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Center for Economic Development
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**CITY OF OBERLIN
COMPREHENSIVE
HOUSING STUDY AND
NEEDS ASSESSMENT:**

APPENDICES

February 24, 2017

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<http://urban.csuohio.edu>

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APPENDIX A. STEERING COMMITTEE MEMBERS AND CONTACTS

OBERLIN HOUSING STUDY STEERING COMMITTEE MEMBERS

In addition to participating in meetings, each steering committee member was interviewed at length individually.

Cindy Andrews, Oberlin Community Services
Linda Blanchette, Lorain County Community Development Department
Peter Crowley, City of Oberlin Planning Commission
Larry Funk, Northshore Properties
Stephen Kamrass, Sareth Builders
Pradnya Martz, Realtor
John McMahon, Lorain Metropolitan Housing Authority
Alan Mitchell, Zion CDC
Ann O'Malley and Barbara Thomas, Kendal at Oberlin
Liz Schultz, Oberlin Heritage Center
Centralia Scott, Oberlin Resident
Linda Slocum, City of Oberlin City Council
Steve Varelmann, Oberlin College
Carrie Handy, City of Oberlin Planning Director
Sal Talarico, City of Oberlin Interim City Manager

ADDITIONAL INDIVIDUAL CONTACTS

Note: a few additional interviews and contacts are ongoing to confirm and address outstanding questions .

Liz Burgess, Ginko Gallery
Sharon Pearson, Oberlin City Council, the Oberlin Project
Drew McQueen, National Air Traffic Controllers Association, Federal Aviation Administration
Two Kendal at Oberlin employees
Shelly Hurst, Mercy Allen Hospital
Robert Lando, Agrinomix
Three City of Oberlin employees
Gary Guendelsberger, City of Oberlin Housing Inspector
Three Oberlin Community Services employees
Seven class members, Women in Sustainable Employment program
Dr. David Hall, Oberlin City School District
John Monteleone, Oberlin City School District
Greg Fior, Swanzer Agency

Joe Shafran, Paran Management
Sean Hayes, The Oberlin Project
Danielle Young, Oberlin College Alumni Association

APPENDIX B. CHARACTERIZING OBERLIN'S HOUSING

See following pages for oversized maps supplementing information in the report. In the digital version, oversized maps are provided as a separate pdf.

APPENDIX C. COMMUNITY OPEN HOUSE SUMMARY

SUMMARY

An Open House was held on September 15, 2016 at the Oberlin Public Library. The open house was announced in the Oberlin News Tribune, and through the City's multiple e-mail lists. About 34 people attended, and offered their opinions on community assets, community challenges, and vision for the future related to housing in Oberlin. 20 people also filled out an "Ad Libs" sheet, brainstorming ideas related to housing. (The responses are summarized below).

Assets. Participants were very positive about the city's small town feel, friendly and diverse people, walkability in some areas, great downtown and parks, the bike path and bikeability, the amenities provided by the College, and the presence of some "great neighborhoods".

Challenges. Participants were concerned about gaps in housing availability for middle-income and low-income seniors and low-income families; diminishing diversity in the City; and lack of housing and neighborhood maintenance, especially in some areas, and especially by landlords.

Vision for the future. There were as many comments about neighborhoods and community as there were about housing per se. There is a tension between those who want to see more affordable housing for rent and for sale, and those who would like to see more mainstream single-family housing and green space. (these are not necessarily mutually exclusive, but if they are desired by different people, disagreement can arise over plans for individual projects). Many participants felt that a greater diversity of housing types (sustainable homes, tiny homes, apartments, condos, assisted living, co-housing) is desirable. Infill housing was a priority as well as strong maintenance and restoration programs for housing, sidewalks, and community amenities. Increased walkability, community connection, and transportation is desired to make housing more attractive. Some participants noted the importance of jobs and public transportation to attracting and retaining a diverse population.

MAP AND DISCUSSION NOTES

There were five stations in the room, as follows. Each station had a map of the City on a board, and participants could put comments on post-it notes on the board, or could discuss with a facilitator (who was taking notes), or could put longer written comments on 4 x 6" notecards.

1) Entry. Participants were asked to put a sticker on a map of the City denoting where they lived. They were given an overview of the other stations, and given the opportunity to record their e-mail address for further communication.

2) Assets. Discussion focused on what makes Oberlin a great place to live/work/visit.

- 3) Challenges. Discussion focused on what is needed to improve housing and neighborhoods in Oberlin.
- 4) Vision for the future. Discussion focused on participants' ideas for housing in Oberlin.
- 5) Finish. Participants were given the opportunity to fill out an "Ad-Libs" form which asked about their impressions of Oberlin and housing; or to make additional notes on notecards.

All notes on Boards, taken from conversations, and noted on notecards. These are organized by subject area, and reassigned to the subject area most appropriate. See also photos of the boards, following.

Station 1: Where Do you Live?

There were 34 attendees who signed in at the open house; 30 of them reported their place of residence using stickers on the map. Stickers were color coded with red (working in Oberlin), blue (student), and green (resident). There were two (red) who identified as working here but living outside of Oberlin, three (red) identified as both working and living in Oberlin and one (blue) was a student. The remaining 24 (green) were residents, and they were scattered among residential areas north of Hamilton. See board photos. Some attendees noted their name and e-mail to be notified of future project events and information. See attached scan.

Station 2: Assets: Oberlin Streetview. What are Oberlin's assets and opportunities?

- Neighbors who watch out for each other, support seniors
- Like bike path, common spaces, exercise station by community services
- Like bike paths – here to Kipton and here to Elyria, kids rode it, very safe
- Channel 5 [feature,]Park Street [was noted]– "best neighborhood" in Oberlin, vacant property but still great
- World class culture
- Ideal community for seniors
- Senior housing is best for mid- to upper-income
- Likes interaction with young people from the college
- It is a "real town square" city if you want it
- Crime has reduced since 2003 – City locked up kingpins, LMHA renovated housing, drove bad element out, screened new tenants better; better policing needs to continue

_____ (below are taken from map post-its)(location on map in parentheses when relevant)

- Awesome downtown!
- Beautiful parks, all over
- (At Kendal) Great place to walk
- (At Kendal) New Park! Southwest corner Maple and N Pleasant St. Save our open spaces – 6 acres!

- (At Kendal) Kendall disadvantage: new park
- Great diversity and positive people
- (NW corner - Union/Prospect): Why are we not growing here? Great neighborhood.
- (at campus) College offerings are great – college adds a lot
- Great to live in a college town
- (Park Street) Advantage Park St – best neighborhood in Oberlin, Channel 5 (plus a second yes!)
- (N side of Lorain Ave, across from Thomas) Great opportunity for new bus. (business?)
- (at Tappan Square) Tappan Square is wonderful
- (at downtown) Downtown beautiful, useful, well kept
- (at Morgan and Cedar) Walkable for people with dogs; love (heart) bike path
- (at Bike Path) Bike Paths
- (at rec center, south of Hamilton) Great parks! Premier!
- Love all walkable parts
- Diversity diversity
- Commuters are candidates who can live here
- (at Shipherd) Beautiful circle
- (at College and Oberlin – Green Acres?) Keep the park

Station 3: Challenges: What is needed?

(what needs improvement)

- Need information on sewer/water pipes at houses – City should know more about location of pipes serving homes.
- Remove blighted home and replace with “simple, clean, affordable homes.”
- Need to define “sustainable” – clean, safe and affordable would sell and is therefore sustainable.
- City can do more to force landlords to take responsibility.
- Landlord upkeep needs improvement – some North Park homes are noted – encourage landlords/tenants to cut grass/trim shrubs.
- Elderly need support for cost of maintaining homes – can lose homes over violations.
- There is a variability on housing maintenance enforcement between neighborhoods: broken sidewalks, capped pipes in sidewalks – street, sidewalk and right-of-way maintenance is variable.
- Will affordable housing bring in people who strain the tax base?
- There is no place to put tiny/small homes
- Students are inflating rents for everyone
- Dilapidated housing in N Park neighborhood – is it better to raze it, or find buyers wanting to fix it up?
- There is inequity in enforcement across the city

- Kendal is not eco-friendly – chemicals on lawn, lots of wastewater running into sewers, cut trees down, lots of pavement
- Some Central neighborhood housing stock has outlived its usefulness
- Need work on locating owners of abandoned housing. Still paying taxes, so not delinquent – may be paid off mortgage, so no one is watching. County needs to track who pays the tax to locate owner.
- It is an uphill road to bring families in – there are too many other choices for them.
- Former student housing needs upgrades – not attractive to families, likely tear-downs
- Former Senior Housing at Main Street – became Section 8 housing, doesn't feel safe any more
- Former Firelands Senior Housing – became college housing
- Oberlin is losing diversity over time – need affordable housing and jobs to reverse the trend – African Americans are leaving to find both; don't feel valued in town (dilapidated Boys/Girls club, variable maintenance)
- Electricity company has rates too high for families – people don't qualify for assistance but it's too expensive for them.
- There are no jobs to keep people here.
- College bought up homes for student housing, no longer available for everyone
- Need to improve City-College partnership, return to its former strength
- There are no rentals available: Most rents are for low-income (below the \$723 average).

(below are taken from map post-its)

- (on Park St) Raze abandoned housing, 70 and 75 N Park
- Incentives for landlords to improve housing and energy efficiency
- Improvement of apartments on W College and E Vine Sts (inspection at turnover??)
- We are in desperate need of senior housing other than Kendal that is affordable. Older people want to move out of homes but stay in Oberlin.
- Affordable rental property
- More owners, less renters
- Housing improvement (maintenance)
- (south of Hamilton) Easier zoning for agricultural buildings
- (at Morgan and Fairway) Repair West Morgan St
- More building inspections with enforcement
- Repairs on current housing stock
- Sidewalk repairs

(moved from Assets board)

- Need affordable senior housing for middle income people, \$800 rent/month
- Faculty are NOT from Oberlin, college should hire local
- People need access to jobs i.e. Public transportation to Cleveland/Elyria
- If people aren't working for the College, they can't find jobs

- (at N Park): Disadvantage abandoned housing 70 N Park, 75 N Park (second tag copied – agrees)
- (SE corner Pyle-Amherst and Lorain) Where are parks and play areas on west side of town?
- (SW corner Pyle-Amherst and Lorain) Pyle S. Amherst has no sidewalks and no shoulder. Very bad for pedestrians.
- (on S Main N of Hamilton) Too many flippers and investors
- Need better sidewalks
- (SW corner, Lincoln and Professor) Need sidewalks

Station 4: Vision for the Future

- We need a comprehensive way of aging in place
- We need more apartments
- We need reasonably priced condos – there are good locations throughout the city. Neighboring communities have nice ones easily under \$100K.
- Assisted living that is reasonably affordable would be nice.
- Affordable housing is needed for different household lifestyles: cluster housing w/range of housing types to encourage intergenerational communities
- We don't need more senior or low-income housing – need more residents that will increase tax base
- We need to bring families in
- Green Acres should be for a new Boys/Girls club, would show kids they are valued; see what Elyria and Lorain are doing, identify other models
- City says it needs “Young Professional” housing (upscale?), but also affordable housing for young families is needed
- Strengthen the CDC so people have support for repairs
- Empty lot next to Kendal should be for more low income housing (Kendal bought it just to reserve it from other development?)
- Should plan for future of College-owned empty fields north of Drug Mart
- We need senior middle-income housing that is easy to care for
- Low income housing is a drain on the tax base
- Population needs to grow; need more families, not seniors to support schools. Homes should be on ¼ acre lots, \$180-225K.
- We need a database or clearinghouse of vacant homes that are available for sale to people who will renovate. There is a market, but not enough homes.
-

(below are taken from map post-its)

- Zoning for small (as well as tiny) homes and duplexes
- (at tiny homes photo) Just a fad, put them all together in a park
- (at tiny homes photo) Yay! To tiny homes or tiny lodges or BnB.

- (at tiny homes photo) Tiny homes might bring more young people to live in town.
 - People want to live close to downtown and the College, if they work for the College
 - Entirely bike friendly community
 - (at Affordable Housing photo) Anywhere
 - Replacing abandoned homes with affordable homes where Needed (N Park St for example)
 - The creation of communities within our neighborhoods where people look out for each other
 - All of these housing options are needed
 - Every “neighborhood” has a common area for informal gathering and building community
 - We don’t need to lose any more diversity in Oberlin; affordable senior housing
 - Seniors want to move out of their homes but live in Oberlin in a smaller place, other than Kendal
 - We need more median income condo’s and apartments for transient people, college people, and young families
 - Continue connecting communities with sidewalk programs
 - (at Sustainable housing photo) Sustainable housing might be great in capturing young people and families with school-going children. Love the idea!
 - More apartment complexes like College Park Manor (x43 E College) that 65+ people moving out of homes who want to have less stairs, less repairs, single floor (elevators) places can stay in Oberlin. Oberlin is low on ranch-style dwellings. (second post-it) I agree with this comment.
 - Young families want to live in newer homes especially if they are energy efficient
 - (NE corner of City) Annex to the East for housing
 - City pay more attention to poor quality housing (comments added: Yes! Agree!)
 - (on S side of Lorain, W of Orchard) Condo and single family
 - (at Green Acres) affordable senior housing, middle income (Green Acres)
 - Convert/reuse elementary schools for multi-purpose senior housing
 - (at College and Park) Another affordable senior living community in place of Eastwood
 - (at Vine and Groveland) A better Concord-type facility
 -
- (moved from Challenges board)
- Perhaps mixed-generation housing – walkable to town and amenities
 - (at Pleasant and Walnut) A park, north side
 - (North of Park and Lorain) New School
 - need assisted living, less pricey than Kendal (second person agreed)
 - (at industrial park) More Jobs
 - (at Lorain and Oberlin) Housing
 - (at Green Acres site) Eco Village – Co-Housing community at green Acres! With a mix-young, seniors, singles, etc.
 - Land trust

- Senior housing
- (South of Morgan, Main) Infill needed/should be prioritized (agree)(Yes) (two different additional comments)
- Oberlin doesn't so much need new housing but it needs to improve the existing housing stock without pushing low income people out. There needs to be creative public/private partnerships for low income Oberlin home owners to make their homes more energy efficient. We need to find ways to beautify the southeast sector of town.
- (downtown, SW of College/Main) need middle priced housing in town
- Oberlin should work with the southern quadrants to improve housing stock for minorities and low-income families. EFFORTS should also be made to connect communities and make them more walkable (i.e. continue with sidewalk projects)
- Affordable housing for young families as well as smaller homes for retired folks for whom Kendal is not a choice
- Zoning laws that are people oriented rather than car oriented and allow for more infilling, various ways to use property, etc.
- Better facilities (schools); better services especially to the south/SE part of town
- Better town and gown locations [Ed. Note: meaning not clear?]
- City govt SHOULD – MUST!! Reinstate change of occupancy inspections, both rental and Sale

Additional participant comments on other topics

- Liked the event today with stations, etc.
- The study underestimated the # of bad housing
- Couldn't find a place to live, so moved out to the township
- Green Acres failed because it was "too nice a neighborhood"
- Concord facility is Senior Housing
- Interview Naomi Sabol of SCA (Sustainable Communities Associates)
- Doesn't look like Kendal was counted in units – is it "group quarters"?
- Doesn't like closed, circular neighborhoods
- Note that form is available for complaints at the building department
- City of Amherst gave tax abatements to bring in new homes, could be model?
Examples: Cooper-Foster west of 58; South Lake St; North Ridgeville – Del Webb community.
- Columbia Gas does energy audits for homes
- Oberlin needs to strengthen relationship with Land Bank
- Green Acres was deed restricted to be "for the benefit of children" in perpetuity – does this still apply?

RESPONSE CARDS

4" x 6" comment cards were placed around the room and some people chose to make their comments there. Some were dropped in the survey box. Each number is one card.

Card 1

- Concentrate on infill housing, harmonious with each neighborhood
- For low-income, even section 8 dwellings, follow a tenant, not project, model
- Involve Habitat, or imitate Habitat, to create a more stable neighborhood
- Make development part of the City's grid, not a suburban-style offshoot
- Try to create mixed-income neighborhoods. Putting people with similar social disabilities is not beneficial.
- Do not sacrifice greenspace.

Card 2

- Community needs more benches to be walkable
- Need services for the aging population – they need ways to maintain their homes.

Card 3

- Oberlin needs high-quality, non-smoking rental housing on the parcel of land at the corner of North Pleasant and Maple St at Kendal's doorstep. The city of Oberlin should seize the land by eminent domain.

Card 4

Problem – college and kendall [sic] take precedent – i.e. get preferential treatment

Need more homeowners

Too much rental property

- Lives (sic) here 10 years, moved from CLE
- people want to live in working class neighborhood
- lots of discrimination that's frustrating
- good city... can walk dog at night

Card 5

- 1) Low-moderate income housing is needed but consider a new model. Don't concentrate it in one place.
- 2) People/residents need to be invested and screened
- 3) doesn't need to be another Westlake!

Card 6

Need ppl (people?) who are invested in community and who will keep up their homes

Card 7

Better advertising announcements of these meetings!

Card 8

More affordable rental apts or homes for young people, non-Oberlin college students,
<\$500/month

I have 2 rental properties – full, and I constantly have people asking me if I have anything else to rent out. (I wish I could afford to buy and renovate more property.)

Card 9

- I feel we need to provide more moderately priced family homes.
- I would like to see more families come into town and increase school population
- We provide a lot of services for community and city school students. If we do not keep a reasonable tax base we will not be able to continue to provide all that we do.
- Having families move in that can afford to support the local businesses as well.

