

Housing and Land Use Terms

A

Absorption rate:

A rate that is a forecast of how quickly properties can be sold or leased in a given area. For example, if a developer can lease 20% of the units available to the market in a given area for a given time, the absorption rate is 20 percent.

Accessory building:

A building or structure detached from but on the same property as a main building. Examples of accessory buildings are garages, storage buildings and guest houses.

Acre (AC):

Land that measures 43,560 square feet. A lot 208.71' x 208.71' is 4,840 square yards, 4,047 square meters, 160 square rods, 0.4047 hectare or 43,560 square feet.

Adaptive reuse:

Providing a new use for an older, but sound, structure. An example would be an abandoned warehouse converted into business or residential condominiums.

Adequate Public Facilities Requirements:

regulations to ensure that public facilities and urban services are provided at the same time as new development

Affordable Housing:

A term that applies to all income levels within our workforce. The housing costs, according to federal guidelines, should be no more than 30% of a household's income.

Assessment:

(1) The fair market value of property for tax purposes. (2) An expense appropriated to a unit of a whole such as a condominium assessment for common grounds, maintenance or an additional charge for improvement. (3) A levy for adding a product or service to a neighborhood, such as curbs or sewers. (4) A value given to a property owner for the taking of the property by the process of condemnation.

Assisted Housing:

Under the Public and Indian Housing program, HUD gives grants to public housing agencies (PHAs, including Indian housing authorities (IHAs)) to finance the capital cost of the construction, rehabilitation or acquisition of public housing developed by PHAs. Eligible families and individuals must qualify as "low-income families," which are those with incomes no higher than 80% of median income for the area. To cover the shortfall between tenant rents and operating expenses, HUD pays operating subsidies to most PHAs. To cover modernization of existing public housing, HUD makes modernization grants to PHAs.

B

Bridge loan or interim financing:

Short-term loans designed to bridge the gap between the time money is needed, e.g. between construction, and the time of a permanent loan. Also covers the period

(gap) between the construction loan and equity payments made by investors over time in a low-income housing tax-credit project.

Buffer strip or zone:

Land between two areas of different use, such as commercial and residential.

Building code:

Local and State Laws that set minimum construction standards.

Building line or setback:

Distances from the ends and/or sides of the lot beyond which construction may not extend. The building line may be established by a filed plat of subdivision, by restrictive covenants in deeds or leases, by building codes, or by zoning ordinances.

Building permit:

A written permit that must be purchased from the local government by anyone doing remodeling or rehabbing work on a property.

C

CDBG- Community Development Block Grant (CDBG):

A Federal program created under the Housing and Community Development Act of 1974. This program provides annual grants on a formula basis to be used for a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community facilities and services. CDBG replaces several categorical grant programs such as model cities program, the urban renewal program and the Housing Rehabilitation Loan and Grant Program.

CDO- Community Housing Development Organization (CHDO):

A non-profit 501(c)(3) charitable or 501(c)(4) civic/community organization where at least one-third of its Board is low-income and/or lives in a low-income census tract, the staff and/or the Board has housing development expertise or will obtain such expertise within six months and is not under the control of a private, for-profit organization or any unit of government. The CHDO's article of incorporation must include low-income housing development as a purpose. This federally-defined housing provider is eligible to receive 15 percent of all federal HOME funds for housing development and 5 percent of HOME funds for operating costs.

CHAS- Comprehensive Housing Affordability Strategy (CHAS):

A document written by the local government describing the housing needs of the low- and moderate-income residents, outlining strategies to meet the needs and listing all resources available to implement the strategies. This document has now been incorporated into the Consolidated Plan, which, as with the CHAS, is required to receive many federal funds.

CRA- Community Reinvestment Act (CRA):

a 1977 law that requires banks and savings and loan institutions to take affirmative steps to help meet the credit needs of the communities they are chartered to serve, especially low- and moderate-income communities. The Act directs the four banking regulatory agencies (Federal Reserve Board, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation and the Office of Thrift Supervision) to evaluate the extent to which these institutions are meeting local credit needs.

Capacity Building for Community Development and Affordable Housing:

Section 4 of the HUD Demonstration Act of 1993 authorizes HUD to provide assistance through the National Community Development Initiative to develop the capacity and ability of community development corporations (CDCs) and community housing development organizations (CHDOs) to undertake community development and affordable housing projects and programs. Private sources must provide a match 3 times the amount of any assistance provided under this section.

