



AFFORDABLE HOUSING PRESERVATION ACTION COMMITTEE RECOMMENDATIONS

IMPLEMENTATION PLAN

RECOMMENDATION #1

Dedicate one penny of the real estate tax rate to the preservation of affordable housing effective in Fiscal Year 2006.

Oversight Committee: Affordable Housing Advisory Committee

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
1. Dedicate one penny of the real estate tax to the preservation of affordable housing.	<p>As part of this presentation to the Board of Supervisors, the County Executive will provide the Board of Supervisors with the option to reduce the real estate tax rate. One option will be that the Board of Supervisors will cut the tax rate by one penny less than otherwise proposed and earmark this portion of the tax rate for affordable housing preservation.</p> <p>The Board of Supervisors will consider this recommendation as part of its budget deliberations and its final adoption of the budget.</p>	Department of Housing and Community Development	February 2005 April 2005	Complete. One penny of the real estate tax rate was dedicated to affordable housing in the FY 2006 budget.
2. Program guidelines and procedures.	If affordable housing is funded by one penny of the real estate tax in the Fiscal Year 2006 budget, the plans and procedures for expenditure of the funds will be prepared by the Fairfax County Department of Housing and Community Development (HCD) and adopted by the Fairfax County Redevelopment and Housing Authority (FCRHA) and the Board of Supervisors.		April--May 2005	Complete. Board of Supervisors appointed a new Affordable Housing Advisory Committee and adopted a process for awarding funding. Program guidelines and application developed.

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
3. Implementation.	Funding availability and program start up.		July 2005	Training for non-profit and for-profit developers held in July 2005 about how to access funds. As of September 2005, 14 percent of funds expended.



RECOMMENDATION #2

Revise the Fairfax County Comprehensive Plan to provide development flexibility and incentives for projects that include affordable/workforce housing, and to broaden the definition of affordable/workforce housing.

Oversight Committee: *Affordable Housing Task Force*

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
<p><i>1. Undertake a demonstration project to identify potential Plan changes and incentives for preserving affordable housing.</i></p>	<p><i>These recommended revisions to the Comprehensive Plan will require in-depth analysis, study and public participation. In order to implement this affordable housing preservation recommendation in a timely way, it is proposed that the County undertake a demonstration project involving one or two real land use cases that will result in the preservation and/or creation of affordable/workforce housing. The demonstration project(s) will be used to test assumptions and identify innovations, exceptions and potential changes to the Comprehensive Plan.</i></p> <p><i>One or two relevant land use cases will be selected by the Department of Planning and Zoning (DPZ) and HCD for the demonstration.</i></p> <p><i>The Board of Supervisors may be asked to authorize Out of Turn Plan amendments and concurrent consideration of the proposed Plan changes with the development application associated with the demonstration project(s). An assessment of the impact and effectiveness of the demonstration project will be undertaken and reported to the Fairfax County Planning</i></p>	<p><i>Department of Planning and Zoning</i></p>	<p><i>March 2005-- February 2006</i></p> <p><i>September 2005-- May 2006</i></p> <p><i>September 2006</i></p>	<p><i>A Request for Information for demonstration projects has been developed. The request will open on October 1, 2005 and close on February 15, 2006.</i></p>



RECOMMENDATION #3

Provide a tool box of incentives for preservation, which include zoning and regulatory flexibility and financing techniques. Provide form-based zoning options and overlay districts to enable certain design standards to facilitate development approvals.

