

**Amendment 1 to Amendment No. 100 to Council Bill No. 28 -2023**

**BY: Deb Jung**

**Legislative Day 12**

**Date: 10/11/2023**

*(This Amendment to Amendment 100 amends language describing the types of rental housing and homes for sale in Columbia and adds specified housing demographics information.)*

- 1 Substitute pages 1 through 4 of the Amendment with the attachment to this Amendment to
- 2 Amendment.
- 3
- 4 Substitute the page DN-11 attached to Amendment 100 with the page DN-11 attached to this
- 5 Amendment to Amendment.

Amendment \_\_\_\_ to Council Bill No. 28 -2023

BY: Deb Jung

Legislative Day 11

Date: October 2, 2023

Amendment No. \_\_\_\_

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

- Chapter 6: Dynamic Neighborhoods*
- *Removes all quotes;*
  - *Amends the Equity in Action subsection of the “What We Heard” section by adding a second sentence to the third bullet as follows: “Explore programs that will incentivize developers to build housing in mixed-use projects that will be affordable and create new home ownership opportunities.”;*
  - *Amends the Housing Element (HB 1045) and the Housing Opportunities Master Plan section by describing the types of rental housing and homes for sale in Columbia **and adds specified housing demographics information that highlights the need to increase home buying opportunities in Columbia.***
  - *Amends the second paragraph of the Housing Element (HB1045) and the Housing Opportunities Master Plan section by deleting “However, as and substituting “Since”;*
  - *Amends the Data and Findings of the Housing Opportunities Master Plan section by specifying the locations in the County with concentrations of low- and moderate-income households that have lower home ownership rates and less access to affordable for sale homes;*
  - *Amends the Why is Missing Middle Housing Important paragraph of the Diversify Housing Typologies Permitted in the County section by deleting the second sentence and adding the following sentence at the end of the paragraph: “Home ownership opportunities should be emphasized in the areas where apartments are now concentrated.”;*
  - *Amends the Accessory Dwelling Units section by deleting language relating to Portland, Oregon, data regarding the number of cars for each ADU and where they are parked;*
  - *Amends the DN-1 Policy Statement Implementing Action 2 to consider eliminating specified barriers to housing stock diversification in the Zoning Regulations and Subdivision and Land Development Regulations and deletes the following language: “and do not preclude their potential on existing lots”;*
  - *Amends the DN-1 Policy Statement Implementing Action 3 to consider expanding the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include specified missing middle housing types;*

- *Amends the DN-1 Policy Statement Implementing Action 4 to evaluate rather than establish specified zoning tools as potential opportunities to create missing middle housing;*
- *Amends the DN-2 Policy Statement Implementing Action 1 to explore a clear, predictable process and location-specific criteria for ADUs so they do not adversely impact older neighborhoods lacking sufficient infrastructure;*
- *Amends the DN-2 Policy Statement Implementing Action 2 to consider revising the Zoning Regulations;*
- *Amends the fourth paragraph of the Expand Locations and Opportunity Areas for More Diverse Housing Choices Throughout the County section to provide that new residential growth may have a net positive fiscal impact on the County budget, and deletes language that a specified approach to housing development will reduce constraints on housing prices and continue a net positive tax revenue for the County;*
- *Amends the fifth paragraph of the Expand Locations and Opportunity Areas for More Diverse Housing Choices Throughout the County section by deleting language relating to the County's inclusionary zoning policies and the development of diverse housing types;*
- *Amends the first paragraph of the Diverse Housing Opportunities in New Activity Centers section to provide that a significant amount of future housing may, rather than will, be concentrated in new mixed-use activity centers;*
- *Amends the third paragraph of the Diverse Housing Opportunities in New Activity Centers to add consideration of the unintended impact of activity centers resulting in students who may be added to overcrowded schools;*
- *Amends the DN-3 Policy Statement Implementing Actions 1 to consider establishing rather than establish a specified zoning district and adds language relating to more home ownership opportunities;*
- *Amends the DN-3 Policy Statement Implementing Actions by adding Action 5 to consider establish housing scenarios that support for-sale units to specified income households and to require mixed use and activity centers to reflect home-ownership opportunities;*
- *Amends the third paragraph of the Infill Development in Existing Residential Neighborhoods section to note that the current occupancy of detached ADUs is limited to elderly or disabled family members and deletes language relating to the historical use of specified structures;*
- *Amends the fourth paragraph of the Infill Development in Existing Residential Neighborhoods section by deleting specified language and adding specified considerations of the impact of*

