

Amendment 121 to Council Bill No. 28-2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 121

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

Chapter 6: Dynamic Neighborhoods - *Amends the DN-11 Policy Statement Implementing Actions to require builders to adhere to the updated Design Guidelines; and*

Chapter 11: Implementation - *Amends the DN-11 Policy Statement Implementing Actions to require builders to adhere to the updated Design Guidelines.)*

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: 62;
- 4 • Chapter 11: Implementation: 43.

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

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Am 121 CB 28-2023
passed on 10/11/2023
Mickelle Howard
Council Administrator

UniVersal Design

As defined in the Age-Friendly Action Plan, “Universal design, also called barrier-free design, focuses on making the house safe and accessible for everyone, regardless of age, physical ability, or stature. Universal design elements in homes and apartments contribute to age-friendly communities and multi-generational households, and they increase the independence of persons with disabilities.”

As noted previously, only 4% of the County’s residential land is used for 55 years or more age-restricted development. According to the County’s land use database, there are a total of 5,160 age-restricted units consisting of the following housing types: 419 single-family detached, 367 apartments, 1,244 single-family attached condominiums, 1,364 apartments and 1,766 apartment condominiums. However, many of those homes are not financially attainable. The County has limited affordable housing options for older adults, many of whom will have mobility and accessibility needs as they age, and persons with disabilities. Without an adequate supply of these types of homes, some older adults may be unable to find appropriate housing, forcing them to look outside the County if/when they decide to move. While many older adults prefer to age in their homes, that option is not always feasible due to health reasons, mobility issues, changes in finances, or a home not being suitable for modifications. Therefore, housing options for early retirees, empty nesters, or older adults who want to downsize—perhaps because they can no longer maintain a single-family detached dwelling on a large lot (or choose not to)—should be readily available as part of a larger suite of housing typologies catering to changing demands and interests.

Multi-Generational Neighborhoods

Multi-generational neighborhoods offer a variety of housing types and include units that are designed with older adults in mind but appeal to people of all ages and abilities. While the features of the units for older adults are important—size, number of floors, and universal design—the elements of the neighborhood are also important. The housing mix should contribute to the creation of a community that is conducive to social interaction among neighbors and a level of activity that can minimize feelings of isolation that older adults could experience with changing health and social conditions. When surrounded by a network of support, older adults living in a multi-generational neighborhood have a lower likelihood of depression, as such arrangements can foster an environment of neighbors helping neighbors. In addition, older adults provide a resource to younger neighbors in the form of teaching, mentoring, and sharing personal histories, thus improving interactions among generations and enhancing respect across age, race, ethnicity, and other differences. Neighborhoods that offer a safe system of sidewalk connections to nearby convenience retail and services can help older adults with mobility issues maintain their independence longer while allowing all families to maintain healthy lifestyles. The County in Motion chapter provides more details about plans for multi-modal transportation options.

DN-11 Policy Statement



Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.

Implementing Actions

1. Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, as identified in Policy Statements DN-1 and DN-2.
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.
4. Explore options for additional Continuing Care Retirement Communities in the County.
5. Update the County’s Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.
6. Require builders and homeowners to ~~follow, when practical,~~ **adhere to** the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.

DN-12 Policy Statement



Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.

Implementing Actions

1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-11 - Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with special needs.		
1. Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, as identified in Policy Statements DN- 1 and DN-2.	DPZ DHCD	Mid-Term
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/ communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.	DPZ DILP	Mid-Term
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.	DPZ DHCD	Ongoing
4. Explore options for additional Continuing Care Retirement Communities in the County.	DPZ	Mid-Term
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.	DPZ	Mid-Term
6. Require builders and homeowners to follow when practical, adhere to the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.	DPZ	Mid-Term
DN-12 - Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.		
1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.	DPZ	Ongoing
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.	OOT DPZ	Ongoing

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-13 - Preserve affordability of existing housing stock and create opportunities for context-sensitive infill development, especially in Preservation-Revitalization Neighborhoods.		
1. Identify neighborhoods and properties for preservation.	DPZ DHCD	Mid-Term
2. Continue to support the County's housing preservation programs, which are designed to preserve existing affordable housing and assist low- and moderate-income homeowners and renters to remain in their homes.	DHCD DPZ	Ongoing
3. Explore options and partnerships for an acquisition/rehabilitation program for older single-family homes that would support homeownership opportunities for moderate-income households.	DHCD	Ongoing
4. Encourage the development of missing middle housing types that conform to existing neighborhood character and contribute to the creation of mixed-income communities.	DPZ	Ongoing
5. Develop strategies for employing the right of first refusal policy to ensure no loss of affordable units when there are opportunities for redevelopment of multi-family properties.	DHCD	Mid-Term
DN-14 - Support existing neighborhoods and improve community infrastructure and amenities as needed, especially in older or under-served neighborhoods and multi-family communities.		
1. Assess existing community facilities and the neighborhoods that they serve, and upgrade or retrofit as needed to support changing neighborhood needs. Engage communities in the identification of neighborhood needs.	DPW	Ongoing
2. Identify older communities in need of a comprehensive revitalization strategy and work with those communities to develop revitalization plans to assist those communities.	DPZ	Long-term
3. Work with the multi-family rental community to understand the barriers to reporting and resolving issues related to multi-family property maintenance.	DHCD DILP HCHC	Mid-Term

Amendment 122 to Council Bill No. 28-2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 122

(This Amendment makes the following changes to HoCo By Design Chapter 10 and Chapter 11:

Chapter 10: Managing Growth - Creates a new MG-1 Policy Statement to ensure year-by-year provision of affordability requirement as depicted in Table 10-1 and creates an associated Implementing Action to revise County processes for granting allocations if affordable unit benchmarks are not met each year; and

Chapter 11: Implementation - Creates a new MG-1 Policy Statement to ensure year-by-year provision of affordability requirement as depicted in Table 10-1 and creates an associated Implementing Action to revise County processes for granting allocations if affordable unit benchmarks are not met each year.)

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 10: Managing Growth: 8;
- 4 • Chapter 11: Implementation: 59 and 60.

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

*Reconsidered
Failed*

I certify this is a true copy of
Am 122 CB 28-2023
~~passed~~ on 10/11/2023
Michelle D'Arred
Council Administrator

Adequate Public Facilities Ordinance (aPFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed “on hold” until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately 1,580 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately 1,580 new residential units per year over the 15 years in the chart, including Green Neighborhood and Affordable Housing units. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green Neighborhood developments. Projects using Green Neighborhood allocations must meet the Green Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations. The total annual average of approximately 1,580 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of 1,580 units is a realistic measure given the remaining land available and multiple factors influencing growth.

Just as the housing allocation chart offers a set aside incentive for the Green Neighborhoods program, HoCo By Design proposes an Affordable Housing set aside incentive as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County’s Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood	Affordable Housing
2026	335	600	365	100	1,400	150	150
2027	335	600	365	100	1,400	150	150
2028	335	600	365	100	1,400	150	150
2029	335	600	365	100	1,400	150	150
2030	335	600	365	100	1,400	150	150
2031	155	600	365	100	1,220	150	150
2032	155	600	365	100	1,220	150	150
2033	155	600	365	100	1,220	150	150
2034	155	600	365	100	1,220	150	150
2035	154	600	365	100	1,219	150	150
2036	154	600	365	100	1,219	150	150
2037	154	600	365	100	1,219	150	150
2038	154	600	365	100	1,219	150	150
2039	154	600	365	100	1,219	150	150
2040	154	600	365	100	1,219	150	150
Total	3,219	9,000	5,475	1,500	19,194	2,250	2,250
Annual Average	215	600	365	100	1,280	150	150

(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

MG-1 Policy Statement

Ensure year-by-year provision of affordability requirement as depicted in Table 10-1.

Implementing Actions

1. If the number of affordable units provided in a given calendar year is not either at least 20% of total housing units actually allocated that year or 80% of the total number of affordable units prescribed for that year in Table 10-1, County processes for granting allocations shall be revised to achieve at least that minimum balance through the subsequent year’s allocations.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
MG-1 - Ensure year-by-year provision of affordability requirement as depicted in Table 10-1.		
1. <u>If the number of affordable units provided in a given calendar year is not either at least 20% of total housing units actually allocated that year or 80% of the total number of affordable units prescribed for that year in Table 10-1, County processes for granting allocations shall be revised to achieve at least that minimum balance through the subsequent year's allocations.</u>	DPZ	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe
MG-1 - Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.		
1. As part of the evaluation of APFO, achieve the following: <ul style="list-style-type: none"> a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan. b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. c. Evaluate opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law. e. Schools: <ul style="list-style-type: none"> i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth. ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods. iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity. iv. Examine alternatives to APFO waiting periods whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment. v. Evaluate the timing and process of the school allocation chart. f. Transportation: <ul style="list-style-type: none"> i. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision. ii. Study and develop APFO standards for specific geographic subareas. iii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea. iv. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects. 	DPZ DHCD HCPSS OOT DPW	Mid-Term
2. Appoint an Adequate Public Facilities Ordinance (APFO) task force within one year of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.	DPZ OOT DHCD HCPSS	Mid-Term

Amendment 123 to Council Bill No. 28-2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 123

(This Amendment amends HoCo By Design Chapter 10: Managing Growth to amend the narrative section titled "Adequate Public Facilities Ordinance (APFO)" and the associated Table 10- 1 to reduce the Other Character Areas allocations, remove the Green Neighborhood Allocations, remove the Affordable Housing allocations, substitute "For-Sale Housing Affordable to 80-120% AMI" and "Rental Housing Affordable to 60% AMI" allocations, and amend the total allocations.)

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 10: Managing Growth: 7 and 8.

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

6

I certify this is a true copy of

Am 123 CB28-2023

~~Witnessed~~ on

10/11/2023

Not Moved

Liz Walsh

Council Administrator

Adequate Public Facilities Ordinance (APFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed “on hold” until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately ~~4,580~~ 1,440 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately ~~4,580~~ 1,440 new residential units per year over the 15 years in the chart, including ~~Green Neighborhood and Affordable Housing units For-Sale Housing Affordable to 80-120% AMI and Rental Housing Affordable to 60% AMI~~. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). ~~In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green Neighborhood developments. Projects using Green Neighborhood allocations must meet the Green Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations.~~ The total annual average of approximately ~~4,580~~ 1,440 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of ~~4,580~~ 1,440 units is a realistic measure given the remaining land available and multiple factors influencing growth.

~~Just as the housing allocation chart offers a set-aside incentive for the Green Neighborhoods program,~~ HoCo By Design proposes an ~~Affordable Housing~~ set aside ~~asides incentive for For-Sale Housing Affordable to 80-120% AMI and Rental Housing Affordable to 60% AMI~~, as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County’s Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood For-Sale Housing Affordable to 80-120% AMI	Affordable Housing Rental Housing Affordable to 60% AMI	Total
2026	335	600	365 100	100	1,400	125-150	450 300	1,560
2027	335	600	365 100	100	1,400	125-150	450 300	1,560
2028	335	600	365 100	100	1,400	125-150	450 300	1,560
2029	335	600	365 100	100	1,400	125-150	450 300	1,560
2030	335	600	365 100	100	1,400	125-150	450 300	1,560
2031	155	600	365 100	100	1,220	125-150	450 300	1,380
2032	155	600	365 100	100	1,220	125-150	450 300	1,380
2033	155	600	365 100	100	1,220	125-150	450 300	1,380
2034	155	600	365 100	100	1,220	125-150	450 300	1,380
2035	154	600	365 100	100	1,219	125-150	450 300	1,379
2036	154	600	365 100	100	1,219	125-150	450 300	1,379
2037	154	600	365 100	100	1,219	125-150	450 300	1,379
2038	154	600	365 100	100	1,219	125-150	450 300	1,379
2039	154	600	365 100	100	1,219	125-150	450 300	1,379
2040	154	600	365 100	100	1,219	125-150	450 300	1,379
Total	3,219	9,000	5,475 1,500	1,500	19,194	1,875 2,250	2,250 4,500	21,594
Annual Average	215	600	365 100	100	1,280	125-150	450 300	1,440

(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

Amendment 124 to Council Bill No. 28 -2023

BY: David Yungmann

Legislative Day 12

Date: 10/11/2023

Amendment No. 124

(This Amendment makes the following changes to HoCo by Design Chapters 5 and Chapter 11:

Chapter 5: Economic Prosperity - Amends the EP-9 Policy Statement Implementing Actions to consider consolidating resources supporting the agriculture community in a single location in the west and complete an Agriculture Master Plan within three years of adoption of the General Plan; and

Chapter 11: Implementation - Amends the EP-9 Policy Statement Implementing Actions to consider consolidating resources supporting the agriculture community in a single location in the west and complete an Agriculture Master Plan within three years of adoption of the General Plan.)

