KANSAS CITY REGIONAL ASSOCIATION OF REALTORS®

MODEL ATTAINABLE HOMEOWNERSHIP ORDINANCE

For Adoption by Cities & Counties



Model Attainable Homeownership Ordinance

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SECTION 1. TITLE, AUTHORITY, PURPOSE, AND PROPERTY RIGHTS

1.1 Title and Authority

This Ordinance shall be known and may be cited as the "Attainable Homeownership Ordinance." It is enacted pursuant to the Jurisdiction's police powers and its home rule or statutory authority to protect public health, safety, and welfare; to regulate land use and housing consistent with applicable law; and to administer permitting processes in a manner that preserves constitutional and statutory private property rights.

1.2 Legislative Findings and Objectives

The governing body finds that broadening housing choice—including Missing Middle Housing, Accessory Dwelling Units (ADUs), Adaptive Reuse, and streamlined ministerial review—supports community stability and broadens access to opportunity. The governing body further finds that public-private partnerships, land banking, and the disposition of surplus public land can unlock constrained sites and align public benefits with feasible delivery. The governing body also finds that voluntary Workforce Housing for Essential Workers enhances the resilience of community services and employment centers.

Objectives:
(a) Authorize Missing Middle Housing and ADUs in residential districts;
(b) Establish predictable ministerial approvals based on Objective Standards;
(c) Enable Adaptive Reuse conversions for housing;
(d) Facilitate public-private partnerships, land banking, and public land disposition;
(e) Support voluntary Workforce Housing for Essential Workers;
(f) Protect property rights through least-restrictive means;
(g) Promote permit-ready residential development through Pre-Approved Residential Plans.

1.3 Property Rights

The Jurisdiction hereby finds and declares that the public purposes of this Ordinance are best achieved through voluntary transactions, objective regulation, and the preservation of private property rights. Accordingly, all regulations under this Ordinance shall employ reasonable, objective standards and avoid de facto prohibitions on lawful residential uses. Nothing in this Ordinance shall be construed to authorize or expand the involuntary acquisition of private property. Actions involving private property under this Ordinance shall be voluntary, except as otherwise provided by state law.

1.4 Residential and Commercial Use Classification and Parity

All uses authorized by this Ordinance shall be classified as residential or commercial for zoning and land-use purposes. Each use shall be administered on parity with comparable uses within its respective classification.

1.5 Equal Treatment; Nondiscrimination

Authorized housing forms shall not be subject to requirements more restrictive than those applied to comparable residential uses, except where objective, uniformly applied safety standards make such requirements necessary and narrowly tailored.

SECTION 2. DEFINITIONS

Accessory Dwelling Unit (ADU): A self-contained dwelling unit located on the same lot as a principal dwelling, including detached, attached, or internal configurations.

Adaptive Reuse: Conversion of an existing non-residential building to residential use without demolition beyond what is required to meet applicable standards.

Attainable Unit: A dwelling unit restricted by agreement or covenant to be attainable at income levels specified by the Jurisdiction's adopted attainability policy, typically expressed as a percentage of Area Median Income (AMI).

Developer: Any person or entity seeking approvals under this Ordinance.

Dwelling Unit: A unit providing complete independent living facilities, including living, sleeping, eating, cooking, and sanitation.

Essential Worker: An employee in occupations designated by the Jurisdiction as essential to community functioning, which may include education, healthcare, public safety, transportation, service, and skilled trades.

Land Bank: A public or quasi-public entity authorized to acquire, hold, manage, and dispose of property, including tax-delinquent or surplus parcels, to advance public purposes such as attainable housing.

Ministerial Approval: An administrative decision based solely on compliance with objective standards, without discretionary review or hearings.

Missing Middle Housing: Duplexes, triplexes, fourplexes, and townhomes designed to be compatible with neighborhood residential form.

Objective Standards: Clear, measurable standards—including height, setbacks, lot coverage, frontage, orientation, transparency, articulation, screening, and access—that can be applied without subjective judgment.

Pattern Book: A collection of pre-approved residential building designs, elevations, floor plans, architectural details, and siting configurations intended to facilitate predictable, code-compliant residential development.