AD LIB SUMMARY

20 “Ad Lib” surveys were filled out and dropped in the box. Not everyone answered every question.

1. I think _____ is the greatest thing about Oberlin.

Community (3)	friendly people (2)
The college	progressive character
Oberlin college	the downtown
Diversity (educational, ethnic, political, economic)(4)	small and cosmopolitan
Green public spaces and bike paths	history/personality
All that Oberlin college brings	Welcomeness
trees	Culture

2. We really need more _____ housing to make Oberlin the best it can be.

Senior housing	Both Multi-family, low-income
Apartments	“family” owner (3)
Affordable (3)	reasonable property tax
Variety of (2)	owner occupied
Rental	singles/condos
Affordable senior	quality apartments
Affordable student housing	mixed use
Apartments and assisted living	

3. The addition of _____ would make people more likely to move to Oberlin.

Employment (6)	I don’t know!
Activities/locations for kids	Ultra high-speed internet
Neighborhood communities	Lower taxes
Better school facilities	Family homes
Attractive rental property	Newer housing, or better yet better
Stronger schools (2)	maintained homes
Senior-friendly housing	Affordable housing

4. The cost of owning/renting a home in Oberlin is _____.

High(2)	Highest in the county
Owning/expensive (2)	Renting/high
Reasonable (4)	Affordable
Alright, lower than the average in NE Ohio cities	owning/increasing a strain
Decent	exhorbatant (sic)
Owning/high due to the small tax base	relatively low

5. Housing values in Oberlin would increase if _____.

Don't need to	New schools were built
Built better new projects	More ownership
City policed housing throughout the ENTIRE city	We keep raising the quality of our schools
There were more jobs	We invested
There was a home improvement program	Better maintenance of existing stock
There was more consistent care and maintenance of homes and property	Sustainable reserve funds were used for energy-efficiency improvements
There was public transport	More funding was available for updates
Rundown houses were razed or repaired	We attracted more businesses
More people wanted to live here	we assisted low income homeowners to improve their homes

6. Oberlin will be most successful in meeting residents' housing needs in the future if _____.

The city could/would take action on infill housing	we do our best to take into account ALL needs
The City actually listened and served	we invest now
They listen and implement public feedback	better maintenance of existing and annexing property for new housing
It is willing to try new things	answers to 2-5
City council would work together	more people were willing to speak up for what they want
If there is more follow through	the south end of town was treated like the NW side of town (services etc)
They cater to small families and students and seniors	the city listened more to residents than the college
It tries new things	if we gave seniors on a fixed income the ability to make their homes more energy efficient to reduce their energy bill
we do not allow the process to be held hostage by the ultra-green community of Oberlin	
stop catering to the College and Kendal	

7. Tell us anything else you'd like us to know here or on the back:

- The college needs to contribute more
- This is a superb place to live that can get better. More bike friendly streets and ...[ends]
- Housing in Oberlin is unevenly respected by the City. The problems in lower econ/mixed neighborhoods would not be tolerated in wealthier areas
- Adopt form-based zoning codes
- The City needs to enforce building codes, holding landlords accountable

APPENDIX D. COMPARISON COLLEGE TOWNS

SUMMARY

At the beginning of the study, the Housing Study Steering Committee identified cities that they would like to see us explore for their approaches to housing issues, especially with regard to sustainability, affordability, and affordable housing/community development programs. These cities were compared, along with some others, to identify cities with characteristics similar to Oberlin for comparison. See oversized table at the end of this summary for the full information compared in selecting cities for comparison.

Six cities were chosen for their similarities to Oberlin in population, proportion of students, size of colleges, and senior population, and further investigation was done, including web review and telephone calls to City Community Development officials. The focus cities included Grove City, PA (Grove City College); Middlebury Vermont (Middlebury College); Hanover New Hampshire (Dartmouth College); and Lexington Virginia (Washington and Lee University). In addition, Ithaca, New York, and Tuskegee, Alabama were chosen to explore the range of housing programs they might be implementing. Ithaca is a HUD entitled city, has a substantially larger population and college population, and is the primary city in its county, giving it leverage in collaboration with county authorities and organizations; however we thought it would be an interesting comparison due to its progressive reputation and ability to leverage larger funding sources for housing-related solutions. None of the cities chosen came close to Oberlin in African American population; therefore Tuskegee was chosen due to its higher African American population, and potential for programs focusing on African American homeownership and business.

COLLEGE TOWN COMPARISON - FOCUS CITIES - BASIC POPULATION

LOCATION	COLLEGE/UNIVERSITY	POPULATION	Number of Students Enrolled	Pop Not in Group Quarters	Overall proportion of student population(1)	% WHITE	% BLACK	% OTHER	% SENIORS OVER 65
Oberlin, OH	Oberlin College	8,368	2,900	5,919	34.7%	68.1%	17.7%	5.1%	14.4%
Middlebury, VT	Middlebury College	6,713	2,450	4,144	36.5%	89.8%	1.1%	5.8%	16.0%
Ithaca, NY	Ithaca College, Cornell University	20,141	28,582	12,216	141.9%	74.2%	5.7%	18.3%	13.3%
Hanover, NH	Dartmouth College	11,311	6,298	7,170	55.7%	85.2%	2.7%	10.9%	11.9%
Tuskegee City, AL	Tuskegee University	9,435	3,156	7,368	33.4%	3.8%	94.8%	0.5%	12.9%
Lexington, VA	Washington and Lee University	7,114	2,172	3,614	30.5%	84.7%	6.4%	5.2%	12.1%
Grove City, PA	Grove City College	8,242	2,500	5,677	30.3%	96.0%	1.0%	1.6%	13.7%

Source: ACS 2010-2014 5-year estimate; city and college web sites; US HUD

Notes:

(1) Negative percents, or numbers over 100%, reflect college populations which are substantially housed outside city limits

COLLEGE TOWN COMPARISON - FOCUS CITIES - HOUSING CHARACTERISTICS

LOCATION	COLLEGE/UNIVERSITY	TOTAL HOUSING UNITS	Total Households	Median HH income	Housing Unit Vacancy	Owner %	Overall proportion of students in households (1)	HUD entitled?
Oberlin, OH	Oberlin College	2,686	2,524	52,632	6.0%	58.3%	7.6%	No
Middlebury, VT	Middlebury College	2,356	2,089	49,632	11.3%	50.4%	-2.9%	No
Ithaca, NY	Ithaca College, Cornell University	7,606	9,489	30,318	9.1%	27.5%	169.1%	Yes
Hanover, NH	Dartmouth College	3,278	1,936	76,719	9.9%	44.2%	30.1%	No
Tuskegee City, AL	Tuskegee University	4,473	3,413	27,313	23.7%	46.5%	14.8%	No
Lexington, VA	Washington and Lee University	1,944	1,727	36,840	11.2%	54.2%	-36.7%	No
Grove City, PA	Grove City College	2,832	2,683	42,984	5.3%	54.8%	-1.1%	No

Source: ACS 2010-2014 5-year estimate; city and college web sites; US HUD

Notes:

(1) Negative percents, or numbers over 100%, reflect college populations which are substantially housed outside city limits

ITHACA NY – CORNELL UNIVERSITY, ITHACA COLLEGE

Collegetown Housing Issues. The Town and the City of Ithaca has adopted strict noise ordinance restrict students from creating noise pollution. The ordinance is strictly enforced with specific decibel levels and equipment used by police to measure decibel levels, where fines are imposed for loud parties and other chronic disturbances. An open container ordinance is also in effect and gives the city authority to respond to disorderly conduct complaints. Unethical Landlord practices were a common problem in Ithaca and in response, the city created committees, such as the Rental Housing Advisory Commission, to oversee local rentals. Additionally, both colleges educate students about tenants' rights.

Ithaca College requires all non-senior students to live on campus. Off campus housing is permitted for some seniors only upon application and lottery. The college does provide resources that rate and review landlords and their properties for students who wish to live off campus. Graduate students are not required to live on campus, although the college allows a limited amount of graduate students to live on campus.

Cornell University has housing for undergrad and graduate students. Nearly 52% of undergraduate students and 91% of graduate students at Cornell live off-campus. Limited on-campus housing is provided for graduate and professional students and families, some visiting faculty members, and Cornell affiliates who require temporary, academic-year, or 12-month accommodations.

Housing Management. Inspection is required for all rental properties, including single- and two-family residences (every 5 years), multi family residences (3 years), and dorms, sororities and fraternities (1 year). Fees are charged for an initial inspection and any required followup inspections to ensure correction of violations. Initial fees are \$7-10 per room, depending on property, and reinspection fees (done when there are violations found in the initial inspection) are \$40 per inspection. An initial charge of \$5 per violation found is re-charged every time a

reinspection shows the violation has not been corrected. Property owners who do not live in Tompkins County or one of the six surrounding counties must designate an agent who is not the tenant and who is legally responsible for compliance with maintenance codes, communication with the City, arranging for required inspections, and maintaining tenant information.

Sustainability. Ithaca, NY's sustainability efforts are centered around reducing Greenhouse Gas emissions (<http://www.town.ithaca.ny.us/sustainability>) and has committed itself to meeting the Paris Agreement (committing to ameliorating negative effects of climate change, specifically reducing greenhouse gas emissions by 80% by 2050). Tompkins County also has sustainability organization that works towards a more sustainable regional community. The organization offers mini-grants and a climate fund that is distributed to low income families to help reduce greenhouse gas emissions.

Ithaca College created a large scale solar farm, in effort to replace 10% of its campus electricity needs. This effort stems from Ithaca's Climate Action Plan, in which the college develops a strategy and long-range plan to achieve "carbon neutrality" at some point in the future.

Cornell University has many sustainable programs. The University has a research center for a sustainable future, which has an incubator that fosters the next generation of sustainable solutions. It also has a fund that facilitates time sensitive sustainability research and workshops. Additionally, the center collaborates with non academic partners to jointly develop and test evidence based sustainable solutions. In addition to the research center, Cornell also implemented sustainable initiatives on campus. It recently announced a geothermal project called ""Earth Source Heat"" that will warm campus and reduce its annual carbon footprint by 110,000 metric tons. Cornell operates a 4-acre compost facility, 170 greenhouses, 22 growth chambers, a reforestation program, and a renewable bioenergy initiative."

<http://cuaes.cals.cornell.edu/sustainability>.

Community Development Programs. We spoke with the Director of Urban Renewal in Ithaca. Affordability, and availability of housing for students, are significant issues in the City and surrounding communities in Tompkins County.

Student Housing. The city encourages developers to build student centered neighborhoods close to the campus as possible, to accommodate students who are not mandated to living on campus, and to prevent students from flooding the market. They encourage the colleges to provide as much housing as possible on campus.

Affordable Housing. They utilize LIHTC to subsidize affordable housing. They also have a trust fund that is used to subsidize affordable housing. The city and county both contribute 100,000 and the college contributes 200,000 annually. He stated this local commitment creates a competitive advantage for subsidy applicants.

Middle Market. Director Bohn mentioned that focus on affordable and student housing created a gap in the market where middle income housing supply suffered. They attempted inclusionary upzoning to address this issue. It failed politically. The thought was that these mandates would force developers out completely. They then adopted Smart Growth zoning (performance zoning) which has helped. Another alternative to issuing mandates is creating incentives for targeting middle market they have used include Upzoning, reducing or deferring permit fees, making design review fees contingent on approval (to reduce developer risk if they fail design review proceedings), waiving strict parking requirements (which means more developable square footage)

Faculty housing. Director Bohn mentioned that his office does not address this issue; however, the colleges do provide employer incentives for faculty to live in the area. He also mentioned that Cornell University has created a real estate department so that it might start to develop its own faculty housing.

Housing study. Finally, he referred us to a market analysis consultant who did a downtown housing study for the Ithaca Business Alliance. (Danter Associates, 2016)

While Ithaca did a study for housing in the downtown, Tompkins County has approached housing across the county and includes several tools available to on their web site. A copy of the housing report is included here, along with model ordinances for inclusionary zoning and incentive zoning, and a “Vital Communities Toolbox” which emphasizes smart growth principles. A countywide Housing Strategy was adopted by the County, the City, and many community organizations, who work together to implement the strategy. Partners include: Tompkins County Legislature, City of Ithaca Common Council, Ithaca Town Board, Lansing Town Board, Ithaca Neighborhood Housing Services, Tompkins County Area Development, Better Housing for Tompkins County, Tompkins County Chamber of Commerce, Habitat for Humanity of Tompkins and Cortland Counties. (“Planning - Housing Choices | www.tompkinscountyny.gov,” n.d.)

Ithaca Neighborhood Housing Services, a nonprofit organization, supports rental, home purchase, and home improvement for low-income households in Tompkins County. They develop and renovate homes and affordable units for sale; develop, renovate and manage units for rent; and support rehabilitation and homeownership/tenant education and advocacy. The organization hosts a housing rehabilitation program with funds available to low-income residents of all ages on a first-come, first-serve basis, with funds varying from year to year. They also have a small home repair program for seniors and those with disabilities, where the county provides labor and the applicant provides only the cost of materials. Typical repairs include health and safety repairs such as fixing broken steps and railings, replacing broken windows, fixing leaky faucets, and installing adaptive needs such as grab bars and wheelchair ramps. Funding is provided by a consortium of partners including the The IURA (Ithaca Urban Renewal Agency), NYS Office for the Aging, through the Tompkins County Office for the Aging, United

Way of Tompkins County, Tompkins County, and Private Donations. (“Home » Ithaca Neighborhood Housing Services,” n.d.)

The Tompkins County Community Housing Development Fund is a partnership of the City of Ithaca, Tompkins County, and Cornell University, and provides gap financing and logistics to assist developers in creating affordable housing. Partners pledge approximately \$400,000 per year (\$200K from Cornell, \$100K each from the City and County). \$2.4 million has been invested in the fund since its inception in 2006. The fund has two parts: a Community Housing Affordability Program which provides no-interest loans for startup soft costs (permitting, design, etc) to be repaid by construction and permanent financing; and the Community Housing Trust Program which provides grants to support the long-term affordability of newly constructed or rehabilitated affordable housing units. Both are targeted at housing for households earning 80% of area median income. (“Cornell University, City of Ithaca, Tompkins County Extend Housing Fund Partnership |,” n.d.) (“Planning - Housing Choices - Housing Fund | www.tompkinscountyny.gov,” n.d.)

HANOVER, NH – DARTMOUTH COLLEGE

Collegetown Housing Issues. 85% of students live on campus, with freshmen required to live on campus. 15% live off-campus in college-owned or private housing.

Housing Management. The town requires registration of all rental properties excluding dorms and temporary lodging. Registration is for no charge, but failure to register has a \$500 penalty. Once registered, inspections and enforcement are done on a complaint basis, or if the Town has reason to believe there are code violations on the property. Property owners are given 30 days to rectify the problems; once a violation is found, the property must be inspected annually for 3 years. Inspections are no charge if no violation is found, and \$200 per inspection and re-inspection if a violation is found. No other inspections are required except for construction.

Sustainability. Dartmouth College has a robust sustainability effort, which involves academic programs and research, student life programs and projects, and campus operations. The Dartmouth Sustainability Project is the College’s home for comprehensive sustainability efforts and conversations. Examples include a green careers program; EcoReps who encourage student daily sustainability action; an organic farm and veggie subscription program; a speaker program; and a revolving loan fund to help with sustainability adaptation on campus. There are also an ecoliving community and numerous student groups related to sustainability projects and themes.

<http://dartmouth.edu/life-community/sustainability>

The Town of Hanover has a Hanover Sustainability Committee which coordinates a wide range of efforts from citizen green cleaning workshops, to review/commenting on the Master Plan

update, to coordinating the purchase of green power for residents, to facilitating installation of solar panels on residents' homes. Seven members are appointed by the Town Board of Selectmen (council) for 3-year terms. The City partners with the College and larger employers to provide a program for 100% green power purchasing in which residents and small businesses may also participate. A Green Power challenge encouraged participation. The committee appears to be largely volunteer-run, with a small amount of funding raised annually by a community yard sale. City staff appear to provide coordination and support for major initiatives such as the power effort.

<http://www.hanovernh.org/sustainable-hanover-committee>

Community Development Programs. The City provides General Welfare assistance to residents upon application to help with weatherization, utilities, rent and mortgage payments, emergency repairs, and food assistance. The city has affordable housing efforts that include two organizations that focus on this work. They are called Upper Valley Habitat for Humanity and Upper Valley Housing Coalition. Upper Valley Habitat for Humanity has built 33 affordable homes in 30 years. Funding comes from grants and foundations, and the New Hampshire Housing Finance Authority (\$125K this year). Much of the labor is volunteer, or provided by VISTA. The organization also sponsors rehabilitation and repair work, workshops and technical assistance for low-income families. They do community organizing and are helping to develop and strengthen homeowners associations in lower-income neighborhoods.

Upper Valley Housing Coalition is a 501©(3) partnership of business, municipal and civic leaders who have been working together since 2000 to address a then-3,000-unit housing shortage which has worsened since then. Primarily an advocacy and education group, it leverages partnerships and provides data and support to get projects done. A design review team will work with developers prior to application and write letters of support for proposals. They provide lunch-and-learns for employees on location to educate them about home ownership, energy conservation and improvements, and options available.

<http://www.uvhc.org/>

UV-HEAT is a collaboration of multiple nonprofits (including Upper Valley Housing Coalition) who work together to promote and support weatherization, which they see as an important component of keeping workforce housing affordable. They provide homeowner training, education and technical assistance for do-it-yourself and contractor projects. Free energy audits and weatherization are provided to low-income households through state funds, in collaboration with Tri-CAP (see below).