- new development on neighborhood character and storm water management as well as specified infrastructure;*
- *Amends DN-4 Policy Statement to allow the development of missing middle and ADUs that are consistent with the character and integrity of their surroundings and comply with all applicable APFO and parking requirements;*
  - *Amends DN-4 Policy Statement Implementing Actions by adding Action 5 to determine specified parking requirements for specified small scale missing middle housing and ADUs;*
  - *Amends paragraph 3 of the Opportunities to Increase the Supply of Income-Restricted Housing Units section by deleting the fourth and fifth sentences referencing the Housing Opportunities Master Plan;*
  - *Amends the DN-5 Policy Statement Implementing Actions by adding Action 5 to incentivize affordable for-sale housing opportunities in specified areas;*
  - *Amends the third paragraph of the Opportunities for New Multi-Family Communities by deleting language relating to the redevelopment of older mobile home parks;*
  - *Amends the DN-7 Policy Statement by deleting Implementing Action 1;*
  - *Amends the DN-8 Policy Statement Implementing Action 1 to consider rather than allow the development of ADUs that conform to specific design and site criteria and Implementing Action 2 to explore locating rather than locating missing middle housing typologies in the Rural Crossroads;*

*Chapter 11:  
Implementation*

- *Amends the DN-1 Policy Statement Implementing Action 2 to consider eliminating specified barriers to housing stock diversification in the Zoning Regulations and Subdivision and Land Development Regulations and deletes the following language: “and do not preclude their potential on existing lots”;*
- *Amends the DN-1 Policy Statement Implementing Action 3 to consider expanding the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include specified missing middle housing types;*
- *Amends the DN-1 Policy Statement Implementing Action 4 to evaluate rather than establish specified zoning tools as potential opportunities to create missing middle housing;*
- *Amends the DN-2 Policy Statement Implementing Action 1 to explore a clear, predictable process and location-specific criteria*

*for ADUs so they do not adversely impact older neighborhoods lacking sufficient infrastructure;*

- *Amends the DN-2 Policy Statement Implementing Action 2 to consider revising the Zoning Regulations;*
- *Amends the DN-3 Policy Statement Implementing Actions 1 to consider establishing rather than establish a specified zoning district and adds language relating to more home ownership opportunities;*
- *Amends the DN-3 Policy Statement Implementing Actions by adding Action 5 to consider establish housing scenarios that support for-sale units to specified income households and to require mixed use and activity centers to reflect home-ownership opportunities;*
- *Amends DN-4 Policy Statement to allow the development of missing middle and ADUs that are consistent with the character and integrity of their surroundings and comply with all applicable APFO and parking requirements;*
- *Amends DN-4 Policy Statement Implementing Actions by adding Action 5 to determine specified parking requirements for specified small scale missing middle housing and ADUs;*
- *Amends the DN-5 Policy Statement Implementing Actions by adding Action 5 to incentivize affordable for-sale housing opportunities in specified areas;*
- *Amends the DN-7 Policy Statement by deleting Implementing Action 1;*
- *Amends the DN-8 Policy Statement Implementing Action 1 to consider rather than allow the development of ADUs that conform to specific design and site criteria and Implementing Action 2 to explore locating rather than locating missing middle housing typologies in the Rural Crossroads;*

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: 6, 11, 13, 21, 22, 25, 36, 39, 40, 41, 42, 43, 44, 45,  
4 46, 47, 49, 50, 51, 54, 57, 60, and 65; and
- 5 • Chapter 11: Implementation: 36, 37, 38, 39, and 41.

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

# housing eLement (hb 1045) and the housing Opportunities Master pLan



Maryland House Bill (HB) 1045, adopted in 2019, requires jurisdictions with planning and zoning authority to include a housing element in comprehensive plan updates. A housing element must address the need for affordable housing within jurisdictions, including both workforce and low-income housing. HB 1045 defines workforce housing as follows:

- Workforce housing for home ownership – Housing that is affordable to a household with an aggregate annual income between 60–120% of the area’s median income (see AMI definition next page).
- Workforce housing for rental – Housing that is affordable to a household with an aggregate annual income 50–100% of the area’s median income (see AMI definition next page).