Pre-Approved Residential Plan Library: A collection of residential building plans made available by the Jurisdiction for voluntary use by applicants, including plans prepared by the Jurisdiction or obtained, licensed, acquired, or accepted from third parties.

Pre-Approved Residential Plan: A residential building plan set that has been reviewed and approved by the Jurisdiction for compliance with applicable building codes, fire codes, and Objective Standards prior to submission for development on a specific site.

Public-Private Partnership (PPP): A voluntary collaboration between the Jurisdiction (or its authorities) and private or nonprofit partners to plan, finance, dispose of land, or deliver housing consistent with this Ordinance.

Site-Specific Review: Review limited to objective factors unique to a property, including lot dimensions, setbacks, utility connections, grading, drainage, access, easements, floodplain requirements, and other objective development standards.

Surplus Public Land: Real property owned by the Jurisdiction or an affiliated authority determined to be non-essential to ongoing governmental operations and eligible for disposition to advance housing goals.

Voluntary Housing Agreement (VHA): A written agreement between the Jurisdiction and a developer documenting incentives, compliance terms, and performance for Workforce or PPP projects.

Workforce Housing: Dwellings offered at price points intended to be attainable to moderate-income households, including Essential Workers, pursuant to locally adopted parameters.

SECTION 3. MISSING MIDDLE HOUSING

3.1 Authorization

Missing Middle Housing—including duplexes, triplexes, fourplexes, and townhomes—is authorized as a permitted use in all residential zoning districts where single-family dwellings are permitted, subject to compliance with Objective Standards adopted pursuant to Section 6.

3.2 Approval Process

Missing Middle Housing developments that comply with Objective Standards shall be approved ministerially pursuant to Section 5. No discretionary hearings or subjective design review shall be required.

3.3 Design and Compatibility Standards

Missing Middle Housing shall comply with Objective Standards addressing:
(a) Height, setbacks, and lot coverage;
(b) Building orientation and frontage;
(c) Transparency and articulation;
(d) Pedestrian access and circulation;
(e) Parking, as modified by Section 8; and
(f) Any additional objective criteria established in the adopted standards.

3.4 Parity with Single-Family Development

Missing Middle Housing shall be subject to standards and procedures equivalent to comparably scaled single-family residential development. No additional requirements shall be imposed solely due to the number of units or housing type.

SECTION 4. ACCESSORY DWELLING UNITS (ADUs)

4.1 Authorization

ADUs are authorized on all lots zoned for residential use that contain or are proposed to contain a principal dwelling unit, subject to Objective Standards.

4.2 Configuration

ADUs may be:
(a) Detached structures separate from the principal dwelling;
(b) Attached additions to the principal dwelling; or
(c) Internal conversions within existing living area or accessory structures.

4.3 Size and Standards

ADUs shall comply with the following:
(a) Maximum floor area: ___ square feet; or ___ percent of the principal dwelling's floor area;
(b) Setbacks: ___ feet (minimum), unless otherwise established for accessory structures;
(c) Height: ___ feet (maximum) for detached ADUs;
(d) Parking: ___ space(s) per ADU; or no parking required within ___ mile(s) of transit;

(e) Owner occupancy: required / not required (select one) in either the principal dwelling or the ADU.

4.4 Ministerial Approval

ADUs complying with Objective Standards shall be approved ministerially pursuant to Section 5.

4.5 Pre-Approved Residential Plans

ADUs may utilize plans contained in the Pre-Approved Residential Plan Library established pursuant to Section 6.6.

Use of a Pre-Approved Residential Plan shall qualify for expedited ministerial review upon verification of Site-Specific Review requirements and compliance with applicable Objective Standards.

SECTION 5. STREAMLINED MINISTERIAL REVIEW

5.1 Ministerial Approval Pathway

Applications for Missing Middle Housing, ADUs, Adaptive Reuse conversions, single-family dwellings, and projects utilizing Pre-Approved Residential Plans that conform to Objective Standards shall be approved administratively through ministerial review.

Ministerial review replaces discretionary approvals, public hearings, and subjective design review for qualifying projects.

5.2 Single Point of Contact

The designated department shall serve as the single point of contact for ministerial applications and shall coordinate all interdepartmental reviews.

5.3 Concurrent Review

All departmental reviews shall proceed concurrently to minimize total processing time. Departments shall provide comments within established timelines.

