



American Planning Association

Housing and Community Development Quarterly

Spring 2006

Of Note.....

AICP Audio/Web Conference, *The Housing Plan*, Will Take Place on May 24th

APA is offering a 90-minute live audio/web conference on May 24th from 4:00 p.m.-5:30 p.m. ET. *The Housing Plan*, sponsored by AICP, will provide training to help planners address local housing needs and better integrate housing into a balanced plan. The web conference will include:

- Alan Mallach, FAICP, National Housing Institute
- Cathy Creswell, California Department of Housing and Community Development
- Richard Bjelland, Oregon Housing and Community Development Department

(Continued on Page 2)

Journal of the American Planning Association Call for Papers Planning for the Future(s) of Housing

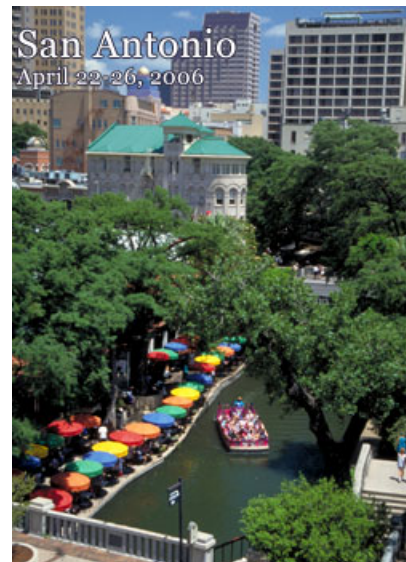
The *Journal of the American Planning Association* (JAPA) will publish a special Winter 2008 issue on “Planning for the Future(s) of Housing.” Submit brief abstracts of potential papers to the editor of the special issue by June 1, 2006. By July 1, 2006, the editor will invite the authors of a subset of these proposals to submit full papers. Final papers must be received at JAPA@coa.gatech.edu by November 1, 2006. (Continued on Page 7)

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APA Housing and Community Development Division 2006 Annual Meeting & Breakfast APA National Conference San Antonio, Texas

Date: Monday, April 24th
Time: 7:00 a.m. – 8:00 a.m.*
Location: San Antonio Marriott Riverwalk
 Travis Room



Meet the new Division officers, enjoy breakfast, participate in the development of the work plan, and network with other Division members!

* Breakfast will be served beginning at 6:30 a.m.

APA Housing and Community Development Division

**Division-Sponsored Sessions in San Antonio –
Join us!**

By Jennifer Raitt, Vice-Chair

The Division will sponsor two sessions both on **Monday, April 24** at the APA Conference in San Antonio. Each session will offer participants tools and techniques to learn about topics ranging from affordable housing and sustainable development to community building and mixed-income homeownership developments.

From 1:30 p.m. to 2:45 p.m. join NeighborWorks America® (NW) Community Building & Organizing Training Manager, Reemberto Rodriguez, Neighborhood Housing Services of San Antonio, Inc. Executive Director Robert Jodon with a Board member and resident to learn more about **Community Building through Homeownership in Mixed-Income Neighborhoods**.

Mixed-income neighborhoods are considered the “new frontier” for the purposes of long-term community building. The session will provide participants with a national context about the topic, NW’s work in homeownership, and practical take-home information for community builders and planners. As a national leader in producing homeownership opportunities, NW recently produced a manual entitled *Keeping the American Dream* to help new homeowners become active and engaged community members.

Established in 1989, NHS of San Antonio has created homeownership opportunities and revitalized neighborhoods throughout the greater San Antonio area. They will present a recent development that highlights their work in creating a new mixed-income neighborhood in San Antonio. Residents, who are also Board members, will discuss the importance of living in mixed-income neighborhoods and the impact it has had on their lives.

From 4:30 p.m. to 5:45 p.m. join to-be-named AICP Fellow, Robert Mitchell the Special Assistant for Sustainable Development for the Massachusetts Office for Commonwealth Development (OCD) and

Division-member Constance Kruger, AICP, the Community Technical Assistance Manager for the

Massachusetts Housing Partnership for their presentation about **Bringing Affordable Housing and Sustainable Development Together: Experiences in Massachusetts**. Jennifer M. Raitt, Division Vice-Chair, will moderate the discussion.

This session will spotlight the exciting work happening in Massachusetts that has led to the creation of more affordable housing while also focusing on sound sustainable development principles. Participants will learn about the transformation of Massachusetts’ many State agency silos into a super-agency. The OCD now aligns with various State Departments and other State-wide agencies with common goals followed by principle-oriented funding. The State is more clearly-invested in future growth and emphasizes the importance of local planning.