<http://www.uvheat.org/>

Weatherization assistance, food assistance, senior programs, substance abuse programs, utility assistance, and other community services are provided on a 3-county basis through Tri-CAP.

<http://www.tccap.org/services/housing-and-energy/weatherization/#>

TUSKEGEE, AL – TUSKEGEE UNIVERSITY

Student Housing Issues. Tuskegee University requires freshmen, sophomores, and transfer students with 60 credits or less to live on campus.

Housing Management. The City provides inspection for construction and renovation only.

Sustainability. No sustainability efforts were identified for Tuskegee City or Macon County.

Tuskegee University has a research center named Carver Integrative Sustainability Center that seeks to provide research and support for farmers, ranchers, forestry, and rural communities. It also seeks to develop and share holistic agricultural and food innovations, and increase the capacity of minority rural residents to participate in their communities and civic life. Programs involve research, education, service and advocacy for integrated pest management and integrated water management, renewable energy, and local food systems. Agriplastic (tunnel houses for winter local foods production) is another project.

<http://www.tuskegee.edu/academics/colleges/caens/cisc.aspx>

Community Development. Tuskegee-Macon County CDC provides homeownership education, credit counseling, and technical assistance such as closing assistance, to residents across the county. Funding assistance (grants and loans) for low-income housing rehabilitation is provided through the USDA. They also have a business development program, a small business incubator and tech center, and provide business storefront revitalization through a variety of small funding sources and donations. <http://www.tuskmaccdc.org/>

The South Central Alabama Development Commission leverages federal and state funds for community and economic development projects and programs in a six-county area, including Macon County and the City of Tuskegee. SCADC provides planning and technical assistance to local governments on grants, programs and funding opportunities, and community and economic development planning. It serves as the Area Agency on Aging, and acts as the MPO for the area for rural transportation initiatives. A GIS department supports planning and technical efforts. A revolving loan fund provides gap financing for local businesses.

<http://scadc.net/>

The Tuskegee Housing Authority administers seven public housing communities, as well as the Section 8 voucher program. They also have resident services including an after-school tutoring program and a food pantry.

<http://tuskegeepha.weebly.com/about.html>

MIDDLEBURY, VT – MIDDLEBURY COLLEGE

College Housing Issues. The town of Middlebury, VT adopted the following ordinances that reduce the impact of students on neighborhoods: (i) a noise ordinance to mitigate disruptive behavior of college students and their guests, (ii) a nuisance ordinance to prevent nuisances, disturbances, and disorderly assemblies, (iii) an occupancy ordinance that generally limits the number of unrelated residents of a rental unit to no more than 3 people, (iv) student housing density

Middlebury College requires all full time students to live in one of its 60 on campus housing structures. All freshman and sophomores are required to live in "commons" which has a learning environment, community meals, and other supportive features such as a dean, counselor, and more. There are five commons that hold about 500 students each. Juniors and seniors are entitled to leave the commons and choose from the following houses: 10 language houses, 6 special interest houses, several superblock houses, or 4 social houses. Also, a limited number of seniors may live off campus, conditional upon outcome of a lottery process. Generally, the college educates students about the above ordinances and how to be a good neighbor. About 125 students live off campus.

Housing Management. Health and safety standards for rental housing are detailed in state law, and local municipalities are obligated to respond to complaints and enforce the law. The law provides authority for inspection, citation, and remedying violations when they occur. The state Department of Health is the home for the code, along with the Department of Labor and Industry, which establishes fire safety codes. They provide education and information for tenants and landlords about their rights and responsibilities.

Sustainability. Sustainability efforts in Middlebury, VT focus on the local economy. A county-level organization named ACORN (Addison County Relocalization Network) is committed to sustainability efforts focusing on local business and food production. They host several annual sustainability events. For example, they put together an annual Sustainable Living Expo that promotes sustainability among businesses, schools, and the community. They also have an annual publication featuring a directory of local food producers and restaurants; they also host forums to engage the community, stakeholders, and producers in conversations about the food economy. The organization also hosts fundraisers such as an annual farm tour of all local farms and restaurants, annual soiree where students can present garden and greenhouse programming. These fundraisers gather the community around local food and activities; funds benefit local farms and restaurants. <http://www.acornvt.org/stone-soup/>
<http://www.acornvt.org/>

The Middlebury Energy Committee is the Town's citizen-led organization that provides education, advocacy, planning and policy review to support energy efficiency and use of renewable energy on the part of the Village, residents, and businesses.
<http://www.middleburyenergy.org/>

Middlebury College is also committed to sustainability through a comprehensive approach involving academics, research, student life, campus operations, college investment and policy, local purchasing, and partnerships. <http://www.middlebury.edu/sustainability/operations-and-action/global-food-program> <http://www.middlebury.edu/sustainability/our-commitment/sustainable-partners>

They offer green transportation options, require sustainable designs for all new buildings, and administer a Global Food & Farm program--which allows students to explore food system issues through academic courses and hands-on learning opportunities. For example, they have a 9-week leadership program that combines offers experiential learning about food systems in Vermont, Kentucky, and Washington, D.C. The college also commits to spending 25% of its annual food budget on food that meets one or more of four criteria: local, ecological, fair, and humane. They also offer an organic farm that seeks participation from both faculty and students. Campus committees include an environmental council, and a lands advisory committee.

Community Development. According to the City Planning Department, the college handles housing and private developers handle elderly housing. Director mentions that these applicants do partner with their office to obtain CDBG funds. She referred me to the State Agency "Housing Vermont" to discuss more of the particulars about funding.

The college provides short-term rental housing for faculty, allocated by lottery with option to renew, for up to 2 to 8 years, depending on eligibility. A faculty housing mortgage program provide subsidies to purchase homes within 40 miles of the campus, by providing a second mortgage (through a local bank, with the College subsidizing the interest rate) at 2% below the rate of the first mortgage. (the subsidy is taxable).

http://www.middlebury.edu/about/handbook/faculty/faculty_housing

Affordable housing is provided through the Vermont State Housing Authority. One VSHA housing development provides 64 units for seniors. No new housing has been built for this purpose in the state since 1980. Rental assistance for low-income families is provided through the Section 8 voucher program. Project-based Section 8 subsidies for new and rehabilitated housing are also administered through VSHA.

The Addison County Community Trust builds and manages affordable housing in the Middlebury area. Due to the high cost of housing in the county, almost half of all resident households are housing cost-burdened (over 30% of household income goes to housing). ACCT owns or manages 358 apartments in 13 developments, and operates 340 lots for mobile homes. They provides a perpetually affordable single-family housing program for 72 homes, where the low-income buyer receives support for the 20% down payment, in exchange for a small monthly fee, and agreeing to share 75% of any profit to future low-income buyers at the time of sale. ACCT also provides senior wellness programs at home to 250 residents at three of

their housing developments. They partner with other housing agencies to develop affordable housing utilizing LIHTC, HOME funds, Community Development Block Grants through the Vermont Community Development Program, and grants from the Vermont Housing and Conservation Board.

<http://www.addisontrust.org/learn-more.html>

LEXINGTON, VA – WASHINGTON AND LEE UNIVERSITY

College Housing Issues. The city of Lexington and Rockbridge County both have a noise ordinance that regulates noise pollution.

Washington & Lee University requires all freshman, sophomore and junior students to live on campus. Rising seniors typically secure living arrangements off-campus, however a limited number of rooms are usually available for seniors. Law students are not eligible for campus housing. The school offers a campus community coalition, which promotes and facilitates collaboration between the student body, the community, landlords, law enforcement, and the University administration to address issues in our community.

Housing Management. The City requires registration and inspection of all residential rental units on a biannual basis within seven designated “rental registration districts”. There is no charge for the initial inspection; repeat inspections to check for compliance or further enforcement are \$50 per inspection. Provisions for the districts, inspections, and procedures are included in the statewide building code.

The Virginia Uniform Statewide Building Code has provisions for housing construction, rehabilitation, maintenance and enforcement. In the maintenance code, only provisions for dealing with cases of properties unfit for human habitation are mandatory. The City has adopted the maintenance code and has housing code enforcement staff in the Planning Department. They do not have periodic housing inspection, except for rentals.

Sustainability. No sustainability efforts were identified for Lexington or Rockbridge County.

Washington & Lee University has implemented several sustainability campus initiatives. It has a Green Office Initiative that encourages energy efficient practices in office spaces such as powering down computers, using natural lighting, using sleep mode on network printers and more. The University also has a compost facility, a campus garden, and a commitment to use local and organic foods. It also has sustainable transportation programs such as a bike program that encourages use of biking across campus instead of use of motor vehicles.

Community Development. Threshold is a 501©(3) nonprofit organization that addresses housing issues in the City for low- and moderate-income households. Threshold's primary role has been to guide the development and implementation of housing rehabilitation programs for

eligible low- and moderate-income families in designated target areas. These programs have been funded with federal Community Development Block Grant funds, city funds, and financing from local banks. The Threshold Board is a 7-member commission that is appointed to 3-year terms by City Council. One City Council members acts as liaison to the Board.

<http://lexingtonva.gov/139/Threshold.html>

The Regional Social Services Department, comprised of Lexington, Buena Vista, and Rockbridge County, provides social services for Lexington residents. The Social Services Board sets policy for the Social Services Department and hires an executive director to oversee day-to-day operations. The City has two representatives on the Board who are appointed for 4-year terms.

<http://lexingtonva.gov/138/Social-Services-Board.html>

A regional Total Action Against Poverty (also Total Action for Progress) provides a wide range of community services in eleven localities in the Roanoke Valley. A staff of 300 works to address housing, education, homelessness, domestic violence, food and rent assistance, career services, etc. Professional services include energy audits, planning services for organizations and startup nonprofits, property management and maintenance for residential units and head start centers, emergency residential repairs for low-income households, and construction facilitation and project management. Eligible households are at the 80% of AMI income level. Funding sources include grants, USDA, program income, rental income, contributions, and in-kind services.

<https://www.tapintohope.org/>

GROVE CITY BOROUGH, PA – GROVE CITY COLLEGE

College Housing Issues. Grove City College reports that 93% of students live in one of ten of their dorm halls. All students, except commuter students who reside with their parents or legal guardians, are required to room and board in College residence halls.

Housing Management. Code enforcement is handled on a complaint basis by one code officer. The building code is not available online, and the zoning code is limited to district descriptions. The Borough has minimal zoning provisions for fraternities and sororities, and dormitories.

Sustainability. No sustainability efforts were identified for Grove City Borough. No sustainability efforts were identified for Grove City College on its website. Nearby Slippery Rock University (about 5 miles away) in Slippery Rock, PA has students working on sustainability projects within Grove City.

Community Development. The Grove City Planning Department is concerned primarily with zoning and building applications. Community development, housing and community services are addressed at the county and regional level by Mercer County.

<http://www.mcc.co.mercer.pa.us/>. State law allows counties to raise fees on deed and mortgage recording to establish affordable housing funds. In Mercer county, these average \$150,000 per year.

The Mercer County Regional Planning Commission provides CDBG and federal and state grant program information, technical assistance on applications, and administration of projects. The MCRPC acts as the MPO for the region. Other information on the web site pertains to state-level offices and programs.

The Community Action Partnership of Mercer County (CAPMC) is a nonprofit 501©(3) that provides community services related to energy, housing, employment, early childhood, and veterans' programs. Housing includes senior and family low-income housing, housing counseling, and special needs housing. They provide assistance through the Pennsylvania Housing Finance Agency. They own and/or manage 214 senior housing units in nine buildings, none of which are located in Grove City. Single family rental housing is provided to nine families. CAPMC owns and manages 32 units of special needs housing at 10 locations for transitional housing, and permanent housing for residents with disabilities. Energy programs include weatherization, utility assistance, payment assistance, repair of water/heat systems. Eligibility for energy programs is 200% of the federal poverty level.

<http://www.capmercerc.org/>

APPENDIX E. PROGRAMS AND OPPORTUNITIES

The following is a summary of the range of programs and opportunities available to support housing in Oberlin.

GRANTS AND LOANS

Federal Agency Funds (through state and county agencies). The US federal government provides funding and subsidies through grants and loans. Many of these are administered by state agencies. The states can delegate to the counties or to individual municipalities. Since Oberlin is not entitled by HUD (US Dept of Housing and Urban Development) for direct receipt of funds, it must compete at the county or state level with other communities for CDBG and other HUD-initiated funds. Representing only 2 to 3% of the county's housing stock, Oberlin has difficulty competing with Lorain and Elyria for housing-related funds that are distributed at the county level.

CDBG (Community Development Block Grant) funds. The Cities of Lorain and Elyria, Lorain County, and the Lorain Metropolitan Housing Authority are entitled as grantees for CDBG funds. Oberlin applies for these funds through Lorain County. The county receives only \$300,000 per year for distribution to non-entitled communities. The maximum amount of any community's award is \$100,000. (history in Oberlin?)

ODSA Community Development funds. Some CDBG funds are allocated to the Ohio Development Services Agency (ODSA) for their Community Development Program. Entitled communities may apply directly to the ODSA; non-entitled communities must apply through their county. Projects must demonstrate benefit to low-income families, and a local match adds to proposal competitiveness. In 2016, \$11.6 million was distributed in Ohio through three programs: Critical Infrastructure (\$5 million in 21 projects); Downtown Revitalization (\$2.1 million in 7 projects); and Neighborhood Revitalization (\$4.5 million in 9 projects). Lorain County was not one of the 2016 recipients. These grants are highly competitive.

https://development.ohio.gov/cs/cs_cdp.htm

CHIP (Community Housing Impact and Preservation Program) funds. The ODSA also administers this competitive program using CDBG and HOME funds from HUD, and Ohio Housing Trust Funds. The purpose is to support the development and revitalization of affordable housing for low and moderate income families, including new construction, rehabilitation, and needed infrastructure improvements. In 2015, \$23 million was awarded for 38 projects ranging from \$175,000 to \$1,150,000. Lorain County was not one of the counties awarded in 2015; however Lorain County was awarded funds for Oberlin in 2016 for owner occupied rehabilitation and home repairs for qualified homeowners. These grants are highly competitive.

https://development.ohio.gov/cs/cs_chip.htm

Ohio Housing Trust Fund. The Housing Trust Fund is a state-originated source of funding that was created by statewide referendum in 1990. It does not have a permanent source of funding so must be allocated in the biennial state budget, and the amounts available vary. It is also administered by the ODSA, and communities and counties can apply for funds on a highly competitive basis. Loans are available to private developers, local governments, lenders, and nonprofits; only local governments and nonprofits are eligible for grants. All projects must benefit people under 80% of AMI, with preference given to those with even lower incomes. From 2011-2013, \$470,800 in grants were received by Lorain County applicants for six projects; \$1,688,000 in loans was received by developers in Lorain County. Projects fall into several programs: Target of Opportunity (flexible); Homeless Assistance; Housing Assistance (home repairs); Housing Development Assistance (through the Ohio Housing Finance Agency); and a Microenterprise Business Development Program. Oberlin...?

https://development.ohio.gov/cs/cs_htf.htm

Neighborhood Initiative Program (NIP). This program funds county-level land banks, providing support for demolition and renovation to eliminate blight and stabilize property values in deteriorating neighborhoods. It utilizes funds from the US Treasury Hardest Hit Fund, and is administered by the Ohio Housing Finance Agency. The Lorain County Land Bank received (information pending) for 2016. Oberlin represents 3% of the County's foreclosures and 2% of its housing stock.

OHFA low-mod homebuyer loans. The Ohio Housing Finance Agency (OHFA) provides low-interest loans for low to moderate income homebuyers, in both tax credit target areas and non-target areas. First Federal of Lakewood, Union Home Mortgage (Elyria and Norwalk), US Bank (Westlake) are among the participating lenders.

<http://www.myohiohome.org/lenders/MyOhioLL.aspx?County=Lorain>

Save the Dream Funds and Housing Counseling. The Save the Dream program of the Ohio Housing Finance Agency provides assistance to homeowners to help avoid foreclosure. Refinancing, loans, education and other assistance are provided through certified housing counseling agencies. In Lorain County, HUD-approved housing counseling agencies include the Lorain County Urban League. <http://savethedream.ohio.gov/> <http://www.lcul.org/>

Lorain County Brownfields Coalition. Oberlin is a member of the Lorain County Brownfields Coalition which can help with funding for Phase I and Phase II assessments. While this is primarily aimed at commercial or former commercial properties, it may be a priority to utilize this funding for sites that are near existing or future housing and may have potential impact on them. In 2014 the coalition received \$600,000 and a portion of it was used in Oberlin for the Bait & Canteen and Research and Commerce Park sites.

<http://www.loraincounty.us/commissioners-departments/community-development>

EMS Fund. (researching) The Ohio Department of Health and Safety administers the State Board of Emergency Medical, Fire, and Transportation Services Grant Program, which provides competitive funding on an annual basis to local governments to support fire, police and EMS services. The City of Sandusky has successfully justified using excess funds from their grants to support demolition of properties that constituted a fire hazard.

<http://www.ems.ohio.gov/grants.aspx>

Development fees. New market rate developments can contribute to a fund that is used to support affordable housing development. The arrangement is brokered by the City or a CDC as part of the development approval process. This was done in the Duck Island Development project in Cleveland. (researching) Berges Home Performance LLC is a primary partner.