5.4 Review Timelines

The Jurisdiction shall establish and publish the following timelines:
(a) Completeness review: ___ business days from submittal;
(b) Final decision for ADUs: ___ calendar days from complete application;
(c) Final decision for Missing Middle Housing: ___ calendar days from complete application;

(d) Final decision for projects utilizing Pre-Approved Residential Plans: _____ business days from complete application.

For projects utilizing Pre-Approved Residential Plans, review shall be limited to Site-Specific Review. Design elements, building configurations, floor plans, elevations, and architectural features previously approved through the Pre-Approved Residential Plan process shall not be subject to additional review except where required by changes in federal law, state law, or applicable building codes.

5.5 Deemed Approval

If a final written decision is not issued within the applicable timeline, the application shall be deemed approved as submitted. Deemed approvals have the same legal force and effect as express written approvals.

5.6 Objective Findings Only

Approval or denial shall be based solely on compliance with Objective Standards. Any approval conditions shall be limited to curing objective noncompliance and shall be clear, measurable, and proportionate to the identified issue.

5.7 Checklists and Guidance

The Jurisdiction shall maintain and publish:
(a) Plain-language application checklists for each housing type;
(b) Submittal requirements and standards;
(c) Pre-application consultation procedures; and
(d) An online application portal and tracking system.

SECTION 6. OBJECTIVE DEVELOPMENT STANDARDS

6.1 Adoption of Objective Standards

The Jurisdiction shall adopt Objective Standards governing residential development authorized by this Ordinance. Standards shall be clear, measurable, and capable of ministerial application without subjective judgment.

6.2 Required Standard Categories

Objective Standards shall address:
(a) Dimensional requirements (height, setbacks, lot coverage);
(b) Building form and orientation;
(c) Frontage and relationship to the street;
(d) Transparency (minimum window coverage on street-facing facades);

(e) Architectural articulation (facade variation, maximum wall-plane length);
(f) Screening of utilities and service areas;
(g) Access, circulation, and parking;
(h) Landscaping and open space where quantifiable; and
(i) Other objective criteria necessary for compatibility and safety.

6.3 Format and Clarity

Objective Standards shall:
(a) Use numeric measurements, percentages, or binary (yes/no) criteria;
(b) Be measurable on submitted plans without interpretation;
(c) Include diagrams and illustrations;
(d) Avoid subjective terms such as "compatible," "appropriate," "harmonious," or "sufficient"; and
(e) Be organized by zone and project type for ease of use.
(f) The Jurisdiction shall publish illustrative examples, diagrams, Pattern Books, and Pre-Approved Residential Plans demonstrating compliance with Objective Standards.

6.4 Elimination of Subjective Standards

For housing types subject to ministerial review, subjective design review criteria are eliminated and replaced with the Objective Standards adopted under this Section. Discretionary design review shall not be required where Objective Standards are met.

6.5 Periodic Review and Updates

The Jurisdiction shall review Objective Standards every ___ years and may update them as needed to reflect implementation experience, provided that updates maintain objective, measurable criteria.

6.6 Pre-Approved Residential Plan Program

A. Establishment.

The Jurisdiction shall establish, publish, and maintain a Pre-Approved Residential Plan Library containing residential building plans that have been reviewed and approved for compliance with applicable building codes, fire codes, and Objective Standards.

The Jurisdiction may develop, acquire, purchase, license, accept, or otherwise obtain plans from architects, engineers, builders, developers, nonprofit organizations, educational institutions, state agencies, or other qualified entities.

B. Eligible Housing Types.

The Pre-Approved Residential Plan Library shall include plan sets for:

(a) Single-family detached dwellings;

(b) Accessory Dwelling Units;

(c) Duplexes;

(d) Triplexes;

(e) Fourplexes;

(f) Townhomes;

(g) Cottage Court developments; and

(h) Other residential housing types authorized by this Ordinance.

The Jurisdiction shall maintain and periodically expand the Pre-Approved Residential Plan Library to ensure the availability of diverse housing types and design options authorized by this Ordinance.

C. Voluntary Use.

Use of a Pre-Approved Residential Plan shall be voluntary.

Nothing in this Ordinance shall require an applicant to use a Pre-Approved Residential Plan as a condition of development approval.