The tools and techniques will show how community planning has evolved in the State and how State laws have been instrumental in helping communities achieve housing goals. Participants will learn about the important collaborative relationships, local participatory process, succinct and synthesized message and outreach, and the financial commitment behind principles and promises that are making a difference.

AICP Audio/Web Conference
(Continued from Page 1)

The cost of participating in the audio/web conference is \$210 for non-AICP members and \$175 for AICP members. AICP members can earn 3 credits of Continuing Professional Development Training. For an additional cost, participants can also obtain a CD Rom of the program and supplemental reading materials. Registration is for phone and Internet access to the program at your site. There is no limit on the number of attendees that may participate at each site.

For registration information, go to www.planning.org/audioconference. APA will offer a discount on the registration cost of the webcast for HCD Division members. The details will be worked out at the HCD Division Annual Meeting on 4/24 in San Antonio.



American Planning Association

Housing and Community Development Quarterly is the newsletter of the Housing and Community Development Division of the American Planning Association. Please send news items, announcements, and conference dates to Chrissy Gruninger, Newsletter Editor, at chrissy@forHarmony.net.

**Deadline for Summer Issue:
June 15th**

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Chair's Message

We look forward to seeing many Division members in San Antonio. The APA National staff and Local Host volunteers have put together an outstanding number of sessions related to housing and community development. The two Division sponsored sessions organized by Vice-Chair Jenny Raitt will take place on Monday and are further described on page 2.

Over 70 Division members are registered for the APA Conference and we hope that many members will be able to attend our Annual Meeting on April 24th. We will review the Division work plan at the meeting and determine our priorities for the coming year. Financially, the Division is in excellent shape with more than \$13,000 in our bank account. Our Secretary-Treasurer, Gavin Schermer, AICP, has prepared a proposed budget for the 2005-2006 year, which will also be on the agenda at the Annual Meeting. In addition, the results of the Division elections will be announced at the Annual Meeting.

Single family definitions continue to stir up controversy and the current situation in Northern Virginia regarding family definitions is described in an article on page 4 written by Amy Ansong.

A Right to Housing, the new publication edited by Chester Hartman, Rachel Bratt, and Michael Stone, is reviewed on page 6. This is an excellent and timely resource and the Division would be interested in hearing from members on this topic.

The draft APA Policy Guide on Housing will be presented to the APA Delegate Assembly in San Antonio. As discussed on page 8, the Housing and Community Development Division was responsible for heading up an APA Task Housing Task Force for the purpose of drafting a new Guide to replace the existing APA Housing Policy Guide (1999).

Finally, please welcome Chrissy Gruninger, our new Editor. Chrissy will help us improve communications with Division members and we are very happy to have her on board! See you in Texas!

Candace H. Stowell, AICP

How Many People Can Live in Your House?

By Amy Ansong

Housing is a necessity for everyone. Whether it be in the form of a single family house, apartment, condo, townhouse, or dormitory, housing serves as a shelter and safehouse for people and their belongings. As the cost of housing rises, the need for housing does not decrease. Instead, housing options decrease and people are forced to look for alternative, and sometimes inventive, ways to provide housing for themselves and their families. For the average college-educated individual living in Northern Virginia, houses selling for \$450,000+ and monthly rents over \$1,000 are not affordable. The high cost of homes is even more unaffordable for individuals working blue-collar jobs. In order to combat the high housing prices, individuals are choosing to rent rooms from homeowners. Renting rooms in single-family residential neighborhoods occurs in college towns and non-college towns. By renting rooms from homeowners, individuals are able to live in places they can afford, with people they may or may not be related to. As a result of this, neighborhoods are changing racially, socially, and culturally. In order to deal with the number of unrelated people that can live in a house, counties throughout the United States are re-examining the way “family” is defined in their county ordinances.

Defining “Family”

Counties define the term “family” in order to restrict the number of people residing in a house. By defining “family”, counties are stating what types of people may live together under one roof. In the mid 1970’s, six unrelated students living in a house in the Village of Belle Terre, where the ordinance clearly stated that only two unrelated people could live in a house, challenged the definition of “family”. One of the students, Bruce Boraas, claimed that the equal protection rights of the unrelated students were being violated. The Village of Belle Terre claimed that the students were violating the ordinance. In the Village of Belle Terre ordinance, “family” was defined as:

“One or more person related by blood, adoption, or marriage, or not more than two unrelated persons, living and cooking together as a single housekeeping unit” (Belle Terre vs. Boraas)

When the *Village of Belle Terre vs. Boraas* case reached the Supreme Court, the Court ruled in the favor of the Village of Belle Terre. The Court ruled that homes in violation of the ordinance were aiding in the destruction of the neighborhood, so therefore the Village of Belle Terre had every right to protect their communities.

