

ENSURING ADEQUATE SITES

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Adaptive Reuse

Conversion of outmoded buildings can provide the opportunity for new residential uses within a community. Buildings being converted are often large and vacant and were used for institutional or other non-residential activities. Adaptive reuse projects have involved old school buildings, train stations, hospitals, and other public buildings; inns and hotels; and warehouses, factories, and other industrial buildings. These buildings have been converted into apartments, condominiums, co-housing projects, and live-work spaces.

Benefits

- Introduces housing into non-residential areas, restores buildings to a useful purpose, or provides live-work space at a reasonable cost.
- Augments local tax rolls through reuse of under-utilized or deteriorated buildings.
- Preserves local landmarks of historical and/or architectural significance, containing features that cannot be easily duplicated at today's construction costs. These developments may qualify for preservation tax credits for private investors if used for affordable housing.

During the Housing Element Process...

- **Conduct a Survey.** A comprehensive survey could, as a first step, identify the extent of adaptive reuse possibilities within a community. The survey could address the property's location, age, configuration, and structural condition, along with various political, financing, and tax-related considerations that may be applicable.
- **Review Regulations.** Review the Zoning Ordinance, historic preservation ordinances, and other development regulations for language and standards that allow or encourage adaptive reuse.

Potential Programs and Actions

- **Revise the Zoning Ordinance.** Encourage adaptive reuse through flexible zoning, such as mixed use, or by allowing residences as a permitted use in certain commercial and industrial zones.
- **Adopt Design Guidelines.** Design guidelines can provide useful parameters for adaptive reuse projects and help make developments and the neighborhood as a whole more attractive for residents.
- **Promote Multiple Objectives.** Non-profit and for-profit developers have been able to combine creative planning, government grants and loans, and federal tax incentives not only to rescue individual sites but also to spark neighborhood revitalization.
- **Provide Useful Information.** Special handbooks written for building officials can provide guidance for meeting building code requirements for older buildings.
- **Identify Key Officials.** Where public buildings are involved, cooperative public officials are invaluable. Cooperation includes expediting the property transfer and supporting the rehabilitation process with loans, grants, and rent subsidies where needed.
- **Use Available Resources.** Historical tax credits and programs and organizations supportive of preservation will provide additional clout and resources for adaptive reuse.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

 *Converting Storefronts to Housing*, PAS Report 472, American Planning Association, Chicago, 1997.

 *New Uses for Obsolete Buildings*, Urban Land Institute, Washington, DC, 1996

- ☞ California Main Street Program
- ☞ National Trust for Historic Preservation

See Also...

- Infill Development (*Page 3-12*)
- Rezoning Commercial and Industrial Land (*Page 3-18*)
- Rezoning Surplus Institutional Land (*Page 3-21*)
- Rehabilitation (*Page 3-74*)
- Parking Standards (*Page 3-88*)
- Zoning Standards and Building Codes (*Page 3-98*)

Success Stories

- **Industrial Building Becomes Live/Work Development.** The Emeryville Warehouse Lofts, developed by Holliday Development and the **Martin Group**, is a mixed-use development containing 128 residential loft units and 13 commercial loft units in a converted industrial building that was originally constructed as a fruit-drying company. The City of **Emeryville** provided a loan to the developers to assist in development costs and acquired a portion of an adjacent Southern Pacific Railroad spur for use as a parking facility. Twenty-six of the units were set aside at below-market-rate prices for moderate-income households as required by the City's Affordable Housing Set-Aside Ordinance.
- **Conversion of Navy Cottages to Supportive Housing.** As part of the conversion of the Alameda Naval Air Station to civilian uses, **Resources for Community Development** will convert 12 Navy personnel cottages to supportive housing for disabled people living with AIDS. The Alameda Point Collaborative, a consortium of community-based service providers, will provide comprehensive services for residents. Funding sources for the project include HUD's Housing Opportunities for People with AIDS Program, the Federal Home Loan Banks' Affordable Housing Program, and funds from the Cowell Foundation and the San Francisco Foundation.



Alameda Point Collaborative, Alameda

Okamoto Sajio Architecture

Air Rights Development

In most built-up areas, very few vacant or unused sites are available for new development, and those that are available tend to be quite expensive. However, sites with low-intensity land uses may offer the opportunity to build housing above the existing use.

In some places, highway departments have even begun to market such sites because new federal highway regulations allow them to benefit financially from air rights leases. More common in the Bay Area are smaller air rights development projects over existing parking lots or new public garages.

While construction of air rights housing can be expensive, difficult to design, and subject to unusual constraints, it can create new housing opportunities literally out of thin air.

Benefits

- Creates new housing opportunities in built-out communities that lack vacant residential sites.
- Provides land at essentially no cost, thereby reducing development costs significantly. However, extra design and construction costs may reduce some of the cost savings.
- Provides greater community control over the type and affordability of the housing built since many potential air right sites are publicly owned.
- Provides an opportunity for upfront or ongoing subsidy for the development of low-income housing when it is built in the air rights above a municipal parking lots or retail development.
- Potentially reduces the overall cost of development through shared parking arrangements between daytime municipal and commercial uses and nighttime residential uses.

During the Housing Element Process...

- **Identify Sites.** As a first step, a local government must identify sites where air rights development could be feasible, such as public and parking private lots, roadways, or other low-intensity sites. A creative approach to identifying potential sites can reveal sites that have been overlooked in the past. A survey of both public and private parking lots may reveal many opportunities. Proximity to business districts enhances the marketability of parking and commercial uses and produces housing that is closer to jobs, shops, services, and transit.
- **Develop Partnerships with Experienced Professionals.** The involvement of an accomplished architect and a competent developer can be vital, given the design complexities that may arise in air rights development.

Potential Programs and Actions

- **Adopt Supportive Land Use and Zoning Policies.** Incorporate air rights policies in the housing element and make land use and zoning changes to facilitate the use of private air rights for housing.
- **Make Sites Available.** Offer air rights on publicly owned sites for development of affordable housing.
- **Provide Flexibility in Land Use Controls and Development Standards.** Be creative with land use controls and development standards to support air rights development.

See Also...