Certificates:

Tenant-based rental housing provided under Section 8 of the U.S. Housing Act of 1937. The tenant contribution to rent is limited to 30 percent of the adjusted income of the assisted family or individual.

Charrette:

A meeting of stakeholders employing public process techniques and focused on creating a vision for the future.

Cluster Development:

A development design technique that concentrates building in a specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation environmentally sensitive areas.

Community Builders:

HUD's new fellowship program to train and put in place paid, temporary skilled professionals at the local level to serve as "HUD's front door." The Community Builders are meant to be the first point of contact with the agency for the thousands of people, both in the public and private sector, who need assistance from HUD.

Community Home Improvement Mortgage Loan:

An alternative financing option that enables low- and moderate-income home buyers to purchase housing that has been improved by a non-profit Community Land Trust, and to lease the land on which the property stands.

Consolidated Plan:

Before receiving HOME funds, a jurisdiction must submit (and HUD must approve) its Consolidated Plan, including certain HOME program submissions. The contents required by law for the Comprehensive Housing Affordability Strategy (CHAS) have been incorporated into the Consolidated Plan, in which local governments and State explain how they will coordinate the HOME program with the CDBG, ESG and HOPWA programs. The Consolidated Plan describes housing needs and the State's or local government's strategic plan to address those needs, including what activities will be funded.

Cooperative:

A form of common property ownership in which the residents or multiple dwelling units, usually in an apartment building, do not own the units they occupy in fee-simple, but rather own shares in the corporation that owns the property. The tenants elect a Board of Directors who are responsible for managing the affairs of the building.

Cooperative Agreement Between LHA and Local Government:

Agreement between the Local Housing Authority (LHA) and the local government under which the government gives tax-exempt status to the LHA and its property and agrees to provide such municipal services, such as police and fire protection, trash removal, etc., and the LHA agrees to make payments in lieu of taxes (PILOT), usually 10 percent of the rents collected, excluding utilities.

D

Deed restrictions:

Restrictions or limitations to the use of property as noted in a deed.

Deed:

A formal written instrument by which title to real property is transferred from one owner to another. The deed must contain an accurate description of the property being conveyed, be signed and witnessed according to the laws of the State where the property is located, and be delivered to the purchaser at closing day. There are two parties to a deed:

the grantor and the grantee. An instrument used to transfer ownership of property. The legal document conveying title to a property.

Density/Intensity:

Often used interchangeably. Density refers to the number of housing units or square feet of commercial space per unit of land, usually "per acre". Intensity refers to the level or concentration of activity occurring on a site or in an area. (see Floor Area Ratio).

E

Easement

The right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Economic Development:

A general term indicating projects to strengthen an area's economy and employment base.

Eminent domain:

Right of a government agency to take private property for a public purpose. Fair compensation must be paid to the owner whose property is taken.

Empowerment Zones (EZs) and Enterprise Communities (ECs):

Selected designations made by the Secretaries of HUD and Agriculture that allow for direct CDBG funds to flow into the designated area or community to improve the economic viability of the designee. EZs and ECs must meet specific criteria to establish their relative need with respect to poverty, unemployment and general economic distress. The State and local governments that nominate the areas for designation are required to submit a strategic plan detailing the way in which they intend to achieve the purposes of the programs by addressing a list of criteria. Written assurances are required that the strategic plan would be implemented.

Entitlement Community:

An urban county or metropolitan city eligible to receive a community development block grant directly from HUD in an amount determined by HUD by formula.

Encumbrance:

A legal right or interest in land that affects a good or clear title, and diminishes the land's value. It can take numerous forms, such as zoning ordinances, easement rights, claims, mortgages, liens, charges, a pending legal action, unpaid taxes, or restrictive covenants. An encumbrance does not legally prevent transfer of the

property to another. A title search is all that is usually done to reveal the existence of such encumbrances, and it is up to the buyer to determine whether he wants to purchase with the encumbrance, or what can be done to remove it.

Exaction – Discretionary fees, dedications, or off-site improvements imposed as a condition of approval to mitigate off-site impacts of a development.

F

Fair housing act:

A federal law that states what housing and real estate practices are discriminatory. The law also states in what ways those practices are to be avoided.