Three years after the ruling of *Village of Belle Terre vs. Boraas*, the definition of “family” was brought to the attention of the U.S Supreme Court again, in 1977. In East Cleveland, Ohio, Ms. Inez Moore was living in a house with her child and two grandsons. However, being that the two grandsons were cousins, and not brothers, the Moore house contained an extended family, which was in violation of the housing code. When the case of *Moore vs. City of East Cleveland, Ohio* was heard before the Supreme Court, the Court ruled in her favor. The Court stated that they were aware of the intentions of the ordinance: to prevent traffic issues and overcrowding from deteriorating the neighborhood. However, the Court felt that there were other ways for the City of East Cleveland to deal with neighborhood problems, apart from setting restrictions on which blood relatives could and could not live with each other.

Unlike the Village of Belle Terre, where no restrictions were in place for blood related people, the City of East Cleveland had placed restrictions on the types of blood related people who could and could not live together. In both cases, the definition of “family” was being questioned, but the outcomes varied due to the approach.

City of Manassas, Virginia

The City of Manassas is a city rich in Civil War history. The City of Manassas is nicely situated between Prince William County and Manassas Park, with easy access to Interstate 66 (I-66), Route 28, and Washington Dulles International Airport. Between the years 1990 and 2000, the population of the City of Manassas increased by nearly 10,000 people (www.census.gov). Based on the 2000 Census, Whites made up the majority of the population (72.1%), Hispanics were the second largest group (15.1 %), and African Americans were third, making up 12.9 % of the population. With such a prime location, the City of Manassas is experiencing an increase in their population.

An increase in population can have positive and negative effects. A population increase can positively affect a community, making others more aware of various cultures and customs. An increase in population can also lead to the construction of new facilities, such as schools and libraries. An increase in population can negatively affect a community by overutilizing existing resources and causing an increase in crime. In the City of Manassas, the increase in population has led to a problem with overcrowding in single-family residential homes, therefore leading the City to redefine “family”.

Prior to November 28, 2005, the City of Manassas simply defined the blood relation in a family as “two or more persons related by blood, marriage, adoption, living and cooking together as a single housekeeping unit, exclusive of not more than one additional non-related person”(www.municode.com). On November 28th, 2005, the City of Manassas City Council adopted an ordinance, which amended the original definition, and now defines “family” as:

- a) An individual
- b) Two or more persons related to the second degree of collateral consanguinity by blood, marriage, adoption or guardianship, or otherwise duly authorized custodial relationship, as verified by official public records such as drivers licenses, birth or marriage certificates, court orders or notarized affidavits, living and cooking together as a single housekeeping unit, exclusive of not more than one additional non-related person;
- c) A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption or guardianship; or
- d) Not more than two unrelated persons and their dependent children living and cooking together as a single housekeeping unit.

The City Council also adopted definitions for the words “collateral consanguinity” and “head of household”. Collateral consanguinity is tied into the head of household definition because relationships will be determined based on the their relation to the head of the household.

Community Reaction to the New Ordinance

The new definition of “family”, which was adopted by the City of Manassas, can only be enforced when the City receives complaints from residents. Supposedly, many residents seem to complain about houses that are being occupied by Hispanics. Once the City started enforcing the new code in December 2005, many organizations started complaining, such as the American Civil Liberties Union of Virginia, the Equal Rights Center, and Tenants and Workers United. The ACLU claims that the ordinance unfairly targets immigrant families. Other groups point out that this case closely resembles the *Moore vs. City of East Cleveland, Ohio* case, which dealt with the rights of extended families. Fair housing groups feel that the ordinance violates the Fair Housing Act, which states that housing discrimination can not be based on national origin, race, sex, color, religion, family status, and physical and mental disabilities. Some people feel that the ordinance gives power to people residing in areas who may feel bitter towards minorities and immigrants. By having to show birth certificates and other legal documents, it is an easy way for City officials to track down illegal immigration, which according to city officials, was and is not their intent. Is it fair for residents of the City of Manassas to have the ability to get people kicked out of their homes? Are immigrants the only people living with unrelated people? Will city officials know the difference between a real and fake birth certificate, especially those originating from different states and foreign countries? In terms of brotherly/sisterly relationships, how will people prove this type of relationship- such information is not listed on a license, birth certificate, passport, social security card, diploma, or marriage certificate.