<http://www.bergesllc.com/duckisland/>

CRA Lender obligations. Per the federal Community Reinvestment Act (CRA), banks must meet thresholds for local investment that are in balance with the amount of deposits coming from the local community. The City can work with banks to encourage those funds to be used for rehabilitation, affordable housing construction, and historic preservation. They can also encourage banks to provide true-to-market appraisals for historic housing stock, in order to allow adequate borrowing to cover the cost of rehabilitation. The Cleveland Restoration Society has more information on these issues. (researching)

USDA housing assistance. “USDA provides homeownership opportunities to low- and moderate-income rural Americans through several loan, grant, and loan guarantee programs. The programs also make funding available to individuals to finance vital improvements necessary to make their homes decent, safe, and sanitary. USDA Multi-Family Housing Programs offer Rural Rental Housing Loans to provide affordable multi-family rental housing for very low-, low-, and moderate-income families; the elderly; and persons with disabilities. In addition, rental assistance is available to eligible families.” Oberlin is an eligible rural area. Development assistance is also available to developers for new construction and rehabilitation of rural rental housing. Family income for direct assistance loans must fall below 50% of area median income; loans are up to \$20,000. Grants are provided to low-income households with a head of household over the age of 62; grants are up to \$7,500.

http://www.usda.gov/wps/portal/usda/usdahome?navid=HOUSING_ASSISTA

Housing Development Financing. The Ohio Housing Finance Agency also has various programs for loans, bond financing, and other support for development eligible for low income housing tax credits. <http://ohiohome.org/ppd/default.aspx>

Third Federal mortgages. Third Federal offers a HomeReady Purchase Mortgage and a Purchase/Refinance Rehab Mortgage Loan Program in Lorain County. The HomeReady program provides up to \$3000 down payment assistance with 3% down and low interest rates. The Rehab program provides for purchase, refinance and/or rehabilitation in one loan. Loan amounts are up to \$150,000 total, with \$100,000 maximum for rehabilitation costs. Interest

rates are low. The loan is based on a post-rehabilitation appraisal.

<https://www.thirdfederal.com/our-advantage/community-support/community-development-lending>

City Housing Loan Programs. Some cities establish relationships with local banks to create loan programs encouraging people to purchase homes there. For example, the City of Lakewood HOME Program for first-time homebuyers provides a second mortgage at 0% interest to cover down payment and closing costs. In exchange, the buyer must be qualified and attend education sessions. The program applies for condos, single-family and two-family properties.

<http://www.onelakewood.com/community-vision/housing/fthb/>

TAX CREDITS AND INCENTIVES

Tax advantages may be leveraged to help with financing of affordable housing and community revitalization projects, and historic property renovations (for commercial use only). Tax credit programs allow investors to contribute to projects through an intermediary in exchange for credits on their income taxes. In addition, some cities provide tax credits or abatements to homebuyers as incentives to purchase in their city, or to alleviate the cost of living there.

Low Income Housing Tax Credit. (LIHTC or HTC in Ohio). The Low Income Housing Tax Credit has become the most important mechanism for financing multi-family affordable housing in the US, producing 100,000 housing units across the country each year. Over 100,000 units have been provided under the program in Ohio since 1987. In exchange for receiving funding through the tax credit program, developers agree to provide a specified amount of affordable units. The Ohio Housing Finance Agency is the allocator of LIHTC in Ohio. LIHTC can be provided at 9% and at 4% credits. The rules are that at least 20% of units must be rent restricted to renters whose income is below 60% AMI, or 40% restricted to renters income below 50% AMI. Rent restricted properties must set rents at 30% of the renter's income. The rent restrictions are in place for 30 years, even if the development is sold. In Ohio, the 9% tax credit program is competitive; a 4% tax credit program is not competitive.

<https://nhlp.org/lihtcoverview> <http://ohiohome.org/ppd/htc.aspx>

CHDO (Certified Housing Development Organizations) HTC program. Nonprofit community development organizations can apply to the Ohio Housing Finance Agency to be certified as a CHDO, and be eligible for HOME setaside funding to help finance development projects through the LIHTC program. Standards for certification are rigorous; applicants must meet strict criteria, including substantial prior development experience. The funding must be used directly in development of multi-family affordable rental units. <http://ohiohome.org/ppd/chdo.aspx>

Historic Preservation Tax Credits. Tax credits are available to help finance commercial properties, including multi-family rental properties, that are on the National Register of Historic Places, or contribute to a National or Certified Local Government (CLG) Local historic district.

The state preservation tax credit program is highly competitive, awarded on an annual basis and allocated geographically and per project size around the state. It provides up to 25% of the cost of rehabilitation, and is administered by the ODSA. The national historic tax credit program is administered in Ohio by the Ohio State Historic Preservation Office, and provides a 20% tax credit to eligible developments. In Oberlin, there is a National Historic District in the downtown, and the city is a Certified Local Government.

https://development.ohio.gov/cs/cs_ohptc.htm [https://www.ohiohistory.org/preserve/state-historic-preservation-office/tax-incentives/federal-tax-credit-landing-page-\(1\)](https://www.ohiohistory.org/preserve/state-historic-preservation-office/tax-incentives/federal-tax-credit-landing-page-(1))

New Markets Tax Credits. Administered by the ODSA, this tax credit program provides credits to certified Community Development Entities (CDEs), which then allocate credits to eligible projects. In Oberlin, an area east of Main Street is eligible for NMTCs, and the credits have been used for the Gateway Hotel and Apollo Theater projects. The Development Fund of the Western Reserve is Northeast Ohio's CDE. https://development.ohio.gov/cs/cs_onmtcredit.htm <http://www.developmentfinanceauthority.org/services/dev-fund-western-reserve/>

Tax rebates and abatements offered by the City. Some cities offer a tax abatement or tax rebate to encourage new housing in their communities. They can be used as incentives to encourage rent restrictions or provision of affordable units. Tax abatements offered to rental housing owners can help to make a project more profitable over time. Tax abatements offered to homeowners can help to attract buyers and improve absorption for the developer. Tax abatements offered directly to existing homeowners can help to reduce the cost of staying in place and rehabilitating housing. Tax abatements are usually provided for a specified period of time. In Oberlin, a tax abatement was provided for Kendal at Oberlin, which has since expired. The City of Philadelphia offers a Longtime Owner Occupant Program tax abatement which reduces property taxes for owners who have lived in their homes for more than ten years and meet other eligibility requirements. <http://www.phila.gov/loop/Pages/default.aspx> The City of Lakewood offers a Homeowners' Tax Abatement Program which caps property tax increases for five years after eligible rehabilitation improvements have been made that increase the value of the home. <http://www.onelakewood.com/community-vision/housing/> The City of Cleveland provides tax abatements to properties meeting Green Building Standards. <http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CommunityDevelopment/TaxAbatement>

Tax increment financing. Tax increment financing can be implemented by a local government within a designated district to assist with providing infrastructure improvements or certain housing rehabilitation to support economic development. It works by channeling any increases in taxes within the district, that will presumably be a result of the improvements, to repay loans that financed the improvements. TIF is complex under Ohio law and requires careful attention to setting up the taxing district arrangements. Housing projects supported must also have an infrastructure component, and must demonstrate that a commercial or industrial project will also benefit from the infrastructure improvement.

https://development.ohio.gov/bs/bs_tif.htm

https://development.ohio.gov/files/bs/TIF_IncentiveDistrictsSummary.pdf

ORGANIZATIONAL STRATEGIES

Most successful housing development and rehabilitation programs are the result of organizational solutions involving multiple partners. A range of possibilities exist from creation or “growing” new organizations, to partnering with government, business, faith-based, and nonprofit partners.

Community Development Corporations (CDCs). The Northeast Ohio area is known nationally for its robust system of CDCs, nonprofit organizations which facilitate community development, housing and economic development solutions for their communities. CDCs in the City of Cleveland are funded by substantial HUD-entitlement CDBG funds which are allocated by an umbrella nonprofit, Cleveland Neighborhood Progress (CNP). CNP also provides real estate development and finance services.

In recent years, non-entitled cities have also developed CDCs that, as nonprofits, can leverage funds, and implement strategies, that are more difficult for government agencies to do. Their less restrictive rules for allocation of contracts, reduced paperwork requirements, and less restrictive ability to own and dispose of property put them in a better position to move forward in a nimble manner on housing and development opportunities. Their non-entitled status requires substantial effort in providing funding, but creative solutions exist. For example, the South Euclid CDC, One South Euclid, has an annual budget of about \$125,000, which is funded by the City general fund, grants, property sales, donations, fees, and fundraising activities. Their housing rehabilitation program purchases homes, contracts for rehabilitation, and then sells them, provides resale profits which help to fund the organization and future rehabs. The program also helps to bolster the real estate market in the community by creating comparables at higher selling prices. Beyond the housing rehabilitation program, the CDC provides small grants to homeowners, organizes community events, and facilitates storefront art, community gardens, and pocket parks. <http://www.onesoutheuclid.org/story/>

In Oberlin, the CDC role is played by the Zion CDC. This organization is essentially in its infancy, with limited part time staff and funding. And yet, the potential power of a CDC could make a difference in Oberlin by leveraging projects and coordinating rehabilitation efforts. A key role for the CDC could be becoming an OHFA-certified CHDO (see above), allowing financing through the OHFA tax credit program, but this would require staff and board members with a substantial track record in housing development experience. Housing programs could be taken up to scale with a focus on providing a quantity of decent, affordable housing rehabilitation projects that can help to drive improvements in the housing market, particularly for affordable housing, and for first-time home buyers in the \$80,000-\$120,000 range. The CDC also has the

potential to leverage rehabilitation through training and leveraging of other grant and loan programs described above. Other possibilities are described in this section.

Community Land Trust. A community land trust is a nonprofit community organization which provides third party involvement in home purchase transactions in the interest of maintaining the affordability of housing. A common arrangement is for the community land trust to own the land, and then lease the home to a buyer for a reduced price. The buyer agrees to pay a small fee to the land trust, and to return a proportion of any profits on future sales, or to limit the sale price of the home, in order to ensure its future affordability. <http://community-wealth.org/strategies/panel/clts/index.html>. Community land trusts can be done at the county level; however the scale of a community land trust can vary widely, and could be applied to a smaller community. The Cleveland Community Land Trust, under the auspices of Cleveland's Neighborhood Housing Services, currently has less than 20 homes including both for-sale single family and rental units.

<https://www.nhscleveland.org/buy-a-home/land-trust-program/>

Limited equity cooperatives. In limited equity cooperatives, tenants own shares in their building and help to participate in its governance and management. In exchange for a monthly fee that helps to cover the cost of managing the property, cooperative members get tax benefits, democratic control, and the benefits of long-term tenure and property value increases. The cooperative concept can apply to a wide range of property types and scales, from townhouses to mobile home parks to multi-story buildings. Over 1 million cooperative units exist nationwide. A variation on the theme provides shared cooperative investment in commercial properties as well.

<http://coophousing.org/resources/general-cooperative-information/about-cooperatives/>

http://uhab.org/sites/default/files/doc_library/Limited_Equity_Cooperatives_A_Legal_Handbook_0.pdf

<http://www.neic.coop/>

Social enterprise programs. Social enterprises are for-profit or nonprofit enterprises that produce products and services in a way that benefits the community. Examples include training and employment of underserved or less-employable residents; production that utilizes recycled materials; or creation of products that benefit the local food economy. In Ohio, organizations working on housing-related issues include People Working Cooperatively in Cincinnati, Catholic Charities, and Habitat for Humanity. Other enterprise examples include Edwin's Leadership and Restaurant Institute and Evergreen Cooperative.

<http://www.pwchomerepairs.org/ohio.aspx>

Rehabilitation-focused organizations and projects. Nonprofit organizations and projects can be created to focus exclusively on home repair needs. For example, People Working Cooperatively is a Cincinnati-based nonprofit with a mission focused on home and housing repair for seniors, veterans, those with disabilities, and low-income households in the Greater Cincinnati region. Services provided include fall cleanups and winterization, energy efficiency, home repairs,

accessibility modifications, and heating and plumbing repairs. The organization's \$13 million budget comes from government and corporate sponsorships, United Way, donations, and in-kind support. Work is done by a staff of 120 trained tradespeople, and a volunteer force of 7,000. Approximately 10,000 assistance projects are completed each year. In Oregon, the Grandma's Porch fund, a project of Age Friendly Innovators, provides installation of very small (most under \$400) improvements to reduce fall and safety risks in seniors' homes.

<http://www.pwchomerepairs.org/about-pwc/pwc-story.aspx>

<http://agefriendlyinnovators.org/grandmas-porch/>

Habitat for Humanity Lorain County. Habitat for Humanity of Lorain County is a nonprofit providing comprehensive housing services for low income households. The organization provides new home construction, home rehabilitation, and home repair, and operates a ReStore discount retail store which sells low-cost, donated and recycled building materials. Habitat is supported by grants, donations, store sale proceeds, and home sale proceeds. It has been and will likely continue to be a partner for housing-related projects in Oberlin.

<http://www.loraincountyhabitat.org/>

Public-Private Partnerships. Many CDCs and community organizations are supported by, and facilitate, partnerships with area major employers, banks, real estate organizations, and businesses. Examples include low-cost loan programs, donations, sponsorships, collaboration on events and campaigns, providing board members, and providing volunteer and in-kind support. Examples abound in Northeast Ohio.

Rehabilitation training programs. Both Lorain County Joint Vocational School and Lorain County Community College have programs that could be leveraged to enable training in housing rehabilitation, and collaborative work to provide training onsite for low-income families. As an example, the Trumbull County Neighborhood Partnership has partnered with Trumbull Career and Technical Center's Adult Construction Program, providing the school with discounted properties so students could receive hands-on training with construction and rehabilitation. <http://tnpwarren.org/>

Tenants' organizations. Tenants' organizations can be very helpful in helping to educate tenants and landlords about their rights and responsibilities, and assist with dispute resolution when needed. While Oberlin is small, the role of a tenant's organization could be a part of another organization's mission. One role of tenants' organizations is to help increase acceptance of Section 8 housing vouchers among landlords. <http://www.clevelandtenants.org/>

AARP programs. The American Association of Retired Persons (AARP) has programs that can help Oberlin promote itself to the empty-nester and retiree market. These include the "Network of Age-Friendly Communities", a free membership opportunity that provides partnerships, information, resources, toolkits, and networking; and the Livable Communities initiative that indexes the senior-livability of communities using established criteria. The AARP

also has a Lifelong Home certification program for individual homes.

<http://www.aarp.org/livable-communities/>

Specific Developers. There are a few developers who provide affordable and senior housing in the Northeast Ohio area. The City, or a CDC, may be interested in being proactive, and contacting these entities to determine whether an Oberlin location would benefit both partners. Here are two examples. United Church Homes is a faith-based nonprofit property owner and manager providing affordable supportive housing for seniors. A lower-cost parallel to the Kendal model, it may be worth exploring regarding locating a project in Oberlin for the long term. The nearest development to Oberlin is in Sandusky.

<http://www.unitedchurchhomes.org/> New Sunrise Properties provides affordable housing at three properties in Lorain County. http://newsunriseproperties.org/main/?page_id=2

DIRECT SERVICES AND BENEFITS FOR PROPERTY OWNERS

Cleveland Restoration Society Heritage Home Program. The Cleveland Restoration Society provides rehabilitation technical assistance and advice to owners of homes over 50 years old in participating communities. The program can be applied to convert multi-unit rental homes back to single-family use. Services are provided in exchange for an annual membership fee paid by the community government that is based on the number of homes of eligible age in the community, and/or hourly estimates of services to be provided. The program also provides low-interest loans for rehabilitation through partnership with local banks, and assists homeowners with contract decisions and implementation. Oberlin has been a partner in the program in the past; and is currently in conversation with a potential bank partner to provide the loans. <http://www.clevelandrestoration.org/homeowner/>

Housing counseling. Housing counseling, mortgage foreclosure prevention and loan restructuring and assistance are provided through HUD-certified counseling agencies. The Urban League in Elyria is the HUD-certified counseling agency in Lorain County; homeowners may also access housing counseling services through ESOP and NHS (Neighborhood Housing Services) in Cleveland. <http://www.lcul.org/> <http://www.esop-cleveland.org/> <https://www.nhscleveland.org/>

Accidental landlords. Some housing organizations and communities encourage people living next door to rental properties to acquire them and become the landlord. A property owner can also become an accidental landlord if they are unable to sell a former home and decide to rent it. In the former case, this can be a “win-win”, providing the landlord with rental income and desirable neighbors whom they choose. In both cases, it can help to ensure a better response to maintenance issues, since interest in maintaining home value and neighborhood quality is higher than for other nonresident landlords.

Rehabilitation campaigns and social programs. Creating energy and interest in rehabilitation can be done through providing technical assistance and resources, social media campaigns, and social events. For example, Brick and Beam in Detroit holds home repair workshops, has a tool lending library, has a social media map program to “Brag Your Rehab”, and has social events and a web resource page. <https://www.brickandbeamdetroit.com/>

APPENDIX F. CODE REVIEW

SUMMARY

As part of a Comprehensive Housing Study for the City of Oberlin, the CSU-Levin Center for Community Planning and Development has reviewed the City's codes with regard to housing and sustainability. An overall status statement and recommendations for each subject reviewed is provided in this initial summary. The remainder of the document provides detailed recommendations, background information on each subject area, and examples. A detailed list of links and references is included at the end.

Residential Zoning. It is recommended that the City consider adopting more specific standards in the PDD code, which would assist with easier and more consistent project review and compliance. This could also present the opportunity to provide specific standards for desirable development types, such as multi-family housing, cottage housing, co-housing and compact development, described below. It is recommended that the City consider defining boundaries for the local historic district, and adopting design guidelines for new buildings within that district, as well as more general design guidelines for compact development areas in the neighborhoods.

