

# The Planner's Tool Kit

## Planning Tools for Quality Housing

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## Planning Tools for Farmland Protection

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December 1<sup>st</sup> 1 pm-2 pm ET (1 CM)



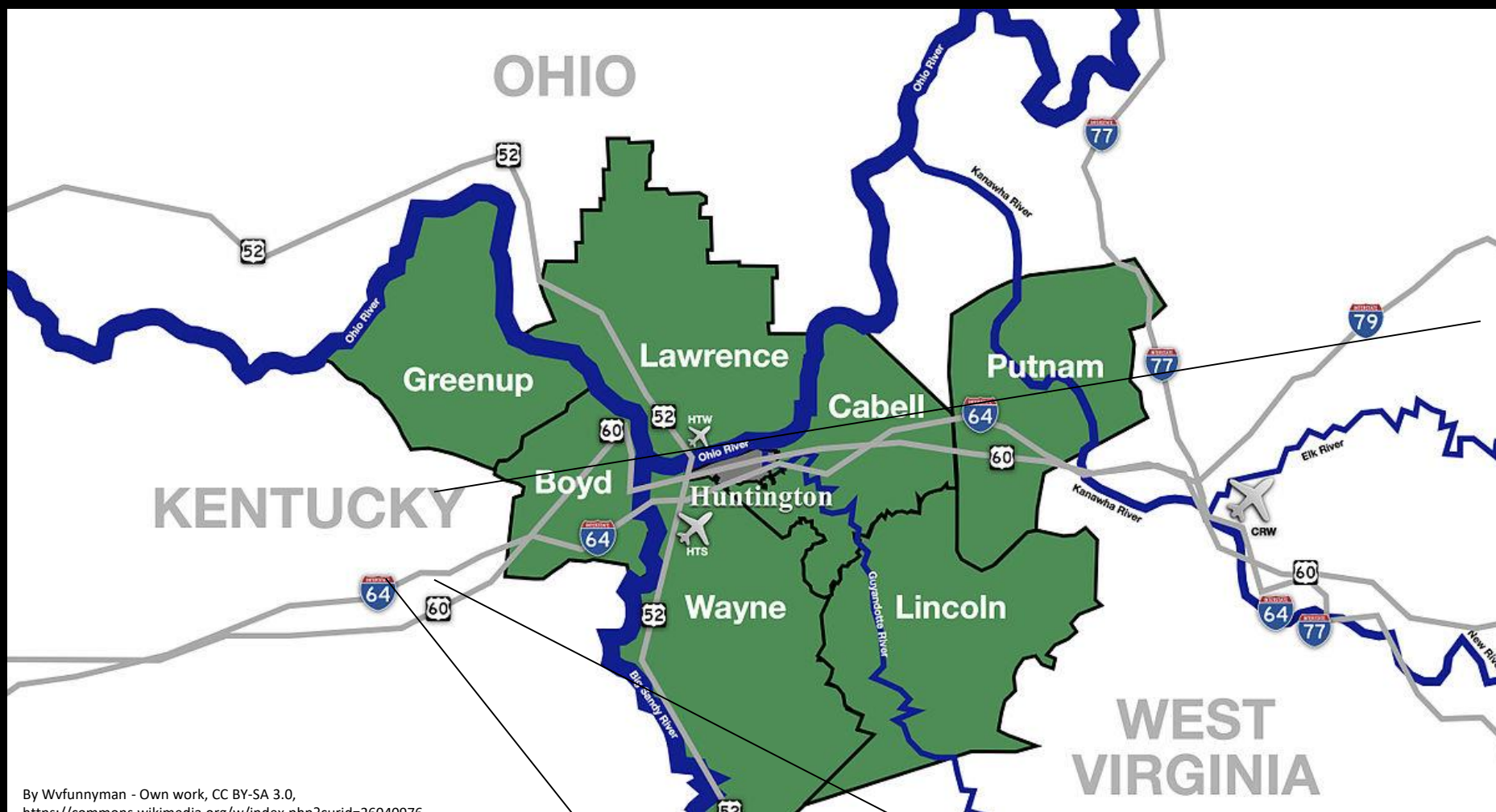
# The Planner's Tool Kit: Quality Housing

*Huntington, WV Case Study*



**“Excellence must be created by design, and not by happenstance” - *Mayor Steve Williams***

**Breanna Shell**  
Planning Director,  
City of Huntington



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<https://commons.wikimedia.org/w/index.php?curid=26040976>

# Huntington, WV

pop. - 46,048 (2018)

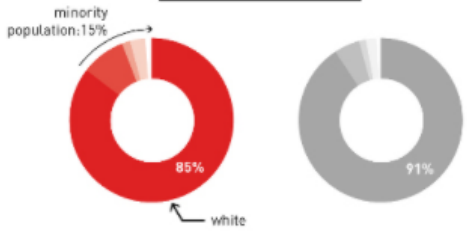
18.46 sq. miles

**Huntington-Ashland MSA: 349,485**

# Housing demographics

City vs County

Race



City vs County

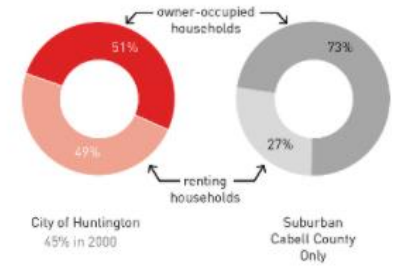
Median Income

**\$30,362**    \$38,321

Median Age

**34.5**    38.5

Tenure



City residents are more diverse,

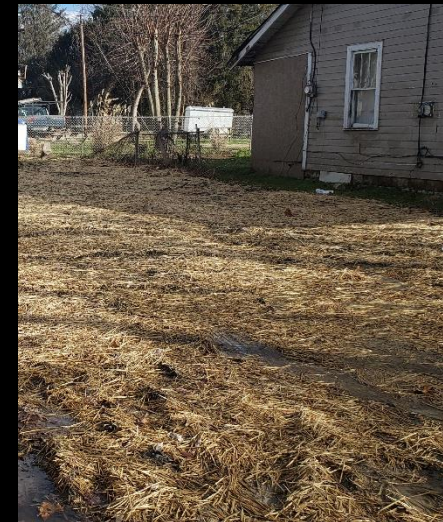
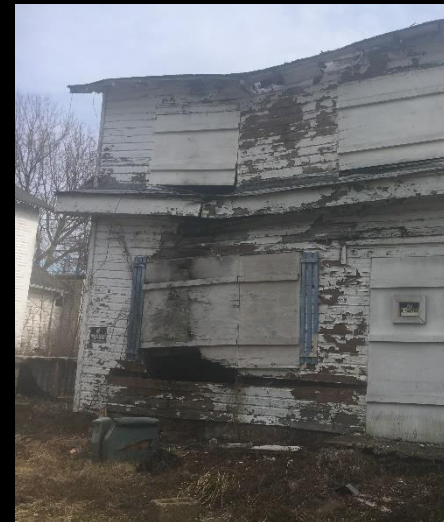
lower income,

