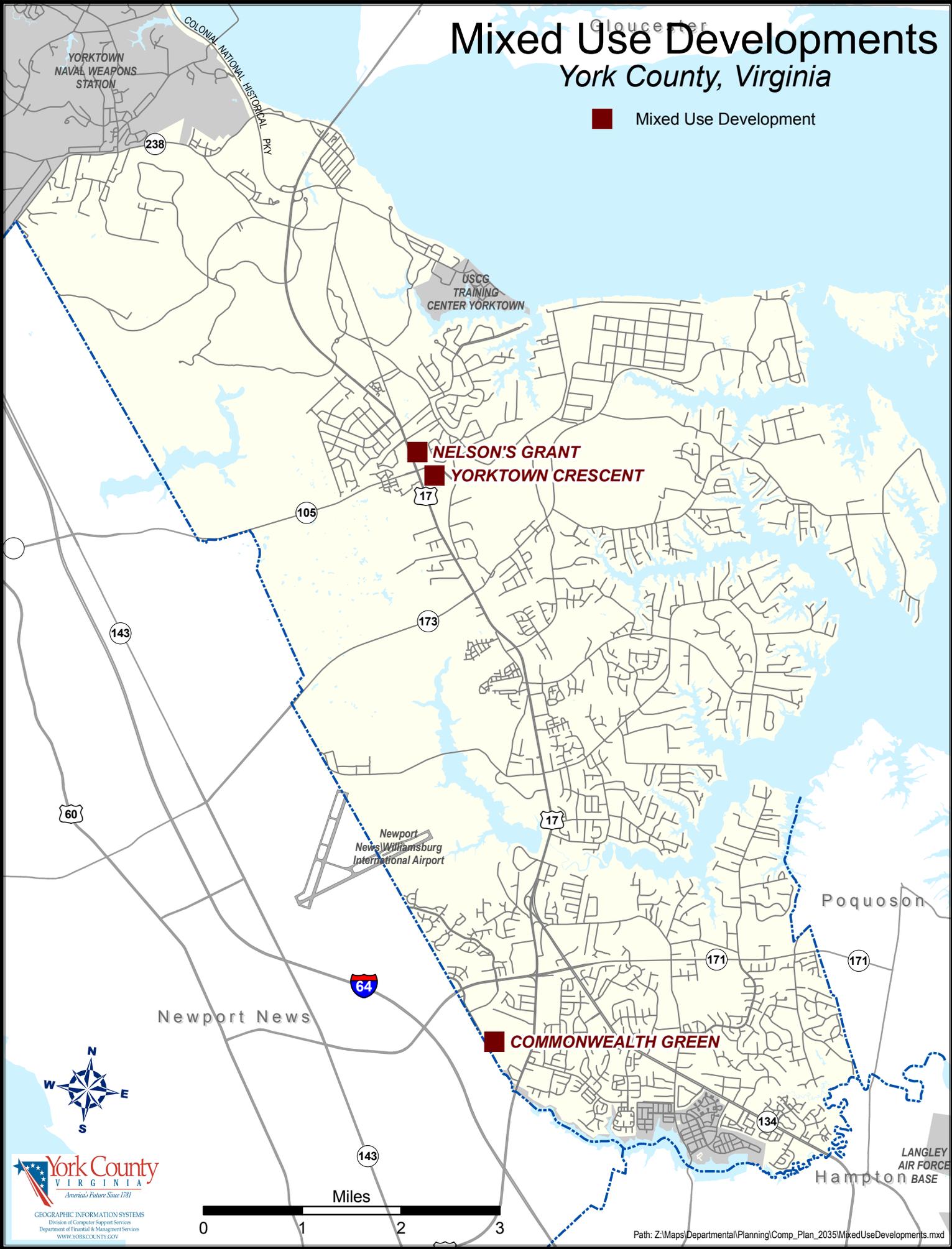
Although York County’s housing stock is relatively young, there are over 2,500 housing units that were built before 1960 and are now over fifty years old. As these dwellings age, it is likely that some will need rehabilitation. For many years, the County’s Department of Community Services has sought out and administered federal, state, local, and non-profit funding opportunities for repair and rehabilitation of existing housing units and the County will need to continue to support and use all available private and public rehabilitation assistance options to assist low- and moderate-income households in maintaining the physical safety of their properties and, commensurately, the quality and character of their surroundings. If more comprehensive measures are deemed necessary, Part III of the Virginia Uniform Statewide Building Code (USBC) contains regulations for the maintenance of existing structures and can be adopted and enforced at the option of the local government. To initiate such a program would, of course, require additional

---

<sup>7</sup> Moskowitz and Lindbloom p. 406

# Mixed Use Developments York County, Virginia

■ Mixed Use Development



GEOGRAPHIC INFORMATION SYSTEMS  
Division of Computer Support Services  
Department of Financial & Management Services  
WWW.YORKCOUNTY.GOV

inspection and enforcement staff and other resources, and, as currently written, must be applied to all types of structures (residential, commercial, industrial).

## **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. Establish land use and development policies and regulations that provide opportunities for housing construction, rehabilitation, and maintenance of affordable housing that addresses the current and future needs of all income levels in the County and that considers the current and future needs within the Hampton Roads Planning District.
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. Provide opportunities for mixed-use development in appropriate areas.
7. Prevent neighborhood blight and housing dilapidation and work to improve existing blighted conditions.

### **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 at appropriate locations and in appropriate numbers, in new residential development.
6. Monitor the implementation of the mixed-use concept in York County and review the effectiveness of the Planned Development Mixed Use (PDMU) provisions of the Zoning Ordinance and make revisions as necessary to meet County objectives.
7. Ensure that County development ordinances, in conjunction with VDOT street design standards, adequately address the need for sidewalks 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,” as enabled by Section 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 programs and funding opportunities to assist low- and moderate-income households in maintaining the physical safety of their properties.
11. Provide opportunities for the development of housing for senior citizens in appropriate locations with convenient access to shopping, services, and – where it is available – transit.
12. Continue to provide for the voluntary proffering of conditions in connection with residential rezoning applications, in accordance with the provisions of Section 15.2-2296 et seq. of the Code of Virginia, to help mitigate the potential impacts of residential development, promote housing affordability, and ensure quality in development design and layout and compatibility with surroundings.
13. Continue to enforce various property maintenance/community character regulations such as grass and weeds, trash and debris, junk or abandoned automobiles and, if deemed necessary to address structural deterioration, consider adoption of Part III of the Virginia Uniform Statewide Building Code (USBC) to provide for the required maintenance of existing structures.