Columbia was built on the concepts embodied in HB 1045 and contains the highest concentration of low- and moderate-income rental housing and lower priced homes for sale in Howard as well as more affordably priced for-purchase housing in the County. Home ownership rates are also lower in Columbia than in the rest of the County. The focus going forward should be to increase home buying opportunities for those living in Columbia. According to the 2022 Howard County Rental Survey, Howard County has over 25,400 rental units in professionally managed multifamily communities, of which over 46% are located in the Columbia submarket. Older and/or more diverse housing inventories with more affordability can be found in the Columbia, ElkrIDGE, and Southeast submarkets. According to the Housing Opportunities Master Plan: Market Overview and Background Research, between 2015 and 2018, 44% of home sales in Howard County took place at price points below \$350,000 including 61% of sales in Columbia, 56% in ElkrIDGE, 42% in Southeast, and 26% in Ellicott City. Columbia also has the County’s highest number of housing units and the highest percentage of renter-occupied units as compared to owner-occupied units. There are 42,063 total housing units in Columbia with 13,680 (33%) renter-occupied units and 28,383 (67%) owner-occupied. The next highest submarket for renter-occupied units as a percentage of the total units is the Southeast where 29% (5,938) of the total units are renter-occupied and 71% (13,074) are owner-occupied. While home ownership should be fostered throughout the County, these housing demographics highlight the need to increase home buying opportunities in Columbia.

However, as Since various policies and actions in HoCo by Design are based on the Howard County Housing Opportunities Master Plan, workforce housing (also referred to as moderate-income housing) in this document is more broadly defined as housing that is affordable to households that earn 60–120% of the area median income (AMI), while low-income housing is defined as housing affordable to households that earn less than 60% of the AMI. According to the US Department of Housing and Urban Development (HUD), a home is affordable when 30% or less of a household income is spent on housing costs.

In 2019, recognizing that the housing inventory was scarce for people at every income level, which contributed to rising housing prices and rents, the County launched a process to create a housing plan. Completed in 2021, the County’s housing plan, known as the Housing Opportunities Master Plan (HOMP), includes an assessment of the current state of housing in the County and strategies for improving its availability, affordability, and accessibility. The HOMP includes various recommendations for land use planning, many of which have been contemplated in the HoCo By Design planning process.

The Dynamic Neighborhoods chapter incorporates various data and recommendations from the HOMP and includes policies and implementing actions that address the requirements of HB 1045.

## Dynamic Neighborhoods terms

**Affordable Housing:** As defined in the Housing Opportunities Master Plan (HOMP), this term is often used in different contexts and to convey different concepts. Broadly speaking, affordable housing is housing in which its occupants can live and still have enough money left over for other necessities, such as food, health care, and transportation. This relationship is often expressed in terms of the percentage of income that a household spends on its housing payments. For the purpose of the HOMP and HoCo By Design, affordable housing can include both income-restricted housing, as well as attainably priced market-rate housing.

**Attainable Housing:** An attainably priced home is one that does not create cost burdens for the family living there and is generally affordable without a subsidy.

According to the US Department of Housing and Urban Development (HUD), a home is affordable if the occupant is paying no more than 30% of gross income for housing costs, including utilities. Based on this definition, a household that makes \$73,000 per year could probably afford a monthly rent of \$1,825 and a mortgage on a home priced at \$200,000–\$250,000.

**Income-Restricted Housing:** As defined in the HOMP, rental or homeownership units that are restricted to households at a certain income level, and are often calculated as a percentage of Area Median Income (AMI). These units tend to receive some form of public, philanthropic, or policy support. Examples include, but are not limited to, the following:

- Moderate Income Housing Units (MIHUs)—units that developers of new market-rate housing in Howard County must reserve for moderate-income households at reduced rents or purchase prices.
- Low Income Housing Units (LIHUs)—units that must be reserved for low-income households at reduced rents or purchase prices.
- Disability Income Housing Units (DIHUs)—units that must be reserved for households receiving a disability income.

**Area Median Income (AMI):** As defined in the HOMP, the midpoint of the income distribution for a region, with half of the households in that region earning more than this amount and half of the households in that region earning less than this amount. In 2019, according to the US Census, the AMI in Howard County was \$121,160. Using this AMI as the basis, below are estimated low and moderate household income ranges:

- Extremely Low Income: Under 30% of AMI (or \$36,348 or less/year)
- Low Income: 30–60% of AMI (or \$36,349–\$72,696/year)
- Moderate Income: 60–120% of AMI (or \$72,696–\$145,392/year)