Finally, the City's first-floor square footage requirements of 720 square feet (R-2 and R-1), 1,000 square feet (R-1B), and 1,200 square feet (R-1A) are seen as an appropriate range of sizes for their lot sizes. However, it is recommended that the City consider in their comprehensive planning process the appropriate location and district boundaries for these districts. As well, the City should consider whether there are some areas of these districts that might benefit from even smaller lot sizes and house square footage requirements, in keeping with original neighborhoods of Oberlin and in the range of 6 to 8 units per acre. With the goal of walkability, it may be desirable to expand the R-2 and R-1 districts and possibly a more compact district, with associated lot size and house size reductions, to provide for more walkable neighborhoods in biking and walking distance to the downtown. Smaller homes, cottage homes, and tiny homes also provide an opportunity in a PDD-type plan for site layout of groups of homes to encourage community.

Green Building. The City is exploring options for implementing green building requirements into their building and development codes. Mandatory requirements for adoption of green building standards by municipalities are extremely rare, as it can be difficult to mandate more expensive options on the part of residents, businesses and property owners. It is recommended that the City take a more typical approach, which is to adopt mandatory standards for the City's own sites and buildings as appropriate to the use, and create incentive programs to encourage private property owners and developers to utilize green building

standards. Partnership with the local building community is a must. It is recommended, for ease of review and training of reviewing staff, and for ease of communication and compliance on the part of applicants, that green building standards be researched and one existing standard adopted, and kept updated as that standard changes. The City should not attempt to invent its own set of standards. Finally, it is recommended that the City consider appropriate adoption of standards protecting health, safety and property for small-scale wind, solar, and geothermal power systems.

Green Site Development. Green Site Development is an important component of green building which has the potential to mitigate impacts on watersheds and water quality, natural resource and habitat protection, ambient temperature, microclimate, and the living environment in neighborhoods. Several key subject areas are addressed, with the following recommendations:

- **Regulated Stormwater Management Requirements.** Continue work on development of comprehensive stormwater management, construction site stormwater management, and illicit discharge prevention regulations. It is recommended that the City utilize existing models that are widely adopted and meet Ohio EPA requirements.
- **Site development and green infrastructure.** Incorporate green infrastructure provisions into site development reviews and requirements, including pervious pavements, bioswales, extended detention, grassy swales, and similar best management practices.
- **Stream and wetland protection.** Map streams and wetlands in the City, and consider adopting appropriate setbacks for each, aligning with recommended models and methods for setback widths.
- **Floodplain protection.** Consider increasing flood damage protection standards, in recognition of the high likelihood of increasing storm events, and to help affected residents to control premium costs.
- **Compact Development.** Through the City's upcoming comprehensive planning process, consider areas where compact development could be extended, helping to increase the walkability of the City. Consider development of design guidelines to guide both compact development and development in historic districts.
- **Conservation Development.** Clarify the density calculation method in the City's existing conservation development ordinance, and coordinate requirements for protection of floodplains, stream corridors, trees and wetlands.
- **Offstreet Parking.** Review parking ratios in light of current models, and adjust as appropriate. Provide for shared parking on a wider range of uses; require shared parking agreements. Allow for landbanking of future parking expansion areas in potential commercial development areas.
- **Tree Canopy Protection and Enhancement.** Consider development of citywide Urban Tree Canopy goal(s), and implement through adaptations to the City's tree codes for tree protection on both public and private property. Consider identifying Significant Trees in the city that could benefit from protection.

- **Natural Areas Management.** The City has an existing code which meets many of the basic criteria for allowing natural landscaping, which is to be commended. It could be strengthened by providing for an expert to make determinations about what is bona fide natural landscaping, and make recommendations for remedies when it is not, and facilitating enforcement of those recommendations.
- **Urban Agriculture.** Adopt code provisions that distinguish between small, medium and large operations, and provide flexibility for food production within the City, while ensuring compatibility with neighborhoods, and compliance with state and county regulations for compost, waste management, food production, and animal care.
- **Complete and Green Streets.** The City should continue its work on implementation of complete streets with provisions for pedestrians, bicyclists, and wayfinding in its codes and construction standards. The City should also consider incorporating street right-of-way green infrastructure provisions in codes and standards.

Housing management, maintenance and vacancy. The City's need to maintain the quality of aging housing stock and the living environment for owners and renters alike is emphasized in this study. The key to an effective housing management program is that it be comprehensive, which of course requires adequate funding for staff to support inspection and property owner assistance. In many communities a nonprofit organization plays a role in leveraging funding for maintenance and management of residential stock, especially for providing assistance to lower-income property owners and seniors. It is recommended that the City explore funding mechanisms to support development of a more comprehensive housing maintenance program. With funding established, the City can consider, within funding limits, a regular system of house inspections, registration and inspection of rental units, and registration of vacancies and pending foreclosures.

Alternative and Intergenerational Housing. While Oberlin's housing stock is small and alternative models are not likely to occur in large quantities, the Oberlin lifestyle could be supported by community-building models that enhance the connection between residents, allow for families to support elders and members with disabilities, and provide smaller units/homes and alternative ownership models to assist with affordability. It is recommended that the City explore providing options, either within the PDD code or a standalone code, provisions for cottage development (pocket neighborhoods), temporary accessory dwelling units ("granny pods" or "med-cottages"); and co-housing.

Collegetown Housing Issues. Many college towns struggle with issues related to large numbers of college students renting single family homes in residential neighborhoods, and thereby affecting neighborhood ambiance and property values with nuisance, parking, and maintenance concerns. To our knowledge this is not a big issue in Oberlin due to the College's limited number of students who are allowed to live off campus, and the concentration of college-owned homes in direct proximity to campus where students live near other students. Recommendations above for rental registration and exterior inspections could assist with ensuring appropriate maintenance of student-occupied housing, and allow the City to be aware

of any issues or violations to their existing codes which may be occurring. The City may want to consider requiring landlords to maintain a list of tenants, their addresses and emergency contact information in order to easily manage communication in an emergency.

INTRODUCTION

Changes in the housing, development, energy and environmental regulation landscape over the last decade have created new challenges for communities seeking to provide room for development innovation, while protecting the public interest. In addition, communities with off-campus resident student populations have their own unique concerns. Many of these new conditions are addressed in community zoning and development regulations. It is important that the City's regulations align with their policy intent.

In light of these issues, which present both opportunities and challenges, the City of Oberlin requested a review of their zoning and development regulations with regard to the following topics:

- 1) Green building: water and energy conservation, healthy living, low-impact materials and processes; alternative energy; and residential agriculture
- 2) Green site development: land use efficiency and resource protection
- 3) Housing management: maintenance, vacancy and affordability
- 4) Intergenerational and alternative housing arrangements: options for flexibility
- 5) College town housing: protecting residential neighborhoods

This review provides a planning-level review on these five specific topics, and does not constitute a complete code review for legal, regulatory, and implementation concerns. It is not an architectural or construction or alternative energy technical review. The City can choose to work on these recommendations in part or in whole, but in any case should consider the impact of any changes on other parts of the code, and align definitions and provisions across the entire code. If substantial changes are contemplated, it is recommended that a comprehensive review and update of the code be undertaken, with appropriate legal and technical advice.

This review is organized into the five sections outlined above. Each section is discussed, and example codes and solutions from other relevant communities are included. A summary of existing City of Oberlin codes with regard to that subject is included, and recommendations for consideration are then provided.

RESIDENTIAL ZONING AND GENERAL REGULATIONS

The City of Oberlin's codified ordinances are located online via Conway Greene. In particular, Part 11, Building Code, and Part 13, Planning and Zoning Code are of interest. Part 7, Business

Regulations, and Part 9, Streets, Utilities and Public Services, also include relevant housing-related information.

Zoning review. The City’s regulations for development of housing fall within the Planning and Zoning Code and the Building Code.

General zoning districts for residential development are included in chapters 1331 through 1338, and include single family districts (R-1, R-1A and R-1B); and both 1- and 2-family dwellings are permitted in the R-2 district. Lot sizes range from R-1A(15,000 SF), R-1B(11,250 SF), R-1 (9,000 SF) to R-2 (9,000 SF if single family, 20,000 SF if two-family). Minimum ground floor size required for single family dwelling units is 720 SF (R-1, R-2) to 1000 SF (R-1B) to 1200 SF (R-1A). Minimum ground floor size for duplexes is 960 SF (R-2).

The City’s Planned Development District (PDD) (chapter 1344) is a flexible code that accommodates single-family, two-family and multi-family dwellings. It also allows for commercial uses as permitted under the C-1 and C-2 business districts. However, PDD districts on the map are designated in response to individual applications. There is no designated PDD zoning district or overlay on the City’s zoning map. All PDD uses and densities are approved through agreement on a development plan which is applied to a property as requested by the applicant, and amended to the zoning map once approved. A set of nonmetric review standards is given in the code for use by the Planning Commission in discussing that agreement.

The City’s Conservation Development code (chapter 1344) is a modified PDD-type code that provides for flexible subdivision layout and open space conservation in the R-1A district areas. Further details on the code are included under Green Site Development below.

The City has a historic district code, chapter 1187 in the Building Code. This is a local historic district which establishes a Historic Preservation Commission and provides the community with authority to review proposed new construction, and alterations to existing structures, within the district.

The City’s first-floor square footage requirements of 720 square feet (R-2 and R-1), 1,000 square feet (R-1B), and 1,200 square feet (R-1A) are seen as an appropriate range of sizes for their lot sizes. However, smaller homes and lot sizes lend themselves to more walkable/bikable neighborhoods, and providing more homes in proximity to the town center. Smaller homes, cottage homes, and tiny homes provide an opportunity in a PDD plan for site layout of groups of homes to encourage community. The City may also want to consider incorporating an even smaller-lot district, in keeping with historic Oberlin streets, with densities in the 6 to 8 unit per acre range, and associated smaller home size requirements.

Recommendations

- *In many places in the City's codes, specific standards are foregone in favor of stating that the subject of interest shall be designed as directed by, or acceptable to, the Planning Commission, Director of Public Works, City Manager, etc. While this provides much-needed flexibility, and is less work and language to define standards, in the long run it can provide for more complexity and inconsistency, and make more work for City staff in identifying appropriate standards and discussing/defending them with applicants. It is recommended that in reviewing and updating its codes, the City work to provide some basic standards where appropriate, and as noted below, to simplify the project review process, and help to ensure consistency.*
- *While use of a single PDD code with flexible standards for all development that is not strictly single family or commercial makes sense for a small community, the City may wish to provide more specific standards and parameters for review of certain types of development, especially multi-family development, and cottage or cluster home development. An alternative would be to create a separate zoning regulation for one or more of these. More specific standards will assist in providing consistent review, and will help to guide developers in creating the kinds of development the city desires.*
- *Once more specific standards are in place, setting up a PDD district (or new multi-family district) as applying to certain designated districts on the map as an overlay "by-right" is a recommended practice to reduce disincentives to do flexible, nonstandard development. Having the district map amendment done ahead of time, and not dependent on individual project application, reduces risk for the developer in getting flexible projects approved.*
- *The City may want to consider developing design guidelines to aid the Historic Review Commission in reviewing new and modified construction within the downtown historic district. Such a document could have a dual role as design guidelines for compact development areas outside the district as well. (see compact development discussion below).*
- *The City may wish to consider designating the outline of any historic districts and/or landmarks on the zoning map, or a separate official map. As a bona fide local historic district, it is zoning legislation that affects development.*
- *The City may wish to consider in their comprehensive planning process the appropriate location and district boundaries for residential zoning districts. With the goal of walkability, it may be desirable to expand the R-2 and R-1 districts, with associated lot size and house size reductions, to provide for more walkable neighborhoods in biking and walking distance to the downtown. It may also be appropriate to consider a smaller lot size district in keeping with historic streets, allowing density in the 6 to 8 unit per acre range, with associated smaller home sizes.*
- *The City may wish to consider incorporating standards for smaller homes, cottage homes, and tiny homes in a PDD plan arrangement that allows for site layout of groups of homes to encourage community.*

GREEN BUILDING

The City adopted a green building resolution around 2006, with requirements for City-funded construction projects, as well as planning policy, to align with green building standards. Several important steps are needed to implement this resolution: the adoption of a specific green building standard; incorporation of green building policy in the City's upcoming comprehensive plan; and adoption of green building provisions in the City's codified ordinances for new development.

The City is currently exploring options for implementation, including the adoption of a green building standard. The City's existing standard reference is the Ohio Building Code, which has incorporated energy conserving standards into its requirements. Many communities choose to go further in setting green building standards. For example, according to analysis done by The Oberlin Project, the current Ohio building code for energy conservation (IEEC) roughly parallels the International Energy Conservation Code for 2009, while the current Energy Star standard parallels the IEEC for 2012. Developers may also choose to comply voluntarily with higher standards in order to attract buyers. See further discussion below.

Background

The US Green Building Council identifies three stages in expanding green building policy for local communities:

1. Adopting green building construction for new *public* construction and major renovation
2. Adopting green building *retrofit standards for public* buildings, and offering *incentives* to encourage private green construction
3. *Requiring* green building at appropriate levels (equivalent to LEED certification silver, gold or platinum), with or without incentives, for *all* construction, both private and public. (US Green Building Council & Sierra Club, 2011, p. 5)

In practice, implementation of regulations for green building has focused on public projects, and private projects with substantial public funding. For examples, see the cities of St. Paul, Minnesota; East Lansing, Michigan; and Washington, DC. (US Green Building Council & Sierra Club, 2011, p. 5) (City of St Paul, n.d.) (City of East Lansing, 2009) (DC Dept of Consumer and Regulatory Affairs, n.d.)

A few communities, mostly in New York and Illinois, require LEED certification for private commercial and multi-family development. For examples, see the cities of: Yonkers, NY; Babylon, NY; Evanston, IL. (City of Yonkers, n.d.) (Town of Babylon NY, n.d.) (City of Evanston, 2011)

In addition, some communities provide incentives to encourage builders and developers to increase their construction standards to meet LEED requirements. Incentives can include waiver of, or reduced, permit fees; density and Floor Area Ratio (FAR) bonuses; streamlined

approval processes; property tax abatement; and reduced standards in other construction systems. See City of Hamilton, OH; City of Dublin, OH; and City of Wilmington, OH for examples. (US Green Building Council, n.d.) (City of Hamilton, 2015) (City of Dublin OH, 2011) (City of Wilmington OH, n.d.)

Many communities cite LEED certification, to the minimum Certified or Silver level, as a standard. As of 2011, 167 local governments in the United States had benchmarked construction using LEED. (US Green Building Council, 2011) . The LEED process is widely respected and recognized among consumers as well as local governments. Enterprise Communities Partners, a nonprofit organization which promotes affordable housing, has developed an Enterprise Communities Criteria checklist, which is loosely based on the LEED framework. (Enterprise Community Partners, 2011)

The International Code Council (ICC) has developed codes and standards that include, in addition to standard building practice topics, an energy conservation code and a green construction code. (International Code Council, 2015a) (International Code Council, 2015b)

Homebuilders, particularly small businesses, have raised concerns about the application of LEED standards to single-family residential construction due to the high cost of the LEED documentation and certification process. The National Association of Homebuilders has partnered with the ICC and the American National Standards Institute (ANSI) to produce the National Green Building Standard, which is promoted as an alternative to LEED for single-family residential construction. (National Association of Homebuilders, 2015) Energy Star, a program of the U.S. EPA, has certification standards for homes, commercial buildings and plants, and materials and appliances, and data about energy cost savings over the life of a home or building. (“ENERGY STAR | The simple choice for energy efficiency.,” n.d.) Current Energy Star standards roughly parallel the International Energy Conservation Code for 2012.

For up to date information on energy efficiency, green building and building construction technology, see the National Institute of Building Sciences’ Whole Building Design Guide, a web portal that is a collaborative project of federal government agencies. (“WBDG | WBDG Whole Building Design Guide,” n.d.)

In addition to green building standards, cities have addressed site development, renewable energy, and other standards that relate to “sustainable building practices”. For example, the City of Cleveland Heights completed a comprehensive sustainability review of their codes and ordinances in 2010, with associated amendments to the code including provisions for solar and wind energy, exterior lighting efficiency, parking lot design, urban agriculture, electric vehicle provisions, etc. completed in 2012. See especially the Sustainability Audit report, and the zoning code section 1100, Amendments, especially sections 1153 and 1165. (Camiros, Ltd, 2010) (City of Cleveland Heights, 2012)

Community regulations related to solar panels and installations focus on protecting views, particularly of historic architectural features, providing solar access, and protecting adjacent properties from glare. Wind energy codes focus on noise abatement, setbacks from adjacent properties, height restrictions, inhibiting unauthorized climbing access, and proper decommissioning. Example codes include the cities of Aurora, Illinois (Section 4.4-9, Alternative Energy Systems, solar and wind energy); Albany, New York (Chapter 375 Zoning, Article XIV Specific Use Regulations, solar installations); Houston, Minnesota Title XV land usage, chapter 151 zoning; minimal requirements for zoning and wind systems included in specific zoning districts, performance standards); Schaumburg, Illinois (Title 15 Land Usage, Section 154 Special Uses, Wind Energy Conversion Systems). (City of Aurora, IL, n.d.) (City of Albany, NY, n.d.) (City of Schaumburg, 2015) (City of Houston, MN, n.d.)