younger,

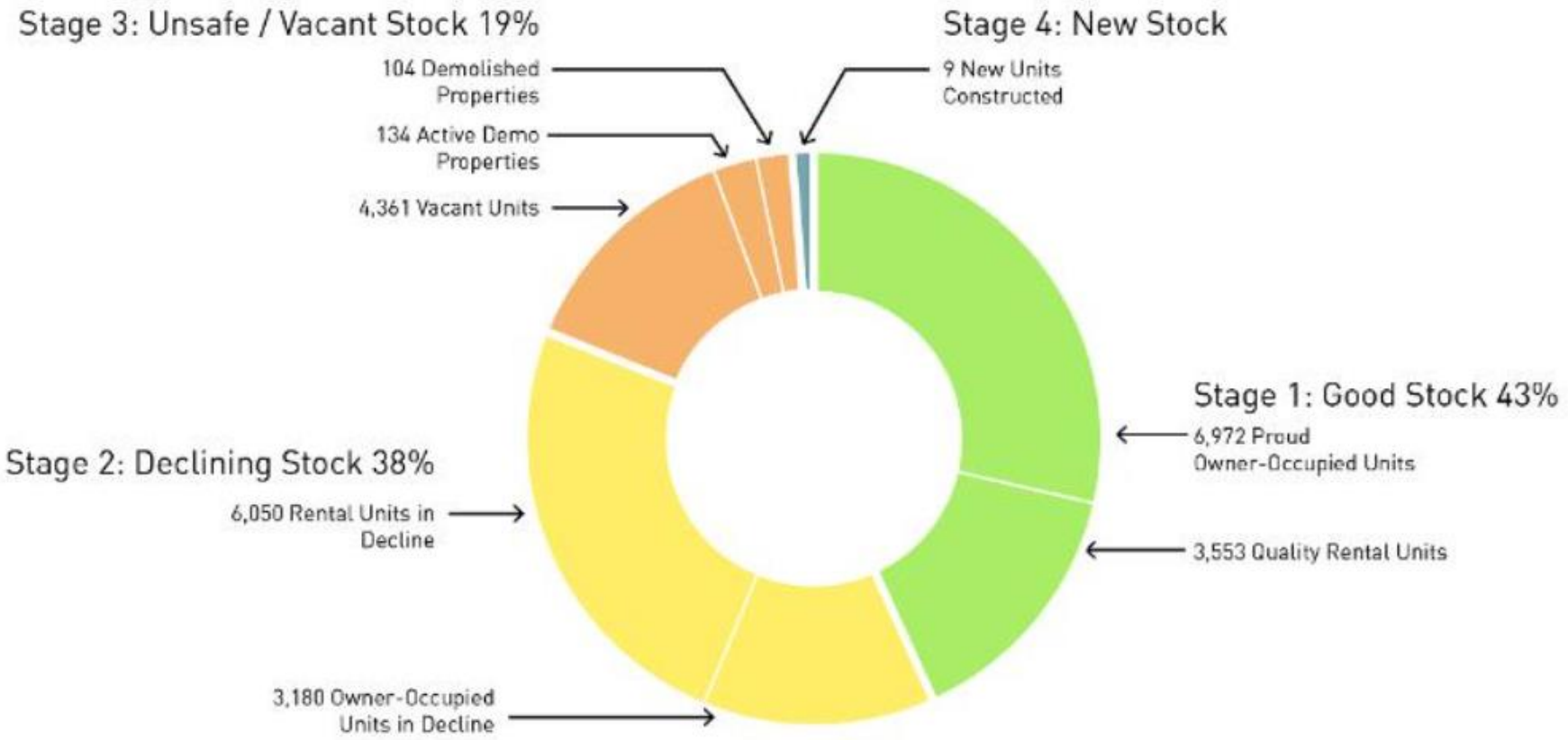
and more likely to rent their property.



# Housing life cycle

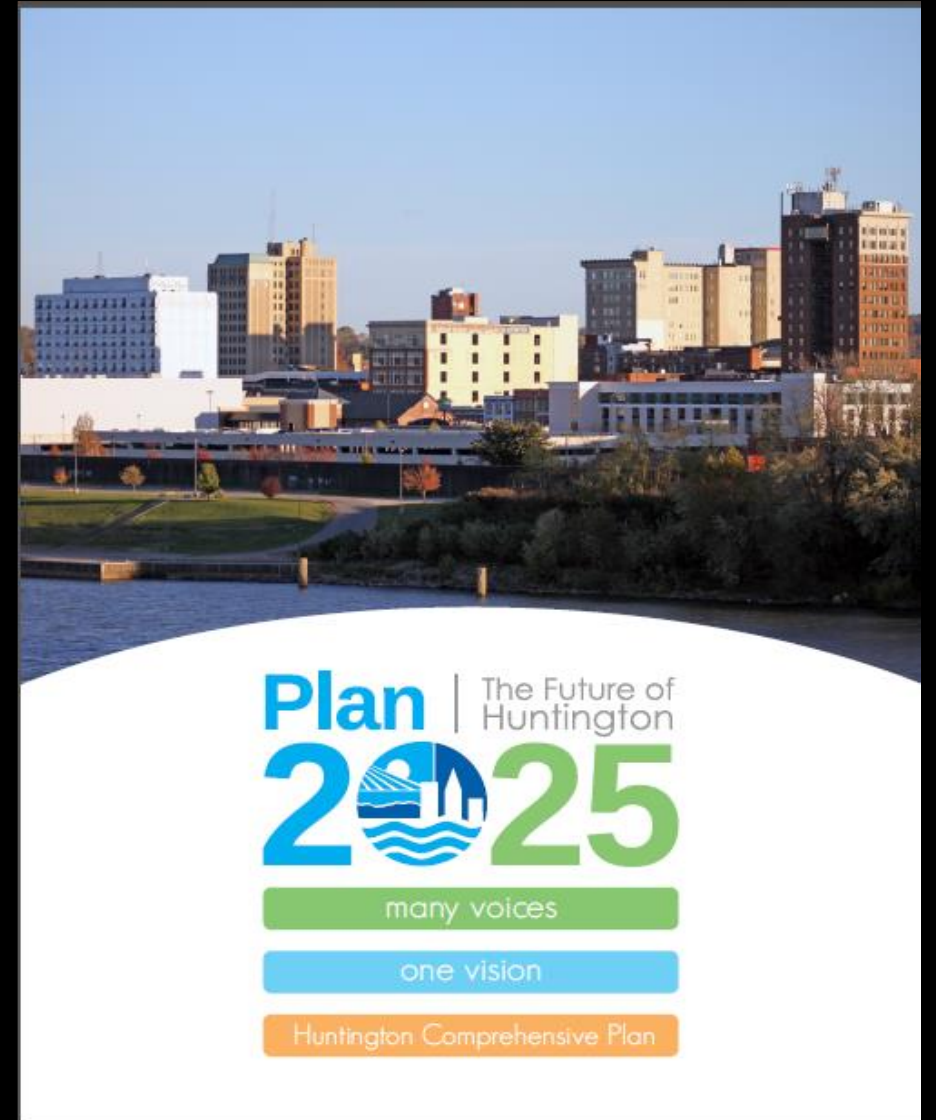


# Housing life cycle distribution



# Plans and Studies

- **Comprehensive Plan**
  - **Housing is a required element**
- **Studies:**
  - **Huntington Community Design Mid-Range Housing Plan (July 2014)**
  - **What does the Sale of Property Tax Debt mean for WV communities – Center for Community Progress TASP report (November 2017) Tax Sales Debt ( CCPTASP Report)**
  - **The State of the City’s Housing Stock, Bloomberg Harvard Fellow Report (August 2020)**
  - **HFD Community Risk Assessment Tool – Internal**



# Review of Housing Tools:

- Stage 1 and 2: Preserving existing Housing stock:

- Certificate of Occupancy/Building code
- **Rental Registry and Inspections**
- Code Enforcement division – under Public Works
- Volunteer Rehab Program/Emergency Rehab program
- **Love your Block Program (community engagement, mini-grants, and minor home repair)**
- Other:
  - Historic Preservation Commission
  - Huntington Human Relations Commission

- Stage 3: Reversing or Demolishing Unsafe Stock:

- **Vacant Building Registry**
- Unsafe Building Commission/Registry
- **Demolition Program**

- Stage 4: Building New Stock:

- HOME Buyer (first time homebuyer support)
- Huntington Land Reuse Agency



# Review of Housing Tools: Residential Rental Unit Licensing

- Residential Rental Unit Licensing and Inspection was approved in August 2018 requiring rental property owners to apply for the Residential Rental Registry.
  - The focus in 2019 was to notify rental property owners of the new ordinance and to create the rental registry.
  - The focus for 2020 is implementing the rental property inspections.

