

**Amendment 14 to Council Bill No. 28 -2023**

**BY: Christiana Rigby**

**Legislative Day 11**

**Date: 10/02/2023**

**Amendment No. 14**

*(This Amendment makes the following changes to HoCo by Design Chapter 6 and Chapter 11:*

*Chapter 6: Dynamic Neighborhoods*

- *Amends the DN-3 Policy Statement Implementing Actions to incentivize the production of Low Income Housing Units and Disability Income Housing Units affordable to low- and moderate-income households in activity centers;*
- *Amends the DN-6 Policy Statement Implementing Actions to preserve the County’s existing affordable housing stock and establish a goal of zero net loss of existing affordable housing units while adding new affordable units to the County’s inventory;*
- *Amends the DN-15 Policy Statement description of people experiencing or threatened by homelessness;*

*Chapter 11: Implementation*

- *Amends the DN-3 Policy Statement Implementing Actions to incentivize the production of Low Income Housing Units and Disability Income Housing Units affordable to low- and moderate-income households in activity centers;*
- *Amends the DN-6 Policy Statement Implementing Actions to preserve the County’s existing affordable housing stock and establish a goal of zero net loss of existing affordable housing units while adding new affordable units to the County’s inventory; and*
- *Amends the DN-15 Policy Statement description of people experiencing or threatened by homelessness.)*

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following  
2 pages as indicated in this Amendment:

- 3 • Chapter 6: Dynamic Neighborhoods: 44, 52, and 68;
- 4 • Chapter 11: Implementation: 37, 40, and 45.

5 Correct all page numbers, numbering, and formatting within this Act to accommodate this  
6 amendment.

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infill development. By seeking opportunities to expand the County’s inclusionary zoning policies and encouraging the development of diverse housing types where growth opportunities exist, mixed-income communities will become more prevalent, housing prices will be less constrained, and county tax rates can remain stable. New financially attainable housing opportunities for all, including low- and moderate-income households, will be less concentrated and more available in more communities throughout the County.

As noted in the previous section, the Zoning Regulations do not permit many missing middle housing types or detached ADUs, and proposed policies aim to allow them with appropriate criteria. This section focuses on where opportunities exist for all types of new housing in the County. The section also emphasizes how regulations may need to change within different geographies, or opportunity areas, to accommodate diverse housing types.

### Diverse Housing Opportunities in New Activity Centers


Based on the limited amount of land still available for development, a significant amount of future housing will be concentrated in new mixed-use activity centers identified on the Future Land Use Map (FLUM). The new mixed-use activity centers are envisioned to be compact walkable areas with employment opportunities, commercial uses and open space, community services and amenities, and multi-modal transportation connections. Activity centers, refined from PlanHoward 2030’s Growth and Revitalization place type, create a predictable and sustainable pattern of growth. This pattern supports existing neighborhoods with retail, services, and job growth; provides greater opportunity for attainable housing; and supports opportunities to reduce environmental impacts of activity centers through redevelopment, including improved stormwater management infrastructure. Medium to high housing densities will likely be necessary to supporting this vision.



It is anticipated that activity centers will appeal to a wide variety of residents and will support and maintain the County’s socioeconomic diversity by offering a multitude of housing options and opportunities to increase the supply of income-restricted affordable housing. Retirees, empty nesters, persons with disabilities, families, and young professionals would likely be attracted to living in more active mixed-use environments. As activity centers are envisioned to be the areas with the greatest potential for growth and are planned to be located along transportation corridors, having an efficient, safe, and well-maintained multi-modal transportation system that connects these places is critical. See the County in Motion chapter for more details about the future of transportation.

Activity centers are envisioned to be varying sizes and scales, which will help inform their infrastructure needs. They will also provide beneficial amenities to adjacent existing neighborhoods. However, they should be sensitive to any unintended impacts they may cause, such as traffic and noise. The Supporting Infrastructure chapter discusses the adequate and timely provision of infrastructure. The Public Schools Facilities chapter discusses opportunities for new models for public schools that could be appropriate in certain locations. The Quality by Design chapter recommends that adverse impacts, such as noise, light, and air pollution, be mitigated and new developments should be contextually-appropriate. It also provides guidance on the public realm and walkability within and around these new mixed-use centers.


#### DN-3 Policy Statement

 Future activity centers—as identified on the Future Land Use Map (FLUM)—should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options.