The Suffolk County Planning Commission, Long Island, NY, in collaboration with the Long Island Geothermal Energy Organization, has developed a model geothermal installation code for use by their member communities. Specific provisions include protection of water resources (both quality and quantity), ensuring quality installation, required setbacks and distances from adjacent properties and facilities, ensuring that installations are done by qualified contractors, and ensuring proper decommissioning. (Long Island Geothermal Energy Organization & Suffolk County Planning Commission, n.d.)

Review of Oberlin Codes

To date, the City does not yet have specific green building provisions in its codes. The City refers to the Ohio Building Code and Residential Code of Ohio, which do include energy conserving standards, although they are lower than some of the standards mentioned above.

Recommendations

- *Continue work on developing a green building code which adopts a consistent standard and updates Oberlin's code standards for insulation and energy use as currently written.*
- *In any green building regulations and incentive programs, utilize consistent existing performance standards such as LEED, Energy Star, Enterprise Communities, International Energy Conservation Code, and/or the National Green Building Standards, while avoiding the development of community-specific standards.*
- *Continue to implement the City's comprehensive green building requirement for public new construction, and public substantial rehabilitation. Once a standard is selected, this administrative policy can be strengthened to consider its applicability and define the types of projects where it would be used.*
- *Consider and develop an incentive program for commercial and multi-family building construction that utilizes existing standards (LEED, Enterprise, or other) through reference. (see notes on incentives above)*

- *Consider an incentive program for single-family residential construction that is based on the National Association of Homebuilders' National Green Building Standards. (see notes on incentives in the background section.)*
- *Over time, as incentive programs are implemented, explore the idea of green building requirements for commercial and multi-family construction.*
- *Explore additional zoning and regulatory options for permitting solar power systems, geothermal systems, and small-scale wind energy conversion systems within the City. These would be focused on ensuring that basic health and safety needs of the public and adjacent property owners are met, while allowing innovation on the part of businesses, homeowners and developers.*

“GREEN” SITE DEVELOPMENT

Background

Site development practices that are “green”, or “sustainable”, can include provisions for energy-conserving lighting, water-conserving irrigation systems, and use of materials that are recycled and/or sustainable. They also can accommodate exterior alternative energy systems such as geothermal units, solar power installations, and small-scale wind turbines. These provisions are covered under the “GREEN BUILDING” section of this review.

However, there is a large group of site development provisions that take into account efficient land use, storm water, open space conservation, and protection of stream, floodplain, and wetland resources, tree cover protection and enhancement, steep slope protection, and natural areas management (natural landscaping). Known as “Best Local Land Use Practices”, these provisions provide for large-scale watershed quality, reduced flood flows, and enhanced water quality in water resources – lakes, streams and rivers - fed by water running across watersheds. The Ohio Balanced Growth Program provides extensive information, guidance, recommendations, and example codes for fifteen recommended Best Local Land Use Practices. (Ohio Balanced Growth Program, n.d.)

Stormwater and related models. State of the art models for stormwater-related regulations are provided online by the Chagrin River Watershed Partners. Topics include stormwater management, construction site stormwater management (erosion and sediment control), stream and wetland setbacks, flood damage reduction, illicit discharge detection and elimination, off-street parking lot design, and conservation development. (Chagrin River Watershed Partners, n.d.). Additional provisions are referenced in these models, especially the Ohio Department of Natural Resources' Rainwater and Land Development. (Ohio Department of Natural Resources, 2014) It should be noted that flood damage reduction regulations, if reaching higher than the minimum FEMA standard, can reduce the flood insurance premiums for those affected. (“Ohio DSWR Floodplain Management Program,” n.d.)

Of interest, many communities are implementing provisions to allow green infrastructure to provide at least some of the water quantity and water quality management services on a site. “Green infrastructure” describes best management practices that mimic natural systems to hold, slow down, filter, and absorb stormwater on-site. Examples include bioswales, extended detention, tree well systems, pervious pavements, and natural plantings designed to absorb water. It is opposed to the “gray infrastructure” standard approach which sends stormwater quickly into gutters, storm drains, detention basins, concrete-lined swales, and then directly into local waterways without filtering. Green infrastructure provides a decentralized opportunity to reduce flows into local waterways, while improving water quality. Since green infrastructure is not traditional, it often requires special considerations in design, engineering, review, construction and maintenance, including training of reviewing, installation and maintenance staff, to ensure that duplication with standard stormwater practices are not required, and quality projects result that will last. (US EPA, n.d.) (Ohio Department of Natural Resources, 2014)

Natural areas management. Natural areas management regulations should be adopted wherever a community has a standard mowing regulation controlling height of mowed lawn in residential and commercial areas. Oberlin’s code is an example for other cities in Ohio. A natural areas management code includes simple language allowing natural landscaping rather than natural lawn, under controlled conditions. The code provides authority for the City, in response to a complaint or a concern, to consult an expert in natural horticulture, who determines whether there is a bona fide meadow, or a situation requiring intervention. Similar to the mowing ordinance, the property owner is then given a period of time to comply with the expert’s recommendations, and the City retains authority to do the remediation itself in cases of noncompliance, with the property owner bearing the cost. See full discussion in the Ohio Balanced Growth Program’s online toolkit. (Ohio Balanced Growth Program, n.d.)

Tree and Woodland Protection. A new model regulation for Tree and Woodland Protection is available from the CSU Center for Community Planning and Development. The traditional tree protection approach requires the measurement, design and protection of all trees on a site that are over a certain trunk diameter in size, and ignores specifics of tree health, tolerance of construction, size and species. This new approach prescribes a performance standard for tree canopy cover on the site at maturity, or around 30 years, based on recognized research. Emphasis is placed on providing conditions, such as soil structure, that will help to ensure longevity of trees, whether they are preserved or newly planted. The goal is to achieve an established tree canopy cover percentage in accordance with and established City tree canopy cover goal(s). See the model for more information.

Urban Agriculture. Recent interest on the part of urban and city residents in conducting food production activities has led to the development of zoning models specifically allowing small-scale agricultural activity within residential areas. Residents may choose to raise bees, chickens or goats, produce fruits and vegetables for home consumption or for sale, and may even desire

to operate a farm stand in their front yard. In addition, some entrepreneurs have begun medium-scale operations producing food products for sale, with associated medium-scale composting arrangements, and even incorporating hoop houses and green houses to extend the growing season. Community gardens are another example of medium-scale urban agricultural operations.

Urban agriculture codes distinguish between small-, medium- and large-scale operations, and allow for small animal husbandry, composting, and crop production, while protecting health and safety, water quality, and property values within neighborhoods, preventing nuisances, and providing remedies for problems should they occur. With an interest in protection of stormwater runoff from organic materials contamination, the Ohio EPA has developed a model regulation for composting which applies to medium-scale operations such as community gardens and urban farms. Ohio EPA regulations exempt small-scale operations (composting facilities less than 300 square feet). Larger composting operations must comply with regulations, and appropriate local zoning should be adopted. (Ohio EPA, 2012) Some communities distinguish between “urban gardens” (less than an acre) and “urban farms” (more than one acre). Operations incorporating production of food for sale to the public or distributors (such as farm stands, launch kitchens, and commercial farms) will also need to comply with City and County health regulations. Examples of urban agriculture codes in the Great Lakes region include the City of Cleveland, City of Detroit (existing and proposed), City of Milwaukee (see Chapter 78, Animals), City of Cincinnati (see 1419-41 Community Gardens), and City of Cleveland Heights (see section 1153.05, Specific Uses, and Section 1771-1785, Nuisances). (City of Cleveland, n.d.) (Busdicker, 2015) (City of Detroit, MI, n.d.) (City of Milwaukee, 2016) (City of Cleveland Heights, 2012) (City of Cincinnati, n.d.)

Complete Streets. Complete streets address the need for street design to incorporate planning considerations for multiple modes of transportation beyond the automobile, including pedestrians, bicycles, public transit, and others, and recognize that in some locations within a community, other modes beyond the automobile may even take priority. Complete streets support green principles in providing for reduced automobile use and associated reduction in the community’s carbon footprint, while also creating a more inclusive, livable environment for all citizens. Many complete streets policies, known as “Complete and Green Streets”, include provisions allowing other green site development elements such as stormwater green infrastructure, permeable pavements, and street tree systems. A key resource for complete streets policy information is the National Complete Streets Coalition web site; complete streets ordinances and standards in Northeast Ohio include the City of Cleveland, which has spurred complete streets implementation in specific projects in the suburbs, including the City of Shaker Heights’ Van Aken District.

(City of Cleveland, 2012), (“Sustainable Transportation | City of Cleveland,” n.d.) (“City of Shaker Heights - A Connections Plan for the Van Aken District,” n.d.)

Of particular interest related to sustainable site development within cities are the following practices:

- **Storm Water Management** includes provisions for low impact development, best management practices, erosion/sediment control, and illicit discharge prevention in compliance with state regulations, and to provide community and property owner benefits
- **Site Development** codes ensure incorporation of green infrastructure, complete streets, and stormwater provisions in development design, review and construction.
- **Stream, Floodplain, and Wetland Protection** protects public health and safety, while ensuring water resources can provide water quality and water quantity benefits
- **Conservation Development** provides for open space and resource protection through flexible subdivision design
- **Compact Development** encourages efficient land use in compact, walkable neighborhoods
- **Tree and Woodland Protection** provides for long term tree canopy cover across the community
- **Natural Areas Management** provides for appropriate native landscaping within residential and commercial areas, while ensuring community authority to address management issues
- **Urban Agriculture** allows specific small- and medium-scale agricultural activity in developed areas while protecting health and safety, preventing nuisances, and providing community authority to address problems should they occur.
- **Complete and Green Streets** incorporate provisions for pedestrians, bicyclists, public transit to facilitate multi-modal transportation, while also incorporating green infrastructure best management practices.

Key elements of stormwater management codes:

- Complies with state stormwater regulations for stormwater management plan development and recommendations for stormwater runoff according to state of the art models (i.e. Chagrin River Watershed Partnersnt Practices (BMPs)(also known as Stormwater Control Measures SCMs)
- Allows green infrastructure BMPs to “count” toward overall site water quantity management standards
- Uses runoff reduction calculation methods instead of critical storm method

Key elements of construction site stormwater management codes:

- Tie purpose and authority to Ohio EPA Phase II regulations as applicable, and TMDL requirements
- Require control of construction waste as well as sediment
- Establish procedures for development and review of stormwater pollution control plan
- Establish procedures for site monitoring and inspection during and after construction

Key elements of illicit discharge detection and elimination codes:

- Specifically prohibits discharge into the community's MS4 system (if applicable) or storm water management system
- Establishes procedures and standards for a monitoring program
- Establishes responsibility of contractor and property owner for any discharges
- Requires any violators to be responsible upon notice for cleanup of impacts

Key elements of high standard flood damage reduction regulations:

- Development is a conditional use in a designated 100-year floodplain
- Requires 2 feet of freeboard above Base Flood elevation or highest natural adjacent grade, as applicable
- Development must be designed to avoid need for compensatory storage (no fill in the 100-year floodplain), or if fill is not prohibited, compensatory storage must be provided
- Commercial applicants in the floodplain must demonstrate adequate storage/protection of materials in case of flood

Key elements of stream and wetland protection regulations:

- Setbacks are required along streams and rivers, and around wetlands to remain, according to standard methods for calculating widths
- Community maintains a map illustrating setbacks
- Setback is required to expand to include 100-year floodplain, where applicable
- Construction of any kind is prohibited within the setback
- Includes provisions for delineation prior to construction
- Includes provisions for monitoring during construction
- Provides for grandfathering, variances and enforcement

Key elements of Site Development codes:

- Allows for bioretention in the right-of-way, including cul-de-sac islands and curb cuts to allow inflow
- Allows for use of pervious paving
- Allows for green/shared street concepts
- Requires or allows for downspout disconnection
- Requires restoration of site soils post-construction to preconstruction conditions through tilling and amendment
- Provides for strict limits of clearing and grading through designation on review plans and onsite before construction

Key elements of Offstreet Parking Codes:

- Justifies parking ratios based on demand data and/or American Planning Association standards (see Chagrin River Watershed Partners model)
- Allows for quantity reductions as appropriate where public transit, bike parking are provided

- Allows for shared parking, with appropriate agreement
- Allows for land banking for parking lot expansion
- Encourages efficient layouts such as diagonal and one-way parking
- Allows use of pervious materials
- Requires 10% land area to be landscaped, and allows and encourages landscape areas to serve as bioretention, including curb cuts for flow access, and no requirements for mounding

Key elements of conservation development codes:

- A planned unit development code with special open space standards
- Applicable to sites over 20 acres
- Provides for overall density of units that is neutral with underlying zoning, but allows lot size flexibility
- Restricted open space excludes rights-of-way and envelopes near buildings, is at least 40% of land area
- Open space areas align with site resources, especially floodplains, wetlands and mature woodlands
- Requires permanent protection of open space through deed restriction, zoning, 75% homeowner approval of sale, conservation easement, or equivalent
- Includes provisions for open space ownership and management
- Includes authority for addressing open space management problems if they occur
- Code is by-right rather than conditional

Key elements of compact development codes:

- Provides for a minimum residential density of 6-8 units per acre
- Allows mixed uses in appropriate locations
- Provides design guidelines to support intent of code
- Provides flexibility in lot and home sizes

Key elements of tree and woodland protection codes:

- Required compliance with an established tree canopy cover goal for the site, the zoning district, and/or the community by the city
- Requires special attention to tree preservation only for Significant Trees (35% of Ohio Champion Tree size for its species)
- Requires an arborist or forester's assessment of the tree population on the site with regard to species, health, tolerance for construction, and size, with recommendations for meeting the canopy cover goal and protecting any significant trees
- Permits the applicant to decide how the goal will be met (through protection of existing trees or planting of new trees)
- Requires adequate site soil amendment after construction and prior to planting, to ensure tree and landscape longevity and water absorption
- Provides for adequate measures for tree protection for any trees that will be preserved

- Requires monitoring during and after construction

Key elements of natural areas management codes:

- Applies where the community has an existing or planned mowing ordinance
- Allows bona fide natural meadows, as determined by a landscape architect, soil and water district staff, parks staff, or other plant professional
- Where a problem or complaint arises, provides for review by a plant professional and recommendations for mitigation if applicable
- Provides authority for the City to rectify problems if the property owner does not comply with recommendations within a specified time frame

Key elements of urban agriculture codes:

- Distinguishes between small-scale (home, or under 300 square feet) and medium-scale (over 300 square feet, under a designated size such as 3 to 5 acres) urban agriculture; may distinguish between sites larger or smaller than one acre.
- Provides for compliance with Ohio EPA regulations regarding compost and waste management for operations that involve composting facilities larger than 300 square feet.
- Provides for compliance with city, county and state health regulations with regard to any food offered directly or indirectly for sale to the public
- Designation of permitted or conditional uses for residential, commercial and industrial districts in the City, for urban farms, urban gardens, community gardens, hydroponics, hoophouses, greenhouses, tree farms and orchards, market stands, farmers' markets, depending on zoning district, parcel size, and size of operation.
- Incorporates provisions for urban agriculture into city ordinances for animal welfare and control, fencing/accessory structures, stormwater regulations, health and sanitation, property maintenance, and food establishments
- Makes conscious decisions about types, number and sex of livestock permitted (i.e. bees, rabbits, chickens, goats, etc; female animals only; number of beehives) and types and quantities of crops (i.e. grain crops which may encourage rodents if raised/stored in quantity), depending on the zoning district and size of parcel.
- Provides for City authority to enter property, inspect, and require remediation in case of problems
- Incorporates specific needs of animal livestock, such as size of pens, water tanks, sanitary bedding management, climbing apparatus, types of fencing
- Considers implications of composting, food, bedding and waste storage, vehicle parking, hours of operations, and related zoning provisions to reduce the potential for nuisance on adjacent property owners

Key elements of Complete Streets policies and codes:

- Pedestrian improvements to identify and enhance gateways, sidewalk connections, lighting, traffic signals, and amenities such as shelters and benches; create safe paths that connect pedestrians to points within the community.
- Bicycle improvements that provide appropriate bike traffic lanes and signaling, bike parking, bike share options, bike facility markings, etc.
- Wayfinding and signage improvements to guide visitors and all users to and through the community using all modes of transportation
- Green infrastructure and landscaping improvements provide green infrastructure options to enhance pedestrian travel and facilitate stormwater management.

Review of Oberlin's Codes

Stormwater, Construction Site Management, Illicit Discharge Prevention, Site Development.

An update of the City's stormwater codes is currently in progress. The existing stormwater codes are located in Chapter 1315, and are limited in scope, and assume the traditional methods for stormwater flow and detention, rather than a green infrastructure approach. The Public Works Director is working with the County and Ohio EPA on drafting appropriate code provisions for stormwater management, construction site stormwater management, and illicit discharge prevention. These new draft codes were not available for review.

Development regulations. Provisions for subdivision regulations and site development elements such as lots, streets, cul-de-sacs, and landscaping are included in Chapter 1315, and in the City's Public Works Construction Standards. Local streets and cul-de-sacs are required to be 26 feet in width, with residential alleys 20 feet in width. Cul-de-sac islands may be required by the Planning Commission, with landscaping plans approved. Curb is implied as required without an explicit statement. Trees and landscaping are to be provided in accordance with the Public Works Standards. Soil is to be restored "in a manner approved by the Director". The City's Public Works Standards do not provide prescriptive design solutions for green infrastructure. Green infrastructure provisions in site applications are reviewed on a case-by-case basis in accordance with appropriate engineering standards.