## *Purpose and Scope*

1731.01

“It is the purpose of the City of Huntington's residential rental properties ordinance to assure that rental housing in the city is maintained in a good, safe, and sanitary condition, to ensure that all rental units meet all applicable building, fire, health, safety and zoning codes, and to provide an efficient system for compelling both absentee and local landlords to correct violations and maintain, in proper condition, rental property within the city.”



# Review of Housing Tools: Love your Block



The West Huntington Love Your Block Program, provides the local community an opportunity to communicate and work with the city government to revitalize their neighborhoods through volunteer led, community guided projects.

- Mini-grant applications received: 48
- Mini-grants awarded: 12
- Small Home Repairs: 7
- Neighborhood Improvement Projects: 5
- Meetings, trainings, and other events: 36
- Volunteer Hours: 1,566
- Pounds of trash removed: 2,532



# Linda Johnson - 728 13th St W

Six community volunteers worked on:

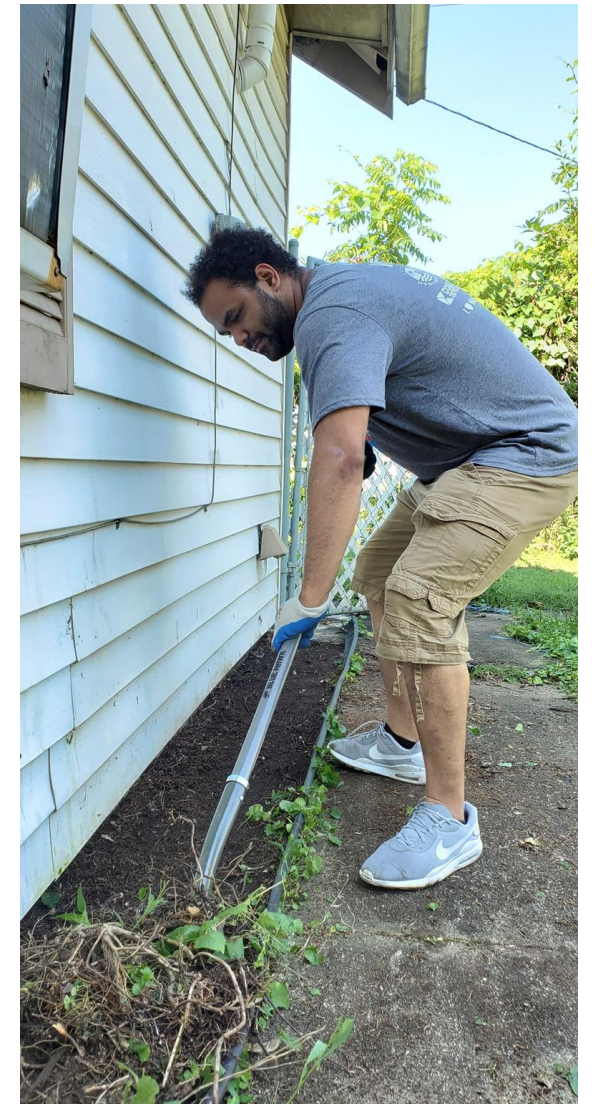
- Repairing the soffit and gutters
- Power washing the entire house
- Painting a small portion of the siding
- Trimming and removing overgrowth
- Spreading mulch over the rock bed



*After taking a look at all the work that had been done, Linda Johnson exclaimed how excited she was to share pictures of her new house with all of her friends.*



728 13t St W - Before



Workdays



728 13th St W - After

# Review of Housing Tools: Vacant Building Registry

City of Huntington property owners are required to register their vacant buildings with the city's Legal Department. Huntington City Council adopted an ordinance establishing a vacant buildings registry that took effect on Jan. 27, 2016.

- The purpose of the ordinance is to keep unoccupied buildings in a safe, well-maintained condition and prevent them from becoming a safety hazard and lowering values of surrounding properties.
- Who must register?
- Owners of commercial structures and all structures within the business district if the buildings have been 100 percent vacant for 30 or more days. **Owners of residential structures, if the buildings have been 100 percent vacant for 210 or more days.**
- Is there a fee to be on the Vacant Building Registry?
- The city will require the property owner to pay a fee if his or her building has been on the registry for one year. The fee will be based on the building's square footage – 40 cents per square foot in the city's business district and 20 cents per square **foot in all other areas – and will increase incrementally each year.** Fees will be billed annually. The property owner may request to have the city refuse account be inactivated once the property is registered.



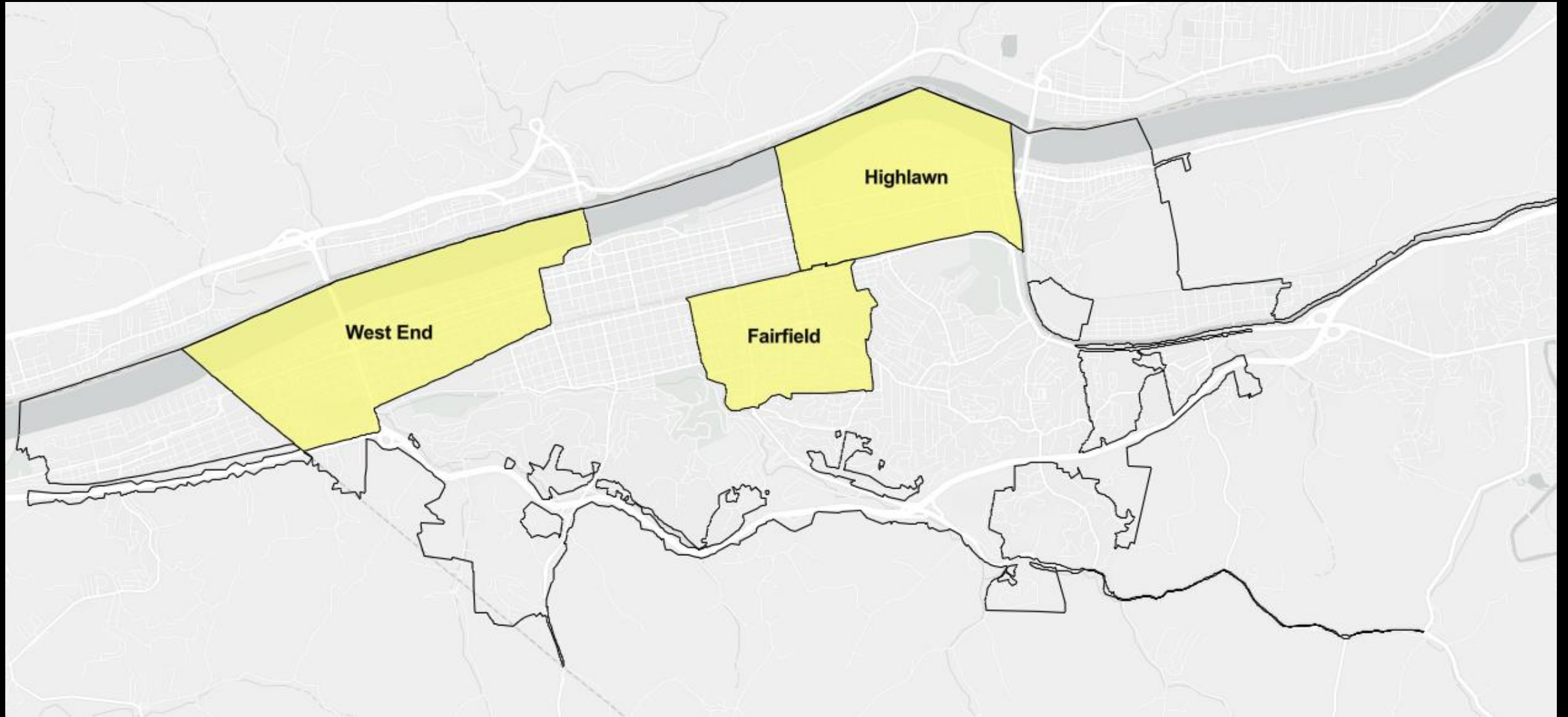
# Review of Housing Tools: Demolition

The city has demolished over 600 properties in the last 10 years with funding from various sources, including private donations, federal funds, and city funds.