- Infill Development (*Page 3-12*)
- Mixed Use (*Page 3-15*)
- Rezoning Surplus Institutional Land (*Page 3-18*)
- Zoning Standards and Building Codes (*Page 3-98*)

Success Stories

- **Unique Air Rights Leases Produce Affordable Housing.** Chinatown Community Development Center and other non-profit developers have started using air rights in new, innovative ways as they face a shortage of sites and funding as well as heightened community needs and expectations. Two examples illustrate this trend:
 - Larkin-Pine Senior Housing in **San Francisco** is the first affordable housing development in the nation to be built on top of a US Post Office. The development was made possible through a unique air rights lease between the Postal Service and Chinatown Community Development Center. In addition to 63 single occupancy and one-bedroom apartments, the development includes two large community kitchens, two community rooms, and two outdoor courtyards with roof gardens. The development serves 93 very-low income seniors with average annual incomes of less than \$19,000.
 - International Hotel Senior Housing in **San Francisco** will be built on the site of the old International Hotel that was demolished in 1979. Affordable housing will share the site with the Filipino-American Cultural Center, St. Mary's Chinese Catholic Center that is relocating due to seismic problems, and a new K-8 Catholic school and parish. To accomplish this mix of uses and ownership, the site has been divided into three distinct air rights parcels. The 105 unit housing for seniors and disabled people and the cultural center will be built on one parcel, adjacent to which will be the school and parish. Underneath, in an air rights parcel that spans the entire site will be an underground parking garage. St. Mary's Catholic Center and the Archdiocese of San Francisco will own and operate the school, parish, and garage with separate funding used for the other parts of the development.



International Hotel, San Francisco

Larkin-Pine Senior Housing, Chinatown CDC
San Francisco

Chinatown CDC

Increased Densities

Many communities are increasing general plan and zoning densities to allow for higher density residential development. This is the most basic technique for increasing the potential supply of housing. The definition of “higher density” can vary, depending on the existing density characteristics of the community and can include both multi-family and single-family housing. The goal is to increase the potential inventory of housing sites without expanding into surrounding agricultural, open space, or other lands. The interrelated goal of design—which must be linked to discussions of density—is to ensure that higher density developments contribute to community character and do not unduly impact existing residential neighborhoods.

Benefits

- Makes neighborhoods livelier, increases support for nearby retail services, and makes neighborhoods safer by putting more eyes on the street.
- Raises the development capacity of existing sites to increase the overall potential supply of housing through more efficient use of available land.
- Improves the affordability of housing by reducing per-unit land costs and supporting more efficient construction.
- Potentially helps reduce automobile congestion when higher densities are clustered near employment centers and transit nodes.
- Preserves open space resources by reducing the total amount of land needed for residential development.

During the Housing Element Process...

- **Gather Information.** Ensure that you have a reliable inventory of undeveloped and under-utilized land, projections of future housing need, and information on local land and development costs in relation to affordability (i.e., a determination of how many units per acre are needed to achieve affordability). Information on existing development densities in each area of the jurisdiction can also be helpful.
- **Engage Developers and Builders.** Involve developers and builders to get their input on the density ranges that are needed to support affordability and to respond to market demand. Materials from developer-oriented organizations such as the Urban Land Institute can be used to provide guidelines and examples.
- **Review Plans and Ordinances.** Review the density classifications of the land use element and zoning ordinances and identify areas where densities are insufficient to meet affordability goals and other community goals (e.g., to support transit or to meet fair-share housing requirements).
- **Review Other Standards.** Review development standards in light of proposed densities. Standards that deal with issues such as road width, parking, setbacks, lot coverage, and height may inadvertently prevent desired densities from being realized.
- **Focus on Design.** Emphasize the role of design in creating successful high-density developments. Many communities have examples of well-designed higher-density development and these examples are often helpful to illustrate how higher density development can be designed and maintained.
- **Educate the Community.** Residents should be made aware of the need for affordable housing and the link between affordable housing and density.

Potential Programs and Actions

- **Revise the General Plan Land Use Designations and Zoning Ordinance.** As part of the Housing Element Update or as a subsequent implementing action, revise the General Plan and/or Zoning Ordinance to support increased densities, providing a moderate increase in the maximum allowed density in each residential land use category.

- **Re-Zone Areas.** Areas identified during the planning process as suitable for medium and high density residential development should be zoned for “by-right” development to reduce the need for hearings on conditional use permits. Communities **must zone** for “by right” multi-family housing development if the inventory of sites indicates that there are insufficient sites to meet the regional housing needs allocation.
- **Establish Design Guidelines.** Clear design guidelines, administered through an efficient and fair process, produce good design that incorporates higher densities while blending with nearby developments and the neighborhood.
- **Establish Both Maximum and Minimum Densities.** Include a minimum density as well as a maximum density. This prevents residential sites from being used to less than their full potential and gives both the community and developers a clear understanding of the type of housing slated for vacant or redeveloped land.
- **Provide Density Bonuses to Support “Smart Growth.”** Establish mechanisms such as location-specific density bonuses (in addition to the State-mandated density bonuses) to encourage higher density developments in areas close to transit facilities, employment centers, commercial centers, and community facilities.
- **Establish Alternatives to Density Standards.** Consider the use of floor-area ratios, lot coverage requirements, height limits, and other design standards in place of traditional density measures to increase the amount of new housing that can be built, improve compatibility between the new higher density development and the existing area, and direct public debate to the actual appearance and effect of the housing rather than arbitrary density numbers.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

- ✍ California Planning Roundtable, *Myths & Facts About Affordable and High-Density Housing*, Sacramento, 1993.
- ✍ Congress for the New Urbanism, *Charter of the New Urbanism*, McGraw-Hill, New York, 1999.
- ✍ *Making Residential Density Work*, Urban Ecology’s “Realize the Vision” Series, No. 1, Oakland, 1998.
- ✍ Fader, Steven, *Density by Design* (2d ed), Urban Land Institute, Washington, DC, 2000.
- 📞 Congress for the New Urbanism
- 📞 Urban Ecology
- 📞 Urban Land Institute

See Also...

- Infill Development (*Page 3-12*)
- Mixed-Use (*Page 3-15*)

How Much Density Is Enough to Achieve Affordability?

Producing affordable housing in the current real estate market — where land costs are high, supply is low, and land availability is limited — requires zoning with much higher densities than is currently available. Medium Density Residential ranges should allow at least 18 units to the acre, while High Density Residential zoning ranges should allow at least 30 units to the acre. **These density thresholds may be higher in jurisdictions where land costs are higher than the regional average.**

In addition, it is essential to review development standards in relation to density increases. In many cases, current development standards (i.e., parking ratios, setbacks, lot size and coverage, street width, etc.) are greater than what the designated density can support. These standards will need to be adjusted to allow for each density range. This is especially true with for-sale housing, where conventional small lot zoning standards do not allow for the designated density yields. As a consequence, the production of affordable for-sale, ownership housing always requires a rezoning or conditional use approval.