Stream and Wetlands Setbacks. The City does not currently have codes addressing stream and wetlands setbacks. Certain streams, especially those in the potential development area to the south, may benefit from specific protection in order to ensure their ability to manage water quantity and quality in case of increasing storm events.

Natural areas management. The City's Weed Control Code (chapter 551.02) effectively works as a natural areas management code, by providing measures for notification in case of noxious weeds, but specifically allowing "crops, flower gardens under cultivation" and "naturalized vegetation free of noxious weeds as a managed landscape". A setback of 5 feet from adjacent properties and 8 feet from the street is required, which is a typical provision. Owners of natural landscapes are required to register annually and acknowledge the City's rules for natural

managed landscapes. The City Manager is given authority to determine any specific provisions for problem identification and remedies. The property owner is required to comply with City requirements, and the City has authority to enter property and provide remediation if the property owner doesn't comply, at the property owner's expense. While the City's code is an example for other Ohio communities, it has been noted that the current ordinance is less effective in discouraging or prohibiting people who don't mow their lawns but do not have bona fide meadows or natural habitat landscapes. Additional provisions that provide an expert who is available to the City and could make a determination and recommendations could be helpful.

Flood Damage Protection. The City's Flood Damage Prevention ordinance (chapter 1191) includes standard language with some use of recommended higher standards. Construction is required to be 2 feet above Highest Adjacent Natural Grade (HANG) where base flood elevation data is not available. Where base flood elevation data is available, only 1 foot of freeboard is required. The code only prohibits fill in floodway areas, and allows fill if technical analysis can demonstrate that base flood elevation will not be raised by the construction. Outside the designated floodway, or where FEMA has not designated a floodway, the base flood elevation may rise 1 foot.

Compact Development. Compact development for residential construction is typically defined by a density of 6 to 8 units per acre at a minimum, or lot sizes approximately 5,000 to 7,500 square feet. Multi-family housing, cottage development, tiny homes, and cluster homes may increase this density. Currently, none of the City's residential development zoning districts provide for compact-type development. And yet existing older neighborhoods do have "grandfathered" lot sizes that fall into the compact development range. It is clear that the City's PDD district provides the flexibility to negotiate smaller lot sizes. However, if the City's main attraction is its walkable/bikeable lifestyle, it may be desirable to specifically provide for smaller lot sizes in certain undeveloped areas of the City, particularly in areas within a walkable/bikeable distance to the downtown. In addition, a specific multi-family housing district may be helpful in providing for more housing within the walkable area. With regard to mixed uses, the City's C-1 Central Business District (downtown) does permit residential uses above the ground floor. In addition, the City may find it a benefit to develop design guidelines for new construction and renovations in compact development areas. Such guidelines could support the City's historic district area, and also ensure design integrity and character where higher densities and mixed uses are allowed. It should be noted that where smaller lot sizes are provided, it would be appropriate to look carefully at required first floor ground areas for homes. A typical 5,000 square foot lot is 50 feet by 100 feet. A 30-foot wide home (10 foot side yard on each side) would be 25 feet deep if it meets R-1 requirements (720 square feet), 32 feet deep for a duplex in the R-2 area (960 square feet).

Conservation Development. The City's conservation development regulation (CDD, chapter 1344) generally follows recommended models by the Chagrin River Watershed Partners and the Best Local Land Use Practices, both based on the Countryside Program model of 1999. This

overlay is appropriately applied to areas designated in the R-1A district, or the outlying areas of the City likely to receive lower-density development, and where stream, tree and other resources may exist that warrant protection. One area that could be clarified is the definition of density calculations; the R-1A district density is based on lot sizes, and there is no formal mechanism given for determining the resulting permitted density. Simply allowing a division by lot size of the land remaining after removal of required acreage (such as rights-of-way) could result in a de facto density bonus since inefficiencies of layout and lot configuration are not accounted for. Furthermore, with changing market demand, the City may want to look again at where Conservation Development, or R-1A zoning for that matter, are provided, and whether some areas will be better with a more compact development approach, providing for more walkable neighborhoods in proximity to the downtown. Finally, the current Conservation Development ordinance appropriately designates a riparian buffer. If the City should decide to adopt a stream and/or wetland protection regulation, the CDD provisions should be aligned with citywide requirements.

Off-street parking. The City's off-street parking code is provided in chapter 1349. Off-street parking is appropriately waived in the downtown business district (C-1). The City Public Works Director is given discretion to approve storm drainage that does not directly discharge to the storm water system. There are no requirements prohibiting use of landscaping for bioretention or other BMPs. The City allows pervious pavements in parking areas. Shared parking allows for a reduction for certain specific uses, but is not as comprehensive as current models, and does not require a shared parking agreement. Wheel guards and curbing are required for the purpose of controlling vehicles, and there is no provision for continuous curbing to control stormwater, so curb cuts theoretically would be allowed. Up to 25% small car parking spaces are allowed. Provisions for parking ratios are given in section 1349.03. In general, some of the ratios (commercial uses) seem higher than are currently recommended; see the Chagrin River Watershed Model for examples.

Tree planting and protection. The City's tree planting ordinance generally applies to public trees (curblawn, parks and city facilities). Provisions for trees on new subdivisions and developments are included in section 907.17, and are flexible, with the City Planning Commission, Grounds Director, and City Engineer providing advice and approval of landscape plans. As discussed above, state of the art tree canopy ordinances leave flexibility for the applicant but aim for ensuring adequate tree canopy citywide for the long term (both public and private), in recognition of the many climate adaptation, stormwater management, quality of life, and property value benefits provided by a mature urban tree canopy. In addition, proper soil preparation has been shown to protect the tree investment and support its longevity. The City currently does not have standards for tree planting and site soil preparation after construction. Finally, the City may want to review the presence of any significant and/or historic trees, and identify them for desired protection in areas of potential development.

Urban agriculture. The City does not specifically provide for urban agricultural practices, either crop production or animal husbandry. However, agriculture, horticulture and truck gardening

are permitted in all residential districts, PDD and CDD districts, provided no produce is offered for sale on the premises. Commercial districts prohibit urban agriculture/greenhouses. Greenhouses would be permitted in the M-1 light industrial district, but open farming would not meet performance standards prohibiting dust, dirt, runoff, outdoor storage of materials, and noise from equipment. The City is currently working with The Oberlin Project on draft urban agriculture code provisions.

Complete and Green Streets. In 2015, the City adopted a Complete Streets policy, with requirements for incorporation of multi-modal transportation into City plans, strategies, public works standards, and ordinances. It will be important for the City to consider complete streets policy and prioritization in the comprehensive plan. In addition, the City's public works standards for street construction and design should be adapted to incorporate multiple modes of transportation, such as improved sidewalk and trail systems, bike trails and bike lanes, signage, traffic signals, and accommodations for pedestrians, bicyclists, public transit users, and those using strollers, wheelchairs, and other assistive devices. As noted above, public works standards right now provide for case-by-case review of green infrastructure proposals for site development projects.

Recommendations

- *Continue work on development of comprehensive stormwater management, construction site stormwater management, and illicit discharge prevention regulations. If possible, utilize existing models that are widely adopted and meet Ohio EPA requirements.*
- *Consider incorporation of stormwater practices and green infrastructure best management practices into the City's codes and public works standards.*
- *Map streams and wetlands in the City, and appropriate setbacks for each aligning with recommended models and methods for setback widths. Consider adoption of stream and wetlands setbacks, especially in potential development and/or redevelopment areas. Setbacks adopted in existing developed areas would apply when substantial rehabilitation and/or expansion projects are implemented. Grandfathering and variances should apply.*
- *Consider increasing flood damage protection standards, in recognition of the high likelihood of increasing storm events. Work with the Ohio DNR Floodplain Program to increase standards in a way that will enable affected residents to control premium costs. Specific standards to address include freeboard, fill in the floodplain, and conditional uses in the floodplain.*
- *Through the City's upcoming comprehensive planning process, consider areas where smaller lot sizes that align with historic development patterns should be adopted, helping to increase the walkability of areas within walking/easy biking range of downtown.*
- *Consider development of design guidelines to guide both compact development and development in historic districts.*
- *In the City's upcoming comprehensive planning process, consider the appropriate locations and application of the R-1A district and conservation development, in light of increasing market demand for walkable neighborhoods.*

- *Clarify the density calculation method in the conservation development ordinance. If floodplain regulations, stream and wetlands setbacks, and tree protection regulations are adopted, remove these provisions from the conservation development regulation in order to ensure consistency.*
- *Review parking ratios in light of current models, and adjust as appropriate. Provide for shared parking on a wider range of uses; require shared parking agreements. Allow for landbanking of future parking expansion areas in potential commercial development areas.*
- *Consider development of citywide Urban Tree Canopy goal(s), and implement through adaptations to the City's tree codes for tree protection on both public and private property. Consider identifying Significant Trees in the city that could benefit from protection.*
- *Adopt Urban Agriculture code provisions that distinguish between small, medium and large operations, and provide flexibility for food production within the City, while ensuring compatibility with neighborhoods, and compliance with state and county regulations for compost, waste management, food production, and animal care.*
- *Continue work on incorporating the Complete Streets policy into City plans, codes, ordinances, strategies and standards. Public works standards especially should be adapted to incorporate complete and green streets policies including pedestrian and bicycle improvements, signage and wayfinding, and stormwater best management practices.*

HOUSING MANAGEMENT: MAINTENANCE AND VACANCY

Background

Housing management codes address two very critical issues that affect many Ohio communities: 1) the abandonment and vacancy of housing due to mortgage or tax foreclosure; and 2) the deterioration of housing in older neighborhoods, due to absentee landlords, abandonment, and overall economic stress. These issues have been prevalent and longstanding in Ohio communities, and many communities have developed codes that respond to them. These regulations focus on protecting the health and safety of residents; keeping the community informed of property status; ensuring opportunities for inspection and required upkeep; and protecting the value of adjacent properties.

Basic Provisions for Property Maintenance. Basic provisions for property maintenance regulations include:

- A list of standards defining minimums for what constitutes a habitable structure in good repair, and for which the owner is responsible; these standards form the basis of inspections if any. Requirements addressed include overall appearance and exterior weather-tightness; light, ventilation, space; plumbing, electrical and heating systems; sealants, waterproofing and painted surfaces; guardrails, porches and balconies; roof, windows and doors; foundations, chimneys and masonry; exterior steps, pavement ,

fences and structures; among others. Landscaping maintenance standards may be included. Note that a recent court case in Youngstown ruled that direct incorporation of the International Property Maintenance code is vague. It is recommended that specific definitions be added to a community's code for what constitutes well-maintained property.(Donofrio, 2016)

- Clear designation of responsibility to the property owner for compliance with the stated standards; responsibilities of tenants may be spelled out, or provisions given for the owner to formally delegate any responsibilities.
- Requirements for inspection at point of sale. Some communities require this only for rental properties, others for all properties; these can also vary whether they apply to exterior only, or the entire structure (interior and exterior). A certificate of compliance is typically issued once any problems are rectified.
- Procedures for periodic maintenance inspections. These vary in time frame (two to 5 years) and usually involve exterior maintenance only; they may or may not include landscaping.
- Registration required for rental properties. Community requirements may vary depending on number of units, whether or not the owner resides on the premises, and whether or not certain uses (such as child/adult daycare) are present
- Designation of a Code Official whose responsibilities and authorities as representative of the City are spelled out in the code
- Designated procedures and authority for the city to enter properties for inspection, assessment and rectification of problems
- Procedures for notifying property owners of noncompliance, time frames for correction of violations, and procedures for community rectification and compensation if property owner does not meet time frame
- Procedures for penalties in case of violation

Basic Provisions for Vacancy and Abandonment. Basic options and provisions for addressing vacant/abandoned structures include:

- Clear definitions for “vacant”, “abandoned”, “foreclosed”
- Clear designation of responsibility for compliance with regulations and property maintenance standards on vacant properties
- Provision of right of entry for the community to inspect and assess property condition, vacancy and abandonment
- Registration of vacant properties after a specified period of time of vacancy – can range from 30 days up
- Requirement for inspection of registered vacant properties – can be annually, or before property can be re-occupied
- Requirement for informing community when foreclosure occurs
- Standards for securing structures against vandalism, to prevent structural and system damage, and to ensure continued occupancy-ready condition of structure for the long term

- Procedures for the community to designate properties as “abandoned”, and to acquire and repair and/or dispose of abandoned properties when it is clear the owner cannot or will not comply with regulations
- Requirements for occupancy permit prior to re-occupancy of a vacant property
- Procedures for determining the condemnation and demolition of a structure that is determined to be too deteriorated for rehabilitation

Examples. The International Property Maintenance Code provides basic language which covers building occupancy, basic building systems including electrical and mechanical, plumbing, fire safety, ventilation, and other general requirements, and is aligned with the international building code. Some communities incorporate this language by reference, and then provide supplements in areas of concern. (International Code Council, 2012)

The City of Shaker Heights requires a point-of-sale inspection for all properties. Any identified deficiencies must be corrected and certified before the property can be transferred. The City also requires a Certificate of Occupancy, with associated inspection, for all rental units, renewed annually. See the municipal code section 14- Housing Code, and 13 – Building Code. (City of Shaker Heights, n.d.)

The City of Youngstown’s zoning code includes provisions for Elimination of Spot Blight, which includes criteria for determining whether a property is blighted and the owner unable/unwilling to rectify the problem, and outlines procedures for City acquisition and rectifying the problem, in consultation with City Council and neighborhood organizations. See section 1104 of the City’s codified ordinances. Requirements for vacancy registry and property maintenance are included in Section 546, Property Maintenance, of the General Offenses Code. The code incorporates the International Property Maintenance Code by reference. (City of Youngstown, OH, n.d.)

The City of Grand Rapids, Michigan, addresses property maintenance separately for residential and non-residential buildings. Incorporating the International Property Maintenance Code, the city also includes additional provisions. The code requires registration for abandoned and vacant buildings after 30 days of vacancy, and a permit of occupancy is required before a vacant building can be occupied again, involving an inspection and rectification of any problems. Registration and periodic inspection is also required for buildings with 1 or more rental units; inspection periods range from two to six years depending on owner’s history of violations and compliance with regulations. See Zoning Code, sections 135 and 140. (City of Grand Rapids, 2014)

The City of South Euclid requires lenders to notify the city of pending foreclosure proceedings, and also requires the registration of vacant housing. See sections 1412 and 1414 of the municipal code. (City of South Euclid, n.d.)

Review of Oberlin's Codes

Housing maintenance provisions are addressed in Chapter 1151, Property Maintenance. The City has adopted the International Property Maintenance Code (IPMC), amended to align with the City's fee schedule, and provide authority for the City to provide required demolitions if the property owner does not. The IPMC includes standards for condemnation and demolition. The City also has standards for boarding (temporary closure) of the windows and doors of vacant structures to ensure security against unauthorized entry. Chapter 1173, Housing Renewal Commission, provides a citizen review body to consider appeals to decisions of the city building official in matters related to enforcement of the Housing Code.

Due to limited budget capacity for necessary staff, the City does not currently require point-of-sale or periodic housing maintenance inspections, and rental registration for periodic review of rental property. These three provisions are more and more becoming the first line of defense in older communities in Northeast Ohio where housing stock quality must be maintained. We are aware that the City's housing officer has limited part time capacity to handle housing maintenance problems on a complaint basis, and that the City's backlog of housing maintenance complaints to be investigated is growing. It will be important for the City to explore fee structures that could allow expanded housing maintenance inspections and responses.

The City also does not currently require vacancy or foreclosure registration. While these problems are not rampant in Oberlin, it can be helpful for the City to anticipate problems, and these provisions are part of a comprehensive, proactive housing maintenance program. Again, some regular source of funding to support a comprehensive housing program would be needed.

Recommendations

- *Explore funding mechanisms to support development of a more comprehensive housing maintenance program.*
- *As funding is available, consider a regular system of house inspections for periodic exterior maintenance and/or point-of-sale. Such inspection is the first line of defense for the City in identifying property maintenance issues before they become nuisances and/or expensive to repair, and help to ensure the long-term quality of housing stock and residential property values. Several Northeast Ohio communities, some of which are noted above, provide for such inspections in whole or in part.*
- *As funding is available, consider requiring landlords to register rental units, which may be inspected periodically to ensure minimum standards are met. Consider requiring landlords to retain tenant information, including emergency contact information.*
- *As funding is available, consider requiring lenders to inform the city of pending foreclosure, to enable the City to be proactive about potential maintenance and vacancy issues, and to assist residents with emergency resources to help prevent or circumvent foreclosure.*

- *As funding is available, consider requiring registration of homes vacant over a shorter time frame (some communities set this at 30 days), to help notify City police services about potential vandalism targets, to enable the City to be proactive about potential maintenance issues, and to ensure, through a Certificate of Occupancy reinstatement requirement, that a structure that has been vacant is habitable before re-occupancy.*

INTERGENERATIONAL AND ALTERNATIVE HOUSING

Background

Intergenerational and alternative housing models address the overall change in household makeup across many communities in the US. Changes in marital and family relationships, family mobility, and social-economic conditions have resulted in many different types of households than in the past. Some of these households fit into the existing one-household-per-unit model, and some do not. In addition, some households are interested in non-mainstream-type housing such as tiny homes, cooperative housing (multiple households sharing ownership in common of both housing and common areas/facilities), and co-housing (a condominium-like arrangement with individual household ownership of units, but shared facilities and programs aimed at fostering community).