# Impact on a neighborhood scale

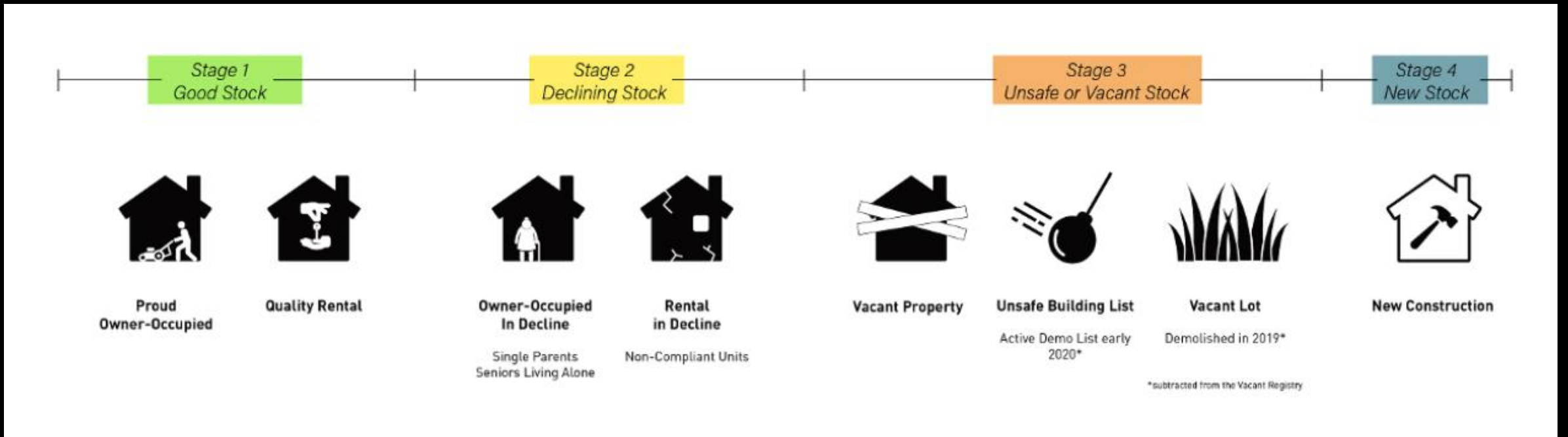


# Next Steps

- Align various program goals and measure outcomes of the full spectrum of housing tools.
- Improve Owner-Occupied Housing by expanding volunteer rehabilitation programs with partnerships
- Improve Rental Stock by holding landlords accountable in partnership with renters
- Facilitate new construction to catalyze revitalization with the Land Reuse agency
- Focus on targeting neighborhoods to see impact



# Next Steps



Prioritize our investment of housing infill, rehabilitation, and revitalization within our existing city limits to preserve our neighborhoods, protect existing residents and attract new.



# The Planner's Tool Kit

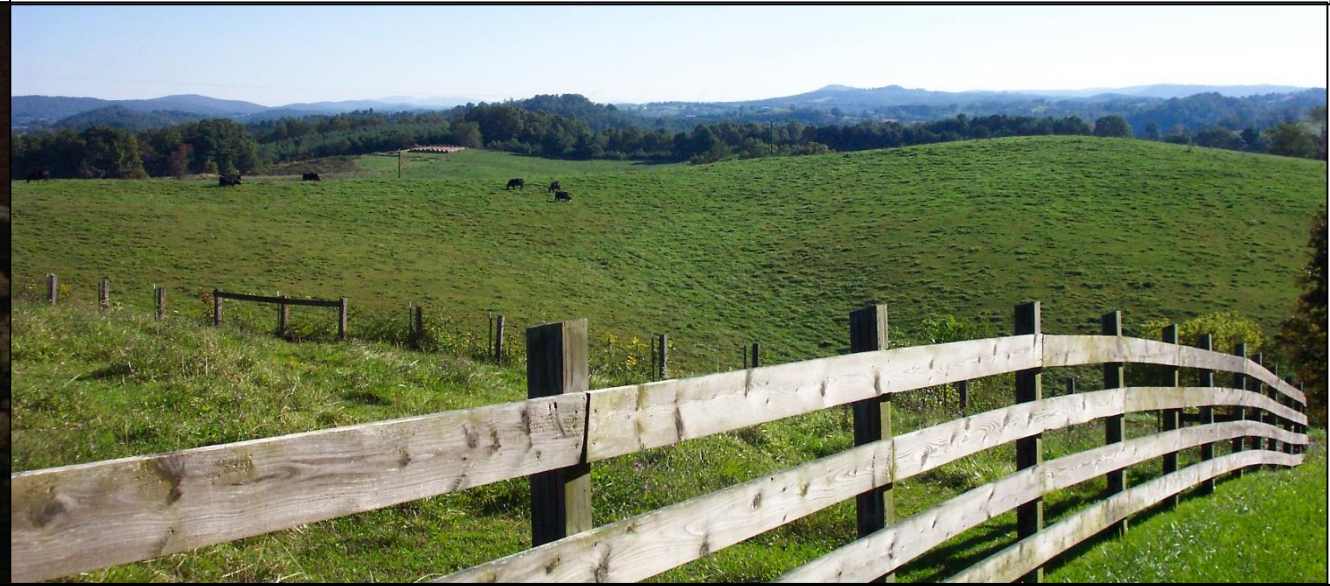
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# Planning Tools for Farmland Protection

 BERKLEY GROUP

Melissa Scott

## What We Will Cover

- ❖ Why Protect Farmland?
- ❖ Land at Risk
- ❖ Problems
- ❖ Solutions
  - Comprehensive Plan Tools
  - Subdivision Ordinance Tools
  - Zoning Ordinance Tools
- ❖ Special Ag Considerations

## Planning Tools for Farmland Protection



# Why Protect Farmland?

## From a Community Perspective



### **Sustainability**

Economic diversity and food security are important for community sustainability.



### **Protect Natural Resources**

Preserving Prime Ag soils, water quality, and air quality go hand in hand when farm best management practices are used.



### **Safeguard Quality of Life**

People consider open space crucial to quality of life, whether recreational or aesthetic.

# Why Protect Farmland?

## From a Land Use Perspective



### **Ensure Orderly Development**

Natural development patterns can move in the path of least resistance, preservation of rural/farmland can help guide development back toward urban services



### **Focus Infrastructure**

Limiting development in rural areas allows localities to focus infrastructure investment – limiting service areas increases efficiency, and reduces cost



### **Provide Open Space**

Open space helps balance environmental impacts of development, provides room for future orderly development, and offers natural space to improve quality of life





# Agricultural Lands - State of States



## 2001-2016

- **6.8 million acres** of the United States' agricultural land were converted to low-density residential (**LDR**) land use
- **4.1 million acres** of the Conterminous U.S. agricultural land were converted to urban and highly developed (**UHD**) land use