Jurisdictions should revise their zoning standards to authorize the development of for-sale subdivisions at the recommended densities without requiring discretionary rezone or conditional use approvals. These subdivisions would, of course, still be subject to full design review, including a public hearing and the opportunity for neighboring residents to provide comments, input, and recommendations on design matters.

Adapted from *Affordable Housing Strategies: Suggestions for Policy Formulation in General Plans and Housing Elements* by Burbank Housing (Santa Rosa, 2000).

- Transit-Oriented Development (*Page 3-26*)
- Density Bonuses and Other Incentives (*Page 3-30*)
- Design Guidelines and Design Review (*Page 3-82*)
- Parking Standards (*Page 3-88*)
- Street and Infrastructure Standards (*Page 3-95*)
- Zoning Standards and Building Codes (*Page 3-98*)

Success Stories

- **Planning Tools Used to Intensify Development in a Downtown Area.** The City of **Mountain View** continues to use “precise plans” to successfully intensify land use around transit facilities in different parts of the City, providing much needed housing in the tight Silicon Valley market. Precise plans replace original zoning for multiple properties in a defined area. They serve as comprehensive planning and zoning documents and provide detailed guidelines that all development in the area must comply with. By establishing a precise plan for the rapidly revitalizing downtown area, the City is encouraging smart growth and mixed-use development while increasing densities to at least 30 units per acre, with a maximum of 53 units per acre around transit facilities.
- **Increased Densities Make for a Safer Neighborhood.** A mixed-use redevelopment in downtown **Richmond** next to a blighted area near the Richmond BART station has contributed to neighborhood revitalization. The 98 unit Memorial Park built on city-owned park property, includes town homes and apartments. It was developed by **BRIDGE Housing Corporation** in partnership with The Martin Group with funding from a variety of sources including Proposition 84; tax credits; private foundations; and grants from the City of Richmond and Chevron, a major Richmond employer. The development has brought homeowners into the area, increased pedestrian activity, brought a sense of neighborhood renewal, and resulted in safer streets for everyone.
- **General Plan Promotes an Integrated Approach to Residential Densities.** The City of **Gilroy’s** Draft General Plan (2000-2020) establishes a new residential land use designation for the City, called the “Neighborhood District.” Responding to citizen concerns about the uniformity of new residential areas and desires for new neighborhoods that would reflect the character and mix of uses found in the City’s older neighborhoods, the new designation seeks to achieve a more integrated approach to neighborhood development with a mix of housing types and densities in each new residential area. The designation is mapped on vacant lands where new residential development is planned, and establishes a “target” and “minimum” density mix that must be achieved in all areas. It also sets forth a number of policies to help guide the planning and design of these new neighborhood areas, calling for the integration of neighborhood-serving non-residential uses as well as design features such as pedestrian and bicycle circulation systems, community gathering places, and neighborhood open space.



Downtown Richmond Development

Dixi Carillo



Downtown Mountain View Development

Tom Jones

Infill Development

Infill development occurs on sites that have been bypassed by previous development or on developed sites where the current use is no longer optimal or desirable. Infill development projects vary in size from single-family dwellings and multi-family developments on scattered lots to large mixed-use developments covering a city block. Infill development can rejuvenate a neighborhood and provide more housing and other opportunities. On the other hand, infill development can cause controversy in the neighborhood due to the potential loss of local open space, change in community appearance, and potential traffic impacts.

In many Bay Area communities, infill will be a central strategy for meeting future housing needs. Implementation of an effective infill strategy will require use of a variety of related strategies, including mixed-use, second units, rezoning land for residential use, adaptive reuse, and redevelopment. An emphasis on infill will also require a finer-grain approach to planning and development, relying less on the availability of large parcels of undeveloped land and more on making better use of the land that is within the urbanized area.

Benefits

- Reduces the front-end costs of development since infill sites are typically already served by utilities and other infrastructure.
- Provides units that are accessible to public transit and close to jobs.
- Revitalizes older neighborhoods and supports local businesses.
- Increases the value of surrounding properties.
- Accommodates additional housing in areas that are already developed instead of furthering suburban sprawl that consumes open space and agricultural lands on the edge of urbanized areas.
- Provides sites that often are well suited for multiple family developments because more units can offset higher land costs and make housing more affordable.

During the Housing Element Process...

- **Inventory Parcels.** Prepare and disseminate a current, accurate inventory of vacant and under-utilized land parcels. This activity should be part of the identification of adequate sites required for the housing element.
- **Review Densities.** Allow for sufficient density on infill sites so that development is economically feasible.
- **Review Development Standards.** Review and correct excessively high or inappropriate development standards, especially parking requirements.
- **Seek Allies.** Gain support for infill housing from environmentalists and transit advocates.
- **Address Area-wide Impacts.** Examine and deal with infill impacts, such as traffic, on an area-wide basis instead of on a project-by-project basis. Use master EIRs where appropriate.

Potential Programs and Actions

- **Adopt Policies.** Adopt general plan policies that encourage infill development. Strong policy statements need to be in place that can be used to support the approval of controversial infill developments.
- **Revise Standards.** Revise development standards to make infill development feasible and to allow development of irregular, small, or otherwise substandard parcels.
- **Assemble Lots.** Consolidate infill parcels into larger, more easily developable sites where feasible.
- **Promote Joint Development Projects.** Initiate development of surplus public lands as a joint venture with non-profit and for-profit developers.

- **Focus Redevelopment Efforts.** Initiate, expand, or redirect redevelopment efforts to assemble parcels and otherwise support residential infill activities.
- **Provide Common Parking.** Provide municipally owned parking facilities in areas where it is impractical for each infill project to have its own parking.
- **Adopt Design Guidelines.** Establish design guidelines to ensure compatibility with the surrounding area and reduce potential opposition.
- **Address Infrastructure.** Address potential aging problems and the capacity of affected roadways, sewer, and water systems before encouraging infill activities.
- **Adopt Variable Impact Fees.** Vary impact fees by area depending upon road and utility systems that currently exist.
- **Lease Space for Public Use.** Consider leasing ground-floor space for community or civic uses, thereby making the development project more financially feasible.
- **Provide Loans or Guarantees.** Assist with loans or loan guarantees for development projects containing a certain percentage of affordable units.
- **Use Inclusionary Fees.** Use in-lieu fees from inclusionary housing programs to subsidize infill developments containing affordable units.
- **Practice Conflict Resolution.** Anticipate, plan for, and resolve conflicts between builders and local interest groups.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

 Ewing, Reid, *Best Development Practices*, Planners Press, American Planning Association, Chicago, 1996.