In particular, households with children under 18 that are headed by an older adult over 65 have special needs to accommodate both the children and the householder(s) in the same setting. In another scenario, families may have a need for older or disabled family members to move in with them, either permanently or temporarily, and need to provide for independence and support simultaneously, often within a traditional single-family home setting. Given the different nature of these two scenarios, different approaches can be taken to address them.

Independent residential housing in communities is typically permitted in forms that provide for individual, separate dwelling units. Whether single family detached, single family attached, multi-family, or independent housing for seniors, all are based on the model of the individual unit with its separate kitchen, bath, and sleeping quarters. However, the traditional family model and market for traditional housing is changing; more and more family units are in need of some sort of combined housing to meet various needs. In many communities, there is a need/demand to adjust the traditional single-unit housing model, in appropriate locations and under appropriate conditions, to provide for combinations of children, parents, young adults, and/or older adults to live together, or for related family units of adults to live in one unit or on one parcel.

Typical household scenarios:

- Seniors needing supportive living near family members, while maintaining independence;

- Grandparents raising grandchildren, while in supportive senior housing;
- Adults (young or related) needing to live with family members for affordability while maintaining independence
- Unrelated adults desiring to share some aspects of housing while retaining individual units

Intergenerational and Alternative Housing Regulations. Usually, these issues are addressed through the zoning code, which regulates housing types, permitted and conditional uses, and primary development parameters (parcel sizes, neighborhood density, size, height, entrances, building setbacks, number of buildings) for a typical parcel, as tied to identified districts on a map of the community.

Accessory Dwelling Units (ADUs) are often approved as conditional uses, with occupancy permits pending regular monitoring of living arrangements and code compliance.

Definitions:

Some definitions are important to codes for intergenerational and alternative housing.

- A *dwelling unit* is typically defined as one that has its own bathroom, kitchen, sleeping quarters, and sometimes separate entrance.
- An *accessory dwelling unit* is a second (or in some cases more than one) unit that is present on the same parcel as the primary dwelling unit, and is subordinate to the primary dwelling unit..
- A *household* is defined in terms of the number of unrelated persons who can occupy a dwelling unit.
- *Common facilities or areas* can be owned in common by a self-governing housing or condominium association, or in the case of rental property, may be provided by the development owner to tenants for their use.

Housing Options: Intergenerational and alternative housing, to meet the different household scenarios outlined above, may take several forms:

Intergenerational housing

- 1) Permanent Integrated (or Interior) Accessory Dwelling Units (ADUs), usually as a separate apartment within the structure of a single family home
- 2) Permanent attached ADU on same parcel, often with its own entrance and shared walls
- 3) Permanent detached ADU on same parcel; this can take the form of a ground floor or upstairs unit in a garage, “cottage” or other outbuilding
- 4) Temporary detached ADU on same parcel; often known as “granny pods” or “Temporary Health Care Units”; these are usually manufactured for this purpose. At least 17 states have incorporated permissive language for such temporary structures into their statutes; to our knowledge Ohio does not have such provisions, but they may be generally permitted under Ohio law. It is recommended that legal advice be sought if the City wishes to pursue this idea.

5) Traditional senior-suitable housing (single-level, handicapped accommodations, affordable/subsidized, centralized laundry/social/social services) with provisions for children, such as additional bedrooms in the unit; centralized play and social spaces; accommodation of child needs for social services, after-school care, school transportation, etc.

Alternative housing

1) Cottage development accommodates seniors or young families in a more social atmosphere. This is typically a planned unit development of 8 or more separate “cottage” units per acre; units are typically small (max 1200 square feet), with shared parking and a centralized green space. A version of the cottage development is proposed in a few communities as “work at home villages” with disability-accessible units providing built-in office space for use by seniors and others who might choose to live and work in a dwelling unit, perhaps with family members.

2) Tiny homes in the community housing management context allow for extremely small freestanding units (under 800 square feet) as permanent structures on a foundation. Tiny homes can be separate on small lots, or more commonly are grouped in a “cottage development” PUD type arrangement. In some places, tiny homes are essentially motorhomes on a trailer which can be moved as needed, but these are not addressed here as they have special utility, licensing, and property ownership implications, partly driven by state law. It is possible for a city to allow tiny homes on permanent foundations, while prohibiting trailer-type homes.

3) Co-housing. Co-housing developments are often initiated by a pre-organized group of potential owners who work together to define their desired living arrangements, and then find a site to develop, and a developer to work with. Most recent co-housing developments involved individual units in multi-unit structures of varying sizes, each with its own kitchen, baths and living spaces. Some units may be designated for rental, or owners may be permitted to rent their units. Depending on the number of units, they may be clustered around courtyards in groups of 5 to 10 units to foster social connections among owners in the cluster. Common structure(s) house laundry, a common kitchen and meeting rooms, and may include space for other amenities such as a library, childcare or playroom, entertainment center, or wood shop. Outdoor common facilities may include community gardens, pool, orchard, patios, dog park, and courtyard social areas. Rules for use and occupancy of the units may be driven by the city’s regulations, but also by covenants and restrictions and governance of the co-housing association.

Key elements of integrated, attached and detached ADU regulations:

- additional parking spaces provided for
- definition of related/unrelated persons permitted; number of persons permitted
- number of permitted/required entrances/egress
- required building heights, setbacks, square footage provisions for both primary and secondary units, as applicable

- any special fire/building code provisions
- limits on size of unit related to overall living area
- minimum requirements for unit itself
- provisions for unoccupied units

Key elements of temporary detached ADU regulations:

- parking and driveway access requirements
- definition of related/unrelated persons permitted; number of persons permitted on the parcel total; conditional use can be tied to occupation by a specific person(s), and relationship of the occupants
- size and number of building limits per parcel
- height restrictions
- minimum requirements for the unit itself
- provisions for disposition when unit is no longer occupied by intended person

Key elements of intergenerational (child-friendly) senior housing regulations:

- Typically addressed as specialized design or renovation of senior multi-family housing; may not require changes in zoning or development regulations
- Include provisions for larger units (more bedrooms); more and larger social spaces; indoor play areas and homework/study areas; protected child-safe outdoor play areas.
- May have special physical spaces for after-school care, senior services (laundry, hair salon, meeting rooms, dining/shared kitchen)
- Living arrangements, permitted persons, social services, child supervision, etc are provided through property management services.

Key elements of cottage development, tiny homes and co-housing regulations:

- Utilize planned unit development site planning, review and monitoring
- Set limits on size of units, height restrictions, may have design guidelines for units such as requiring porches, etc
- Central green space and common facilities provided for
- Density guidelines 8-12 units per acre or more (tiny homes)
- Homes typically 1200 square feet or less (cottage development), 800 square feet or less (tiny homes)
- Provide for shared parking and drive access in the rear of units
- Allow for possible shared community room or other amenities
- Covenants and restrictions are reviewed by the city, and may be required to include provisions for managing problems in common areas and open space

Examples. The City of Seattle addresses Accessory Dwelling Units (ADUs) as either attached or detached (also called Backyard Cottages). See Seattle municipal code 23.44.041, and the Seattle Department of Planning and Development “Tips” fact sheets 116A and 116B. The City also has provisions for Cottage Development, see municipal code 23.43.012. (City of Seattle, n.d.-a) (City of Seattle, n.d.-b)

The Virginia and North Carolina legislatures have authorized the construction of “Temporary Health Care Structures” for family use in caring for family members on their single-family property. One example of an implementing community is Eden, North Carolina. See their Zoning Code, section 11-35. The Thomas Jefferson Planning District Commission, a multi-county agency in Virginia, has a model ordinance for use by member communities. (City of Eden, NC, n.d.) (Thomas Jefferson Planning District Commission, n.d.)

The City of Minneapolis includes interior, attached and detached structures in its provisions for Accessory Structures. See the Zoning Code chapter 537. (City of Minneapolis, n.d.)

The City of Cincinnati’s Zoning Ordinance includes Planned Development (PD) provisions (Chapter 1429), which allows multiple buildings on a lot, and can be paired with the SF-2 district (minimum lot sizes of 2000 square feet, about 16-20 units per acre)(Section 1403), to create

Cottage Development. (City of Cincinnati, n.d.) The City of Lakewood has provisions for Cluster House Development, section 1121.02, which combined with their RIH residential zoning district (5,000 square foot lots) provides for Cottage Development projects. (City of Lakewood, OH, n.d.)

The New York State Office on Aging has a comprehensive resource on various housing options for aging in place, including shared housing, cohousing, elder cottages (essentially ADUs – detached), and grandfamilies housing. (NY State Office for the Aging, 2012)

A development firm, The Cottage Company, has a web site with numerous examples of cottage development and “back yard cottages” (permanent detached accessory dwelling units). (“The Cottage Company,” n.d.)

The city of Kirkland, Washington, also has a cottage housing ordinance. See chapter 113, Cottage, Carriage, and 2-3/unit homes. (“Kirkland Codes and Laws,” n.d.)

Examples of grandfamilies housing include projects in Boston, New York, Chicago, Detroit and Buffalo. To our knowledge, these projects have not required changes or variances to the zoning code; their special characteristics are determined in the design and programming of the development in a typical multi-family or senior-housing district.

Shared housing, or co-housing, involves groups of people who live in their own apartments or homes, but share common facilities which may include kitchen facilities. These projects can require special zoning provisions for the shared kitchen, especially if the individual units do not have their own kitchens. In addition, zoning provisions may restrict the number of unrelated people who may live together. The City of Madison, Wisconsin, permits co-housing communities in all zoning districts, but all units must be full dwelling units that meet dwelling unit criteria. Boarding or lodging rooms are not permitted under this designation. See Zoning section 28-C, Residential Districts, and the definitions for “Cohousing”, section 28.211.(City of Madison, n.d.)

A similar co-housing arrangement is provided for in the Town of Ithaca, NY’s housing code, adopted in 1995. See section 271-9, Special Land Use District No. 8, EcoVillage. The code provides for 150 units in 5 neighborhoods on 33 acres, with a wide range of ownership and occupancy possibilities, and a maximum of 8 units per acre. Amenities provided for include agriculture, assisted living, community houses, and other common facilities. (Town of Ithaca, NY, n.d.)

Review of Oberlin's Codes

Provisions affecting intergenerational housing and alternative housing are located in Part 11, Building Code, and Part 13, Zoning Code.

“Accessory buildings” and “accessory uses” are defined in chapter 1321, with accessory buildings defined as subordinate to the primary building, and accessory uses defined as subordinate to the primary use. However, specifics are not given regarding the use of these buildings as places of residence, with kitchens, baths and sleeping rooms. “Accessory buildings” are permitted in all residential zoning districts, and PD districts. The CDD district does not mention them as either a permitted or conditional use.

In cities where lack of affordable housing units is partially caused by a large gap in available housing overall, driving up prices, or where units are spread out, reducing walkability, accessory dwelling units are an important component of a comprehensive housing strategy. In Oberlin, with many infill parcels available within proximity to downtown, it is not apparent that an accessory dwelling unit policy is needed at this time. The issue did not come up in our interviews and conversations with stakeholders. The City may wish to consult with the public, either as part of a comprehensive planning process or separately, to gauge the interest in onsite permanent dwelling units that could serve as intergenerational housing or provide supplemental income. Permitting temporary accessory dwelling units as a conditional use may be a good compromise to allow for separate housing of family members who are aging or who have disabilities.

In a small City like Oberlin, with relatively few households overall, it is likely that total demand for alternative housing would be low. Banks may require buyers to be lined up ahead of time in order to justify financing. As discussed in the general part of this review, the City's existing PDD code would provide for cottage housing, tiny houses, and co-housing. In order to encourage the development of cottage homes in particular, and to minimize the risk to the developer, the City may wish to create a specific zoning overlay district allowing their development on 3-5 acre infill lots. Provision of cottage housing may help to provide affordable mid-range housing suitable for seniors.

Recommendations

- *Clarify the definition of accessory buildings, and add a definition for accessory dwelling units, and specify where each are allowed as permitted and/or conditional uses, or prohibited.*
- *Consult with the public to discern the demand for “accessory living quarters” with their own facilities for cooking, living, bathing and sleeping, either integrated, attached or detached, in appropriate single-family and two-family districts. This could be set up as a conditional use with the resident required to be a bona fide family member, and could facilitate care of elder and disabled family members in their own quarters.*

- *Consider allowing temporary detached accessory dwelling units in appropriate single-family and two-family districts, as a conditional use requiring the resident be a family member, and with provisions for disposition when the unit is no longer needed.*
- *Consider adding a zoning district for cottage development, with densities 8-12 units per acre and a central greenspace, that would provide for flexible lot sizes and layout, smaller homes, and centralized open space, and possible shared parking, to provide additional housing options for seniors and young families. This need may also be met with specific provisions and density adjustments in the PDD code.*
- *In the PDD district, allow homes under 800 square feet on a conditional use basis to encourage cottage-type homes.*

COLLEGE TOWN HOUSING CONSIDERATIONS

Background

The presence of large numbers of young adults who seek affordable, independent housing options in proximity to a college campus can present challenges to residential neighborhoods in college town communities. Homes rented to groups of students, with nonresident landlords (including the college or university itself), can affect housing and neighborhood appearance, peace and quiet, and in the long run, can affect property values. College town communities most often include provisions in their building and zoning codes that provide for the health and safety of tenants and owner residents alike, and provide authority for the community to respond to problems should they occur.

While occurring most often in college towns, other communities may similarly address issues in residential neighborhoods that may coincide with increasing numbers of renters and/or boarders. These concerns primarily relate to single-family and two-family residential districts.

Key elements of college town housing codes include:

- Definition of the maximum number of unrelated persons who may live in one single- or two-family dwelling unit, when owner resides in the home and when owner does not occupy the home
- Designation of responsibility for ordinance compliance
- Requirement that landlord maintain a register of tenant key information, and vehicle information
- Prohibition of cooking facilities in tenant rooms
- Maximum number of tenants per sleeping room (usually one)
- Maximum number of tenants who may share a bathroom (often one to three)
- Whether tenant rooms in third floors or basements are permitted, and under what conditions
- Statement of permitted and/or conditional use for rental units

- Some communities require registration of rental units, which may expire upon sale of the house; often there is an associated inspection and issuance of an occupancy permit specifying how many unrelated adults are permitted
- Parking requirements, often one space per home occupant, and parking is prohibited in the front yard
- Whether for rent signs are permitted
- Criteria for approval/denial of occupancy permit
- Provisions for appeals, variances, and penalties

Examples. The City of Athens, Ohio has a comprehensive Rental Dwelling and Housing Permit ordinance that requires an occupancy permit be obtained for all rental units, renewed annually. Landowners must give the city notice of change in ownership. No more than 3 unrelated adults are permitted in any single-family or two-family home where the owner is not resident. In multi-family districts, there are no such limits. Of interest, Athens requires a “Tenant/Occupant Education Form” be maintained on the premises where each tenant asserts their relationship to the other tenants, and asserts their awareness of city code restrictions on noise, nuisance parties, animal control, parking, and property maintenance and responsibility. See Municipal Code sections 29.03 (Rental Dwelling and Housing Permit), and 23.04 (Permitted Uses – Single Family Dwellings). (City of Athens Ohio, n.d.)

The City of Lakewood, Ohio makes rental to “roomers” a conditional use, and sets a maximum of 2 roomers per single family residence, and 1 roomer per unit for 2-family residences. The operator is required to maintain a register of tenants. See the municipal code section 1124, housing, 1161, single family residential district, and 1306, Property Maintenance and Safety. A Certificate of Occupancy, upon inspection, is required for every change in hands of a non-owner-occupied single family or multi-family unit. (City of Lakewood, OH, n.d.)

The City of University Heights, Ohio prohibits “rooming houses”, “boarding houses”, and “cooperative homes” of more than 3 unrelated adults in single and two-family residential districts. “Group Homes”, as defined for persons needing supportive housing, are permitted. Where a property is non-owner-occupied, the owner must designate a “head of household” who will act as his/her agent on the premises. Section 1280 of the zoning code requires a rental permit for single and two-family dwellings, with associated inspections. The rental permit is good for two years and is nontransferable if there is a change in ownership. Criteria are provided for denial of occupancy permit, appeals, and variances. See sections 1250.02, single-family districts; 1280, rental permit; and 1472, definitions. (City of University Heights, n.d.)

Review of Oberlin’s Codes

The City has provisions for rooming houses in Chapter 1353, which defines “rooming houses” as having bedrooms for six to sixteen unrelated persons, without separate kitchen facilities. The

City currently has 9 active rooming houses and 16 inactive (former) rooming houses. Number of bedrooms per house range from 6 to 12. Active rooming houses are licensed and renewed annually, and notice must be given to the City of sale, disposal or change in rooming house function.

The City's zoning definitions (chapter 1321) define a family as no more than 5 unrelated persons living together, and dwelling units are limited to one family per unit. Oberlin College's "village housing", which consist of former single family residences which are now owned by the College and rented to students on a per-bedroom basis, have a maximum occupancy of 5 students per house, although many have fewer bedrooms/students. The College owns 57 of these homes with number of bedrooms ranging from 1 to 5. (two additional homes with more bedrooms that are part of the College's "Village Housing" are rooming houses.) These units of up to 5 bedrooms are not required to be registered or licensed.

Recommendations

- *As funds are available, requiring rental registration for all rental property where the landlord is not resident may help with maintenance enforcement and early problem identification.*
- *The City may want to consider requiring landlords to retain rental agreements with provisions for tenant identification, and individual tenant acknowledgement of rules and regulations regarding housing, similar to the City of Athens approach. (see notes above).*
- *As funds are available, a more comprehensive system of exterior home inspection may aid the City in identifying and regulating illegal boarding houses in inappropriate districts.*

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