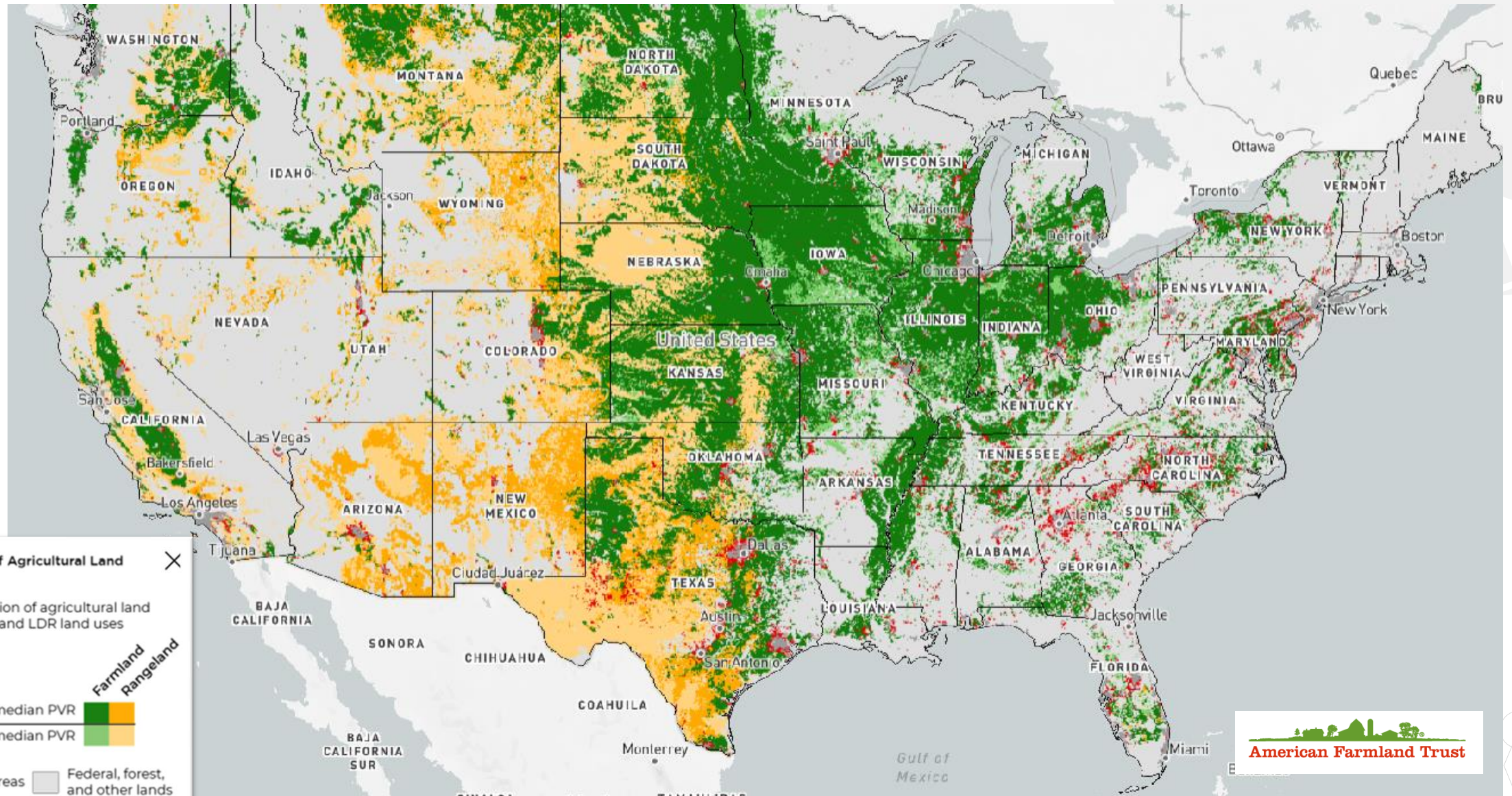


## 10,932,500

- In total, **10.9 million acres** of the United States' agricultural land were converted to UHD and LDR land uses



# Conversion of Agricultural Land 2001-2016



# Conversion of Agricultural Land in Virginia 2001-2016

■ Conversion of agricultural land to UHD and LDR land uses

■ Urban areas

■ Federal, forest, and other lands

- In total, **340,000 acres** of the VA agricultural land were converted to UHD and LDR land uses

**Farmland\*** that is:

Above state median PVR\*\*



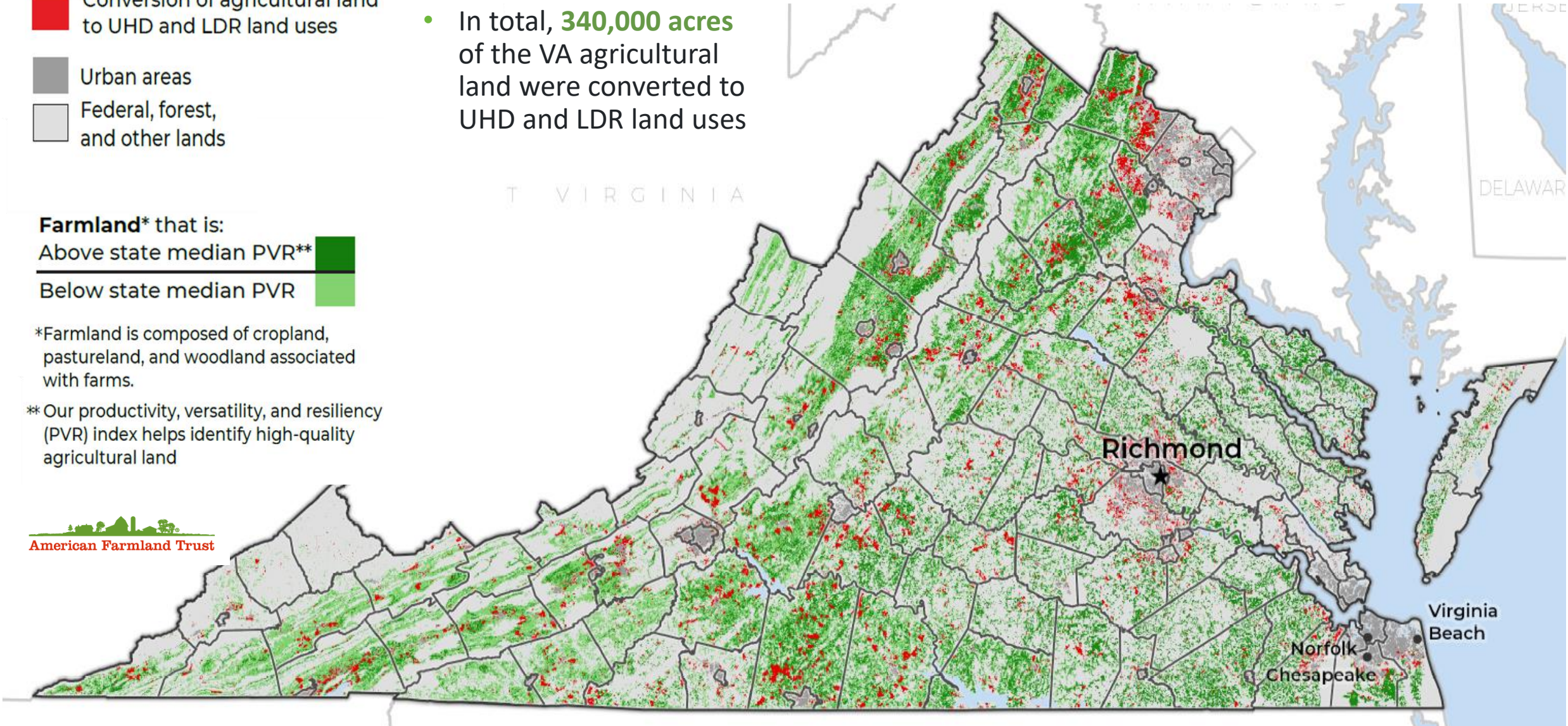
Below state median PVR



\*Farmland is composed of cropland, pastureland, and woodland associated with farms.

\*\*Our productivity, versatility, and resiliency (PVR) index helps identify high-quality agricultural land

  
American Farmland Trust



# Conversion of Agricultural Land in Virginia 2001-2016

- In total, **340,000 acres** of the VA agricultural land were converted to UHD and LDR land uses



## RELATIVE CONVERSION THREAT

# HIGH

Virginia scored among the top states for the conversion of agricultural land to urban and highly developed (UHD) and low-density residential (LDR) uses.