Oversight Committee: Affordable Housing Task Force

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
<p>1. <i>Undertake a demonstration project to test a range of potential changes and incentives.</i></p> <p><i>Analyze the impact of new development regulations on the affordability of housing.</i></p>	<p><i>In order to be responsive to the affordable housing preservation recommendations in a timely way, but still pursue changes and new incentives in a deliberative and methodical fashion, it is recommended that we undertake a demonstration project with one or two real land use cases and test assumptions, innovations, exceptions, and potential changes to the Comprehensive Plan (see Recommendation #2).</i></p> <p><i>One or two relevant land use cases will be selected by DPZ and HCD for the demonstration.</i></p> <p><i>The Board of Supervisors may be asked to authorize Out of Turn Plan amendments and concurrent consideration of the proposed Plan changes with the development application associated with the demonstration project(s).</i></p> <p><i>An assessment of the impact and effectiveness of the demonstration project will be undertaken and reported to the</i></p>	<p><i>Department of Planning and Zoning</i></p>	<p><i>May 2005--May 2006</i></p> <p><i>September 2006</i></p> <p><i>To be determined.</i></p>	<p><i>A Request for Information for demonstration projects has been developed. The request will open on October 1, 2005 and close on February 15, 2006.</i></p>

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
	<p><i>Planning Commission, FCRHA and the Board of Supervisors.</i></p> <p><i>A cost analysis of the impact of development regulations on housing affordability will be pursued.</i></p> <p><i>The scope, cost, timeframe, and implementation approach will be developed and presented to the Board of Supervisors.</i></p>		<p><i>March-- December 2005</i></p>	
<p><i>2. Establish commercial development criteria.</i></p>	<p><i>DPZ and HCD will undertake research and benchmarking and bring its analysis to the Planning Commission's Housing Committee for discussion.</i></p>		<p><i>September 2005-- February 2006</i></p>	



RECOMMENDATION #4

Create an Affordable Housing “SWAT” team, comprised of business and community stakeholders and County staff, and fund an ombudsman position at the Department of Housing and Community Development to act as the point person to prevent the loss of at-risk affordable housing.

Oversight Committee: Affordable Housing Advisory Committee

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
1. Create an Affordable Housing “SWAT” team, comprised of business and community stakeholders and County staff.	A “SWAT” team has been created comprised of volunteer members of the Affordable Housing Preservation Action Committee (developers, land use and legal professionals and lenders) and County and Virginia Housing Development Authority (VHDA) staff.		February 2005	Team organized. On hold until ombudsman and board on demonstration project RFP developed.
2. Fund an ombudsman position at HCD.	Create a new position from an existing position. Fund new position at carryover. Advertise and hire position.		February 2005 September 2005 March-April 2005	Completed Completed Hiring completed. Start date: September 19, 2005.
3. Hire an additional position at DPZ to oversee this effort.	See Recommendation 2, page 3 for more information.		April 2005	This position was not funded.



RECOMMENDATION #5

Develop incentives to encourage the owners of existing Affordable Dwelling Units to record a new covenant to extend the control period of the unit to 30 years and/or re-start the control period when they sell to a new owner.

Oversight Committee: **Affordable Housing Task Force**

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
<p>1. Refer to Affordable Dwelling Unit (ADU) Task Force.</p>	<p><i>First Step: Determine whether goal is best accomplished by incentives to existing owners or addition of repurchase rights for the FCRHA in the Zoning Ordinance or both.</i></p> <p><i>Second Step: Assess legal and financial issues.</i></p> <p><i>Third step: Propose draft new language for amendment of the ADU Ordinance Fairfax County Zoning Ordinances Article 2, General Regulations, Part 8, Affordable Dwelling Units Program.</i></p> <p><i>Fourth step: Brief ADU Task Force.</i></p>	<p><i>County Attorney's Office, Department of Planning and Zoning, and Department of Housing and Community Development</i></p>	<p><i>February 2005</i></p> <p><i>March-- May 2005</i></p> <p><i>July 2005</i></p> <p><i>September 2005</i></p>	<p><i>It was decided that an Ordinance change would be pursued to extend the control period of ADU's. Incentives are no longer being considered and will not be needed.</i></p> <p><i>County Attorney's Office provided first draft and it is currently being reviewed at HCD and DPZ.</i></p>
<p>2. Prepare DPZ/HCD Staff report.</p>	<p><i>DPZ and HCD co-author staff report reflecting proposed changes to the Zoning Ordinance.</i></p>	<p><i>County Attorney's Office</i></p>	<p><i>September 2005</i></p>	<p><i>Completed. Reviewed by Affordable Housing Task Force, September 16, 2005.</i></p>