 *The Principles of Smart Development*, PAS Report 479, American Planning Association, Chicago, 1998.

 Suchman, Diane R., *Developing Infill Housing in Inner-City Neighborhood*, Urban Land Institute, Washington, DC, 1997.

 Urban Ecology, *Blueprint for a Sustainable Bay Area*, Oakland, 1996.

See Also...

- Adaptive Reuse (*Page 3-5*)
- Air Rights Development (*Page 3-7*)
- Rezoning Commercial and Industrial Land (*Page 3-18*)
- Rezoning Surplus Institutional Land (*Page 3-21*)
- Density Bonuses and Other Incentives (*Page 3-30*)
- Design Guidelines and Design Review (*Page 3-#82*)
- Parking Standards (*Page 3-88*)
- Zoning Standards and Building Codes (*Page 3-98*)

Success Stories

- **Land Assembly Produces a New Mixed-Use Development Downtown.** Eighty-one units of affordable housing, 20,000 square feet of retail space, a child care center, a computer education facility and a college campus have been built on a site assembled from seven separate parcels in the downtown area of **Redwood City**. Working in collaboration with the City's Redevelopment Agency, the developers, **Mid-Peninsula Housing Coalition** and Raiser Organization, had to clean up the toxic waste left by an old Mobil gas station, overcome initial investor reticence, and put together the financing to create a model downtown infill development. City Center Plaza is next to City Hall and features a central walkway that connects pedestrians to the new public facilities and Main Street.
- **Small Lot Provides Live/Work Opportunities in a Downtown Area.** A four-unit development—two units of commercial only and two live/work units—built around a two-level courtyard on a small lot, has brought new residents into the business-dominated downtown area in **Sebastopol**. The development acts as a transitional building, providing a link between adjacent commercial and residential uses.
- **Housing for Developmentally Disabled Adults on an In-fill Site Promotes Independent Living.** Page Mill Court in Palo Alto was developed by **Mid-Peninsula Housing Coalition** to provide 24 units of one and two-bedroom apartments for 31 very low-income developmentally disabled adults on a small infill site. Constructed around a series of courtyards and walkways in a residential area, the development also includes a large community center building that provides both program and social space for the residents. Services are provided by the Silicon Valley Independent Living Center.

The two-story housing complex is designed to fit into a neighborhood where recently constructed condominiums sell for as much as \$600,000. The development is located within walking distance of public transit, the regional Cal Train station, and downtown Palo Alto. While the City of **Palo Alto** provided the greatest share of local financing, the neighboring communities of Mountain View, Sunnyvale, Los Altos, and Los Altos Hills as well as Santa Clara County provided some financial support, since the facility serves their residents as well. The development required extensive organization to build and sustain community support in the face of major opposition from immediate neighbors. City staff worked in partnership with the project co-sponsors to build a broad regional community base to help the City Council understand that many residents wanted to see this project go forward.



Page Mill Court, Palo Alto

Tom Jones



Willow Court, Menlo Park

Michael Pyatok, FAIA

Mixed-Use

Mixed-use development combines residential uses with one or more other uses such as office, retail, civic, entertainment, or even manufacturing. Mixed-use can be either “vertical” (mixing uses within a single structure) or “horizontal” (mixing uses on a large site, with each use confined to a separate building or set of buildings).

Mixing uses often requires changes to the zoning ordinance or planned unit development (PUD) regulations. To encourage housing, a community can allow residential uses in commercial areas and other non-residential zones, especially downtowns, thereby creating multi-use areas. Or, the community can set up a mixed-use zoning district.

Benefits

- Creates opportunities for housing in whole new areas of a city.
- Adds new housing potential in “built-out” communities that lack vacant residential sites.
- Locates infill housing in office or retail districts where it may be less controversial.
- Supports retail uses by locating residences in close proximity to shopping.
- Reduces residential development costs by sharing amenities and parking with other uses.
- Reduces automobile traffic as people can live and work or live and shop in the same area.

During the Housing Element Process...

- **Identify Potential Sites.** As a first step, identify areas where mixed-use development would be feasible. For infill developments, site location is important. Proximity to the central business district may enhance the success of non-residential and residential components.
- **Review Zoning and Planned Unit Development Requirements.** Review the zoning and PUD ordinances and site plan requirements in regard to mixed-use policies. Identify appropriate development standards that will make mixed-uses feasible. Ensure that PUD ordinances allow or require mixed-uses.
- **Review Parking Requirements.** Parking standards should encourage the use of shared parking facilities and support affordability.
- **Identify Receptive Lenders.** Identify potential lenders who are receptive to mixed-use development projects and provide referrals for interested developers.

Potential Programs and Actions

- **Adopt Mixed-Use Policies.** Incorporate mixed-use policies in the land use and housing elements of the general plan.
- **Revise Zoning and Planned Unit Development Requirements.** Revise the zoning and PUD ordinances and site plan requirements to implement policies in support of mixed-uses.
- **Promote Collaborative Approaches.** Refer commercial project developers to successful housing developers when commercial sites are in the early planning stages and encourage them to collaborate on an integrated mixed-use approach.
- **Provide Incentives.** Consider providing incentives such as density bonuses and increases in the commercial floor area ratio or other bulk restrictions.
- **Promote Good Design.** Ensure that the design of mixed-use developments supports community design goals and incorporates pedestrian circulation systems and other community amenities. Also, ensure that residential and commercial uses are compatible.

- **Provide Subsidies to Achieve Affordability.** New mixed-use housing is sometimes expensive because of high land and development costs. Subsidies may be necessary to make housing affordable.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

- ✍ Schwanke, Dean, *Mixed-Use Development Handbook*, Urban Land Institute, Washington, DC, 1987.
- ✍ *Building More Intensively*, Urban Ecology's "Realize the Vision" Series, No. 5, Oakland, 1998.
- ✍ *Encouraging Mixed Uses*, Urban Ecology's "Realize the Vision" Series, No. 2, Oakland, 1998.
- ✍ State Office of Planning and Research, *Mixed-Use Development: Bringing Jobs and Housing Together*, Sacramento, 1981.