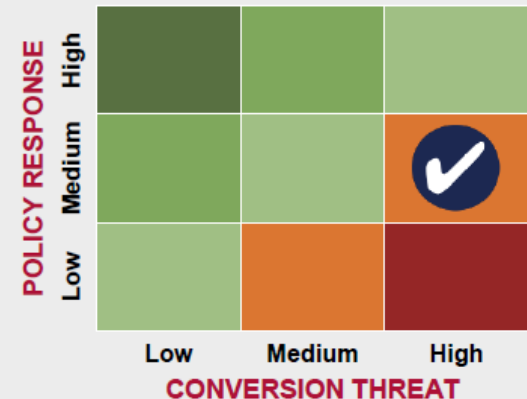
## RELATIVE POLICY RESPONSE

# MEDIUM

Virginia scored in the middle of all states for policies and programs that protect agricultural land from development, promote farm viability, and facilitate the transfer of agricultural land.

## HOW IS THIS STATE DOING?

Virginia is in an orange box because its conversion threat is higher than its policy response, relative to other states. Learn more at [www.farmland.org/farmsunderthreat](http://www.farmland.org/farmsunderthreat)



# The Problem



## Severe Weather

Severe weather events affect millions of acres of agriculture costing farmers billions of dollars.



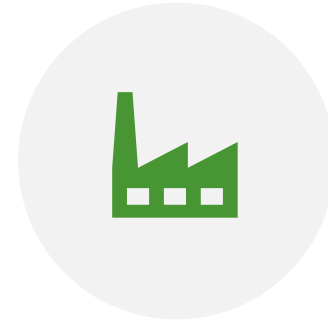
## Declining Profit

Fluctuating commodity prices due to trade wars, globalization, political polarization lead to financial instability.



## Aging Farmers

The average age of all U.S. farm producers in 2017 was 57.5 years and young people entering farming continues to decline.



## Corporate Agriculture

The number of farms is declining while the acreage of farms is increasing. Difficult for small farms to compete with the efficiency of industrial agriculture.



## Development Pressure

Rising land prices tempt land rich/cash poor farmers to sell productive land for development.



The Big Question...

**What can be done?**

# The Solutions



## **PACE**

Purchase of agricultural conservation easement, which protects land from development in perpetuity.



## **Tax Relief**

Differential Assessment or Farm Valuation, and “Circuit Breaker” tax relief is available for agricultural land.



## **Land Use Planning**

Land-use planning policies that manage growth and stabilize the land base.



## **Farm Link Programs**

Farm Link programs that connect land seekers with landowners who want their land to stay in agriculture.



## **Leasing of Gov. Owned Land**

Leasing programs that make public land available to farmers.

# Land Use Tools



**Comprehensive  
Plan**



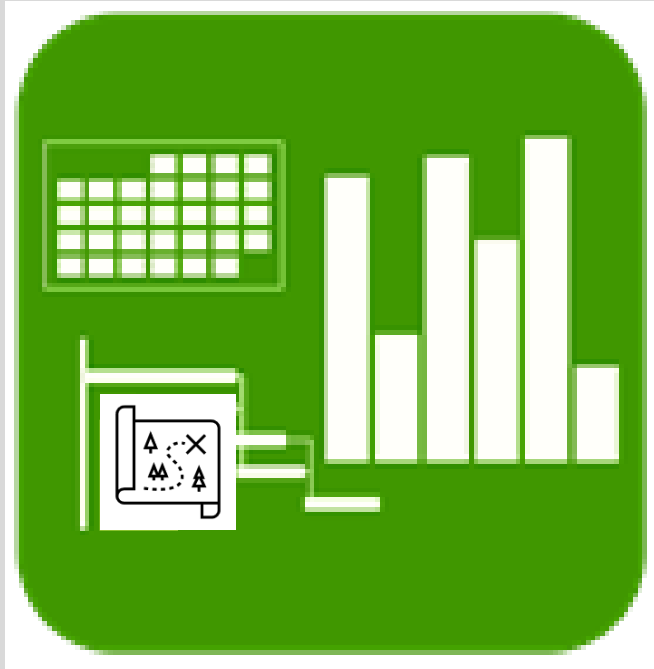
**Zoning  
Ordinance**



**Subdivision  
Ordinance**

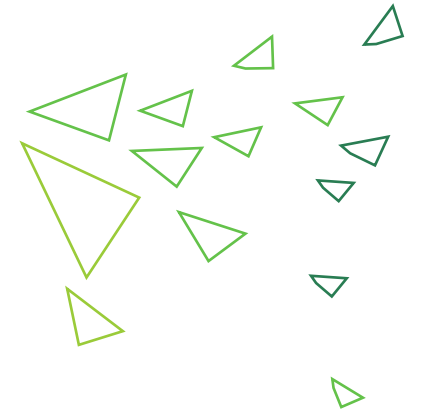




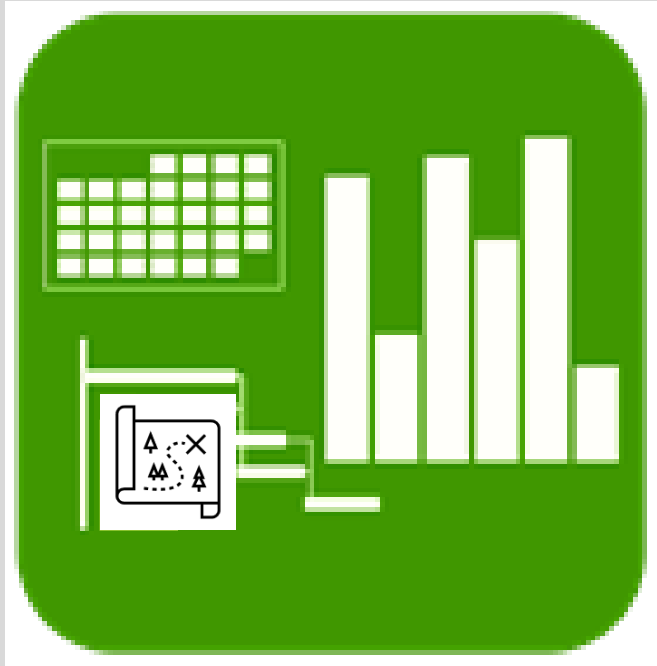


# Comprehensive Plan

Farmland Protection needs to be identified as a priority in the Comprehensive Plan