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
3. <i>Fairfax County Board of Supervisors schedules hearings.</i>	<i>DPZ and HCD present staff report regarding proposed changes to the Zoning Ordinance to the Board of Supervisors for authorization of public hearings. Board forwards Item to the Planning Commission.</i>		<i>October 2005</i>	
4. <i>Planning Commission Public Hearing.</i>	<i>Public Hearing of the Planning Commission on proposed changes to the Zoning Ordinance.</i>		<i>November 2005</i>	
5. <i>Board of Supervisors Public Hearing.</i>	<i>Final Public hearing on Ordinance amendment. Board of Supervisors votes on proposed changes to the Zoning Ordinance.</i>		<i>January 2006</i>	
6. <i>ADU Advisory Board approval.</i>	<i>Proposed changes to ADU Regulations approved by Advisory Board.</i>		<i>February 2006</i>	
7. <i>FCRHA adopts regulation to implement changes.</i>	<i>If proposed changes are approved by the Board of Supervisors and become requirements, the FCRHA approves implementing regulations in the <u>Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units</u> and adopts revised covenants.</i>		<i>March 2006</i>	
8. <i>Implementation.</i>	<i>New Zoning Ordinance requirements implemented.</i>		<i>March 2006</i>	



RECOMMENDATION #6

Develop incentives to encourage the preservation of affordable units in condominium conversions within existing affordable garden apartment stock in the County.

Oversight Committees: Affordable Housing Advisory Committee and Affordable Housing Task Force

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
1. Establish a communication system whereby all relevant County departments and Supervisor offices are notified of planned conversions.	HCD is organizing a day long working session to establish a communication/notification system; re-familiarize staff with the County ordinance and state law requirements; and establish a clear path for the developer to follow in notifying the County and tenants and ensure compliance with local and state law.	Department of Planning and Zoning, Department of Public Works and Environmental Services, Department of Housing and Community Development, and Department of Cable and Consumer Protection	March-August 2005	The interagency team has had a series of meetings.
2. On-going assistance to developers and tenants going through the conversion process.	On-going communication with developers undertaking conversions to provide them with information regarding compliance with state and local laws. Assist in determining any cases of hardship through tenant surveys and tenant meetings.		On-going	A plan has been developed to more effectively communicate with developers and tenants. Two brochures are being created for both developers and tenants (October 2005) with updated guidelines. A meeting with law firms involved in condominium conversions is being scheduled in Falls 2005.

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
<p>3. Identify incentives to assist in keeping the units affordable.</p>	<p>HCD will propose that the FCRHA dedicate resources to provide down payment, closing cost and mortgage assistance to tenants who need assistance to buy their units.</p> <p>In the case of each conversion, HCD will explore the possibility of FCRHA purchase of condominium units to be resold to non-profits, who will rent them as affordable units.</p> <p>Legislation has been proposed to a) extend the time period for tenants to exercise their purchase option; and b) allow tenants to transfer their purchase rights to the housing authority or a non-profit.</p>		<p>April 2005</p> <p>On-going</p> <p>September 2005</p>	<p>Legislation to expand the right of first refusal beyond tenants to non-profit organizations and government agencies has been drafted and will be recommended for consideration by the Board's Legislative Committee in September.</p> <p>Legislative drafted August 2005. Submitted to the Board Legislative Subcommittee in September 2005.</p>



RECOMMENDATION #8

Support House Joint Resolution Number 719 directing the Virginia Housing Commission to study the authority of localities to provide incentives to preserve affordable housing.