#### Implementing Actions

1. Establish a new mixed-density and mixed-use zoning district that encourages diverse housing types and creates opportunities for mixed-income neighborhoods.
2. Allow a vertical (a range of uses within one building) and horizontal (a range of uses within one complex or development site) mix of uses, including housing, employment, and open space, that encourage walkability and transit connections.
3. Incentivize the production of ~~housing units affordable to low- and moderate-income households~~ Low Income Housing Units (LIHU) and Disability Income Housing Units (DIHU) housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.
4. Incentivize the production of housing units that meet the needs of different levels of ability (like persons with disabilities) and other special needs households. Ensure that these units are both accessible and affordable.


## DN-5 Policy Statement

 Increase the supply of for-sale and rental housing units in all new developments attainable to low- and moderate-income households and special needs households.

### Implementing Actions

1. Reevaluate the County's inclusionary zoning policies to ensure they are meeting their intended objectives. Expand Moderate Income Housing Unit (MIHU) requirements in areas with a disproportionately lower share of housing options affordable to low- or moderate-income households.
2. Ensure that any corridor, neighborhood, redevelopment, or area plan includes clear policies for meeting affordable housing goals.
3. Update MIHU rules and fee structures, with the goal of producing more units throughout the County that are integrated within communities. Seek opportunities to amend the Zoning Regulations to enable housing types more conducive to on-site MIHU provision across a broader area.
4. Establish a working group to evaluate the feasibility of a targeted incentive program for affordable and accessible housing, including:
  - a. The creation of a definition of affordable and accessible housing, including physical factors such as unit type, size, or physical accessibility design criteria; and/or income factors through tools such as deed restrictions.
  - b. A zoning overlay targeting locations for affordable and accessible housing where there is limited existing supply of affordable and accessible units.
  - c. Incentives related to development, such as density bonuses or relief to setback or other development standards.
  - d. Incentives related to the development process, such as the creation of a specific housing allocation pool for affordable and/or accessible units, exemptions from school requirements in the Adequate Public Facilities Ordinance, or other means of reducing other regulatory barriers.

## DN-6 Policy Statement

 Provide various incentives that encourage the development of for-sale and rental housing units affordable to low- and moderate-income households and special needs households, and preserve the County's existing affordable housing inventory.

### Implementing Actions

1. Continue to support the Housing Opportunities Trust Fund to expand the number of income-restricted rental and homeownership units produced. Explore the feasibility of establishing a dedicated funding source for this fund.
2. Evaluate opportunities to co-locate income-restricted housing and community facilities on county-owned land.
3. Establish criteria for flexible use and disposition of county real estate assets that are near amenities and would promote development of affordable missing middle and multi-family housing for low- and moderate-income households where appropriate.
4. Offer additional incentives to encourage the production of more Moderate Income Housing Units than required, and/or deeper levels of income targeting in the form of Low Income Housing Units or Disability Income Housing Units.
5. Continue to provide and increase downpayment assistance funding to income-eligible households through the County's Settlement Downpayment Loan Program.
6. Establish a goal of zero net loss of existing housing affordable to households with income below 60% of the area median income while adding new affordable units to the County's housing inventory.

# homelessness

The Path Home is Howard County's strategic plan to end homelessness, and its implementation requires support from various county agencies and nonprofit organizations. Ending homelessness requires a community-wide commitment to provide housing, transportation, employment, and other wrap around services. This section of HoCo By Design focuses primarily on the housing needs of this population and supplements the policies and actions identified in the "Opportunities to Increase the Supply of Income-Restricted Housing Units" section. The policies and actions in both of these sections are intended to help the County achieve the housing goals identified in The Path Home.

Despite the County's resources and services committed to resolving homelessness, a significant number of residents struggle to maintain housing and are at risk of or are experiencing homelessness. The Point in Time (PIT) count is a nationwide effort to capture the number and characteristics of persons experiencing homelessness in America. According to the County's 2019 PIT count, a total of 201 people identified as being homeless in January 2019. Of these 201 individuals, 129 were sheltered and 72 were unsheltered. Homelessness in Howard County disproportionately affects the African American population, which represents 20% of the general population but makes up 58% of the homeless population.

According to The Path Home:

- Emergency shelter space is often full; clients may wait as long as a year for a shelter bed.
- The system has limited rapid re-housing resources, a practice that has worked well in communities that have shown a significant reduction in homelessness.

The Path Home advocates for a housing first approach to homelessness intervention. One of the key challenges to addressing homelessness is the lack of affordable housing stock that can accommodate the needs of this population. In terms of housing stock, one size does not fit all. Homes serving this population need to vary in size to accommodate both small and large families, incorporate universal design elements for those with physical disabilities, and be close to amenities, jobs, and transportation connections. By increasing the number of affordable homes that can accommodate these various needs, those who are homeless would spend less time in temporary shelters and could be re-housed more quickly.