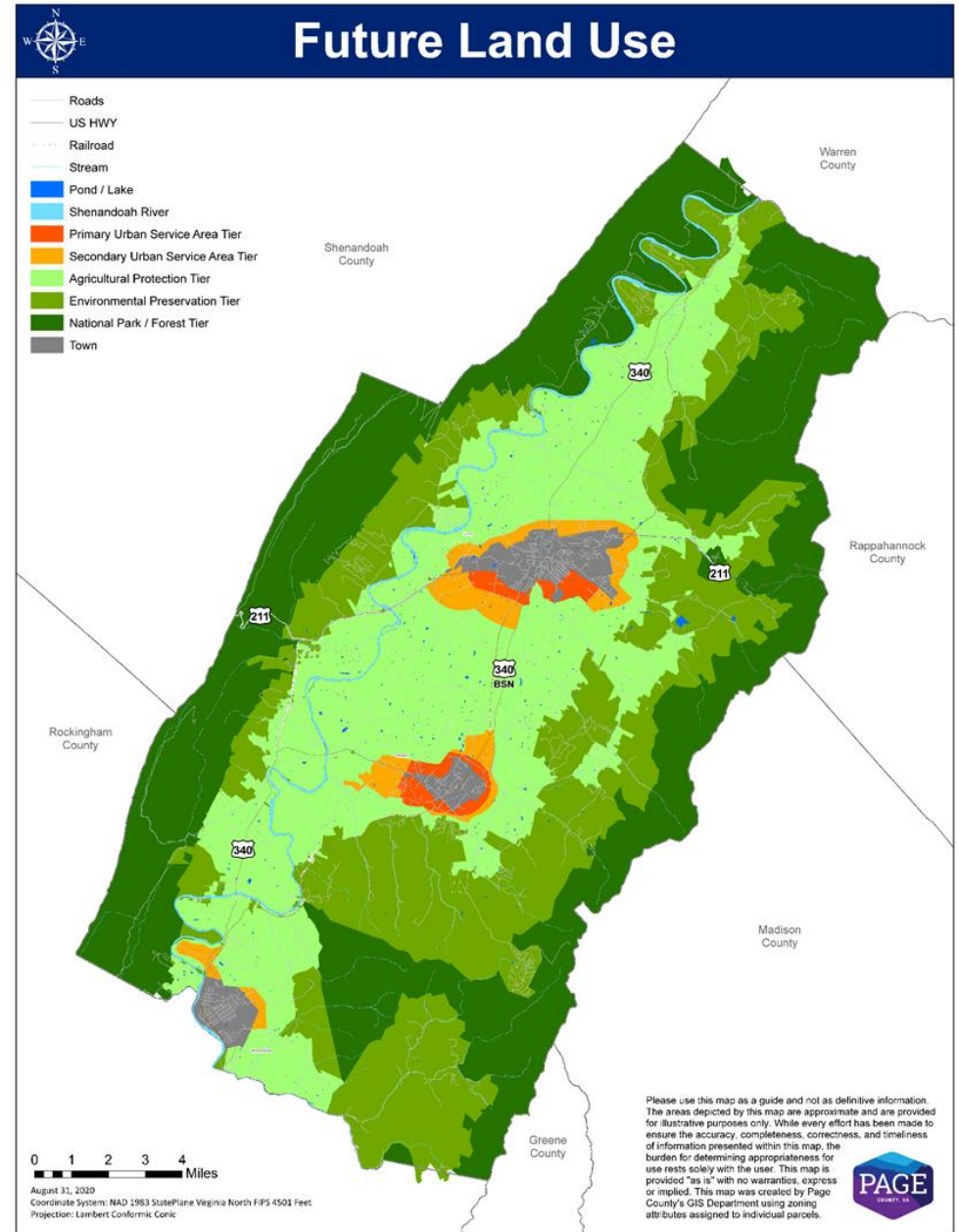


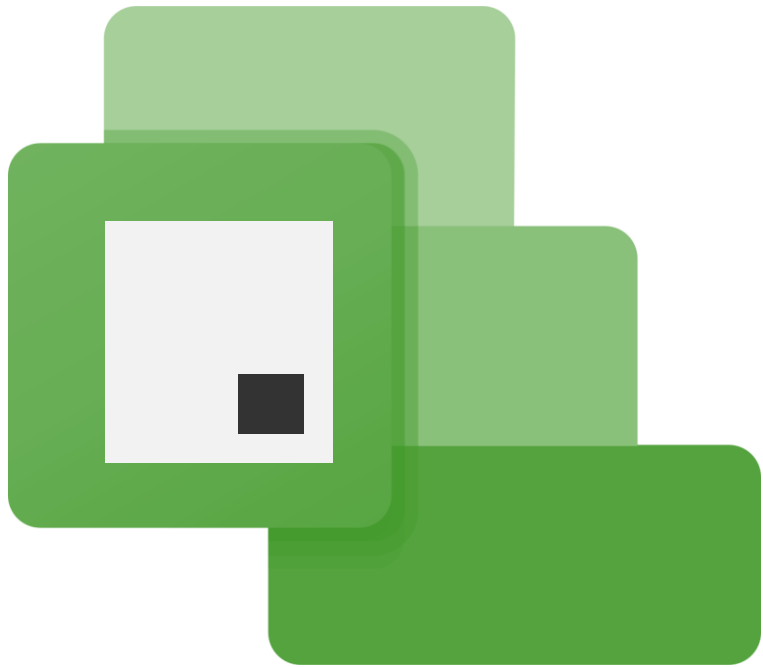
- Identify Prime Ag Soils on Map
- Specify Areas for Ag Preservation
- Establish growth boundaries
- Formulate a formal Ag Plan



# Comprehensive Plan

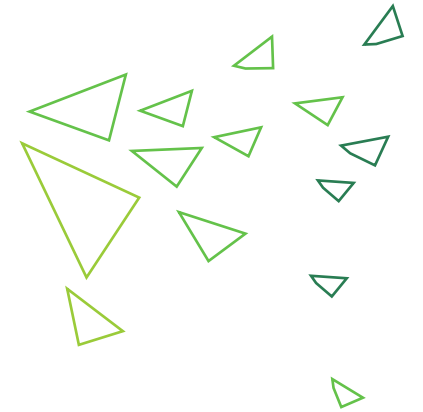
Growth Boundaries – Future Land Use






# Subdivision Ordinance or SALDO

The powers of Subdivision Ordinances and/or SALDO (Subdivision and Land Development Ordinances) vary from state to state, but the focus should be to make it less attractive to divide farmland.

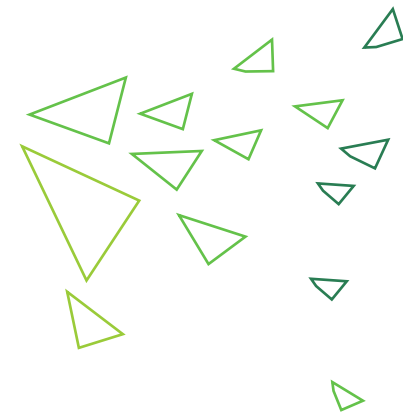


- Agriculture use exemptions 
- Strict family subdivision standards
- Limit size / number of divisions



# Zoning Ordinance

There are three primary groups of regulatory measures used in zoning ordinances to preserve or retain farmland.



- District Use Limitations
- Density Allowances
- Development Standards



# Zoning Tools to Promote Farmland Retention

## District Use Restrictions

- Strict Agriculture Use Zoning District
- Ag & Forestal Preservation District Overlay

Land Evaluation & Site Assessment (LESA)

## Density Allowances

- Fixed Area Based
- Sliding Scale Area Based
- Percentage of Area Based
- Small Lot Maximums
- Transfer of Development Rights

## Development Standards

- Cluster Development
- Use Standards for Intensive Uses (CAFO)
- Floodplain Overlay Regulations

# District Use Restrictions

## Zoning



### **Strict Ag District**

Limit the permitted and conditional uses allowed in agriculture districts.

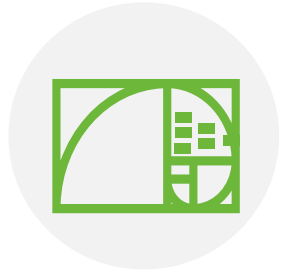


### **Ag / Forestal Protection Districts**

Some states allow special overlay districts where owners can volunteer to enter into an agreement not to develop land for a set period of time in exchange for incentives

# Development Standards

## Zoning



### **Cluster Development**

Requirement or incentives for Cluster Development design for permitted residential uses - preserves open space/farmland.



### **Use Standards**

Adding specific use standards for intensive uses, (even intensive ag uses like CAFO). Can offer land and natural resource protection.



### **Floodplain Overlay**

Since floodplain is typically prime farmland, floodplain regulations can be used to add another layer of protection for farmland.



# Development Standards

## Cluster Development



## Floodplain Conservation





# Density Allowances (per parcel)

## Zoning



### Fixed Area

Sets a specific number of dwellings that are allowed per acre.



### Sliding Scale

Allows higher density development on smaller lots and limits development on larger parcels



### Percentage

Sets a percentage of total parcel area that can be used for development.