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 5: Economic Prosperity: 59;
- 4 • Chapter 11: Implementation: page 33.

5

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

8

I certify this is a true copy of

Am 124 CB28-2023

passed on

10/11/2023

Muskhali Hassan
Council Administrator

EP-9 Policy Statement

Promote and support modern farming initiatives that reflect the changing needs and economic drivers of agriculture in Howard County.

Implementing Actions

1. Support development of appropriately equipped and licensed commercial processing and kitchen facilities that can accommodate various agricultural and food processing needs for farmers and entrepreneurs.
2. Continue and expand business development services that can position agricultural enterprises for growth, innovation, and diversification.
3. Improve opportunities for the growth of e-commerce and last-mile delivery infrastructure, including integration of technological advances in customer delivery.
4. Encourage and enhance agricultural opportunities in the eastern portion of the County.
5. Enhance and expand the partnership between the Agricultural Land Preservation Program, the Howard County Economic Development Authority, the University of Maryland, and the farming community to assist farmers as agriculture continues to evolve and diversify.
6. Consider consolidating offices, services, and educational resources for supporting the farming agriculture community in a single location to better coordinate marketing and other programs, and support operators when interacting with government agencies. Ideally these functions would be physically located in the west in a location that also hosts the public for programs and activities to learn about and promote agriculture.
7. Complete an Agriculture Master Plan within three years from the adoption of HoCo By Design. The Plan should be focused on how to best position Howard County's agriculture industry to compete, grow and prosper. The effort should include a combination of local stakeholders and experts along with external experts.

EP-10 Policy Statement

Continue and enhance established technical and funding efforts to support the farming community.

Implementing Actions

1. Continue funding for the Howard Soil Conservation District to assist farmers with design and installation of best management practices (BMPs).
2. Consider expanding County assistance to fill gaps in cost share programs for agricultural BMPs.
3. Continue the Howard County Economic Development Authority's Agricultural Marketing Program, including its Agricultural Innovation Grants, business planning, and other financial and technical assistance.
4. Expand the Agricultural Innovation Grants by allocating additional resources and creating opportunities for urban agriculture endeavors in the East.

EP-11 Policy Statement



Support and encourage beginning farmers to build a diverse farming community.

Implementing Actions

1. Support the development of new and continue ongoing agricultural education initiatives that encourage students from a variety of backgrounds to consider agriculture as a career choice.
2. Consider establishing a financing program to help farmers purchase farmland.
3. Establish a grant program for beginning farmers.
4. Consider leasing county-owned land for start-up agricultural businesses.
5. Consider creating a program to loan or share farm equipment.
6. Enhance availability and access to community gardens that can be used by beginning farmers.

EP-12 Policy Statement

Reduce regulatory barriers to diversified agricultural operations in both the Rural West and the East.

Implementing Actions



1. Update the Zoning Regulations and other policies to promote agricultural expansion and diversification, especially for on-farm processing and other agribusiness opportunities.
2. Work with agricultural and community stakeholders to review and update the Zoning Regulations and other regulations to create more opportunities for agritourism.
3. Reduce barriers to the burgeoning demand for on-farm breweries, wineries, cideries, meaderies, and distilleries.

EP-13 Policy Statement

Review transportation planning and road development and maintenance standards to reduce transportation barriers to farming.

Implementing Actions

1. Improve rural road conditions by increasing overhead tree clearance and addressing passage at narrow bridges.
2. Reduce conflict between recreational, residential, commercial, and agricultural road uses.

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EP-9 - Promote and support modern farming initiatives that reflect the changing needs and economic drivers of agriculture in Howard County.		
1. Support development of appropriately equipped and licensed commercial processing and kitchen facilities that can accommodate various agricultural and food processing needs for farmers and entrepreneurs.	OCS HCEDA	Mid-Term
2. Continue and expand business development services that can position agricultural enterprises for growth, innovation, and diversification.	HCEDA OCS	Ongoing
3. Improve opportunities for the growth of e-commerce and last-mile delivery infrastructure, including integration of technological advances in customer delivery.	HCEDA OCS OOT	Long-term
4. Encourage and enhance agricultural opportunities in the eastern portion of the County.	OCS HCEDA DPZ	Mid-Term
5. Enhance and expand the partnership between the Agricultural Land Preservation Program, the Howard County Economic Development Authority, the University of Maryland, and the farming community to assist farmers as agriculture continues to evolve and diversify.	HCEDA OCS DPZ Private Partners	Ongoing
6. Consider consolidating offices, services, and educational resources <u>for supporting the farming agriculture</u> community in a single location <u>to better coordinate marketing and other programs, and support operators when interacting with government agencies. Ideally these functions would be physically located in the west in a location that also hosts the public for programs and activities to learn about and promote agriculture.</u>	OCS HCEDA	Long-Term
7. <u>Complete an Agriculture Master Plan within three years from the adoption of HoCo By Design. The Plan should be focused on how to best position Howard County's agriculture industry to compete, grow and prosper. The effort should include a combination of local stakeholders and experts along with external experts.</u>	HCEDA DPZ	Ongoing

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EP-10 - Continue and enhance established technical and funding efforts to support the farming community.		
1. Continue funding for the Howard Soil Conservation District to assist farmers with design and installation of best management practices (BMPs).	DPZ DPW OCS Elected Officials OOB	Ongoing
2. Consider expanding County assistance to fill gaps in cost share programs for agricultural BMPs.	HCEDA OCS	Mid-Term
3. Continue the Howard County Economic Development Authority's Agricultural Marketing Program, including its Agricultural Innovation Grants, business planning, and other financial and technical assistance.	HCEDA DPZ	Ongoing
4. Expand the Agricultural Innovation Grants by allocating additional resources and creating opportunities for urban agriculture endeavors in the East.	HCEDA DPZ OCS	Long-term
EP-11 - Support and encourage beginning farmers to build a diverse farming community.		
1. Support the development of new and continue ongoing agricultural education initiatives that encourage students from a variety of backgrounds to consider agriculture as a career choice.	HCEDA	Mid-Term
2. Consider establishing a financing program to help farmers purchase farmland.	HCEDA	Mid-Term
3. Establish a grant program for beginning farmers.	HCEDA OCS	Mid-Term
4. Consider leasing county-owned land for start-up agricultural businesses.	DPW HCEDA DPZ DRP	Mid-Term
5. Consider creating a program to loan or share farm equipment.	HCEDA	Mid-Term

Amendment 125 to Council Bill No. 28-2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 125

(This Amendment increases the affordability target from 15% to 20%.) makes the following changes to HoCo By Design Chapter 6 and Chapter 11:

Chapter 6: Dynamic Neighborhoods

I certify this is a true copy of
Am 125 CB28-2023
dated on 10/11/2023
Michelle Gray
Council Administrator

- Amends the DN-3 Policy Statement Implementing Actions to require the production of housing units beyond what is required by the MIHU, and require the production of housing units that meet the needs of different levels of ability;
- Creates a requirement that at least 25% of all new housing units should be affordable;
- Creates a requirement that at least 10% of new affordable housing units should be accessible for persons with disabilities;
- Amends the DN-5 Policy Statement to ensure the new affordability and accessibility targets are met and the Implementing Actions to require that all new plans include clear policies to meet the 25% affordable housing requirement;
- Amends the DN-11 Policy Statement Implementing Actions to require the supply of affordable age-restricted housing units;

Chapter 11: Implementation

- Amends the DN-3 Policy Statement Implementing Actions to require the production of housing units beyond what is required by the MIHU, and require the production of housing units that meet the needs of different levels of ability;
- Amends the DN-5 Policy Statement to ensure the new affordability and accessibility targets are met and the Implementing Actions to require that all new plans include clear policies to meet the 25% affordable housing requirement;
- Amends the DN-11 Policy Statement Implementing Actions to require the supply of affordable age-restricted housing units.)

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, 50, 51, and 62;
- 4 • Chapter 11: Implementation: 37, 39, and 43.

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

7

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** **Require** **Incentivize** the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.
4. **Incentivize** **Require** **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.

affordable housing Overlay District Considerations

According to the Housing Opportunities Master Plan, the overlay district should:

- Identify neighborhoods with few existing housing options for low- and moderate-income households.
- Include incentives to encourage the production of additional affordable and/or accessible units beyond the MIHU baseline rules.
- Allow affordable housing development proposals that meet specified criteria to proceed by-right, or without the need for additional reviews and approvals. To qualify, an affordable housing development should reserve a significant portion of units at 60% of AMI and be subject to a long-term use restriction, provide accessible and visitable units beyond the minimum required by law, and fall within a range of parameters related to form, density, massing, setbacks, parking, etc.
- Expand below-AMI housing opportunities in larger areas of the County to address de-concentration of poverty for redevelopment or preservation projects within the wider context of the County as a whole.
- Consider areas of the County where existing infrastructure is underutilized and therefore could support additional residential density with limited new public investment.
- Encourage greater racial and socioeconomic integration by increasing affordable housing opportunities throughout Howard County, especially in locations that do not have them at this time.

There are circumstances in which land and construction costs make it challenging for developers to produce income-restricted units on-site, primarily in the case of single-family detached and age-restricted housing developments. For these two housing types, Howard County therefore allows developers to pay a fee-in-lieu (FIL) instead of providing the units on-site, which is a practice that other jurisdictions also use to advance affordable housing goals. The FIL generates revenue that allows the County to provide gap funding for housing developments with even greater percentages of income-restricted units or even deeper levels of income targeting than what market-rate developments can achieve.

The MIHU and FIL policies are central elements of the affordable housing strategy in Howard County. The Housing Opportunities Master Plan (HOMP) also notes that income-restricted units not only provide housing options for moderate- and low- income households but can also serve the needs of various other household types, including those with extremely low incomes, persons with disabilities and/or receiving disability income, youth aging out of the foster care system, and persons at risk of or experiencing homelessness, among others. These groups

face unique circumstances and challenges. However, the common thread is that many households with these characteristics may disproportionately struggle to find housing that is both affordable to them and meets their specific needs.

To increase the number of income-restricted units in the County and make more units available to special needs households, the HOMP recommends improvements to the MIHU program, such as additional flexibility to accommodate on-site provisions, incentives to encourage the production of more than the required number of units, greater shares of accessible and visitable units for those with disabilities, and/or deeper levels of income targeting. The HOMP also recommends that the County establish various growth and development targets to demonstrate a clear commitment to increasing the supply of homes affordable to low- and moderate-income households and persons with disabilities and special needs, including the following.

- Affordability **Target Requirement Target:** ~~The greater of at least 45%~~ **At The greater of at least 25% 20%** of all net new housing units should be available to households making less than 60% of AMI each year.
- Accessibility **Target Requirement Target:** At least 10% of new housing units affordable to households making less than 60% of AMI should be physically accessible for persons with disabilities. This target should be supplemented with concerted efforts to facilitate accessibility improvements to the existing ownership and rental stock to better enable integrated aging in place.

In addition to the MIHU program, the County encourages affordability with financial incentives to residents. For example, the County currently offers downpayment assistance to low- or moderate-income residents seeking to purchase a home through the Settlement Downpayment Loan Program.

The County could also encourage greater affordability through the Zoning Regulations by providing density bonuses or other incentives to developers and property owners in exchange for meeting affordable housing goals. The County should create a working group to examine the feasibility of a targeted incentive program, such as a zoning overlay district, to increase the supply of affordable and accessible housing. According to the HOMP, a zoning overlay district could be targeted to areas with limited affordable and accessible housing, and offer incentives to encourage an increase in the supply of affordable housing through tools such as density bonuses, a bonus pool of housing allocations within the Adequate Public Facilities Ordinance Allocation chart (refer to the Managing Growth chapter), and an administrative review processes. Such a program should seek to increase the supply of affordable and accessible housing units at different AMI levels, similar to the multi-spectrum market affordable housing provisions for Downtown Columbia.