Oversight Committee: Affordable Housing Advisory Committee

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
Support House Joint Resolution 719.	<p>Delegate Jim Scott introduced the resolution on January 12, 2005. The items of the resolution have been placed on the agenda of the Housing Commission for this year.</p> <p>The items of the resolution include: a review of existing incentives used by localities to preserve affordable housing; how transferable development rights can be used for the preservation of affordable housing; the feasibility of a state tax credit to preserve affordable housing; and the feasibility of a set-aside of low income housing tax credits for areas with high housing costs. Added to the agenda will be a study of assessment practices with regard to limited income apartments.</p>		<p>January--February 2005</p> <p>March--December 2005</p>	<p>Completed</p> <p>Housing Commission conducted hearing in Northern Virginia in July 2005.</p>



RECOMMENDATION #9

Support the establishment of the Governor's Virginia Community Development Bank and specific Virginia General Assembly bills that will expand the Bank to urban areas like Fairfax County.

Oversight Committee: Affordable Housing Advisory Committee

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
1. Formal Approval of Funding by Virginia General Assembly.	\$15 to \$16 million was requested by Governor Warner for the Virginia Community Development Bank.	Department of Housing and Community Development	March 2005	\$9 million was appropriated to the Bank.
2. Discussion with Virginia Department of Housing and Community Development (DHCD).	Once the appropriation has been approved, HCD will begin discussions with the state to establish criteria for financing to include markets such as Fairfax County.		April--May 2005	Complete
3. State to Identify and Set-Up Virginia Community Development Bank.			May--August 2005	Request for Proposals was issued and selection process for partners underway.
4. State to enter into a contract with entity to establish Bank.			September--November 2005	Formal organization established.
5. Bank to be funded by State.			December 2005	



RECOMMENDATION #10

Revise the Affordable Dwelling Unit Ordinance to extend the control period to 30 years for new ADUs.

Oversight Committee: Affordable Housing Task Force

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
1. Refer issue to ADU Task Force.	<p><i>First step: Discuss with members of the ADU Task Force and seek their recommendation and direction.</i></p> <p><i>Second step: Assess legal issues.</i></p> <p><i>Third step: Propose draft new language for amendment of the ADU Ordinance Fairfax County Zoning Ordinances Article 2, General Regulations, Part 8, Affordable Dwelling Units Program.</i></p> <p><i>Fourth step: Brief ADU Task Force.</i></p>	<p><i>County Attorney's Office, Department of Planning and Zoning, and Department of Housing and Community Development</i></p>	<p><i>February 2005</i></p> <p><i>March--June 2005</i></p> <p><i>July 2005</i></p> <p><i>September 2005</i></p>	<p><i>County Attorney's Office provided first draft and it is currently being reviewed at HCD and DPZ.</i></p>
2. Prepare DPZ/HCD Staff report.	<p><i>DPZ and HCD co-author staff report reflecting proposed changes to the Zoning Ordinance.</i></p>		<p><i>September 2005</i></p>	<p><i>Completed. Reviewed by the Task Force.</i></p>
3. Fairfax County Board of Supervisors schedules hearings.	<p><i>DPZ and HCD present staff report regarding proposed changes to the Zoning Ordinance to the Board of Supervisors for authorization of public hearings. Board of Supervisors forwards Item to the Planning Commission.</i></p>		<p><i>October 2005</i></p>	
4. Planning Commission Public Hearing.	<p><i>Public Hearing of the Planning Commission on proposed changes to the Zoning Ordinance.</i></p>		<p><i>November 2005</i></p>	

<i>Strategy</i>	<i>Detail</i>	<i>Lead/Supporting Agencies</i>	<i>Timeline</i>	<i>Status September 1, 2005</i>
5. <i>Board of Supervisors Public Hearing.</i>	<i>Final Public hearing on Ordinance amendment. Board of Supervisors votes on proposed changes to the Zoning Ordinance.</i>		<i>January 2006</i>	
6. <i>ADU Advisory Board approval.</i>	<i>Proposed changes to ADU Regulations approved by Advisory Board.</i>		<i>February 2006</i>	
7. <i>FCRHA adopts regulation to implement changes.</i>	<i>If proposed changes are approved by the Board of Supervisors and become requirements, the FCRHA approves implementing regulations in the <u>Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units</u> and adopts revised covenants.</i>		<i>March 2006</i>	
8. <i>Implementation.</i>	<i>New Zoning Ordinance requirements implemented.</i>		<i>March 2006</i>	



RECOMMENDATION #11

Study the use of accessory dwelling units as a way to expand the affordable housing stock while being careful to ensure neighborhood compatibility and address community concerns.