# Sliding Scale Density Allowances

Encourage further development of non-farmable smaller parcels and discourage development of larger agricultural parcels with sliding scale and small maximum lot size

- All lots must conform to development standards for building lots
- Minimum Lot size = .33 acre with assurances of water/sewer services
- **Maximum lot size 4.99 acres**
- 200' Public Road frontage required
- Lots must be contiguous
- **Lots must avoid prime ag soils**

0 - .99 acres = 2 (allowable lots)

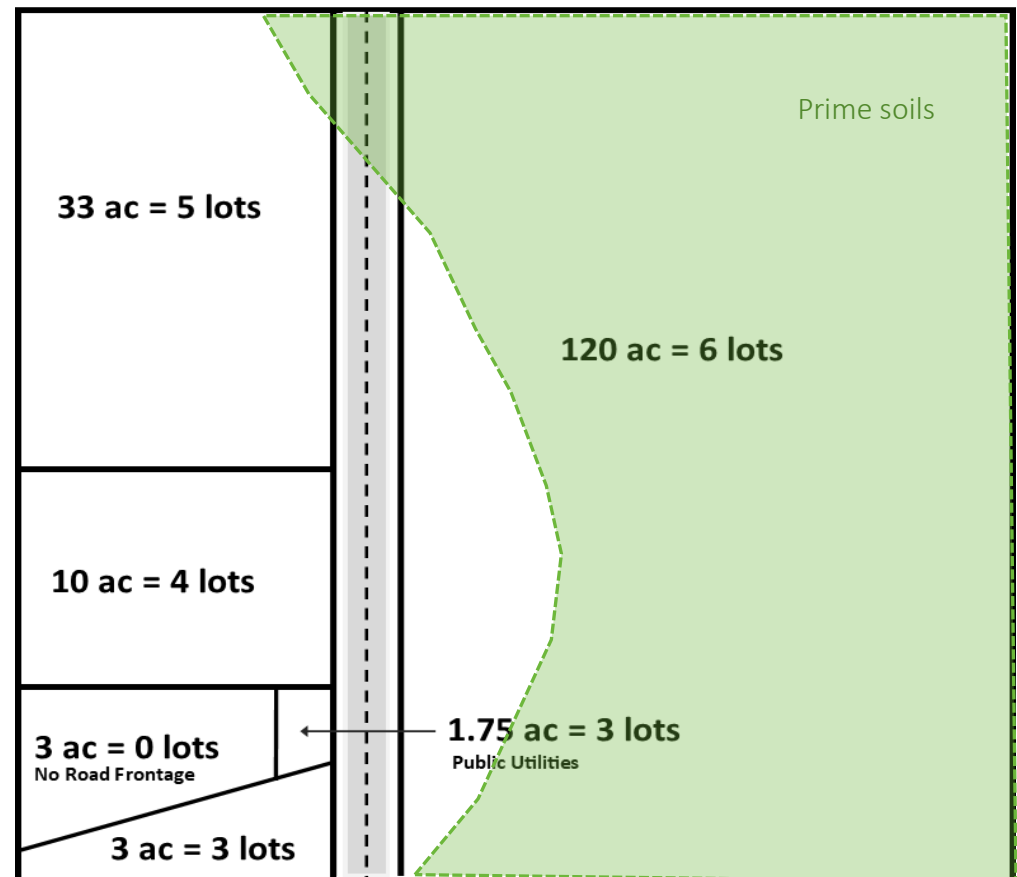
1 - 9.99 acres = 3

10 - 29.99 acres = 4

30 - 99.99 acres = 5

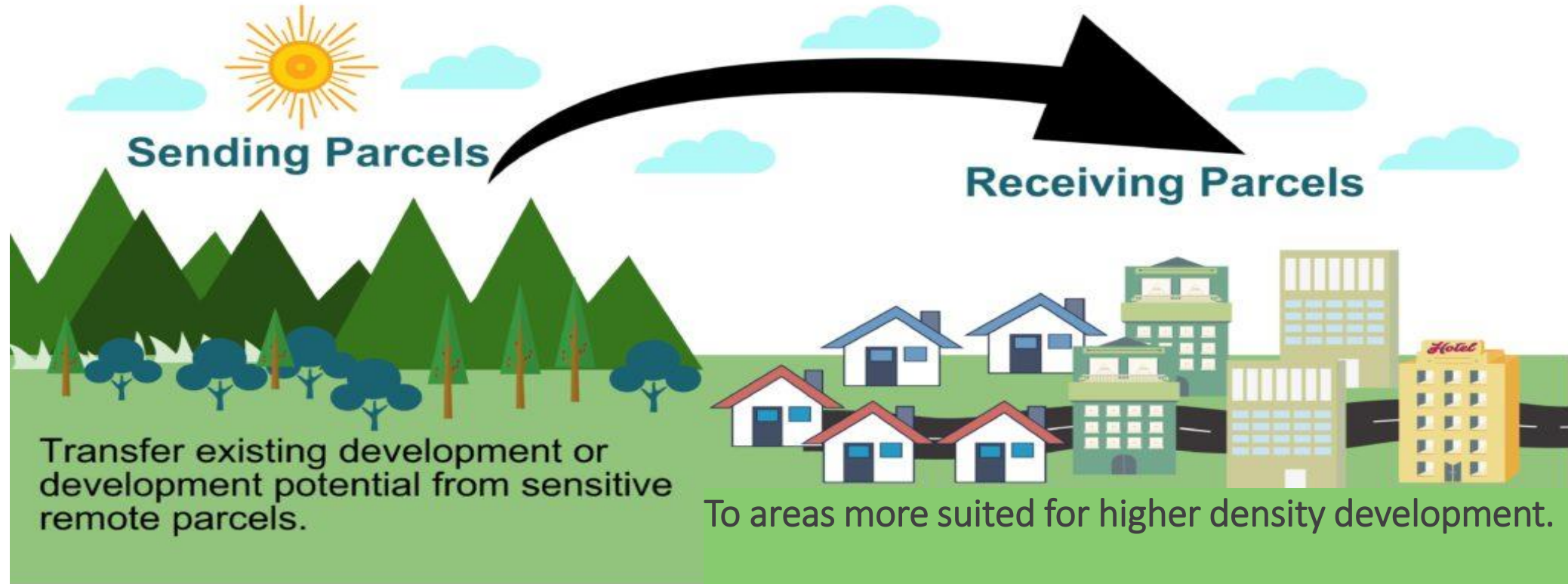
100+ acres = 6

**1 Additional lot per additional 50 acres**



# Transfer of Development Rights

## Zoning



### **TDR**

Density Allowances are also sometimes called development rights. Once those development rights or allowances are used up, developers become anxious about how to further develop. Transfer of development rights can work as a next step to give those who have not used their development allowances (or rights) the chance to transfer their allowances to another property that does want to develop further but has used up their allowances.

# Land Evaluation & Site Assessment Tool

## Zoning



### **LESA**

LESA is an application review process that when applied, generates a number value for land evaluation that is combined with a number value for site assessment to determine the total value of a specific site for agriculture. The higher the total score of a site, the higher the capabilities of that site for agricultural, and thus less suitable for development. The LESA is utilized as part of a rezoning request, Ag/Forestal District application, or regulatory variance.

## Zoning Regulation AG Considerations:

- ❖ Require Sufficient Setback from Active Ag
- ❖ Address Housing for Farm Labor
- ❖ Allow Ag Accessory Uses & Support Biz
- ❖ Provide for Direct Marketing/Sales of Farm Products (define product source)
- ❖ Support Agritourism
- ❖ Provide Clear Regs for Wineries/Breweries
- ❖ Set Standards for Intensive Uses like CAFO
- ❖ Address Farm-based Alternative Energy

Planning Tools for Farmland Protection





**Thank You!**

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