— CC —
I would want to live in Howard County in 10 years if parks, people, and diversity continue to be a priority, but it would be a matter of cost if I could return.

— CC —
- HoCo By Design process participant

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. Ensure that at least 25% of all net new for-sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities. 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 the 25% affordable housing goals requirement 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.

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.

Universal Design

As defined in the Age-Friendly Action Plan, "Universal design, also called barrier-free design, focuses on making the house safe and accessible for everyone, regardless of age, physical ability, or stature. Universal design elements in homes and apartments contribute to age-friendly communities and multi-generational households, and they increase the independence of persons with disabilities."

As noted previously, only 4% of the County's residential land is used for 55 years or more age-restricted development. According to the County's land use database, there are a total of 5,160 age-restricted units consisting of the following housing types: 419 single-family detached, 367 apartments, 1,244 single-family attached condominiums, 1,364 apartments and 1,766 apartment condominiums. However, many of those homes are not financially attainable. The County has limited affordable housing options for older adults, many of whom will have mobility and accessibility needs as they age, and persons with disabilities. Without an adequate supply of these types of homes, some older adults may be unable to find appropriate housing, forcing them to look outside the County if/when they decide to move. While many older adults prefer to age in their homes, that option is not always feasible due to health reasons, mobility issues, changes in finances, or a home not being suitable for modifications. Therefore, housing options for early retirees, empty nesters, or older adults who want to downsize—perhaps because they can no longer maintain a single-family detached dwelling on a large lot (or choose not to)—should be readily available as part of a larger suite of housing typologies catering to changing demands and interests.

Multi-Generational Neighborhoods

Multi-generational neighborhoods offer a variety of housing types and include units that are designed with older adults in mind but appeal to people of all ages and abilities. While the features of the units for older adults are important—size, number of floors, and universal design—the elements of the neighborhood are also important. The housing mix should contribute to the creation of a community that is conducive to social interaction among neighbors and a level of activity that can minimize feelings of isolation that older adults could experience with changing health and social conditions. When surrounded by a network of support, older adults living in a multi-generational neighborhood have a lower likelihood of depression, as such arrangements can foster an environment of neighbors helping neighbors. In addition, older adults provide a resource to younger neighbors in the form of teaching, mentoring, and sharing personal histories, thus improving interactions among generations and enhancing respect across age, race, ethnicity, and other differences. Neighborhoods that offer a safe system of sidewalk connections to nearby convenience retail and services can help older adults with mobility issues maintain their independence longer while allowing all families to maintain healthy lifestyles. The County in Motion chapter provides more details about plans for multi-modal transportation options.

DN-11 Policy Statement



Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.

Implementing Actions

1. Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, affordable age-restricted housing units, missing middle housing and accessory dwelling units, as identified in Policy Statements DN-1 and DN-2, Statement DN-5, Statements DN-1 and DN-2.
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.
4. Explore options for additional Continuing Care Retirement Communities in the County.
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.

DN-12 Policy Statement



Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.

Implementing Actions

1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
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.		
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
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.		
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 Require Incentivize the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.	DHCD DPZ Non-profit Partners	Ongoing
4. Incentivize Require 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)
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.		
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)
<p>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. Ensure that at least 25% of all net new for-sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities. 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.</p>		
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 the 25% affordable housing goals requirement 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"> 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. 	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)
<p>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.</p>		
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

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-11 - Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with special needs.		
1. Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, affordable age-restricted housing units, missing middle housing and accessory dwelling units, as identified in Policy Statements DN-1 and DN-2. <i>Require Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, affordable age-restricted housing units, missing middle housing and accessory dwelling units, as identified in Policy Statements DN-1 and DN-2.</i>	DPZ DHCD	Mid-Term
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.	DPZ DILP	Mid-Term
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.	DPZ DHCD	Ongoing
4. Explore options for additional Continuing Care Retirement Communities in the County.	DPZ	Mid-Term
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.	DPZ	Mid-Term
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.	DPZ	Mid-Term
DN-12 - Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.		
1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.	DPZ	Ongoing
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.	OOT DPZ	Ongoing

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Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-13 - Preserve affordability of existing housing stock and create opportunities for context-sensitive infill development, especially in Preservation-Revitalization Neighborhoods.		
1. Identify neighborhoods and properties for preservation.	DPZ DHCD	Mid-Term
2. Continue to support the County's housing preservation programs, which are designed to preserve existing affordable housing and assist low- and moderate-income homeowners and renters to remain in their homes.	DHCD DPZ	Ongoing
3. Explore options and partnerships for an acquisition/rehabilitation program for older single-family homes that would support homeownership opportunities for moderate-income households.	DHCD	Ongoing
4. Encourage the development of missing middle housing types that conform to existing neighborhood character and contribute to the creation of mixed-income communities.	DPZ	Ongoing
5. Develop strategies for employing the right of first refusal policy to ensure no loss of affordable units when there are opportunities for redevelopment of multi-family properties.	DHCD	Mid-Term
DN-14 - Support existing neighborhoods and improve community infrastructure and amenities as needed, especially in older or under-served neighborhoods and multi-family communities.		
1. Assess existing community facilities and the neighborhoods that they serve, and upgrade or retrofit as needed to support changing neighborhood needs. Engage communities in the identification of neighborhood needs.	DPW	Ongoing
2. Identify older communities in need of a comprehensive revitalization strategy and work with those communities to develop revitalization plans to assist those communities.	DPZ	Long-term
3. Work with the multi-family rental community to understand the barriers to reporting and resolving issues related to multi-family property maintenance.	DHCD DILP HCHC	Mid-Term

Amendment 1 to Amendment 125 to Council Bill No. 28 -2023

BY: Liz Walsh and Opel Jones

Legislative Day 12

Date: 10/11/2023

(This Amendment restores the original language of HoCo By Design, except for the affordability target which is increased to 20% from 15%.)

- 1 Substitute pages 1 and 2 of Amendment 125 with the attachment to this Amendment to Amendment.
2
3 Substitute pages DN-44, DN-50, DN-51, DN-62, IMP-37, IMP-39, and IMP-43 attached to Amendment 125
4 with pages DN-44, DN-50, DN-51, DN-62, IMP-37, IMP-39, and IMP-43 attached to this Amendment to
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6

I certify this is a true copy of
Am 1 Am 125 CB28-2023
passed on 10/11/2023
Michele Le Howard
Council Administrator

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*Chapter 11:
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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** **Require** **Incentivize** the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.
4. **Incentivize** **Require** **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.

affordable housing Overlay District Considerations

According to the Housing Opportunities Master Plan, the overlay district should:

- Identify neighborhoods with few existing housing options for low- and moderate-income households.
- Include incentives to encourage the production of additional affordable and/or accessible units beyond the MIHU baseline rules.
- Allow affordable housing development proposals that meet specified criteria to proceed by-right, or without the need for additional reviews and approvals. To qualify, an affordable housing development should reserve a significant portion of units at 60% of AMI and be subject to a long-term use restriction, provide accessible and visitable units beyond the minimum required by law, and fall within a range of parameters related to form, density, massing, setbacks, parking, etc.
- Expand below-AMI housing opportunities in larger areas of the County to address de-concentration of poverty for redevelopment or preservation projects within the wider context of the County as a whole.
- Consider areas of the County where existing infrastructure is underutilized and therefore could support additional residential density with limited new public investment.
- Encourage greater racial and socioeconomic integration by increasing affordable housing opportunities throughout Howard County, especially in locations that do not have them at this time.

There are circumstances in which land and construction costs make it challenging for developers to produce income-restricted units on-site, primarily in the case of single-family detached and age-restricted housing developments. For these two housing types, Howard County therefore allows developers to pay a fee-in-lieu (FIL) instead of providing the units on-site, which is a practice that other jurisdictions also use to advance affordable housing goals. The FIL generates revenue that allows the County to provide gap funding for housing developments with even greater percentages of income-restricted units or even deeper levels of income targeting than what market-rate developments can achieve.

The MIHU and FIL policies are central elements of the affordable housing strategy in Howard County. The Housing Opportunities Master Plan (HOMP) also notes that income-restricted units not only provide housing options for moderate- and low- income households but can also serve the needs of various other household types, including those with extremely low incomes, persons with disabilities and/or receiving disability income, youth aging out of the foster care system, and persons at risk of or experiencing homelessness, among others. These groups

face unique circumstances and challenges. However, the common thread is that many households with these characteristics may disproportionately struggle to find housing that is both affordable to them and meets their specific needs.

To increase the number of income-restricted units in the County and make more units available to special needs households, the HOMP recommends improvements to the MIHU program, such as additional flexibility to accommodate on-site provisions, incentives to encourage the production of more than the required number of units, greater shares of accessible and visitable units for those with disabilities, and/or deeper levels of income targeting. The HOMP also recommends that the County establish various growth and development targets to demonstrate a clear commitment to increasing the supply of homes affordable to low- and moderate-income households and persons with disabilities and special needs, including the following.

- Affordability **Target Requirement Target: The greater of at** **At The greater of at** least ~~15%~~ **25%** ~~20%~~ of all net new housing units should be available to households making less than 60% of AMI each year.
- Accessibility **Target Requirement Target:** At least 10% of new housing units affordable to households making less than 60% of AMI should be physically accessible for persons with disabilities. This target should be supplemented with concerted efforts to facilitate accessibility improvements to the existing ownership and rental stock to better enable integrated aging in place.

In addition to the MIHU program, the County encourages affordability with financial incentives to residents. For example, the County currently offers downpayment assistance to low- or moderate-income residents seeking to purchase a home through the Settlement Downpayment Loan Program.

The County could also encourage greater affordability through the Zoning Regulations by providing density bonuses or other incentives to developers and property owners in exchange for meeting affordable housing goals. The County should create a working group to examine the feasibility of a targeted incentive program, such as a zoning overlay district, to increase the supply of affordable and accessible housing. According to the HOMP, a zoning overlay district could be targeted to areas with limited affordable and accessible housing, and offer incentives to encourage an increase in the supply of affordable housing through tools such as density bonuses, a bonus pool of housing allocations within the Adequate Public Facilities Ordinance Allocation chart (refer to the Managing Growth chapter), and an administrative review processes. Such a program should seek to increase the supply of affordable and accessible housing units at different AMI levels, similar to the multi-spectrum market affordable housing provisions for Downtown Columbia.

— ☺ —
I would want to live in Howard County in 10 years if parks, people, and diversity continue to be a priority, but it would be a matter of cost if I could return.

— ☺ —
- HoCo By Design process participant

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. Ensure that at least 25% of all net new for-sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities. 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 the 25% affordable housing goals requirement 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.

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.

UniVersal Design


As defined in the Age-Friendly Action Plan, "Universal design, also called barrier-free design, focuses on making the house safe and accessible for everyone, regardless of age, physical ability, or stature. Universal design elements in homes and apartments contribute to age-friendly communities and multi-generational households, and they increase the independence of persons with disabilities."

As noted previously, only 4% of the County's residential land is used for 55 years or more age-restricted development. According to the County's land use database, there are a total of 5,160 age-restricted units consisting of the following housing types: 419 single-family detached, 367 apartments, 1,244 single-family attached condominiums, 1,364 apartments and 1,766 apartment condominiums. However, many of those homes are not financially attainable. The County has limited affordable housing options for older adults, many of whom will have mobility and accessibility needs as they age, and persons with disabilities. Without an adequate supply of these types of homes, some older adults may be unable to find appropriate housing, forcing them to look outside the County if/when they decide to move. While many older adults prefer to age in their homes, that option is not always feasible due to health reasons, mobility issues, changes in finances, or a home not being suitable for modifications. Therefore, housing options for early retirees, empty nesters, or older adults who want to downsize—perhaps because they can no longer maintain a single-family detached dwelling on a large lot (or choose not to)—should be readily available as part of a larger suite of housing typologies catering to changing demands and interests.

