

Amendment 1 to Amendment No. 42 to Council Bill No. 28 -2023

BY: Deb Jung

Legislative Day 12

Date: 10/11/2023

(This Amendment to Amendment 42 amends DN-5 Policy Statement Implementing Action 4 and DN-5 Policy and Implementing Action 4 by specifying the appointment of the members of a working group to evaluate the feasibility of a certain targeted incentive program and provides that the working group is concurrent with the evaluation of APFO.)

- 1 Substitute page 1 of the Amendment with the attachment to this Amendment to Amendment.
- 2
- 3 Substitute the page DN-51 attached to Amendment 42 with the page DN-51 attached to this
- 4 Amendment to Amendment.
- 5
- 6 Substitute the page IMP-39 attached to Amendment 42 with the page IMP-39 attached to this
- 7 Amendment to Amendment.

Amendment ___ to Council Bill No. 28 -2023

**BY: The Chairperson at the Request
of the County Executive**

**Legislative Day ___
Date: ___**

Amendment No. ___

(This Amendment adds a statement that the working group tasked with establishing the feasibility of a targeted incentive program for affordable and accessible housing shall run concurrent with the evaluation of APFO, and specifies the appointment of the members of the working group.

This amendment also makes a technical correction to use the term “affordable” instead of “attainable” to low- and moderate-income and special needs households)


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 – page 51
4 • Chapter 11, Implementation – page 39

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


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 that consists of members appointed by the County Executive and the County Council and is concurrent with the evaluation of APFO 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.

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.

| Table 10-1: Implementation Matrix | | |
|--|------------------------------------|--|
| Policy and Implementing Actions | Lead Agency | Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing) |
| 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. | | |
| 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 that consists of members appointed by the County Executive and the County Council and is concurrent with the evaluation of APFO to evaluate the feasibility of a targeted incentive program for affordable and accessible housing, including: <ul style="list-style-type: none"> 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 | 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) |
| 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. | | |
| 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 |