D. Expedited Review.

Projects utilizing a Pre-Approved Residential Plan shall receive expedited ministerial review.

Such review shall be limited to Site-Specific Review and verification of compliance with applicable Objective Standards.

E. Effect of Pre-Approval.

A Pre-Approved Residential Plan shall be deemed compliant with all building design, architectural, and development standards evaluated during the pre-approval process.

The Jurisdiction shall not require discretionary design review, architectural review, aesthetic review, compatibility review, neighborhood review, or any other subjective review of a Pre-Approved Residential Plan.

Review of an application utilizing a Pre-Approved Residential Plan shall be limited to Site-Specific Review and objective code compliance not previously evaluated during pre-approval.

F. Vesting.

Approval of a Pre-Approved Residential Plan shall remain valid for a minimum of ___ years unless superseded by material changes in federal law, state law, or applicable building codes.

The use of a Pre-Approved Residential Plan shall create a vested right to rely upon the approved design for the duration of the plan approval period, and the Jurisdiction shall not require modifications except as necessary to address Site-Specific Review issues or subsequent mandatory changes in applicable law.

G. Equal Treatment.

The Pre-Approved Residential Plan Program shall be administered on a nondiscriminatory basis among residential housing types authorized by this Ordinance.

No residential housing type shall be excluded from participation where objective approval standards can reasonably be established.

H. Fees.

The Jurisdiction may establish reduced permit fees, reduced plan review fees, expedited review fees, or fee waivers for projects utilizing Pre-Approved Residential Plans.

I. Updates.

The Jurisdiction may periodically add, revise, replace, remove, or update plans within the Pre-Approved Residential Plan Library without amendment of this Ordinance.

J. Presumption of Compliance.

Any application utilizing a Pre-Approved Residential Plan shall be presumed to satisfy all requirements reviewed during the pre-approval process.

The burden shall be on the Jurisdiction to demonstrate, by reference to specific objective standards, any basis for denial or required modification.

K. Exclusive Review Standards.

No application utilizing a Pre-Approved Residential Plan shall be subject to standards, policies, guidelines, practices, interpretations, or review criteria that are not expressly adopted by ordinance, resolution, building code, or other publicly available regulation.

L. Completeness Determinations.

An application utilizing a Pre-Approved Residential Plan shall be deemed complete unless the Jurisdiction provides a written list of deficiencies based upon objective requirements within the completeness review period established under Section 5.4.

The Jurisdiction shall not issue successive requests for information that could reasonably have been included in an earlier notice.

M. Previously Approved Plans.

A change in elected officials, administrative personnel, policy preferences, design preferences, comprehensive plans, planning documents, or planning commission recommendations shall not invalidate or require re-approval of a previously approved Pre-Approved Residential Plan.

N. Submission of Plans.

Architects, engineers, builders, developers, nonprofit organizations, educational institutions, and other qualified entities may submit residential plan sets for inclusion in the Pre-Approved Residential Plan Library.

The Jurisdiction shall establish objective criteria for review and approval of submitted plans.

O. Construction.

This Section shall be liberally construed to promote housing choice, reduce permitting uncertainty, protect private property rights, and expedite residential development through objective and ministerial review processes.

SECTION 7. PARKING REQUIREMENT REFORMS

7.1 Modified Parking Requirements

Notwithstanding other provisions of the municipal code, parking requirements for residential development authorized by this Ordinance are modified as provided in this Section.

7.2 Reduction Options

(a) **ADU Parking:** ___ space(s) required per ADU; or no parking required for ADUs; or no parking required for ADUs within ___ mile(s) of high-frequency transit or a rail transit station.
(b) **Missing Middle Housing:** Parking requirements reduced by ___ percent from single-family requirements; or ___ space(s) per unit.
(c) **Transit Proximity Reductions:** Residential development within ___ mile(s) of high-frequency transit or ___ mile(s) of a rail station shall have parking requirements reduced by ___ percent or eliminated.
(d) **Shared Parking:** Shared parking arrangements may satisfy requirements where capacity is demonstrated and formalized through a recorded agreement.
(e) **Off-Site Parking:** Required parking may be provided off-site within ___ feet where safe pedestrian access is provided.
(f) **Parking Maximums:** No residential development shall be required to provide more than ___ space(s) per unit, regardless of other code provisions.