## DN-15 Policy Statement



Increase access to and availability of affordable housing for people experiencing or threatened by homelessness in Howard County.

### Implementing Actions

1. Seek out additional opportunities for partnerships on future housing developments to increase the number of homeless preference set-aside units developed in Howard County.
2. Create awareness and advocacy around the needs of those experiencing homelessness whenever new housing developments are being planned and created.
3. Evaluate the need for additional shelter/bed capacity, permanent supportive housing, and expanded public-private partnerships to address the needs of the County's chronically homeless and other individuals with special needs.
4. Explore opportunities for acquisition of blighted or under-utilized properties for the purposes of providing flexible shelter options and services for the homeless population.
5. Seek opportunities to locate housing for the homeless or individuals with special needs in close proximity to jobs, amenities, and transportation connections.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-2 - Allow attached and detached accessory dwelling units (ADUs) on a variety of single-family attached and single-family detached lots that meet specific site development criteria in residential zoning districts.</b>		
1. Establish a clear, predictable process and location-specific criteria for ADUs.	DPZ	Mid-Term
2. Revise the Zoning Regulations and Subdivision and Land Development Regulations to allow attached and detached ADUs that meet pre-determined location and site criteria. Provide parking requirements as needed.	DPZ DHCD	Mid-Term
3. Establish a clear definition of ADUs in the updated Zoning Regulations.	DPZ	Mid-Term
4. Direct the Adequate Public Facilities Ordinance (APFO) task force to develop recommendations as to the applicability of APFO to accessory dwelling unit creation or construction.	DPZ DHCD	Mid-Term
<b>DN-3 - Future activity centers—as identified on the Future Land Use Map (FLUM)—should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options.</b>		
1. Establish a new mixed-density and mixed-use zoning district that encourages diverse housing types and creates opportunities for mixed-income neighborhoods.	DPZ	Mid-Term
2. Allow a vertical (a range of uses within one building) and horizontal (a range of uses within one complex or development site) mix of uses, including housing, employment, and open space, that encourage walkability and transit connections.	DPZ OOT	Mid-Term
3. Incentivize the production of <del>housing units affordable to low- and moderate-income households</del> <u>Low Income Housing Units (LIHU) and Disability Income Housing Units (DIHU) housing units affordable to low- and moderate-income households</u> , beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.	DHCD DPZ Non-profit Partners	Ongoing
4. Incentivize the production of housing units that meet the needs of different levels of ability (like persons with disabilities) and other special needs households. Ensure that these units are both accessible and affordable.	DPZ DHCD Non-profit Partners	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-4 - Allow the development of small-scale missing middle housing and accessory dwelling units (ADUs) that respect the character and integrity of their surroundings and meet specific site conditions in single-family neighborhoods.</b>		
1. Establish design requirements, pattern book or character-based regulations for missing middle housing types and detached accessory dwelling units to ensure that new construction is consistent with the character of the surrounding existing housing.	DPZ	Long-term
2. Establish provisions in the regulations that include dimensional and design standards to ensure neighborhood compatibility, off-street parking requirements, minimum lot sizes, and other standards.	DPZ	Mid-Term
3. Explore zoning and other incentives for minor subdivisions that consist of missing middle housing types and explore form-based or character-based zoning for these types of residential infill developments.	DPZ	Mid-Term
4. Evaluate how accessory dwelling units and other types of new development could enhance or impact stormwater management practices.	DPZ DPW	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-5 - Increase the supply of for-sale and rental housing units in all new developments attainable to low- and moderate-income households and special needs households.</b>		
1. Reevaluate the County's inclusionary zoning policies to ensure they are meeting their intended objectives. Expand Moderate Income Housing Unit (MIHU) requirements in areas with a disproportionately lower share of housing options affordable to low- or moderate-income households.	DHCD DPZ	Mid-Term
2. Ensure that any corridor, neighborhood, redevelopment, or area plan includes clear policies for meeting affordable housing goals.	DPZ DHCD	Long-term
3. Update MIHU rules and fee structures, with the goal of producing more units throughout the County that are integrated within communities. Seek opportunities to amend the Zoning Regulations to enable housing types more conducive to on-site MIHU provision across a broader area.	DHCD DPZ	Long-term
4. Establish a working group to evaluate the feasibility of a targeted incentive program for affordable and accessible housing, including: <ul style="list-style-type: none"> <li>a. The creation of a definition of affordable and accessible housing, including physical factors such as unit type, size, or physical accessibility design criteria; and/or income factors through tools such as deed restrictions.</li> <li>b. A zoning overlay targeting locations for affordable and accessible housing where there is limited existing supply of affordable and accessible units.</li> <li>c. Incentives related to development, such as density bonuses or relief to setback or other development standards.</li> <li>d. Incentives related to the development process, such as the creation of a specific housing allocation pool for affordable and/or accessible units, exemptions from school requirements in the Adequate Public Facilities Ordinance, or other means of reducing other regulatory barriers.</li> </ul>	DPZ DHCD Non-profit Partners	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-6 - Provide various incentives that encourage the development of for-sale and rental housing units affordable to low- and moderate-income households and special needs households, and preserve the County's existing affordable housing inventory.</b>		
1. Continue to support the Housing Opportunities Trust Fund to expand the number of income-restricted rental and homeownership units produced. Explore the feasibility of establishing a dedicated funding source for this fund.	DHCD Elected Officials OOB	Ongoing
2. Evaluate opportunities to co-locate income-restricted housing and community facilities on county-owned land.	DPW DPZ DHCD	Long-term
3. Establish criteria for flexible use and disposition of county real estate assets that are near amenities and would promote development of affordable missing middle and multi-family housing for low- and moderate-income households where appropriate.	DHCD HCHC DPW	Mid-Term
4. Offer additional incentives to encourage the production of more Moderate Income Housing Units than required, and/or deeper levels of income targeting in the form of Low Income Housing Units or Disability Income Housing Units.	DHCD DPZ Non-profit Partners	Ongoing
5. Continue to provide and increase downpayment assistance funding to income-eligible households through the County's Settlement Downpayment Loan Program.	DHCD	Ongoing
<u>6. Establish a goal of zero net loss of existing housing affordable to households with income below 60% of the area median income while adding new affordable units to the County's housing inventory.</u>	<u>DHCD</u> <u>DPZ</u> <u>HCHC</u>	<u>Mid-Term</u>