See Also...

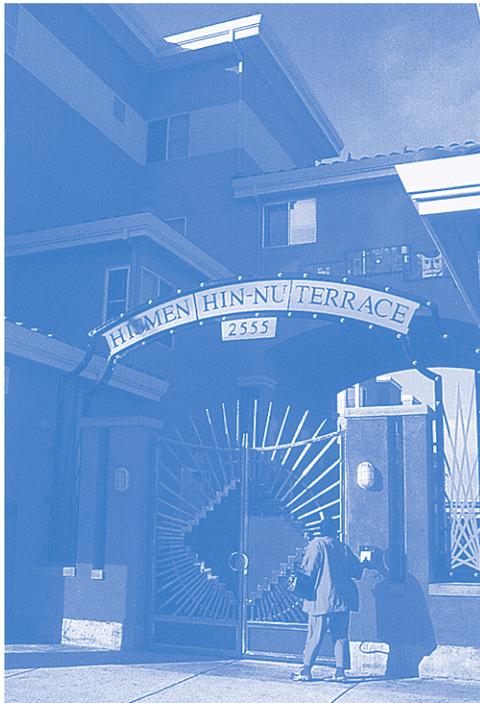
- Air Rights Development (*Page 3-7*)
- Infill Development (*Page 3-12*)
- Transit-Oriented Development (*Page 3-26*)
- Working at Home (*Page 3-46*)
- Design Guidelines and Design Review (*Page 3-82*)
- Parking Standards (*Page 3-88*)
- Zoning Standards and Building Codes (*Page 3-98*)

Success Stories

- **Affordable Mixed-Use Revitalizes a Diverse Neighborhood.** Hismen Hin-Nu (“Sun Gate”) Terrace is a new mixed-use air rights development built on a 1.5 acre abandoned supermarket site bought at a foreclosure auction. Two local non-profit developers serving different ethnic groups—**East Bay Asian Local Development Corporation (EBALDC)** and San Antonio Community Development Council (SACDC)—and project architects **Pyatock Associates** developed the site with 92 town homes and apartments above parking and 14,000 square feet of ground floor commercial space. The commercial space includes a Head Start day care center and play area, after school care, a community room with kitchen, an Oakland Police community relations office, and an indoor marketplace for small clothing retailers.

Designed with extensive community input, the development has apartments in the four-floor elevator building bordering the street for seniors and smaller families, and larger town homes with three to four bedrooms are located around landscaped courtyards in the rear. A variety of public and private funding sources were used, including a grant from The National Endowment for the Arts to hire local artists from different ethnic backgrounds to provide artwork for the buildings. Hismen Hin-Nu has had 100 percent occupancy since it opened and serves as an innovative model of a mixed-use development that addresses the security, recreational, and cultural needs of a racially and ethnically diverse very-low income community.

- **Grocery Store Development Includes a Residential Component.** Santa Rosa has encouraged the Safeway grocery chain to include multi-family housing as part of a new store development being planned on a 9-acre site in the City. While most of the site is zoned for commercial use, a little over an acre of the site is zoned for multi-family housing. Rather than agree to rezone the multi-family portion of the parcel, the City Council concurred with the City’s Planning Commission and staff to require housing as part of the development proposal, despite opposition from both Safeway and neighborhood residents. In the process of public hearings to interpret the development’s consistency with the General Plan, Safeway has agreed to work in partnership with a housing developer who will build the residential component of the development. The City expects to be actively involved throughout the process, and intends to encourage a shared parking program to reduce the total number of parking spaces provided (Safeway would prefer to build parking in excess of the City’s requirements), thereby making more land available for other uses.



Hismen Hin-Nu, Oakland



Janet Delaney

Rezoning Commercial and Industrial Land

The Bay Area has a shortage of land designated for residential use and a surplus of land for commercial, office, and industrial use. Also, in many communities, industrial areas have become under-utilized and shopping centers or strip malls have become obsolete. In some communities, under-utilized agricultural land (especially if surrounded by development) and publicly owned surplus land are available. All of these areas should be examined for possible residential uses. This provides a strategy for creating residential opportunities in areas that are less likely to face potential neighborhood concerns about infill housing development.

Benefits

- Allows for additional housing without changing or disturbing existing residential areas.
- Creates new housing opportunities near existing job centers and shopping, thereby reducing dependence on automobiles for transportation.
- Makes job recruitment easier in housing-scarce areas.
- Improves community image and encourages investment through development of vacant and under-utilized land.
- Improves public safety through development of vacant and under-utilized land that is often avoided by pedestrians and bicyclists due to perceptions of being unsafe.

During the Housing Element Process...

- **Inventory Vacant and Under-utilized Land.** Vacant and under-utilized land parcels should be inventoried and blighted areas should be examined for potential residential uses.
- **Compare Supply and Demand.** Compare vacant and under-utilized land zoned for industrial and commercial uses against the jurisdiction's employment projections. Many communities have a more than adequate supply of employment-generating land uses. The appropriateness and feasibility of rezoning surplus land for residential use should then be assessed.

Potential Programs and Actions

- **Designate Sufficient Land.** When rezoning land for residential use, include sufficient land to create a new neighborhood.
- **Build Community Character.** Attention to design and the inclusion of shops and other amenities can help improve the community character of new housing development.
- **Promote Transit-Oriented Development.** Encourage transit-oriented developments (TODs) to take advantage of access to transit routes.
- **Ensure Appropriate Densities.** As much land as possible should be identified for higher density categories to increase the potential number of housing units, reduce per-unit land costs, and build more interesting communities.
- **Provide Zoning Flexibility.** The local government should allow for flexibility in zoning so that various types of housing and mixed-use development can occur. Performance-based criteria, floor area ratios, and other non-density development standards should be used to encourage a mix of housing types.
- **Consider Incentive Programs.** Rezoning programs can include incentives or requirements to construct affordable housing.
- **Plan at a Community Scale.** The use of specific plans and master Environmental Impact Reports is often useful in developing large blocks of land. This approach can also help limit subsequent discretionary reviews.

- **Anticipate Problems of Soils Contamination.** In redeveloping industrial land for housing, attention needs to be given to the presence of toxic materials in soils. A number of brownfields programs exist that may be helpful in the future residential development of existing contaminated sites.
- **Consider Use of Redevelopment Powers.** Use of redevelopment agency authority to consolidate parcels can be very helpful when existing parcels are small, irregular, or poorly served by roads and utilities.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

✍ Simons, Robert A., *Turning Brownfields into Greenbacks*, Urban Land Institute, Washington, DC, 1997.

