

COTTAGE COMMUNITY ZONING

Description:

One option for affordable housing units is simply very small houses built densely or in very close proximity to one another (see *Elder Cottage* in the *Resource Manual*). The smaller, more affordable units provided through cottage community zoning are an effective alternative for various population groups in a community, including older people, single individuals (both with and without disabilities), young couples who are just starting marriage and careers, single parents, and others.

Municipalities can design zones (and can provide incentives) for such developments by setting maximum square footage standards for both the housing units and for the lots. For example, the Town of Langley, Washington, adopted a zoning provision that would allow double the existing residential zoning density in subdivisions in which homes are less than 1,000 square feet and that are placed around a common green, with screened parking concentrated at one end of the site. This development included eight cottages averaging 650 square feet. Such development encourages a choice of smaller, more affordable homes, as well as the benefits that can be achieved through greater development density.

Benefits:

- Cottage community zoning effectively provides for smaller and more affordable housing units that respond to the housing needs and preferences of a variety of population groups, helping a community benefit from the advantages inherent in retaining a stable resident population base.
- Zoning for more compact development can help to create a greater sense of place, security, and community.
- By clustering development, provisions for public and communal space can be included, which fosters community-building interaction, as well as providing open space for passive recreation.
- Living closer to neighbors supports more opportunities for interaction, which may lead to supportive “neighboring” behaviors among residents. For example, in a multi-generational cottage community, an elderly resident who no longer drives could offer to babysit for a single parent or young couple who might, in turn, offer to take the elderly neighbor to the grocery store. Older residents, or residents with various disabilities, may become involved in after-school programs for young people. Such reciprocal interactions can occur among residents of all ages and all abilities.
- The more efficient use of residential space in cottage communities offers opportunities for a variety of communal uses for residents, such as gardens, green space, or play area.

Impediments or barriers to development or implementation:

- Zoning for large lots often precludes cottage community development without a new zoning amendment.
- Neighboring concerns:
 - Residents may fear the appearance of overcrowding in their conventional, low-density suburban subdivisions.
 - Neighbors may fear a devaluation of their own properties because of the increased density of the cottage community.
 - Many people fear the stigma that is often attached to affordable and low-income housing developments.
- Residents may be concerned about a rise in the cost of services related to any new residential development; for example,
 - Those without children may express concern about rising school taxes.
 - Others may point to the rising cost of Medicaid, especially in rural and suburban areas where the population is rapidly aging and increasing in diversity.
- County officials may be concerned about adding to a demographic imbalance by providing too many housing units for older adults.
- Achieving a "sense of community," a neighborhood "sense of place," and "neighboring" practices and activities are usually naturally occurring, an organic evolution. It takes time, cooperation, and compromise to develop the social networks and supporting behaviors of a real neighborhood. Design alone will not create an instant community, and certain critics may judge cottage community examples too soon and too harshly for failing to achieve such goals.

Resource—New York State statutory authority:

- *Zoning:*
 - Grant of specific powers:
 - General City Law, §20;
 - Village Law, §7-700;
 - Town Law, §261.
 - Adoption of zoning regulations:
 - Town Law, §264;
 - Village Law, §7-710.
- *Incentive Zoning:* Incentives to developers can include density bonuses in exchange for creating affordable housing units and a variety of housing options that incorporate universal design elements, as well as developing other community amenities, such as recreational facilities:
 - General City Law, § 81-d;
 - Town Law, § 261-b;
 - Village Law, § 7-703.

- *Planned Unit Development*: This authorization can be used to create mixed-use neighborhoods, combining housing with other uses that serve the needs of residents:
 - General City Law, §81-f;
 - Town Law, §261-c;
 - Village Law, §7-703-a.
- *Subdivision review; approval of plats; development of filed plats*:
 - General City Law, §32;
 - Town Law, §276;
 - Village Law, §7-728.
- *Subdivision review; approval of plats; additional requisites*:
 - General City Law, §33;
 - Town Law, §277;
 - Village Law, §7-730.
- *Cluster*: Can be used to create greater density within subdivisions:
 - General City Law, §37;
 - Town Law, §278;
 - Village Law, §7-738.