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-15 - Increase access to and availability of affordable housing for people experiencing or threatened by homelessness in Howard County.</b>		
1. Seek out additional opportunities for partnerships on future housing developments to increase the number of homeless preference set-aside units developed in Howard County.	<b>DCRS</b> DHCD	Ongoing
2. Create awareness and advocacy around the needs of those experiencing homelessness whenever new housing developments are being planned and created.	<b>DCRS</b> DHCD	Ongoing
3. Evaluate the need for additional shelter/bed capacity, permanent supportive housing, and expanded public-private partnerships to address the needs of the County's chronically homeless and other individuals with special needs.	<b>DCRS</b> DHCD Private Partners	Mid-Term
4. Explore opportunities for acquisition of blighted or under-utilized properties for the purposes of providing flexible shelter options and services for the homeless population.	<b>DCRS</b> DHCD	Ongoing
5. Seek opportunities to locate housing for the homeless or individuals with special needs in close proximity to jobs, amenities, and transportation connections.	<b>DCRS</b> DHCD DPZ	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>QBD-1 - Prioritize character and design in future development, recognizing variations in Howard County's unique areas.</b>		
1. Identify areas to investigate character-based zoning concepts and consider the use of pattern books, design guidelines and manuals, or a hybrid approach to establish an intended character and design elements for different character areas in Howard County.	<b>DPZ</b>	Mid-term
2. Build on the 2018 Development Regulations Assessment to update the County's Zoning Regulations and Subdivision and Land Development Regulations and policies. Incorporate opportunities to codify current practices and create regulations and design standards for new developments, infill developments, and redevelopments.	<b>DPZ</b>	Mid-Term
3. Evaluate the existing historic district zones and consider replacing them with new historic zoning district overlays or form-based districts.	<b>DPZ</b>	Mid-Term
4. Review the Design Advisory Panel (DAP) review areas and approved guidelines for updates. Consider whether the role of the DAP should be expanded to other areas within Howard County.	<b>DPZ</b>	Long-term
5. Revise the New Town Zoning District and investigate the use of enhanced design guidelines and character-based or form-based codes in Columbia. <ul style="list-style-type: none"> <li>a. Build upon the preferred development types, patterns, intensities, and design elements described in HoCo By Design's Character Areas technical appendix.</li> <li>b. Take into consideration the design and planning principles illustrated in HoCo By Design's Focus Areas technical appendix.</li> <li>c. Explore rules and requirements for design review by the Design Advisory Panel, or a combination of staff and the DAP.</li> <li>d. Identify the appropriate purpose and timing of design review within the development review process.</li> </ul>	<b>DPZ</b>	Mid-Term