FHA- Federal Housing Administration (FHA):

A federal agency designed to encourage private housing financing for low-income families or individuals through the provision of mortgage insurance Government National Mortgage Corporation (GNMA):

Also known as Ginnie Mac. A government-owned corporation which is an agency of HUD. Ginnie Mac guarantees, with the full faith and credit of the U.S. Government, full and timely payments of all monthly principal and interest payments of registered holders. The securities are issued by private firms (such as mortgage bankers and savings institutions) and sold through securities brokers.

Floor Area Ratio (FAR):

A measure of development density expressed as the amount of building floor area divided by the development site land area.

Frontage:

the street alignment at the front of a lot.

G

Greenfield:

A development on previously undeveloped land.

H

HOME- Home Investment Partnership Program (HOME):

Authorized under Title II of the Cranston-Gonzales National Affordable Housing Act (NAHA) of 1990. This federal entitlement program is designed to expand the supply of decent affordable housing for low- and very low-income families and individuals. HOME funds may be used for: tenant-based rental assistance; assistance to homebuyers; property acquisition; new construction; rehabilitation; site improvements; demolition; relocation; and administrative costs. Recipients have rated it as being one of the most flexible and successful programs ever offered by HUD.

Homestead:

Primary residence as declared by the head of a household and filed with the county clerk in order to exempt the homestead from claims of creditors.

HOPE- Housing Opportunities for People Everywhere (HOPE):

Enacted under Title VI of the Cranston-Gonzales National Affordable Housing Act of

1990. This federal program is intended to provide homeownership opportunities for low to moderate income families through the purchase of properties owned by entities such as HUD, Resolution Trust Corporation, the Veteran's Administration, or a state or local government.

HUD:

U.S. Department of Housing and Urban Development. Office of Housing/Federal Housing Administration within HUD insures home mortgage loans made by lenders and sets minimum standards for such homes.

I

Infill Development:

Development that takes place on vacant or underutilized parcels within an area that is already characterized by urban development and has access to urban services.

Intermodal Transfer:

The ability to move from one mode of transportation to another (i.e. bus to train) during a transit journey. It is important that the transfer between modes be easily, safely, and efficiently made, be as short a horizontal distance as possible, (ideally within 250') and use a minimum of vertical changes (stairs, escalators, elevators). Transit services should be scheduled to minimize transfer wait time.

J

K

Kiss-n-Ride

Easily accessed short term waiting areas at transit facilities for drop-off and pick up of transit users.

L

Land Assembly:

Consolidation of separate adjacent parcels under one ownership in order to facilitate larger-scale developments. Use by the public sector to encourage private development.

Land Banking:

A process established to set aside land to be used for a specific purpose at a later date.

Landlocked:

Surrounded by adjacent land with no means of access.

Leapfrog Development:

New development that is not contiguous with existing development and leaves vacant land in between.

Level of Service Standards:

Standards establish minimum capacities required for "adequate" public facilities. For example, standards can address emergency service response time, water pressure,

and/or park acres per 1000 population.

Local Bus:

Bus service that accesses multiple destinations and origins along a fixed route. Stops occur within close proximity. Of each other. The service may access one or several major destination or transfer points as a feeder service.

Local Service:

Transit service that accesses frequents and closely spaced stops along its route. This service offers a high degree of choice and flexibility for its users wishing to access less frequented destination or origin points.

Low Income Housing Tax Credit (LIHTC):

A tax credit allowed for investors as an incentive for the development and preservation of multi-family rental housing affordable to low- and very low-income households.

Low Income/Very Low Income:

Definition based on family income as a percentage of the median income for the area. There may be more than one definition. For purposes of the low-income housing tax credit, low income is defined as family income not more than 60% of the area median by family size for a family of four or 50% of area median income for very low-income families.

M

Market Study:

Analysis of current market conditions to assess development opportunities

Master Plan:

A comprehensive long range plan intended to guide growth and development of a community or region.

Mixed-Use Development:

Complementary land uses located within a single structure or in close proximity to one another and connected by safe, direct walkways.

Multiple Land Use:

Generally refers to different compatible land uses located within a defined area.

N

O

Overlay Zone:

A method used to apply provisions in a specific area, which supplements the standard of the underlying or base zone. An overlay zone might restrict certain uses or allow higher densities than would be permitted in the same zone in other parts of the city.

P

Planned Unit Development (PUD):

A Land Development project involving a mixture of land uses and densities not available for separately zoned units. Similar to condominiums, it is viewed as an integrated whole. Unlike condominiums, however, the individual unit owners do own a portion of the land under and around their individual unit.