Multi-Generational Neighborhoods

Multi-generational neighborhoods offer a variety of housing types and include units that are designed with older adults in mind but appeal to people of all ages and abilities. While the features of the units for older adults are important—size, number of floors, and universal design—the elements of the neighborhood are also important. The housing mix should contribute to the creation of a community that is conducive to social interaction among neighbors and a level of activity that can minimize feelings of isolation that older adults could experience with changing health and social conditions. When surrounded by a network of support, older adults living in a multi-generational neighborhood have a lower likelihood of depression, as such arrangements can foster an environment of neighbors helping neighbors. In addition, older adults provide a resource to younger neighbors in the form of teaching, mentoring, and sharing personal histories, thus improving interactions among generations and enhancing respect across age, race, ethnicity, and other differences. Neighborhoods that offer a safe system of sidewalk connections to nearby convenience retail and services can help older adults with mobility issues maintain their independence longer while allowing all families to maintain healthy lifestyles. The County in Motion chapter provides more details about plans for multi-modal transportation options.


DN-11 Policy Statement

 Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.

Implementing Actions

1. ~~Use zoning tools and incentives that increase~~ **Require Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, affordable age-restricted housing units missing middle housing and accessory dwelling units,** as identified in ~~Policy Statements DN-1 and DN-2~~ **Statement DN-5** ~~Statements DN-1 and DN-2.~~
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.
4. Explore options for additional Continuing Care Retirement Communities in the County.
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.

DN-12 Policy Statement

 Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.

Implementing Actions

1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
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.		
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
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.		
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 Require Incentivize the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.	DHCD DPZ Non-profit Partners	Ongoing
4. Incentivize Require 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)
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.		
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)
<p>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. Ensure that at least 25% of all net new for sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities. 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.</p>		
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 the 25% affordable housing goals requirement 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"> 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. 	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)
<p>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.</p>		
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

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-11 - Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with special needs.		
1. Use zoning tools and incentives that increase the supply of missing middle-housing and accessory dwelling units, affordable age-restricted housing units, missing middle housing and accessory dwelling units as identified in Policy Statements DN-1 and DN-2, Statement DN-5, Statements DN-1 and DN-2.	DPZ DHCD	Mid-Term
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/ communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.	DPZ DILP	Mid-Term
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.	DPZ DHCD	Ongoing
4. Explore options for additional Continuing Care Retirement Communities in the County.	DPZ	Mid-Term
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.	DPZ	Mid-Term
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.	DPZ	Mid-Term
DN-12 - Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.		
1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.	DPZ	Ongoing
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.	OOT DPZ	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-13 - Preserve affordability of existing housing stock and create opportunities for context-sensitive infill development, especially in Preservation-Revitalization Neighborhoods.		
1. Identify neighborhoods and properties for preservation.	DPZ DHCD	Mid-Term
2. Continue to support the County's housing preservation programs, which are designed to preserve existing affordable housing and assist low- and moderate-income homeowners and renters to remain in their homes.	DHCD DPZ	Ongoing
3. Explore options and partnerships for an acquisition/rehabilitation program for older single-family homes that would support homeownership opportunities for moderate-income households.	DHCD	Ongoing
4. Encourage the development of missing middle housing types that conform to existing neighborhood character and contribute to the creation of mixed-income communities.	DPZ	Ongoing
5. Develop strategies for employing the right of first refusal policy to ensure no loss of affordable units when there are opportunities for redevelopment of multi-family properties.	DHCD	Mid-Term
DN-14 - Support existing neighborhoods and improve community infrastructure and amenities as needed, especially in older or under-served neighborhoods and multi-family communities.		
1. Assess existing community facilities and the neighborhoods that they serve, and upgrade or retrofit as needed to support changing neighborhood needs. Engage communities in the identification of neighborhood needs.	DPW	Ongoing
2. Identify older communities in need of a comprehensive revitalization strategy and work with those communities to develop revitalization plans to assist those communities.	DPZ	Long-term
3. Work with the multi-family rental community to understand the barriers to reporting and resolving issues related to multi-family property maintenance.	DHCD DILP HCHC	Mid-Term

Amendment 125 to Council Bill No. 28-2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 125

(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 require the production of housing units beyond what is required by the MIHU, and require the production of housing units that meet the needs of different levels of ability;*
- *Creates a requirement that at least 25% of all new housing units should be affordable;*
- *Creates a requirement that at least 10% of new affordable housing units should be accessible for persons with disabilities;*
- *Amends the DN-5 Policy Statement to ensure the new affordability and accessibility targets are met and the Implementing Actions to require that all new plans include clear policies to meet the 25% affordable housing requirement;*
- *Amends the DN-11 Policy Statement Implementing Actions to require the supply of affordable age-restricted housing units;*

*Chapter 11:
Implementation*

- *Amends the DN-3 Policy Statement Implementing Actions to require the production of housing units beyond what is required by the MIHU, and require the production of housing units that meet the needs of different levels of ability;*
- *Amends the DN-5 Policy Statement to ensure the new affordability and accessibility targets are met and the Implementing Actions to require that all new plans include clear policies to meet the 25% affordable housing requirement;*
- *Amends the DN-11 Policy Statement Implementing Actions to require the supply of affordable age-restricted housing units.)*

I certify this is a true copy of

Am 125 CB 28-2023

passed on 10/11/2023

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, 50, 51, and 62;

4 • Chapter 11: Implementation: 37, 39, and 43.

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

7

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 Require** the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.
4. **Incentivize Require** 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.

affordable housing Overlay District Considerations

According to the Housing Opportunities Master Plan, the overlay district should:

- Identify neighborhoods with few existing housing options for low- and moderate-income households.
- Include incentives to encourage the production of additional affordable and/or accessible units beyond the MIHU baseline rules.
- Allow affordable housing development proposals that meet specified criteria to proceed by-right, or without the need for additional reviews and approvals. To qualify, an affordable housing development should reserve a significant portion of units at 60% of AMI and be subject to a long-term use restriction, provide accessible and visitable units beyond the minimum required by law, and fall within a range of parameters related to form, density, massing, setbacks, parking, etc.
- Expand below-AMI housing opportunities in larger areas of the County to address de-concentration of poverty for redevelopment or preservation projects within the wider context of the County as a whole.
- Consider areas of the County where existing infrastructure is underutilized and therefore could support additional residential density with limited new public investment.
- Encourage greater racial and socioeconomic integration by increasing affordable housing opportunities throughout Howard County, especially in locations that do not have them at this time.

There are circumstances in which land and construction costs make it challenging for developers to produce income-restricted units on-site, primarily in the case of single-family detached and age-restricted housing developments. For these two housing types, Howard County therefore allows developers to pay a fee-in-lieu (FIL) instead of providing the units on-site, which is a practice that other jurisdictions also use to advance affordable housing goals. The FIL generates revenue that allows the County to provide gap funding for housing developments with even greater percentages of income-restricted units or even deeper levels of income targeting than what market-rate developments can achieve.

The MIHU and FIL policies are central elements of the affordable housing strategy in Howard County. The Housing Opportunities Master Plan (HOMP) also notes that income-restricted units not only provide housing options for moderate- and low- income households but can also serve the needs of various other household types, including those with extremely low incomes, persons with disabilities and/or receiving disability income, youth aging out of the foster care system, and persons at risk of or experiencing homelessness, among others. These groups

face unique circumstances and challenges. However, the common thread is that many households with these characteristics may disproportionately struggle to find housing that is both affordable to them and meets their specific needs.

To increase the number of income-restricted units in the County and make more units available to special needs households, the HOMP recommends improvements to the MIHU program, such as additional flexibility to accommodate on-site provisions, incentives to encourage the production of more than the required number of units, greater shares of accessible and visitable units for those with disabilities, and/or deeper levels of income targeting. The HOMP also recommends that the County establish various growth and development targets to demonstrate a clear commitment to increasing the supply of homes affordable to low- and moderate-income households and persons with disabilities and special needs, including the following.

- **Affordability Target Requirement:** The greater of at least 15% 25% of all net new housing units should be available to households making less than 60% of AMI each year.
- **Accessibility Target Requirement:** At least 10% of new housing units affordable to households making less than 60% of AMI should be physically accessible for persons with disabilities. This target should be supplemented with concerted efforts to facilitate accessibility improvements to the existing ownership and rental stock to better enable integrated aging in place.

In addition to the MIHU program, the County encourages affordability with financial incentives to residents. For example, the County currently offers downpayment assistance to low- or moderate-income residents seeking to purchase a home through the Settlement Downpayment Loan Program.

The County could also encourage greater affordability through the Zoning Regulations by providing density bonuses or other incentives to developers and property owners in exchange for meeting affordable housing goals. The County should create a working group to examine the feasibility of a targeted incentive program, such as a zoning overlay district, to increase the supply of affordable and accessible housing. According to the HOMP, a zoning overlay district could be targeted to areas with limited affordable and accessible housing, and offer incentives to encourage an increase in the supply of affordable housing through tools such as density bonuses, a bonus pool of housing allocations within the Adequate Public Facilities Ordinance Allocation chart (refer to the Managing Growth chapter), and an administrative review processes. Such a program should seek to increase the supply of affordable and accessible housing units at different AMI levels, similar to the multi-spectrum market affordable housing provisions for Downtown Columbia.

— ☺ —
I would want to live in Howard County in 10 years if parks, people, and diversity continue to be a priority, but it would be a matter of cost if I could return.

— ☺ —
- HoCo By Design process participant

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. Ensure that at least 25% of all net new for sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities.

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 the 25% affordable housing goals requirement.
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.

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.

Universal Design


As defined in the Age-Friendly Action Plan, “Universal design, also called barrier-free design, focuses on making the house safe and accessible for everyone, regardless of age, physical ability, or stature. Universal design elements in homes and apartments contribute to age-friendly communities and multi-generational households, and they increase the independence of persons with disabilities.”

As noted previously, only 4% of the County’s residential land is used for 55 years or more age-restricted development. According to the County’s land use database, there are a total of 5,160 age-restricted units consisting of the following housing types: 419 single-family detached, 367 apartments, 1,244 single-family attached condominiums, 1,364 apartments and 1,766 apartment condominiums. However, many of those homes are not financially attainable. The County has limited affordable housing options for older adults, many of whom will have mobility and accessibility needs as they age, and persons with disabilities. Without an adequate supply of these types of homes, some older adults may be unable to find appropriate housing, forcing them to look outside the County if/when they decide to move. While many older adults prefer to age in their homes, that option is not always feasible due to health reasons, mobility issues, changes in finances, or a home not being suitable for modifications. Therefore, housing options for early retirees, empty nesters, or older adults who want to downsize—perhaps because they can no longer maintain a single-family detached dwelling on a large lot (or choose not to)—should be readily available as part of a larger suite of housing typologies catering to changing demands and interests.

Multi-Generational Neighborhoods

Multi-generational neighborhoods offer a variety of housing types and include units that are designed with older adults in mind but appeal to people of all ages and abilities. While the features of the units for older adults are important—size, number of floors, and universal design—the elements of the neighborhood are also important. The housing mix should contribute to the creation of a community that is conducive to social interaction among neighbors and a level of activity that can minimize feelings of isolation that older adults could experience with changing health and social conditions. When surrounded by a network of support, older adults living in a multi-generational neighborhood have a lower likelihood of depression, as such arrangements can foster an environment of neighbors helping neighbors. In addition, older adults provide a resource to younger neighbors in the form of teaching, mentoring, and sharing personal histories, thus improving interactions among generations and enhancing respect across age, race, ethnicity, and other differences. Neighborhoods that offer a safe system of sidewalk connections to nearby convenience retail and services can help older adults with mobility issues maintain their independence longer while allowing all families to maintain healthy lifestyles. The County in Motion chapter provides more details about plans for multi-modal transportation options.


DN-11 Policy Statement

 Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.

Implementing Actions

1. **Use zoning tools and incentives that increase** **Require** the supply of **missing middle housing and accessory dwelling units, affordable age-restricted housing units** as identified in Policy Statements DN-1 and DN-2 **Statement DN-5.**
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.
4. Explore options for additional Continuing Care Retirement Communities in the County.
5. Update the County’s Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.

DN-12 Policy Statement

 Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.

Implementing Actions

1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.