7.3 Alternative Compliance

Where parking reductions apply, developers may:
(a) Provide bicycle parking at a ___ : 1 ratio as a substitute for vehicle parking;
(b) Provide car-share spaces counting at a ___ : 1 ratio toward requirements;
(c) Pay in-lieu fees to the parking or transportation fund at $___ per required space; or
(d) Unbundle parking.
(e) Mobility Substitution: Required parking may be reduced by up to ___ percent where a project provides autonomous vehicle (AV) passenger zones, designated rideshare areas, shared-mobility partnerships, or a mobility management plan demonstrating reduced private vehicle dependency.

SECTION 8. ADAPTIVE REUSE

8.1 Authorization

Conversion of existing non-residential buildings to residential use is authorized in ___ zones, subject to ministerial review and compliance with Objective Standards.

8.2 Existing Nonconformities

Existing nonconformities regarding setbacks, height, lot coverage, and parking may remain and need not be brought into conformance for Adaptive Reuse conversions, provided basic health, safety, and access requirements are satisfied.

8.3 Building Code Flexibility

The building official is authorized to approve alternative means of compliance for existing buildings undergoing Adaptive Reuse, including:
(a) Corridor widths below current standards where safe egress is provided;
(b) Window sizes and locations constrained by existing structure;
(c) Ceiling heights below standard where units remain safe and habitable;
(d) Fire separation using alternative compliant methods;
provided that fundamental life-safety protections are maintained.

8.4 Parking Reductions

Parking requirements for Adaptive Reuse shall be reduced by__ percent from standard residential requirements to reflect existing site constraints. Shared or off-site parking arrangements are permitted.

8.5 Incentives

Adaptive Reuse projects that include Attainable Units may be eligible for:
(a) Property tax abatement pursuant to ___;
(b) Historic preservation tax credits where applicable;
(c) Fee waivers pursuant to Section 11; and
(d) Other incentives established by the Jurisdiction.

SECTION 9. VOLUNTARY WORKFORCE HOUSING INCENTIVES

9.1 Purpose and Structure

The Jurisdiction establishes a voluntary incentive program to encourage Workforce Housing serving Essential Workers. Participation is optional and documented through Voluntary Housing Agreements (VHAs) specifying selected incentives, compliance terms, and duration.

9.2 Essential Worker Categories

Essential Workers include employees in the following sectors:
(a) Education (teachers, staff, administrators);
(b) Healthcare (nurses, technicians, support personnel);
(c) Public safety (police, fire, emergency medical services);
(d) Transportation and infrastructure;
(e) Childcare and early education;
(f) Service sector (retail, hospitality, food service);
(g) Skilled trades (construction, maintenance); and

(h) Jurisdiction employees.
The Jurisdiction may modify categories through administrative guidelines.

9.3 Regulatory Incentives

Projects committing to Workforce Housing through a VHA may receive:
(a) Authorization of additional dwelling units up to ___ percent beyond base zoning;
(b) Height increases of ___ feet with appropriate transitions;
(c) Setback reductions of ___ feet where compatible;
(d) Alternative frontage and open-space compliance as specified;
(e) Parking reductions of ___ percent below standard requirements;
(f) Priority ministerial processing within ___ days.

9.4 Financial Incentives

Subject to availability and appropriation, eligible projects may receive:
(a) Gap financing from local housing funds;
(b) Utility connection fee deferrals until certificate of occupancy;
(c) Development fee waivers pursuant to Section 11;
(d) Cost-sharing for required off-site improvements; and
(e) Tax-increment financing where authorized by law.

9.5 Attainability Parameters

Workforce Housing units shall be attainable to households earning ___ percent of AMI (range: ___% to ___%). Projects shall commit to maintaining workforce attainability for ___ years. Eligibility and monitoring procedures shall be established in the VHA.

SECTION 10. DEVELOPMENT FEE WAIVERS

10.1 Eligible Projects

Projects meeting one or more of the following criteria may qualify for fee waivers or reductions:
(a) Workforce Housing projects under Section 10;
(b) Projects on Land Bank or Surplus Public Land;
(c) Nonprofit-developed attainable housing;
(d) Public-Private Partnership projects pursuant to Section 12.