📞 California Center for Land Recycling

📞 US Environmental Protection Agency

🌐 Local Government Commission Website

See Also...

- Air Rights Development (*Page 3-7*)
- Infill Development (*Page 3-12*)
- Rezoning Surplus Institutional Land (*Page 3-21*)
- Transit-Oriented Development (*Page 3-26*)

Land Recycling

Environmentally distressed properties, or brownfields, are an important infill development resource in many communities. While some sites are large, heavily contaminated industrial sites, the majority are smaller, less contaminated neighborhood sites that offer both a valuable infill potential and an opportunity to turn a neighborhood liability into an asset. A recent study for the Bay Area Alliance for Sustainable Development determined that over 150,000 acres of potentially recyclable land are currently vacant or under-utilized in the Bay Area. Through the right combination of private, community, and government action, combined with technical expertise to construct a viable plan, these lands can be cleaned up and made available for housing and other community amenities — ensuring the protection of public health while also enhancing the local quality of life.

Adapted from Brownfield Redevelopment Case Studies, published by the California Center for Land Recycling (San Francisco, 2000).

Success Stories

- **Out-Dated Shopping Centers Transformed into Workforce Housing.** The original plan for Foster City included neighborhood shopping centers to serve the majority of residents' day-to-day shopping needs. As elsewhere in the Bay Area, shopping patterns have shifted to larger retail facilities, reducing the viability of some of these neighborhood centers. In 1997, the City of Foster City implemented a process, first identified in both its Housing and Land Use and Circulation Elements, to address the pressing issues related to neighborhood shopping centers and workforce affordable housing.

The City expanded its Community Development Agency Project Area to facilitate redevelopment of two existing non-viable neighborhood shopping centers, which were experiencing problems with high vacancy rates, vandalism, and physical deterioration. The new uses include both market-rate and below-market-rate, affordable housing. The Marlin Cove Center will be a mix of housing with commercial space consolidation, while the Port O'Call center will be completely changed from commercial to residential use. The City has worked closely with tenants, property owners, nearby residents and developers to address site design and redevelopment concerns, and relocation needs and to assure that a significant portion of the units built are below-market-rate. Both sites are currently under construction.

- **A Vacant Commercial Site Becomes a Vibrant Neighborhood.** The long-vacant Sears site in mid-town San Jose was developed by Ecumenical Association for Housing (EAH) and Barry Swenson Builders with new residential uses, a Safeway market, and a one acre city park. The Parkview development was built in phases starting with a 90 unit affordable apartment complex for low-income families, followed by 140 units for low-income seniors in an adjacent building, and finally 62 town homes and the park. Parkview Senior Apartments include multiple community rooms and a computer learning center. The development was made possible through loans from the City of San Jose, equity investments from California Equity Fund, and conventional financing from banks. The development has brought an exciting sense of renewal to San Jose's midtown neighborhood with its rich mix of uses.



Marlin Cove, Foster City

Foster City Community Development



Port O' Call, Foster City

Foster City Community Development



Parkview Senior Apartments, San Jose

Sandy & Babcock International

Rezoning Surplus Institutional Land

Perhaps the single most effective resource a local government has is the land it owns. Surplus land of school districts, other public agencies, churches, and occasionally even private corporations may also offer opportunities. By law, governmental entities are required to notify and consider a first offer for purchase from other public bodies and non-profits interested in developing the land for housing. Although this law does not apply to the Federal government, opportunities also exist in the re-use of federally owned property such as defense bases.

Benefits

- Offers an opportunity for a community to build housing. If the land is owned by the local government, or can be acquired at no or little cost, then very affordable housing can be developed.
- Gives a community great control over the type and amount of housing built.
Provides a potential revenue source through sale or trade of the property to subsidize affordable housing efforts elsewhere if surplus land is not suitable for residential use.

During the Housing Element Process...

- **Inventory Surplus Land.** The land inventory required in the housing element revision is the most logical and effective way to go about identifying surplus land. Conduct the inventory with housing development in mind. It may be possible to relocate or consolidate current land uses to make a housing site available.
- **Consider Future Availability.** In conducting the survey, look critically at publicly owned sites that may not be surplus now, but might be well suited for housing in the future. It is also useful to contact other land-owning departments and agencies to become aware of surplus sites.
- **Survey Local Policies.** Survey local policies and land use plans to determine whether they encourage the use of surplus land for housing.

Potential Programs and Actions

- **Promote Direct Provision of Housing.** Land not needed for an agency's primary function may be used for housing for employees of the agency. School districts, for example, may build housing for teachers.
- **Revise Local Policies.** Revise local policies and land use plans to favor the use of surplus land for housing, thereby making it easier to implement affordable housing programs.
- **Cooperate With Other Groups.** Cooperate with non-profits and homebuilders to help identify sites, evaluate the housing development potential, and build affordable housing.

See Also...

- Air Rights Development (*Page 3-7*)
- Infill Development (*Page 3-12*)
- Mixed-Use (*Page 3-15*)
- Transit-Oriented Development (*Page 3-26*)

Success Stories

- Affordable Senior Housing and Market-Rate Townhouses Replace Former School.** The City of Mountain View partnered with the Andean Group, a private development corporation and the non-profit Mid-Peninsula Housing Coalition to redevelop a surplus public school site as a combination of mid-priced family townhouses, low income elderly housing, and a public park. The senior development, Ginzton Terrace, has 107 one and two bedroom apartments, of which 35 are for moderate-income, 36 for low-income, and 36 for very low-income senior residents.

The master site plan spatially integrates Ginzton Terrace with Oaktree Commons, which contains 73 moderate-income and market-rate townhouses for families. The two developments share a small passive open space and a large public park with children's playing fields and climbing structures. The senior and family housing are financially integrated through shared voting membership in the Oaktree Commons Homeowners Association, which maintains all the common open space. The City discounted the land and provided a substantial density bonus to allow the senior housing to be developed. Despite the density bonus, the overall feeling of the development is compatible with adjacent single family and small apartment developments, and the integration of senior rental housing with mostly market-rate owner-occupied units has been considered a success, with a number of social benefits and no impact on the market value of the townhouses.