There are some residents in the City of Manassas who feel that they have every right to complain about their neighbors, despite the documentation the violator will have to present. Supporters of the ordinance feel that overcrowded homes are bringing down their property values due to the increase in noise and trash. Supporters feel that overcrowded homes are taking away from their “perfect” neighborhoods. Supporters of the ordinance feel that it is unfair for neighborhood “implants” to come into their territory and change the dynamics of the neighborhood they have lived in and raised their children in. Is it fair for renters to change the dynamics of single-family residential

neighborhoods? Do renters behave more unruly than homeowners?

Which house do you prefer?

When dealing with overcrowding, what is the real issue: the overcrowded house or the situations which may occur as a result of overcrowding, such as the lack of parking and the increase in noise and trash? Which situation is better:

- A) a house without a garage that contains a mother, father, and their 6 teenage children, who are each between the ages of 16-19, and each child, along with the parents, has a car
- B) a house without a garage that contains a married couple and four unrelated people, and three of the unrelated people do not own cars.

In situation A, the house with the six children is legal. The house in situation B is illegal.

Which house would you want to live next too? Which house will cause more parking problems, have more noise, and have more activity? If the house in Situation A is causing parking and noise problems, will your city be able to force some of the children out? Probably not since they are all related. Instead, your city will probably print parking permits and print out notices reminding the residents that a noise ordinance does exist and will be enforced, through fines, when required.

Current Status of "family"

As mentioned earlier, the ordinance containing the new definition of "family" had many supporters and many opponents. During the first week of January in 2006, the City of Manassas decided to suspend the ordinance. On January 9, 2006, after hearing arguments for and against the new definition, the City of Manassas City Council decided to uphold the suspension of the ordinance, until further notice. The City of Manassas has decided to review this ordinance carefully, in order to avoid getting caught up in a legal web. While the City of Manassas holds their ordinance on suspension temporarily, many counties located within the Northern Virginia region will be following the situation very closely, in order to learn from the city's experience.

Bibliography:

US Census . <http://www.census.gov> (1.30.2006)

Municode, City of Manassas. <http://www.municode.com>

City of Manassas City Council Meeting. 11/28/2005. : <http://www.manassascity.org/archives/42/Agenda%20Packet%2011-28-2005.pdf>

Village of Belle Terre vs Boraas. US Supreme Court case. 416 US 1. <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=416&invol=1>

Amy Ansong is a Senior Planner for Stafford County. She received her B.A in Economics from the University of Virginia in 2001, and was a HUD Community Development Work Grant scholar at Clemson University, receiving a Masters in City and Regional Planning in 2004.

Book Review: A Right to Housing: Foundation for a New Social Agenda, a collection of essays edited by Rachel G. Bratt, Michael E. Stone and Chester Hartman, published in 2006 by Temple University Press, Philadelphia.

By Sarah Bartley

A Right to Housing begins with the assumption that many housing advocates share: that in the United States we have the means to solve our housing problems and provide a decent and safe home for every single person living here. Distracted by other concerns and deluded by structures and practices that inhibit the development of a better housing system, we are often led off track.

This collection of essays seek to outline exactly what contributes to our nation's legacy of inadequate housing supply. Chapters consider the vast assembly of issues related to unaffordable or inadequate housing. Not stopping there, essays also make suggestions for changes in public policy and social factors that would create a climate conducive to, "a Right to Housing." Seasoned housing advocates and novices alike will find this book thoughtful; a helpful articulation of our nation's history with housing issues and a unique call to social change. The editors describe, "this book is aimed at changing the prevailing mind-set and

APA Housing and Community Development Division

stimulating innovative, aggressive and far-reaching responses to our persistent housing problems."

The authors maintain a refreshing commitment to social justice, considering an array of issues related to housing. A chapter list to the right will help you determine whether A Right to Housing is a worthwhile addition to your home or work library.

You can order "A Right to Housing" through Temple University's website:

www.temple.edu/tempress

Sarah Bartley works at the North Shore Housing Trust in Newburyport, Massachusetts.

Call for Papers (continued from Page 1)

Papers determined to have potential for publication will receive a normal JAPA double-blind peer review; invitation to submit a paper does not imply a decision to review or acceptance for publication.

Special sessions on housing choice and affordability will be organized for the 2007 conference of the American Planning Association, to be held in Philadelphia April 14-18, 2007. APA will issue a separate call for conference papers, and evaluate and invite papers for these sessions independently, but authors are encouraged to submit their work for consideration in both venues if appropriate.