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. Ensure that at least 25% of all net new for sale and rental housing units should be available to households making less than 60% of AMI each year, and at least 10% of those are physically accessible for persons with disabilities.		
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 meeting <u>the 25% affordable housing goals requirement.</u>	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"> 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. 	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

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
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.		
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
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.		
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 Require the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.	DHCD DPZ Non-profit Partners	Ongoing
4. Incentivize Require 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)
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.		
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)
DN-11 - Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with special needs.		
1. Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, affordable age-restricted housing units, as identified in Policy Statements DN-1 and DN-2. Statement DN-5.	DPZ DHCD	Mid-Term
2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/ communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.	DPZ DILP	Mid-Term
3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.	DPZ DHCD	Ongoing
4. Explore options for additional Continuing Care Retirement Communities in the County.	DPZ	Mid-Term
5. Update the County's Universal Design Guidelines to enhance the capacity for individuals to remain safe and independent in the community through universal design in construction.	DPZ	Mid-Term
6. Require builders and homeowners to follow, when practical, the updated Universal Design Guidelines for new and rehabilitated, remodeled, or redesigned age-restricted housing.	DPZ	Mid-Term
DN-12 - Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.		
1. Design new activity centers to accommodate the needs of various ages, abilities, and life stages. Ensure design of neighborhoods and their amenities provide accessibility using universal design guidelines with sidewalks, wayfinding, and safe connections.	DPZ	Ongoing
2. Bring multi-modal transportation options to locations planned for new multi-generational neighborhoods.	OOT DPZ	Ongoing

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-13 - Preserve affordability of existing housing stock and create opportunities for context-sensitive infill development, especially in Preservation-Revitalization Neighborhoods.		
1. Identify neighborhoods and properties for preservation.	DPZ DHCD	Mid-Term
2. Continue to support the County's housing preservation programs, which are designed to preserve existing affordable housing and assist low- and moderate-income homeowners and renters to remain in their homes.	DHCD DPZ	Ongoing
3. Explore options and partnerships for an acquisition/rehabilitation program for older single-family homes that would support homeownership opportunities for moderate-income households.	DHCD	Ongoing
4. Encourage the development of missing middle housing types that conform to existing neighborhood character and contribute to the creation of mixed-income communities.	DPZ	Ongoing
5. Develop strategies for employing the right of first refusal policy to ensure no loss of affordable units when there are opportunities for redevelopment of multi-family properties.	DHCD	Mid-Term
DN-14 - Support existing neighborhoods and improve community infrastructure and amenities as needed, especially in older or under-served neighborhoods and multi-family communities.		
1. Assess existing community facilities and the neighborhoods that they serve, and upgrade or retrofit as needed to support changing neighborhood needs. Engage communities in the identification of neighborhood needs.	DPW	Ongoing
2. Identify older communities in need of a comprehensive revitalization strategy and work with those communities to develop revitalization plans to assist those communities.	DPZ	Long-term
3. Work with the multi-family rental community to understand the barriers to reporting and resolving issues related to multi-family property maintenance.	DHCD DILP HCHC	Mid-Term

Amendment 126 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 11

Date: 10/02/2023

Amendment No. 126

(This Amendment makes the following changes to HoCo by Design Chapter 10 and Chapter 11:

*Chapter 10: Managing Growth - Amends MG-1 Policy Statement Implementing Actions to remove an evaluation of automatic or limited exceptions, seek to engage local and national experts who can advise on modern best practices for managing growth and infrastructure, removes the development proposals of a mitigation payment, evaluate and analyze student generation yield by housing unit type, explore unit type ratios that support housing goals without overburdening schools, and appoint an APFO task force within **six months one year** of General Plan adoption; and*

*Chapter 11: Implementation - Amends MG-1 Policy Statement Implementing Actions to remove an evaluation of automatic or limited exceptions, seek to engage local and national experts who can advise on modern best practices for managing growth and infrastructure, removes the development proposals of a mitigation payment, evaluate and analyze student generation yield by housing unit type, explore unit type ratios that support housing goals without overburdening schools, and appoint an APFO task force within **six months one year** of General Plan adoption.)*

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 10: Managing Growth: 22;
4 • Chapter 11: Implementation: 59 and 60.

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

I certify this is a true copy of

Am 126 CB 28 - 2023

passed on

10/11/2023

Christiana Rigby
Council Administrator

Managing Growth into the Future

HoCo By Design recommends a comprehensive review and assessment of APFO. Future land use patterns in Howard County will largely be realized through infill development and redevelopment in activity centers, and to a much lesser extent by suburban development in greenfields. APFO was designed to manage growth in the latter, and now needs to be updated to reflect the land use patterns of the County's future.

Section 16.1100(b)(iv) of the Howard County Subdivision and Land Development Regulations requires that a task force be convened within one year of the adoption of the General Plan to review and recommend changes to APFO. The APFO task force will be responsible for reviewing and updating APFO to support the vision, policies, and implementing actions presented in this Plan. The task force may research alternate APFO models used in other counties in Maryland, particularly those counties where redevelopment and infill are the primary forms of new development.

The task force should also explore regulations that consider various development types, locations, and intensities, and incentive-based provisions to expedite capacity improvements. For example, the APFO review should determine whether higher-density, mixed-use projects in activity centers, which may have low student yields, should meet different standards or thresholds, and whether pay-based incentives should be established where suburban-style developments could proceed if a higher school surcharge were paid. The task force should evaluate how APFO may apply to detached accessory dwelling units.

Not only are development and zoning incentives a vital part of a comprehensive affordable housing strategy, process incentives like APFO should be considered as well. The Dynamic Neighborhoods chapter suggests that the APFO task force assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. The Housing Opportunities Master Plan also recommends the APFO task force look for opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. Accordingly, the County should evaluate targeted changes to APFO to support the growth required to improve housing affordability and opportunities when the APFO task force convenes following the adoption of the General Plan.

The allocation chart presented here is intended to serve as a temporary bridge between the current requirements of APFO and any subsequent revisions to the law that may result from the work of the APFO task force. The task force should consider whether the allocation chart achieves its intended goal and, if so, whether changes to the chart should be made. The task force should also advise whether the allocation chart, if still deemed necessary, should remain in the General Plan or be incorporated into the APFO ordinance.

The task force should also evaluate existing conditions and emerging trends for new student generation, whether it is due primarily to new housing units or family turnover in existing neighborhoods. Developing an understanding of neighborhood lifecycles will allow for a better assessment of student growth and housing. This understanding should further inform how the APFO school capacity test and associated chart could be changed to optimize growth targets while also maintaining adequate school capacity.

Ultimately, the challenge will be to better balance housing market demand, economic development, and fiscal goals with the continued need to provide adequate school capacity and transportation facilities, as changing housing types and patterns emerge in the future. As noted in the Growth and Conservation Framework chapter, HoCo By Design provides a more predictable outlook for infrastructure with its focused approach on redevelopment—as only 2% of the County's already developed land is targeted as activity centers. This approach allows the County and allied agencies to more deliberately plan and budget for infrastructure.

MG-1 Policy Statement

Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.

Implementing Actions

1. As part of the evaluation of APFO, achieve the following:
 - a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan.
 - b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable.
 - c. Evaluate opportunities to ~~grant automatic or limited exemptions to~~ incentivize affordable, age-restricted, and missing middle housing developments.
 - d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law.
 - e. Seek to engage local & national experts who can advise on modern best practices for managing growth and infrastructure.
 - f. Schools:
 - i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth.
 - ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods.
 - iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity.
 - iv. Examine alternatives to APFO waiting periods ~~whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment.~~
 - v. Evaluate the timing and process of the school capacity chart.
 - vi. Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends.
 - vii. Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type.
 - g. Transportation:
 - vi. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision.
 - vii. Study and develop APFO standards for specific geographic subareas.
 - viii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea.
 - ix. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects.
2. Appoint an APFO task force within ~~one year~~ six months ~~one year~~ of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe
MG-1 - Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.		
1. As part of the evaluation of APFO, achieve the following: <ul style="list-style-type: none"> a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan. b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. c. Evaluate opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law. e. Seek to engage local & national experts who can advise on modern best practices for managing growth and infrastructure. e. <u>Schools:</u> <ul style="list-style-type: none"> i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth. ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods. iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity. iv. Examine alternatives to APFO waiting periods whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment. v. Evaluate the timing and process of the school capacity chart. vi. <u>Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends.</u> vii. <u>Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type.</u> f. <u>g. Transportation:</u> <ul style="list-style-type: none"> i. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision. ii. Study and develop APFO standards for specific geographic subareas. iii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea. iv. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects. 	DPZ DHCD HCPSS OOT DPW	Mid-Term

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
2. Appoint an Adequate Public Facilities Ordinance (APFO) task force within one year six months <u>one year</u> of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.	DPZ OOT DHCD DPW HCPSS	Mid-Term

Amendment 1 to Amendment No. 126 to Council Bill No. 28 -2023

BY: Christiana Rigby

**Legislative Day 12
Date: October 11, 2023**

(This Amendment to Amendment 126 restores the appointment to the APFO Committee to one-year.)

- 1 Substitute page 1 of Amendment 126 with the attached page 1 to this Amendment to
- 2 Amendment.
- 3
- 4 Substitute the pages MG-22 and IMP-60 attached to Amendment 126 with the pages MG-22 and
- 5 IMP-60 attached to this Amendment to Amendment.
- 6

I certify this is a true copy of
Am1 Am 126 CB28-2023
passed on 10/11/2023
Michelle D'Arco
Council Administrator

Amendment 126 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 11

Date: 10/02/2023

Amendment No. 126

(This Amendment makes the following changes to HoCo by Design Chapter 10 and Chapter 11:

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*Chapter 11: Implementation - Amends MG-1 Policy Statement Implementing Actions to remove an evaluation of automatic or limited exceptions, seek to engage local and national experts who can advise on modern best practices for managing growth and infrastructure, removes the development proposals of a mitigation payment, evaluate and analyze student generation yield by housing unit type, explore unit type ratios that support housing goals without overburdening schools, and appoint an APFO task force within **six months one year** of General Plan adoption.)*

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Managing Growth into the Future

HoCo By Design recommends a comprehensive review and assessment of APFO. Future land use patterns in Howard County will largely be realized through infill development and redevelopment in activity centers, and to a much lesser extent by suburban development in greenfields. APFO was designed to manage growth in the latter, and now needs to be updated to reflect the land use patterns of the County's future.

Section 16.1100(b)(iv) of the Howard County Subdivision and Land Development Regulations requires that a task force be convened within one year of the adoption of the General Plan to review and recommend changes to APFO. The APFO task force will be responsible for reviewing and updating APFO to support the vision, policies, and implementing actions presented in this Plan. The task force may research alternate APFO models used in other counties in Maryland, particularly those counties where redevelopment and infill are the primary forms of new development.

The task force should also explore regulations that consider various development types, locations, and intensities, and incentive-based provisions to expedite capacity improvements. For example, the APFO review should determine whether higher-density, mixed-use projects in activity centers, which may have low student yields, should meet different standards or thresholds, and whether pay-based incentives should be established where suburban-style developments could proceed if a higher school surcharge were paid. The task force should evaluate how APFO may apply to detached accessory dwelling units.

Not only are development and zoning incentives a vital part of a comprehensive affordable housing strategy, process incentives like APFO should be considered as well. The Dynamic Neighborhoods chapter suggests that the APFO task force assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. The Housing Opportunities Master Plan also recommends the APFO task force look for opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. Accordingly, the County should evaluate targeted changes to APFO to support the growth required to improve housing affordability and opportunities when the APFO task force convenes following the adoption of the General Plan.

The allocation chart presented here is intended to serve as a temporary bridge between the current requirements of APFO and any subsequent revisions to the law that may result from the work of the APFO task force. The task force should consider whether the allocation chart achieves its intended goal and, if so, whether changes to the chart should be made. The task force should also advise whether the allocation chart, if still deemed necessary, should remain in the General Plan or be incorporated into the APFO ordinance.

The task force should also evaluate existing conditions and emerging trends for new student generation, whether it is due primarily to new housing units or family turnover in existing neighborhoods. Developing an understanding of neighborhood lifecycles will allow for a better assessment of student growth and housing. This understanding should further inform how the APFO school capacity test and associated chart could be changed to optimize growth targets while also maintaining adequate school capacity.