- Condominiums on a School Site Leased by the City.** After four years of trying to sell the former site of the San Francisco Technical High School near Golden Gate Park, the San Francisco Unified School District leased the land for a period of 75 years to the City and County of San Francisco for the development of affordable housing. It took the City, non-profit developer BRIDGE, Pacific Union, and architects David Baker and Associates more than three years to overcome community opposition to the development, and a settlement was finally mediated by then-mayor Art Agnos. Parkview Commons is built on a steep site with a nearly 50-foot difference in grade.

It consists of 114 affordable housing units that range from studios to four bedroom units. Two former Art Deco style gymnasiums were saved from demolition and rehabilitated to serve as a community center and a circus school. Automobile access is restricted and pedestrian walks bordered by gardens traverse the site. The garages are all connected to the units through direct internal access, a popular safety feature. Low- and moderate-income residents purchase their units but lease the land from the City. To offset the subsidy the City holds a second mortgage on the property with a lien in the amount of the difference between the sale price and market value of the property. The City also encourages long-term affordability and discourages speculation by retaining the right to purchase the property for four years as well as the right of refusal for as long as owners have their homes.



Oaktree Commons/Ginzton Terrace,
Mountain View

Tom Jones



Parkview Commons, San Francisco John Sutton

Second Units

A second unit is an additional self-contained living unit on the same lot as the primary residential unit. It may be either attached to or detached from the primary unit, but must contain cooking, eating, sleeping, and full sanitation facilities. State law (Gov Code §65852.2) permits second units and establishes minimum standards for their development. Second units are also known as in-law units or accessory dwellings and are sometimes called granny flats although that term also applies to a similar but more restrictive type of unit (Gov Code §65852.1).

A local government can either adhere to the State standards or adopt its own second unit ordinance. Any local ordinance must comply with the provisions in the State law. The clear intent of the State is to promote the use of second units (Gov Code §65852.150). State law exempts second units from local growth limits.

Opposition to second units generally comes from neighborhood concern over parking and traffic impacts. Local regulation can control the location, size, parking requirements, and architectural compatibility. In order to minimize fears (usually unfounded) that single-family neighborhoods will be overrun by second units, some communities limit the number of second units by neighborhood.

Benefits

- Provides affordable housing because usually there are no land costs. Second units frequently rent for less than comparably sized apartments.
- Supplements the income of the homeowner, thus allowing the elderly to remain in their homes or moderate-income families to afford houses.
- Provides housing for family members throughout their life cycle. For example, the second unit can be rented when a family is young and just getting started; then used as a home office; then used for their children as they become teenagers and young adults; then as a living unit for elderly parents; etc.
- Permits the elderly to “age in place” and helps them avoid unnecessary and premature relocation to nursing homes and supportive housing.

During the Housing Element Process...

- **Provide Facts.** Respond to community fears about being overwhelmed with impacts from second units by collecting information from other communities about the number of second unit applications they received when their ordinances were liberalized and the actual impacts that were experienced after unit occupancy. Also, try to evaluate the actual impacts from existing second units in the community.
- **Evaluate Existing Ordinances.** Review existing ordinances in relation to second unit requirements. At a minimum, local ordinances should comply with State law requirements. Determine how many second units have been approved in recent years and if the number is low, determine what the barriers are. Interviews with recent applicants may highlight existing standards, fees, or other requirements that discourage the development of new second units.
- **Educate Officials.** Provide information on second units to local officials, including data on second units within the jurisdiction as well as experiences from other jurisdictions. Help them understand the potential benefits of encouraging more second units and strategies for addressing potential impacts.

Potential Programs and Actions

- **Adopt an Effective Ordinance.** Adopt a second unit ordinance that is consistent with State laws. A review of existing ordinances and the amount, location and affordability of built second units may point to potential improvements and modifications.
- **Adopt Standards.** Encourage second units by adopting specific standards dealing with issues such as minimum lot size, maximum unit size, parking standards, setback and height requirements.

- **Anticipate Concerns.** Address compatibility issues within existing neighborhoods by establishing achievable standards and guidelines.
- **Adopt Reasonable Parking Requirements.** Establish reasonable parking requirements that take into consideration the size of the unit and location. Most second units are unlikely to need more than one off-street space, and units located close to transit, employment centers or where on-street parking is plentiful may not need any off-street spaces. Also consider innovative parking provisions, such as tandem parking or allowing parking in side-yard setbacks, for their potential applicability.
- **Avoid Excessive Requirements.** Limits on the maximum number of units within a neighborhood, requirements for owner occupancy, and high parking requirements may deter legal construction of second units and should be used only when absolutely necessary to ameliorate community concerns.
- **Discourage Conditional Use Permits.** If second unit approvals can be made without a conditional use permit or other action requiring public hearing, property owners will find it less burdensome to add second units.
- **Provide Assistance.** Financial or technical assistance can encourage second unit development and improve their affordability.
- **Legalize Existing Second Units.** Allow for the legalizing and upgrading of existing units so as to conform to health and safety requirements. This can be encouraged by reviewing building code requirements to ensure they are not excessive and by streamlining the conformance process.
- **Encourage Second Units in New Construction.** New housing should be designed with flexible spaces that can be used for second units, housing for family teenagers or seniors, or home offices.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

 *Promoting Second Units*, Urban Ecology's "Realize the Vision" Series, No. 6, Oakland, 1998.

See Also...

- Housing for Seniors (*Page 3-58*)

Success Stories

- **Second Units Reduce Costs of Home Ownership in a Planned Unit Development.** Courtside Village, a mixed-use development on a 68.5 acre site in **Santa Rosa** includes single-family homes around a core of multi-family apartments, retail, live/work units, a pre-school, community center, and church, with pocket parks scattered through the development. The development is zoned as a “planned community district” and is designed to replicate a traditional town or village with its mix of housing types, income groups and an environment where pedestrians are given equal consideration.

The housing type variety includes second dwelling units as a principal permitted use on some lots without requiring a conditional use permit. The use permit requirements establish maximum allowable heights and setbacks from the lot line and require that all second units go through design review. Prior to obtaining a building permit, an agreement of restrictions is recorded against the property deed, specifying that the second unit may not be sold as a separate dwelling unit and that it must be restricted in size to 700 square feet. Mortgages on homes with second units are substantially lower after income potential is calculated in.