10.2 Waivable Fees

Fee waivers may apply to:
(a) Plan review and permit fees;
(b) Impact fees (traffic, parks, schools, and others as specified);

(c) Utility connection and capacity fees, subject to provider approval;
(d) Inspection fees; and
(e) Other development-related exactions.

10.3 Waiver Structure

(a) Full waiver for projects with ___ percent Attainable Units at ___ percent AMI;
(b) Proportional reduction: ___ percent fee reduction per ___ percent of Attainable Units provided;
(c) Sliding scale based on depth of attainability served (formula to be adopted);
(d) Deferral of fees until certificate of occupancy;
(e) Custom waiver structure as adopted by the Jurisdiction.

10.4 Administration

The administering department shall establish application procedures, eligibility verification, and monitoring requirements for fee waiver programs. Waivers shall be conditioned on delivery of committed attainable or workforce housing.

SECTION 11. PUBLIC-PRIVATE PARTNERSHIPS

11.1 Authorization

The Jurisdiction may enter into Public-Private Partnerships with private or nonprofit developers to plan, finance, and deliver residential projects consistent with this Ordinance.

11.2 Partnership Elements

PPPs may include:
(a) Coordinated land-use entitlements and regulatory certainty;
(b) Infrastructure coordination and potential public cost-sharing;
(c) Use of regulatory and financial incentives authorized by this Ordinance;
(d) Disposition of public land pursuant to Section 14;
(e) Access to public financing tools where authorized; and
(f) Performance milestones and accountability mechanisms.

11.3 Development Agreements

PPPs shall be memorialized through development agreements approved by the governing body that specify:
(a) Project scope, phasing, and location;
(b) Public benefits (attainable units, community amenities);
(c) Jurisdiction commitments (entitlements, infrastructure, incentives);

(d) Developer obligations (financing, construction, timeline);
(e) Performance deadlines and milestones;
(f) Monitoring, reporting, and enforcement provisions; and
(g) Remedies for non-performance, including reverter rights.

11.4 Selection Process

The Jurisdiction shall use competitive processes (RFP/RFQ) to select PPP partners, with evaluation criteria including developer experience, financial capacity, proposed public benefits, and project feasibility. Community input opportunities shall be provided.

SECTION 12. LAND BANKING

12.1 Establishment and Authority

The Jurisdiction establishes or authorizes participation in a Land Bank to acquire, hold, stabilize, and dispose of property for housing development. The Land Bank may be structured as a municipal department, an independent authority, a joint-powers entity, or another legally authorized structure.

12.2 Powers and Functions

The Land Bank may:
(a) Acquire property through purchase, donation, or tax foreclosure;
(b) Hold and maintain properties to prevent blight;
(c) Clear title defects and assemble fragmented parcels;
(d) Stabilize structures pending disposition;
(e) Dispose of property to qualified developers for housing.

12.3 Acquisition Priorities

The Land Bank shall prioritize acquisition of:
(a) Tax-delinquent or abandoned properties;
(b) Scattered infill sites suitable for Missing Middle Housing;
(c) Underutilized parcels near transit or services;
(d) Sites requiring title or environmental remediation; and
(e) Properties that can be assembled for larger developments.

12.4 Disposition Framework

Land Bank disposition shall:
(a) Prioritize housing types addressing local needs;
(b) Use competitive processes with clear eligibility criteria;

(c) Balance fair value with public purpose;
(d) Include performance requirements and deadlines;
(e) Incorporate reverter clauses for non-performance; and
(f) Document attainability requirements in disposition instruments.

12.5 Funding

The Land Bank may be funded through:
(a) A designated percentage of property tax on acquired properties (___%);
(b) General fund appropriations;
(c) State and federal grants;
(d) Proceeds from property sales; and
(e) Philanthropic contributions.

SECTION 13. SURPLUS PUBLIC LAND DISPOSITION

13.1 Policy and Purpose

The Jurisdiction establishes a policy to identify and dispose of Surplus Public Land for housing development, prioritizing attainable and workforce housing outcomes while ensuring appropriate public return.