Ultimately, the challenge will be to better balance housing market demand, economic development, and fiscal goals with the continued need to provide adequate school capacity and transportation facilities, as changing housing types and patterns emerge in the future. As noted in the Growth and Conservation Framework chapter, HoCo By Design provides a more predictable outlook for infrastructure with its focused approach on redevelopment—as only 2% of the County's already developed land is targeted as activity centers. This approach allows the County and allied agencies to more deliberately plan and budget for infrastructure.

MG-1 Policy Statement

Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.

Implementing Actions

1. As part of the evaluation of APFO, achieve the following:
 - a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan.
 - b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable.
 - c. Evaluate opportunities to ~~grant automatic or limited exemptions to~~ incentivize affordable, age-restricted, and missing middle housing developments.
 - d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law.
 - e. Seek to engage local & national experts who can advise on modern best practices for managing growth and infrastructure.
 - f. Schools:
 - i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth.
 - ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods.
 - iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity.
 - iv. Examine alternatives to APFO waiting periods ~~whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment.~~
 - v. Evaluate the timing and process of the school capacity chart.
 - vi. Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends.
 - vii. Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type.
 - g. Transportation:
 - vi. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision.
 - vii. Study and develop APFO standards for specific geographic subareas.
 - viii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea.
 - ix. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects.
2. Appoint an APFO task force within ~~one year~~ six months ~~one year~~ of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe
MG-1 - Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.		
<p>1. As part of the evaluation of APFO, achieve the following:</p> <ul style="list-style-type: none"> a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan. b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. c. Evaluate opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law. e. Seek to engage local & national experts who can advise on modern best practices for managing growth and infrastructure. f. Schools: <ul style="list-style-type: none"> i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth. ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods. iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity. iv. Examine alternatives to APFO waiting periods whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment. v. Evaluate the timing and process of the school capacity chart. vi. Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends. vii. Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type. g. Transportation: <ul style="list-style-type: none"> i. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision. ii. Study and develop APFO standards for specific geographic subareas. iii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea. iv. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects. 	<p>DPZ DHCD HCPSS OOT DPW</p>	<p>Mid-Term</p>

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<p>2. Appoint an Adequate Public Facilities Ordinance (APFO) task force within one year six months one year of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.</p>	<p>DPZ OOT DHCD DPW HCPSS</p>	<p>Mid-Term</p>

Amendment 126 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 12

Date: 10/11/2023

Amendment No. 126

(This Amendment makes the following changes to HoCo by Design Chapter 10 and Chapter 11:

Chapter 10: Managing Growth - Amends MG-1 Policy Statement Implementing Actions to remove an evaluation of automatic or limited exceptions, seek to engage local and national experts who can advise on modern best practices for managing growth and infrastructure, removes the development proposals of a mitigation payment, evaluate and analyze student generation yield by housing unit type, explore unit type ratios that support housing goals without overburdening schools, and appoint an APFO task force within six months of General Plan adoption; and

Chapter 11: Implementation - Amends MG-1 Policy Statement Implementing Actions to remove an evaluation of automatic or limited exceptions, seek to engage local and national experts who can advise on modern best practices for managing growth and infrastructure, removes the development proposals of a mitigation payment, evaluate and analyze student generation yield by housing unit type, explore unit type ratios that support housing goals without overburdening schools, and appoint an APFO task force within six months of General Plan adoption.)

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 10: Managing Growth: 22;
4 • Chapter 11: Implementation: 59 and 60.

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

7

Managing Growth into the Future

HoCo By Design recommends a comprehensive review and assessment of APFO. Future land use patterns in Howard County will largely be realized through infill development and redevelopment in activity centers, and to a much lesser extent by suburban development in greenfields. APFO was designed to manage growth in the latter, and now needs to be updated to reflect the land use patterns of the County's future.

Section 16.1100(b)(iv) of the Howard County Subdivision and Land Development Regulations requires that a task force be convened within one year of the adoption of the General Plan to review and recommend changes to APFO. The APFO task force will be responsible for reviewing and updating APFO to support the vision, policies, and implementing actions presented in this Plan. The task force may research alternate APFO models used in other counties in Maryland, particularly those counties where redevelopment and infill are the primary forms of new development.

The task force should also explore regulations that consider various development types, locations, and intensities, and incentive-based provisions to expedite capacity improvements. For example, the APFO review should determine whether higher-density, mixed-use projects in activity centers, which may have low student yields, should meet different standards or thresholds, and whether pay-based incentives should be established where suburban-style developments could proceed if a higher school surcharge were paid. The task force should evaluate how APFO may apply to detached accessory dwelling units.

Not only are development and zoning incentives a vital part of a comprehensive affordable housing strategy, process incentives like APFO should be considered as well. The Dynamic Neighborhoods chapter suggests that the APFO task force assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. The Housing Opportunities Master Plan also recommends the APFO task force look for opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments. Accordingly, the County should evaluate targeted changes to APFO to support the growth required to improve housing affordability and opportunities when the APFO task force convenes following the adoption of the General Plan.

The allocation chart presented here is intended to serve as a temporary bridge between the current requirements of APFO and any subsequent revisions to the law that may result from the work of the APFO task force. The task force should consider whether the allocation chart achieves its intended goal and, if so, whether changes to the chart should be made. The task force should also advise whether the allocation chart, if still deemed necessary, should remain in the General Plan or be incorporated into the APFO ordinance.

The task force should also evaluate existing conditions and emerging trends for new student generation, whether it is due primarily to new housing units or family turnover in existing neighborhoods. Developing an understanding of neighborhood lifecycles will allow for a better assessment of student growth and housing. This understanding should further inform how the APFO school capacity test and associated chart could be changed to optimize growth targets while also maintaining adequate school capacity.

Ultimately, the challenge will be to better balance housing market demand, economic development, and fiscal goals with the continued need to provide adequate school capacity and transportation facilities, as changing housing types and patterns emerge in the future. As noted in the Growth and Conservation Framework chapter, HoCo By Design provides a more predictable outlook for infrastructure with its focused approach on redevelopment—as only 2% of the County's already developed land is targeted as activity centers. This approach allows the County and allied agencies to more deliberately plan and budget for infrastructure.

MG-1 Policy Statement

Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.

Implementing Actions

1. As part of the evaluation of APFO, achieve the following:
 - a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan.
 - b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable.
 - c. Evaluate opportunities to grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments.
 - d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law.
 - e. Seek to engage local & national experts who can advise on modern best practices for managing growth and infrastructure.
 - f. Schools:
 - i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth.
 - ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods.
 - iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity.
 - iv. Examine alternatives to APFO waiting periods whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment.
 - v. Evaluate the timing and process of the school capacity chart.
 - vi. Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends.
 - vii. Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type.
 - f.g. Transportation:
 - vi. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision.
 - vii. Study and develop APFO standards for specific geographic subareas.
 - viii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea.
 - ix. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects.
2. Appoint an APFO task force within one-year six months of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe
<p>MG-1 - Evaluate and amend the Adequate Public Facilities Ordinance (APFO) to support the vision and policies presented in HoCo By Design, including current and anticipated development patterns and challenges.</p>		
<p>1. As part of the evaluation of APFO, achieve the following:</p> <ul style="list-style-type: none"> a. Research APFO models used in other Maryland and US jurisdictions that account for infill development and redevelopment to support future growth and transportation patterns as anticipated in this General Plan. b. Assess the applicability of APFO to accessory dwelling units and develop recommendations as applicable. c. Evaluate opportunities to <u>grant automatic or limited exemptions to incentivize affordable, age-restricted, and missing middle housing developments.</u> d. Evaluate the necessity of a housing allocation chart, including its goals, design, and appropriate place in the law. e. <u>Seek to engage local and regional experts who can advise on modern best practices for managing growth and infrastructure.</u> f. Schools: <ul style="list-style-type: none"> i. Collect data for school demands in the County sufficient to evaluate existing conditions, emerging trends, and future year needs. This analysis should include an evaluation of the life cycle of new and existing neighborhoods to better understand the origins of student growth. ii. Evaluate the extent to which new growth generates revenues to pay for school infrastructure and review alternative financing methods. iii. Evaluate the school capacity test in APFO to determine if intended outcomes are being achieved, and recommend changes to the framework and process to better pace development with available student capacity. iv. Examine alternatives to APFO waiting periods <u>whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment.</u> v. Evaluate the timing and process of the school capacity chart. vi. <u>Evaluate student generation yield by housing unit type to develop student generation yield. Review results with comparable counties to understand regional trends.</u> vii. <u>Explore unit type ratios or unit type mixes that would support housing goals without overburdening schools and propose appropriate waiting periods in relation to unit type.</u> f. g. Transportation: <ul style="list-style-type: none"> i. Evaluate and amend APFO standards for transportation adequacy and develop context-driven transportation adequacy measures that align with the County's land use and transportation safety vision. ii. Study and develop APFO standards for specific geographic subareas. iii. Study and develop methods to use a fee-based approach to advance the most significant projects in a subarea. iv. Evaluate and amend APFO standards to mitigate trips with investments in bicycle, pedestrian, and transit infrastructure, road connectivity, and safety projects. 	<p>DPZ DHCD HCPSS OOT DPW</p>	<p>Mid-Term</p>

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<p>2. Appoint an Adequate Public Facilities Ordinance (APFO) task force within <u>one year six months</u> of General Plan adoption to review and provide recommendations for APFO updates that reflect the vision and policies in HoCo By Design.</p>	<p>DPZ OOT DHCD DPW HCPSS</p>	<p>Mid-Term</p>

Amendment 1 to Amendment 127 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 12

Date: 10/11/2023

(This Amendment increases the affordable housing allocation to 340 per year)

- 1 Substitute page 1 of Amendment 127 with the attachment to this Amendment to Amendment.
- 2
- 3 Substitute page MG-8 attached to Amendment 127 with page MG-8 attached to this Amendment
- 4 to Amendment.
- 5

I certify this is a true copy of

Am 1 Am 127 CB 28-2023

passed on 10/11/2023

Michaela Rigby
Council Administrator

Amendment 127 to Council Bill No. 28 -2023

BY: Christiana Rigby

**Legislative
Day 12 Date:
10/11/2023**

Amendment No. 127

(This Amendment makes the following changes to HoCo by Design Chapter 10:

- Chapter 10: Managing Growth*
- *Amends the Affordable Housing allocations in Table 10-1: Howard County APFO Allocations Chart to ~~300~~ 340 units per year; and*
 - *Removes the Green Neighborhood program in its entirety in Table 10-1: Howard County APFO Allocations Chart and the accompanying narrative section)*

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

- 3 • Chapter 10: Managing Growth: 7 and 8

4

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

7

Adequate Public Facilities Ordinance (APFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed “on hold” until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately 1,580 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately 1,580 new residential units per year over the 15 years in the chart, including ~~Green-Neighborhood and Affordable Housing~~ units. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). ~~In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green-Neighborhood developments. Projects using Green-Neighborhood allocations must meet the Green-Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations.~~ The total annual average of approximately 1,580 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of 1,580 units is a realistic measure given the remaining land available and multiple factors influencing growth.