Plat:

A map showing how a property is subdivided into lots.

Plat:

A map or chart of a lot, subdivision or community drawn by a surveyor showing boundary lines, buildings, improvements on the land, and easements.

Public Housing:

Lower-income housing owned and operated by a public housing agency and assisted under the U.S. Housing Act of 1937 (other than under Section 8 or 17).

Q**R****Run with the land:**

When easements or restrictions do not expire when ownership is transferred.

Rural Development (RD):

Formerly the Farmers Home Administration, RD is part of the U. S. Department of Agriculture. It administers grant and loan programs to promote and support housing and essential community facilities development in rural communities.

S**Section 8:**

Provides rental assistance for low and very low income households by providing direct payments of rent through public housing authorities to landlords. The payments cover the difference between 30 percent of a family's adjusted gross income and the HUD approved or fair market rent for the geographic area where the housing is located.

Semi-detached house:

A house that is attached to another property, such as a duplex or townhouse.

Septic tank:

An underground tank used for sewage treatment where city sewerage is not available.

Setback:

The minimum distance which a wall face or window is required to be from a property boundary or another window to a habitable room. It is measured as the horizontal distance between the proposed wall or window and boundary or other window.

Shadow Plat:

A planning tool where by initial low-density development of a large property is according to a sit plan which makes it easier to further subdivide and develop the

property at planned densities.

Shared Parking:

Use of the same parking spaces by adjacent uses that have staggered peak periods of demand, thereby reducing the amount of land consumed by parking.

Single Family Housing:

A type of residential structure designed to include one dwelling. Adjacent units may share walls and other structural components but generally have separate access to the outside and do not share plumbing and heating equipment. However, several Federal housing programs classify buildings with up to four attached units as single-family housing.

Site Plan Ordinance:

A law or regulation adopted by the local municipality or county regulating development of one or more lots. Specific aspects of the ordinance include: the approval process; application requirements; and, design.

Spot zoning:

Zoning that sets aside certain areas for purposes different from the general area requirements.

Stakeholders:

A group of people who represent all issues and interests possibly affected by a proposed project.

Streetscape:

The overall character, design quality, and particular physical elements that occupy the ground level public environment. Streetscape elements may include the paving materials, curbs, landscaping, lighting, and street furniture such as benches, water fountains, or bicycle racks.

Subdividing:

Separation of a parcel of land into smaller parcels.

Subdivision Ordinance:

The law or regulation, adopted by the municipality's governing after referral to the planning board and a public hearing. A Subdivision Ordinance governs the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

Survey:

A map or plat made by a licensed surveyor showing the results of measuring the land with its elevations, improvements, boundaries, and its relationship to surrounding tracts of land. A survey is often required by the lender to assure him that a building is actually sited on the land according to its legal description.

Sweat Equity:

Value added to a property due to improvements as a result of work performed personally by the owner.

T

Tax Abatement:

A reduction in taxes, usually for a specified period of time, granted as an incentive to

encourage development in a particular area or of a particular type.

Tax Credit:

A dollar-for-dollar reduction against income tax payments that would otherwise be due. Contrasted with tax deductions that reduce taxable income.

Tax Increment Financing:

A technique allowing new tax revenues, generated by new development, to be retained and put to use in and around the area where the development has taken place.

Traffic Calming:

Using a variety of techniques, a method of altering or designing a street to encourage slower driving

Transfer of Development Rights:

The transfer of development rights by deed, easement or other legal instrument, from a sending area to another parcel or receiving zone.

Transit Oriented Development:

A pedestrian friendly development focused around a major transit access point. Elements usually include compact, mixed use development, and facilities and design that enhance the environment for pedestrians.

Transit Planning Area or Station Area:

The area within a reasonable walking distance from a transit facility.

Transportation Management Plan:

A comprehensive plan or program designed to more efficiently use existing transportation resources in order either to reduce the existing demand for vehicular travel or to reduce the future need to expand transportation infrastructure.

U

V

W

X

Y

Z

Zoning Ordinance:

A municipal ordinance adopted after referral to the Planning Board for comment and a public hearing. The Zoning ordinance divides a municipality into districts and prescribes land use type, land use relationships, densities, height and setback, bulk distribution, required and accessory parking, loading and servicing requirements, and performance standards, within a defined municipal boundary.

Zoning:

A county or city law stating the types of use to which properties can be put in specific areas.