Authors wishing to submit proposals should send 300- to 500-word abstracts (no references needed) to the editor of the special issue, Professor George Galster (George_Galster@wayne.edu), by June 1, 2006. Papers examining any housing issue that will be of increasing future importance are encouraged, although all should address practical planning and policy implications. Papers that are more forward-looking and speculative than usual will be especially valued. Potential topics of interest include, but are not limited to:

Holistic analysis of private and subsidized housing in light of population trends

New housing and community designs and their social consequences

Forthcoming types of housing and tenure arrangements, and implications

Demographic projections and expected housing demands and needs

Frontiers of expanding homeownership opportunities; methods and effects

Emerging issues in housing affordability and possible responses

Growing needs of special types of households and the homeless

New approaches to assessing forthcoming housing needs

Trends in inequalities of housing access by disability and family status

Innovation and internationalization in housing finance
Developing patterns of neighborhood segregation by race, class, family type

Physical and psychological health issues emerging in context of housing

Prospects of Community Development Corporations as future producers

Forthcoming issues related to filtering and/or gentrification

Adaptability of housing stock to demographic changes forthcoming (e.g., aging)

Housing technological breakthroughs and their ramifications

Home insurance: availability, adequacy in light of natural disasters

Impacts of growing second-home sector

Whither federal housing policy—and where *should* it go—in the next decade?

Whither state and local housing policy—and where *should* it go—in the next decade?

Draft APA Housing Policy Guide Set for Delegate Assembly in San Antonio

By Candace H. Stowell, AICP

After almost a year of drafting and revising, the new APA Policy Guide on Housing has been finalized and will be the main topic of discussion at the Delegate Assembly in San Antonio on April 22nd. The Housing and Community Development Division chaired a Task Force of dedicated volunteers who were responsible for developing a new Policy Guide to replace the existing Guide, which was adopted in 1999. If the Delegate Assembly approves the new Policy Guide on Housing, it will be submitted to the APA Board of Directors for final approval.

General Policy Position # 1. Planners need to support the national goal of providing housing opportunity to households of all ages, races and income levels throughout the housing markets of the nation. Planners should identify and strive to change or eliminate planning policies, regulations, and programs that have a disparate impact on groups identified by race, ethnicity, economic status, or disability.

General Policy Position # 2. Planners should promote better balance between the location of jobs and housing. (Continued on Page 8)

General Policy Position # 3. APA and its chapters support measures to preserve the existing housing stock.

General Policy Position # 4. APA and its chapters recognize the impacts of the housing/school linkage and support strategies to decrease segregation and poverty concentration in public schools as a critical housing issue.

General Policy Position # 5. Planners must encourage and implement residential development practices that result in more innovative housing options for diverse populations and which foster sustainable development.

General Policy Position # 6. Planners must increase coordination among federal, state, and local housing plans and programs. Additionally, planners need to

protect as well as help expand existing housing resources, and support the establishment of new housing tools through education and advocacy.

The APA Legislative and Policy Committee and Courtney McGrath, APA Government Affairs Coordinator, provided continued oversight and guidance throughout the drafting process. The Guide was distributed to APA Chapters and Division as well as external organizations for review and comment. The Housing Task Force received many helpful suggestions during the review period. If you would like more information about the Draft Housing Policy Guide and other APA policy guides related to housing and community development issues, go to www.planning.org/policyguides.

DIVISION BUSINESS

Annual Financial Report for October 1, 2004-September 30, 2005

Gavin K. Schermer, AICP, Secretary/Treasurer

The Current Bank Balance (as of March 31, 2006) is \$13,890.14. Below is a report of revenues and expenditures for the Division for the 04-05 Fiscal Year.

Total Revenue: **\$7933.90**
(Rebates from APA)

Total Expenses: **\$2646.02**

Expense Details

Newsletter:	\$ 729.40
2005 Annual Meeting:	\$ 404.88
Officer Travel:	
2004 Fall Mtg.	\$ 432.40
2005 Annual Mtg.	\$ 845.06
Total	\$1,277.46
Speaker/Appreciation Gifts:	\$158.19
Bank Fees:	\$ 76.09

Meet the New Editor

I have a Bachelor's degree from California State University, Long Beach and previously worked in the community management industry. I am currently attending Sonoma State University and have applied to Graduate Schools for the Fall term; I hope to concentrate my studies on the correlation between community development and social justice. In addition to school, I teach yoga and volunteer with the organization, Circle of Life. I am pleased to be a part of the APA's Housing and Community Development Division and am excited for what the future may hold.

Communication Forum

We would like to start a continuing dialog between our members on various subjects – the first of them being “The Right to Housing”.

If you would like to share your thoughts on this subject, please e-mail them to Chrissy@forHarmony.net.

Possible questions/comments could revolve around:

“What does “The Right to Housing” mean?”
“Do you agree that there is a fundamental right for housing?”

Please e-mail your comments by June 15th in order to be included in the Summer Newsletter.