~~Just as the housing allocation chart offers a set-aside incentive for the Green-Neighborhood program,~~ HoCo By Design proposes an Affordable Housing set aside incentive as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County’s Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood	Affordable Housing (for purchase and rental)
2026	335	600	365	100	1,400	-150	340 300 150
2027	335	600	365	100	1,400	-150	340 300 150
2028	335	600	365	100	1,400	-150	340 300 150
2029	335	600	365	100	1,400	-150	340 300 150
2030	335	600	365	100	1,400	-150	340 300 150
2031	155	600	365	100	1,400	-150	340 300 150
2032	155	600	365	100	1,400	-150	340 300 150
2033	155	600	365	100	1,400	-150	340 300 150
2034	155	600	365	100	1,400	-150	340 300 150
2035	154	600	365	100	1,400	-150	340 300 150
2036	154	600	365	100	1,400	-150	340 300 150
2037	154	600	365	100	1,400	-150	340 300 150
2038	154	600	365	100	1,400	-150	340 300 150
2039	154	600	365	100	1,400	-150	340 300 150
2040	154	600	365	100	1,400	-150	340 300 150
Total	3,219	9,000	5,475	1,500	19,194	2,250	5,100 4,500 2,250
Annual Average	215	600	365	100	1,280	-150	340 300 150

(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

Amendment 127 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 12

Date: 10/11/2023

Amendment No. 127

(This Amendment makes the following changes to HoCo by Design Chapter 10:

- Chapter 10: Managing Growth*
- *Amends the Affordable Housing allocations in Table 10-1: Howard County APFO Allocations Chart to ~~300~~ 340 units per year; and*
 - *Removes the Green Neighborhood program in its entirety in Table 10-1: Howard County APFO Allocations Chart and the accompanying narrative section)*

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

- 3 • Chapter 10: Managing Growth: 7 and 8
4

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

I certify this is a true copy of

Am 127 CB28-2023

passed on 10/11/2023

Michelle D. Reed
Council Administrator

Adequate Public Facilities Ordinance (APFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed “on hold” until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately 1,5801,620 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately 1,5801,620 new residential units per year over the 15 years in the chart, including ~~Green-Neighborhood and Affordable Housing units~~. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). ~~In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green-Neighborhood developments. Projects using Green-Neighborhood allocations must meet the Green-Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations.~~ The total annual average of approximately 1,5801,620 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of 1,5801,620 units is a realistic measure given the remaining land available and multiple factors influencing growth.

~~Just as the housing allocation chart offers a set-aside incentive for the Green-Neighborhood program,~~ HoCo By Design proposes an Affordable Housing set aside incentive as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County’s Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood	Affordable Housing (for purchase and rental)
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2030	335	600	365	100	1,220	-150	340 300 150
2031	155	600	365	100	1,220	-150	340 300 150
2032	155	600	365	100	1,220	-150	340 300 150
2033	155	600	365	100	1,220	-150	340 300 150
2034	155	600	365	100	1,219	-150	340 300 150
2035	154	600	365	100	1,219	-150	340 300 150
2036	154	600	365	100	1,219	-150	340 300 150
2037	154	600	365	100	1,219	-150	340 300 150
2038	154	600	365	100	1,219	-150	340 300 150
2039	154	600	365	100	1,219	-150	340 300 150
2040	154	600	365	100	1,219	-150	340 300 150
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(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

Amendment 127 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 12

Date: 10/11/2023

Amendment No. 127

(This Amendment makes the following changes to HoCo by Design Chapter 10:

Chapter 10: Managing Growth

- *Amends the Affordable Housing allocations in Table 10-1: Howard County APFO Allocations Chart to 300 units per year; and*
- *Removes the Green Neighborhood program in its entirety in Table 10-1: Howard County APFO Allocations Chart and the accompanying narrative section)*

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

- 3 • Chapter 10: Managing Growth: 7 and 8

4

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

7

Adequate Public Facilities Ordinance (APFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed "on hold" until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately 1,580 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately 1,580 new residential units per year over the 15 years in the chart, including ~~Green Neighborhood and Affordable Housing~~ units. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). ~~In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green Neighborhood developments. Projects using Green Neighborhood allocations must meet the Green Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations.~~ The total annual average of approximately 1,580 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of 1,580 units is a realistic measure given the remaining land available and multiple factors influencing growth.

~~Just as the housing allocation chart offers a set-aside incentive for the Green Neighborhood program,~~ HoCo By Design proposes an Affordable Housing set aside incentive as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County's Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood	Affordable Housing (for purchase and rental)
2026	335	600	365	100	1,400	-150	300-150
2027	335	600	365	100	1,400	-150	300-150
2028	335	600	365	100	1,400	-150	300-150
2029	335	600	365	100	1,400	-150	300-150
2030	335	600	365	100	1,400	-150	300-150
2031	155	600	365	100	1,400	-150	300-150
2032	155	600	365	100	1,400	-150	300-150
2033	155	600	365	100	1,400	-150	300-150
2034	155	600	365	100	1,400	-150	300-150
2035	154	600	365	100	1,400	-150	300-150
2036	154	600	365	100	1,400	-150	300-150
2037	154	600	365	100	1,400	-150	300-150
2038	154	600	365	100	1,400	-150	300-150
2039	154	600	365	100	1,400	-150	300-150
2040	154	600	365	100	1,400	-150	300-150
Total	3,215	9,000	5,475	1,500	19,194	2,250	4,500-2,250
Annual Average	215	600	365	100	1,280	-150	300-150

(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

Amendment 128 to Council Bill No. 28 -2023

BY: Christiana Rigby

Legislative Day 12

Date: 10/11/2023

(This Amendment makes the following changes to HoCo by Design Chapter 6, Chapter 10, and Chapter 11:

Chapter 6: Dynamic Neighborhoods

- Adds to the definition of affordable housing that the HOMP recommends prioritizing housing development that serve owner households making less than 120% AMI and rental households making less than 60% AMI;
- Amends the DN-5 Policy Statement Implementing Actions to have the working group study allowing affordable housing allocations to roll over, releasing allocations from their requirement to be either homeowner or rental units after three years, and incentives for homeownership opportunities;

Chapter 10: Managing Growth

- Removes the Affordable Housing allocations in Table 10-1: Howard County APFO Allocations Chart and substitutes an Affordable Housing (for purchase and rental) allocation at 500 units per year;
- Removes the Green Neighborhood program in its entirety in Table 10-1: Howard County APFO Allocations Chart and the accompanying narrative section;

Chapter 11: Implementation

- Amends the DN-5 Policy Statement Implementing Actions to have the working group study allowing affordable housing allocations to roll over, releasing allocations from their requirement to be either homeowner or rental units after three years, and incentives for homeownership opportunities.)

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

- 3 • Chapter 6: Quality by Design: 12, and 51
- 4 • Chapter 10: Managing Growth: 7 and 8
- 5 • Chapter 11: Implementation: 39

6

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

8 amendment.

I certify this is a true copy of

Am 128 CB28-2023

passed on

10/11/2023

LEG1956


Council Administrator

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).

However, as 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 instance, one of the guiding principles in the HOMP recommends, “Howard County should prioritize housing development to serve owner households making less than 120% of Area Median Income (“AMI”) and renter households making less than 60% of AMI.” 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)

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, [allowing affordable housing allocations to roll over from year to year, releasing allocations from their requirement to be either for ownership or rental after three years](#), or other means of reducing other regulatory barriers.
 - e. [Incentives related to homeownership opportunities.](#)

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.

Adequate Public Facilities Ordinance (APFO)

Housing Unit Allocations

APFO sets the pace of new residential development through an annual housing allocation chart, which caps the number of new units that can be built each year by geographic region. Once the annual cap is reached, subdivision plans are placed “on hold” until the next year when more allocations are made available.

The allocation chart for HoCo By Design is shown in Table 10-1 and includes the years 2026-2040. This allocation chart is based on the approximately ~~4,580~~ 1,780 housing units targeted per year over the 15-year timeframe of this chart. Allocations are granted, if available, once the initial subdivision or site development plan is approved. Given that it typically takes several years for the development review process to be completed (to final plat recordation and site development plan approval), allocations are granted three years ahead of when the new units are expected to be built. Since HoCo By Design has been presented for adoption in 2023, the first year on the allocation chart is 2026.

There are four geographic regions in the HoCo By Design allocation chart: Downtown Columbia, Activity Centers, Other Character Areas, and Rural West. Allocations amount to an average total of approximately ~~4,580~~ 1,780 new residential units per year over the 15 years in the chart, including ~~Green-Neighborhood and~~ Affordable Housing units. The number of units in each region is tied to the future land use capacity as modeled and estimated in the Future Land Use Map (FLUM). ~~In addition to the four geographic regions, the allocation chart for HoCo By Design maintains the set-aside incentive of 150 units per year for Green-Neighborhood developments. Projects using Green-Neighborhood allocations must meet the Green-Neighborhood requirements, as specified in the Howard County Subdivision and Land Development Regulations.~~ The total annual average of approximately ~~4,580~~ 1,780 units is significantly less than the 2,084 units targeted in the allocation chart of the previous General Plan, PlanHoward 2030. However, since the County has only realized an annual average of about 1,500–1,600 units per year over the past decade, the revised target of ~~4,580~~ 1,780 units is a realistic measure given the remaining land available and multiple factors influencing growth.

~~Just as the housing allocation chart offers a set-aside incentive for the Green-Neighborhoods program,~~ HoCo By Design proposes ~~an~~ Affordable Housing set aside ~~incentive incentives~~ as well. These additional allocations could help increase the supply of affordable housing units above and beyond what is required under the County’s Moderate Income Housing Unit (MIHU) program, and could assist the County with reaching the affordability and accessibility targets recommended in the Housing Opportunities Master Plan. As noted in the Dynamic Neighborhoods chapter, ideal locations for these set asides could be in mixed-use activity centers, redeveloped multi-family communities, and within the Affordable Housing Overlay Zoning District.

Table 10-1: Howard County APFO Allocations Chart - HoCo By Design

Year	Downtown Columbia (1)	Activity Centers	Other Character Areas	Rural West	Total	Green Neighborhood	Affordable Housing (for purchase and rental)
2026	335	600	365	100	1,400	150	500-150
2027	335	600	365	100	1,400	150	500-150
2028	335	600	365	100	1,400	150	500-150
2029	335	600	365	100	1,400	150	500-150
2030	335	600	365	100	1,400	150	500-150
2031	155	600	365	100	1,220	150	500-150
2032	155	600	365	100	1,220	150	500-150
2033	155	600	365	100	1,220	150	500-150
2034	155	600	365	100	1,220	150	500-150
2035	154	600	365	100	1,219	150	500-150
2036	154	600	365	100	1,219	150	500-150
2037	154	600	365	100	1,219	150	500-150
2038	154	600	365	100	1,219	150	500-150
2039	154	600	365	100	1,219	150	500-150
2040	154	600	365	100	1,219	150	500-150
Total	3,219	9,000	5,475	1,500	19,194	2,250	7,500-2,250
Annual Average	215	600	365	100	1,280	150	500-150

(1) The allocations for Downtown Columbia align with the phasing chart in the approved and adopted 2010 Downtown Columbia Plan.

As indicated earlier, HoCo By Design envisions future development in the Gateway Regional Activity Center. Once a master plan for Gateway is completed, and the number and pacing of residential units for Gateway determined, the allocation chart can be amended to include annual allocations for Gateway or a separate chart for Gateway can be adopted. However, these units are not likely to be built in the near-term, as zoning changes will follow the master plan and units will take several years after zoning to be constructed.

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 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 requirements in the Adequate Public Facilities Ordinance, <u>allowing affordable housing allocations to roll over from year to year, releasing allocations from their requirement to be either for ownership or rental after three years</u>, or other means of reducing other regulatory barriers. e. <u>Incentives related to homeownership opportunities.</u> 	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

Amendment 129 to Council Bill No. 28 -2023

BY: Deb Jung

Legislative Day 12

Date: 10/11/2023

Amendment No. 129

(This Amendment makes the following changes to HoCo by Design Chapter 9 and Chapter 11):

Chapter 9: Supporting Infrastructure - Adds a new INF-9 Policy Statement and Implementing Actions to continue to support the County's Hospital to improve emergency room wait times;

Chapter 11: Implementation - Adds a new INF-9 Policy Statement and Implementing Actions to continue to support the County's Hospital to improve emergency room wait times.)

1

2

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

5 • Chapter 9: Supporting Infrastructure: 31, 34, 40, 47, 48, and 49.

6 • Chapter 11: Implementation: 57, and 58.

7

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

10

I certify this is a true copy of

Am 129 CB 28-2023

passed on

10/11/2023


Council Administrator

Allied Agency Agencies' Facilities and Private Partners

Howard County Library System

The Howard County Library System (HCLS) is an allied agency, like the Howard County Public School System and Howard Community College, and is governed by a Board of Trustees. However, HCLS' annual capital and operating budgets are largely funded by and must be approved by the County each year.