Oversight Committee: TO BE DETERMINED

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
Refer to staff for further study and analysis.	Accessory dwelling units can be useful tool in providing affordable housing, particularly to family members; however, the use of accessory units has zoning implications. To fully assess the impact of expanding accessory units in any way requires further study and analysis on the part of staff. This item is referred to the DPZ and to HCD for that purpose.		To be determined.	



RECOMMENDATION #12 IMPLEMENTATION PLAN

Establish an advocacy and public education campaign to promote the need for affordable housing/workforce and the public-private resources to fully fund these recommendations.

Oversight Committee: Affordable Housing Advisory Committee

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
<p>1. Create an advocacy outreach group to assure recommendations of the Affordable Housing Preservation Action Committee and goals of the Board of Supervisors are understood.</p>	<p>First step: On behalf of the Board of Supervisors, the Affordable Housing Preservation Action Committee will be asked by the County Executive to remain involved as ambassadors for the issue for a period of time. Office of Public Affairs and HCD will work together to provide them the opportunity for quotes in news releases, attendance at outreach meetings, particularly in the community and with businesses, and by providing testimony at the upcoming budget public hearings. Identify opportunities to attend community meetings or speak at civic organizations.</p> <p>Second step: Seek other ambassadors in the advocacy community and among citizen/civic groups, particularly AHOME and the Alliance for Affordable Housing.</p>	<p>Department of Housing and Community Development, Office of Public Affairs</p>	<p>March 2005</p> <p>April 2005</p> <p>February 2005</p>	<p>Testimony at budget public hearings.</p> <p>AHOME and the Alliance passed support resolutions.</p>

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
2. Outreach to the media.	The media are the opinion-shapers in the community. Efforts will be stepped up through direct contact with the media and publication of timely news releases and regular monthly News In Brief articles providing statistics and relevant information on housing need and success stories, with efforts to provide human side of the issue.		Immediate and ongoing	News releases on: 1) Madison Ridge 2) Magnet Housing 3) Kick-Off Meeting Press coverage resulted in each case
3. Channel 16 Program.	A request has been made to have a special program on the efforts of the Affordable Housing Preservation Action Committee and the recommendations that emerged from this three-month effort, with background on the issue being addressed.		March--June 2005	Proposal for video has been submitted to Channel 16. Video expected to be produced by the end of 2005.
4. Web.	Maintain and update information developed for the Affordable Housing Preservation Action Committee; move to HCD web site so public can readily access. Redesign web page to add faces, graphics, photos.		February March-June 2005	Completed On-line newsletters distributed on August 1 st and August 31 st . Completed

Strategy	Detail	Lead/Supporting Agencies	Timeline	Status September 1, 2005
5. Printed materials.	Design brochure which briefly summarizes background on the issue and recommendations of the Affordable Housing Preservation Action Committee.		February 2005	Completed
6. Display.	Design display with graphics/photos to present the issue to passers-by and place at Government Center, Celebrate Fairfax, etc.		March-June 2005	Completed
7. Coordination with County agencies.	Attend staff meeting with "sister" agencies in the County to brief staff about the recommendations - plan implementation (DPZ, Department of Public Works and Environmental Services, Planning Commission, etc.).		March-June 2005	Completed
8. Coordination with other outside efforts.	HCD will research other efforts going on in the region or state to advocate for affordable housing, and coordinate/collaborate with such efforts.		On-going	On-going