Resource—examples, case studies, ordinances:

- Cottage Community, or "Pocket Neighborhood": Third Street Cottages, Langley, Washington, a small town on Whidbey Island in Puget Sound. Up to 12 small (up to 975 sq. ft.) detached homes per acre; designed to facilitate community interaction and build cohesiveness; located three blocks from downtown shopping and dining and close to bike paths; homes sold out quickly; typical owners are singles, couples, or families with one child. The town has been able to increase housing supply with minimal land consumption. Description of Third Street Cottages and other similar pocket neighborhoods:
<http://rosschapin.com/Projects/PocketNeighborhoods/ThirdStreetCottages/ThirdStreet.html>.
- Smart Growth in Action: Third Street Cottages:
http://sgnarc.ncat.org/action/pdf/cs_001_3rdStreetCottages.pdf.
- French Bay Elder Cottages, an eight-unit complex located on Strawberry Lane, Clayton, NY. Rental cottages designed for income-eligible individuals. Owned and managed by the Clayton Improvement Association, Ltd.; contact Wanda Phelps, (315) 686-3212: <http://www.clayton-improvement.com/cia-properties.htm>.
- Sage Computing, Inc. (June, 2008), *Accessory Dwelling Units: Case Study*. Washington, DC: U. S. Department of Housing and Urban Development, Office of Policy Development and Research. This study examines the history and benefits of Accessory Dwelling Units (ADU); highlights six communities that

have successfully implemented ADU ordinances; provides ordinance language—in Oregon, California, Virginia, and three in Massachusetts.

<http://www.huduser.org/Publications/PDF/adu.pdf>.

- Department of Design, Construction, and Land Use (nd), *Seattle's Housing Choices*. Seattle, WA: City of Seattle. Detailed descriptions of numerous accessory apartments, detached elder cottages, and two examples of a cottage community; also includes discussion and comparison of codes.
www.seattle.gov/DCLU/news/Housing_Choices_Brochure.pdf.
- Rodney L. Cobb and Scott Dvorak (American Planning Association) (2000), *Accessory Dwelling Units: Model State Act and Local Ordinance* (George Gaberlavage, PPI Project Director, AARP). Washington, DC: AARP.
http://assets.aarp.org/rgcenter/consume/d17158_dwell.pdf.
- Maggie Kaufman (August, 2005), *Bibliography of Selected Resources on Second Units*. Links to numerous informational resources related to accessory dwelling units, including regulations and ordinances. Sacramento, CA: California State Department of Housing and Community Development, Housing Policy Division.
www.hcd.ca.gov/hpd/secondunits0805.pdf.
- Portland, Oregon—the regional government's mandate to increase density by allowing accessory units was expanded to also permit permanent, freestanding accessory units on existing lots. Ordinance: Title 33 (Planning and Zoning), Chapter 33.205 (Accessory Dwelling Units):
<http://www.portlandonline.com/bps/index.cfm?c=34561&a=53301>.
- City of Austin, Texas (March, 2011), *Special Use Infill Options and Design Tools Available Through the Neighborhood Plan Combining District* (NPCD):
ftp://ftp.ci.austin.tx.us/npzd/website/Planning_Zoning/infill_tools.pdf.

Resource—written and web:

- David A. Foster (2003), *Smart Growth in Action: Accessory Dwelling Unit Development Program*, Santa Cruz, CA: City of Santa Cruz Department of Housing and Community Development:
http://www.smartgrowth.org/pdf/cs_018_SantaCruz.pdf.
- Township Housing Office (June, 2003; updated August, 2007), *E.C.H.O.: Elder Cottage Housing Opportunity Handbook*. New Jersey: West Amwell Township.
<http://www.westamwelltp.org/Housing/8-07ECHOHandbookREV.pdf>.
- The Cottage Company, Inc., award-winning company providing new models for sustainable living and smart housing choices (small homes and cottage communities). Web site provides sales information, site plans and photo galleries of completed homes and communities, and escorted tours for professional groups, planning staff, city leaders, and neighborhood councils.
<http://www.cottagecompany.com/default.aspx>.