13.2 Property Identification

The administering department shall conduct reviews every ___ years to identify surplus properties, evaluating:
(a) Non-essential status for Jurisdiction operations;
(b) Suitability for residential development;
(c) Site constraints and opportunities;
(d) Proximity to transit, jobs, and services; and
(e) Potential for attainable or workforce housing.

13.3 Disposition Process

Surplus land shall be disposed through:
(a) Formal surplus declaration by the governing body;
(b) Competitive solicitations (RFP or auction);
(c) Clear specification of development requirements;
(d) Evaluation based on public benefit and developer capacity;
(e) Negotiation of purchase and development agreements; and
(f) Governing body approval of final disposition.

13.4 Disposition Terms

Disposition documents shall specify:
(a) Permitted housing types and densities;
(b) Applicable Objective Standards;
(c) Attainability or workforce housing requirements;
(d) Performance milestones (closing, commencement, completion);
(e) Reverter or repurchase rights for non-performance;
(f) Pricing structure, including any discounts reflecting public benefits; and
(g) Restrictions on speculation or resale.

13.5 Valuation

The Jurisdiction shall obtain independent appraisals but may price land below market value to account for public benefits delivered through attainable housing, workforce housing, or other community benefits. The value of such benefits shall be documented in the disposition approval.

SECTION 14. ADMINISTRATION AND ENFORCEMENT

14.1 Administrative Guidelines

The City Manager, County Administrator, or designee of the Jurisdiction may adopt administrative guidelines, forms, and procedures to implement this Ordinance, including:
(a) Application checklists and submittal requirements;
(b) Pre-Approved Residential Plan Libraries and Pattern Books for residential building types authorized by this Ordinance;
(c) Eligibility criteria for voluntary programs;
(d) VHA templates and monitoring procedures;
(e) PPP and Land Bank procedures;
(f) Fee calculation methodologies; and
(g) Other implementation materials.
Administrative materials shall be objective, published, and uniformly applied.

14.2 Voluntary Housing Agreements

Where developers elect incentives under Sections 7, 10, 11, or 12, the Jurisdiction and the developer shall execute a VHA establishing:
(a) Selected incentives and compliance framework;
(b) Attainability or workforce parameters;
(c) Performance milestones and deadlines;
(d) Monitoring and reporting requirements;
(e) Enforcement provisions; and
(f) Recordation requirements where applicable.

14.3 Monitoring and Compliance

The Jurisdiction shall monitor compliance with approvals and VHAs. Monitoring shall focus on objective compliance items and shall be proportionate and time-limited. Records of approvals and compliance determinations shall be maintained.

14.4 Enforcement

Enforcement actions shall be proportionate and applied uniformly. Available remedies include:
(a) Cure periods for correctable violations;
(b) Specific performance of agreement terms;
(c) Revocation of incentives for material non-compliance;
(d) Reverter of property for Land Bank or Surplus Land dispositions;
(e) Civil penalties as authorized by law; and
(f) Other remedies consistent with applicable law.
Discretionary standards shall not be retroactively imposed on approved projects.

14.5 Appeals

An applicant may appeal a denial or approval condition by filing a written appeal to the designated hearing officer, planning commission, board of appeals, or other body within ___ business days of the decision. The appeal shall be decided based on the record, with written findings of fact and conclusions of law, within ___ days of filing.

SECTION 15. ADOPTION, EFFECTIVE DATE, SEVERABILITY, AND CONFLICTS

15.1 Adoption and Effective Date

This Ordinance is adopted following notice and public hearing as required by law and shall take effect on ___. The administering department shall publish all required checklists, standards, and forms on or before the effective date.

15.2 Severability

If any provision of this Ordinance, or its application to any person or circumstance, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining provisions or applications, which shall remain in full force and effect. The governing body declares that it would have adopted this Ordinance and each provision thereof irrespective of the validity of any other provision.

15.3 Conflicts and Supersession

To the extent of any conflict between this Ordinance and prior ordinances, resolutions, or regulations, this Ordinance shall control, except where preempted by state or federal law. Such supersession shall not affect rights or liabilities accrued under prior provisions.

15.4 Transition Rules

Applications filed prior to the effective date may elect to proceed under prior regulations or under this Ordinance. Applications filed on or after the effective date shall be governed by this Ordinance.