- **Second Unit Legalization through the Home Safe Program.** Following a finding in the mid-1990s by **Daly City** Building Inspectors of thousands of illegal second units, the City created its “Home Safe Program,” which allowed owners to legalize units built before January 1992 after payment of a \$100 application fee. Daly City ensured that second units were brought up to current building code standards by relaxing zoning restrictions on parking, size, and density. Over a two-year amnesty period, over 1,000 second units were effectively legalized. Since then the program has been suspended, mostly due to neighborhood concerns over the ensuing lack of street parking. Currently, second units (which are mostly in ground floor garages) are required to provide two parking spaces per unit.

Transit-Oriented Development

Transit-oriented development (TOD) refers to development at a transit access point—a station or location served by one or more transit lines—that has buildings with varied activities within an easy walk of the transit access. TODs may be in urban areas or in suburbs, and should incorporate housing as well as other uses. The types of buildings and activities will vary by community and location, but the following are characteristics of many TODs:

- A waiting area for transit users.
- Activities used by transit riders either before or after their transit trips, such as convenience retail shops and services.
- Higher density residential uses and higher intensity retail and office uses.
- Mixed-uses, frequently with residential uses above commercial uses.
- Easy access for pedestrians and bicyclists to and from the point of transit access.
- Special facilities such as bicycle storage and day care facilities.

Benefits

- Reduces or eliminates the need for residents to own automobiles because they can get to their jobs, shopping and other services by transit or by walking.
- Supports affordable housing because higher densities in a TOD result in more units that can offset higher land costs.
- Promotes job development when commercial uses are included in the development.
- Takes advantage of under-utilized land at or near transit stations.

During the Housing Element Process...

- **Review General Plan Policies.** The local government should adopt general plan policies that encourage TODs.
- **Identify Sites.** Working with the transit providers, identify current and future sites for TODs, including sites served by rail, bus, and ferries.
- **Review Zoning.** Ensure that zoning and other ordinances support higher density, mixed-use development near transit access points.
- **Work with Transit Providers.** Work with transit providers to plan for and develop the land immediately surrounding transit access points.
- **Involve Other Entities.** Involve for-profit and non-profit developers in the planning and development of TOD projects.

Potential Programs and Actions

- **Address Design Issues.** Develop specific plans or design guidelines for TODs to ensure that they are integrated into the fabric of the community. Civic spaces should be encouraged as an integral component in TOD designs to support their function as important community centers and gathering places.
- **Revise Parking Requirements.** Revise parking requirements to allow TOD parking standards to be established on a case-by-case basis, depending upon the character and location of the development. Parking for residents often can be greatly reduced because they have such good access to transit.

- **Encourage Services to Locate in TODs.** Encourage civic and community services—such as daycare, adult education, health clinics, library services, etc.—to locate at TOD sites.
- **Provide Transportation Alternatives.** Provide facilities for bicycle and electric vehicle rental at TOD sites.
- **Provide Mortgage Information.** Provide information on special mortgages that may be available to people who live in TODs.
- **Look at Funding Alternatives.** Explore the use of transit funds to help fund the planning and development of TODs.

Contacts and Resources

See Appendix D for phone numbers and addresses, where relevant.

- ✍ Burrington, Stephen H. and Bennet Heart, *City Routes, City Rights: Building Livable Neighborhoods and Environmental Justice by Fixing Transportation*, Conservation Law Foundation, Boston, 1998.
- ✍ Calthorpe, Peter, *The Next American Metropolis*, Princeton Architectural Press, New York, 1993.
- ✍ *Moving Toward More Community-Oriented Transportation Strategies for the San Francisco Bay Area: A Resource Guide*, Metropolitan Transportation Commission, Oakland, 1996.
- ✍ Morris, Marya (ed), *Creating Transit-Supportive Land-Use Regulations*, PAS Report 468, American Planning Association, Chicago, 1996.

See Also...

- Air Rights Development (*Page 3-7*)
- Infill Development (*Page 3-12*)
- Mixed-Use (*Page 3-15*)
- Rezoning Commercial and Industrial Land (*Page 3-18*)
- Rezoning Surplus Institutional Land (*Page 3-21*)
- Parking Standards (*Page 3-88*)

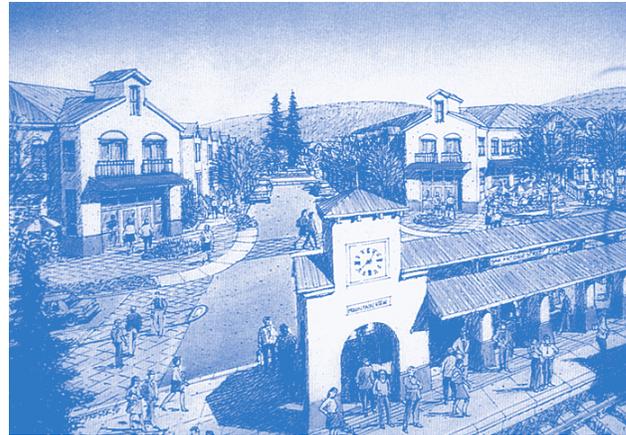
Success Stories

- **Rezoning of a 1950s-Era Industrial Area to a Mixed-Density Transit Oriented Development.** The City of **Mountain View** encouraged GTE to consider selling 40 acres of surplus industrial property for residential development and subsequently rezoned the site to medium high density residential (12-14.5 dwelling unit - du/acre). The site surrounds a Light Rail Station, which along with two public mini-parks is the focal point for the new neighborhood. The 525 unit Whisman Station development is being completed by a group of four residential developers and features single family homes at eight du/acre, small lot single family at 11-14 du/acre, townhouses at 12-14 du/acre and high density townhouses between 15-35 du/acre next to the station. An adjacent four acre parcel is to be developed in the last stage.
- **Public-Private Partnership Supports Transit Oriented Development that Revitalizes the Neighborhood.** The Fruitvale Transit Village Development occupies a 15-acre site around the Fruitvale BART station in **Oakland**. When complete, it will have a public library branch, 67 affordable housing units, office space, retail shops, a small medical facility, and a multi-story parking garage that is expected to increase BART ridership at the station by 5 to 10 percent. An outdoor plaza and facade improvements along International Boulevard buildings are intended to strengthen the ethnically diverse commercial district surrounding the development. The project is being developed by the **Spanish Speaking Unity Council**, a local community based organization that initially organized the community to present an alternative to the development proposed by BART. Due to the community participation efforts in shaping the plan, the Fruitvale Transit Village is enthusiastically supported by local residents and merchants.



Fruitvale BART, Oakland

ELS, MV&P, DES Architects



Whisman Station, Mountain View

Calthorpe Associates