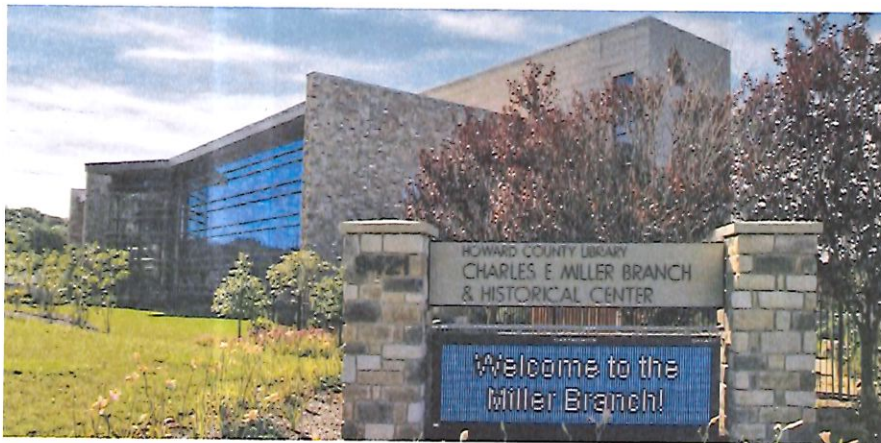
Howard County Library consists of six branches. Three of these facilities—the East Columbia, Elkridge, and Savage branches—are approximately 20 years old. The 30-year-old Central Branch in Downtown Columbia was renovated in 2001. The Glenwood Branch was renovated in 2000, and the Miller Library in Ellicott City in 2011.

INF-7 Policy Statement

Partner with the Howard County Library System to provide training and resources needed in the community.

Implementing Actions

1. Evaluate the need for additional library capacity in the County to serve planned population and program growth. Provide necessary expansion of resources via additions or new facilities within the Planned Service Area.
2. Enhance the design of existing and any future libraries to both optimize the delivery of service at each library branch and help create a civic focal point. Where feasible, integrate libraries with other complementary public or private facilities.



Howard Community College

The Howard Community College (HCC) is another allied agency and is governed by a Board of Trustees. However, the HCC's annual capital and operating budgets are largely funded by and must be approved by the County each year.

In addition to serving the varied academic needs of younger students, the college plays a significant role in workforce development by offering a wide range of career training services and professional certification programs. Additionally, lifelong learning programs and personal enrichment courses serve many senior residents. HCC's operating funds come from tuition and fees, Howard County, the State of Maryland, and other sources. Given the limitations on County bond funding, the burden of financing higher education activities cannot fall solely on the County.

HoCo By Design's Future Land Use Map (FLUM) designates HCC as a Campus character area. As more fully described in the Character Areas technical appendix, the Campus character area supports academic, medical, or office buildings; athletic facilities; event spaces; equipment; or other ancillary uses needed to support an educational, medical, or other large institution. This character area provides flexibility in that building uses and intensities may vary widely based on the institution's mission, available space, and site topography.

Health Services

Howard County residents benefit from a wide variety of high-quality local health care providers and services, and from close proximity to excellent health care facilities and academic medical centers in the Baltimore/Washington region. The health care delivery system is complex and depends upon the resources of many organizations, including the Howard County Health Department, Howard County General Hospital, the Horizon Foundation, Sheppard Pratt, special nursing and assisted-living facilities, hospice services, urgent care clinics, numerous nonprofit providers, and private practitioners.

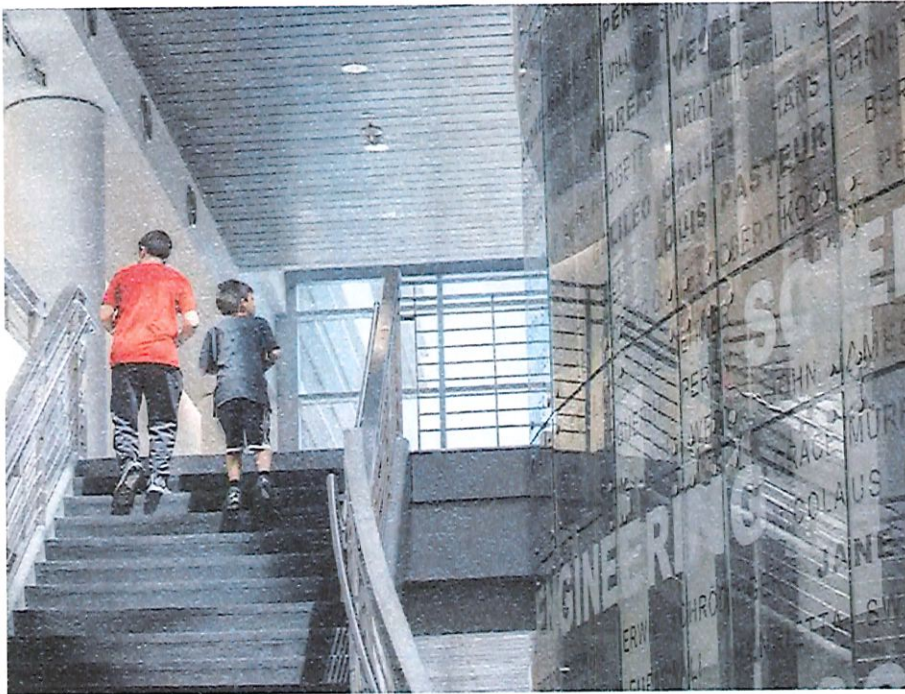
Recognizing the flexibility needed for large institutional campuses, HoCo By Design's Future Land Use Map includes a Campus character area that applies to Howard County General Hospital. Additional details are provided in the Character Areas technical appendix.

INF-8 Policy Statement

Continue to support the Howard Community College's expanding abilities to provide higher education for county residents and workers.

Implementing Actions

1. Continue the County's commitment to fund expansion of the Howard Community College (HCC) to accommodate enrollment and program growth. Support the HCC in obtaining funding from the State of Maryland and others to invest in the campus.
2. Continue to work with the Howard County Economic Development Authority, the private sector, and other institutions of higher education to meet workforce development and re-training needs, especially in science and technology-related fields.
3. Continue to expand non-credit course offerings and cultural programs that promote life-long learning and enhance community life.



INF-9 Policy Statement

Continue to support medical service providers and help resolve emergency room wait times.

Implementing Actions

1. Pursue immediate and long-term solutions to the County's overburdened hospital to reduce emergency room wait times.
2. Continue to support and enhance financial assistance for behavioral health programs established by the Hospital, Shepard Pratt and other nonprofit agencies.

drinking Water Supply and Wastewater Treatment

Public Water and Sewer Services

The location of Howard County's public water and sewer services are inextricably linked to the type, location, and intensity of future growth in the County. With these public services, businesses can operate more efficiently and homes can be located on smaller lots.

The County plans for the provision of public water and sewer facilities in the Master Plan for Water and Sewerage (the Master Plan). The Master Plan and any proposed amendments must be consistent with the General Plan. For capital project planning and the orderly extension of facilities, the Master Plan delineates service priority areas within the Planned Service Area (PSA). The County also implements a Water and Sewer Capacity Allocation Program that assigns priorities for new connections to the public water and sewer systems during the development plan review process to ensure demand does not exceed the available system capacity. At times, a developer may want service to a property earlier than specified by the Master Plan and is willing to construct planned facilities in advance of the County's capital project construction schedule. If the proposed development is an orderly extension of the system and is consistent with the General Plan and Subdivision and Land Development Regulations, the County grants a service priority area change so the development can occur. These service priority area changes are reflected in the annual updates to the Master Plan.

Prior to the provision of public water or sewer service, a property in the PSA must enter the County's Metropolitan District. All properties in the Metropolitan District are subject to fees, assessments, and charges that are dedicated to the Enterprise Fund, which pays for the construction, operation, maintenance, and administration of the public water and sewer systems. Maintenance of the existing water and sewer systems is an ongoing concern as portions of each system reach the design life of 50 years.

The County's Capital Budget and ten-year Capital Improvement Program (CIP), the Metropolitan District entry process, the development plan review process, and the Water and Sewer Capacity Allocation Program ensure the orderly expansion of the public water and sewer system. Through the self-sustaining Enterprise Fund, the County pays the construction costs for major facilities in the public water and sewer system and the developer pays the cost for the system extension to their individual development.



Source Water Assessments

The federal Safe Drinking Water Act Amendments of 1996 require source water assessments (SWA) for public water supplies. The SWA evaluates the susceptibility of the public water supply source to various contaminants and contains recommendations to protect the source from these contaminants. Source water assessments are designed to promote local, voluntary source water protection programs. For more information about SWAs and other water quality issues, please see Technical Appendix A: Environment.

Water Conservation

Clean safe drinking water is a valuable resource that should be used as wisely as possible. Potable water is currently used to flush toilets, water lawns and gardens, and wash vehicles, when non-potable water would suffice. To help conserve water, the State requires low-flow toilets and showerheads in all new residential construction. As a result of these fixture requirements and other water saving measures, such as new water efficient dishwashers and washing machines, per capita water consumption continues to decrease in the County.

Hot dry summer days place the greatest demand and strain on the public drinking water supply, as large volumes of water are used for landscape irrigation and other outdoor uses, such as pools, spas, and vehicle washing. Climate change is projected to bring warmer temperatures and more intense droughts, which could further increase demand for outdoor water use. Additional water conservation in homes, gardens, and businesses would help the County manage water resources more sustainably. Public outreach and education, as well as financial incentives, can encourage increased water conservation by residents and businesses.

Relatively easy conservation measures include using rain barrels to collect rainwater for outdoor watering, replacing lawns with native plants that require less watering once established, and installing water conserving fixtures and appliances. More complex measures include using cisterns to collect rainwater for irrigation of commercial landscapes and playing fields, or for indoor non-potable uses, and reusing greywater. Greywater reuse or recycling takes water from washing machines, sinks, and bathtubs for non-potable uses, such as flushing toilets and irrigation. Rainwater harvesting and greywater reuse for non-potable indoor uses have been discouraged or prohibited due to human health concerns. Building codes and regulations should be reviewed and modified where necessary to remove impediments for retrofitting existing and building new homes and businesses with water conservation and reuse practices and technology.

INF-910 Policy Statement

Ensure the safety and adequacy of the drinking water supply and promote water conservation and reuse.

Implementing Actions

1. Continue to program capital projects for capacity expansion and systemic renovations in the public drinking water system through the Master Plan for Water and Sewerage.
2. Encourage large development sites added to the current Planned Service Area (PSA) and large redevelopment sites within the PSA to implement water conservation and reuse practices and technology.
3. Modify codes and regulations, as needed, to remove impediments for existing development, new development, and redevelopment to implement water conservation and reuse practices and technology.
4. Allow and promote greywater reuse for non-potable uses.
5. Conduct public outreach and education to encourage greater water conservation in homes, gardens, and businesses.
6. Provide incentives to encourage property owners to install water conserving fixtures and appliances.

Wastewater Treatment Plant Capacity

Howard County's public wastewater treatment system is managed by the Department of Public Works' Bureau of Utilities, which manages both the collection system and the Little Patuxent Water Reclamation Plant. In 2020, approximately 84% of the County's residences and businesses were served by the public sewer system. The remaining 16% were generally located in the Rural West and were served by private septic systems.

Howard County is split between two major river watersheds. Approximately 75% of the County falls inside the Patuxent River watershed, and the remaining 25% falls inside the Patapsco River watershed. Where possible, the County uses the natural topography of the Patuxent River and Patapsco River watersheds to provide sewer service, and relies on a gravity-fed system of smaller pipes to collect and convey wastewater into progressively larger main collector lines. If needed, a pumping station is used to convey wastewater over hills or difficult terrain. Depending on the watershed where the wastewater originated, the wastewater will end up at either the Little Patuxent Water Reclamation Plant (WRP) in Savage or Baltimore City's Patapsco Wastewater Treatment Plant (WWTP) for treatment.

The Route 108 Pumping Station service area, as shown in Map 8-4, is a large sub-service area that provides system flexibility. This area is geographically part of the Little Patuxent WRP service area but, if needed, the County may divert flows from this area to the Patapsco WWTP service area.

INF-1011 Policy Statement

Ensure the adequacy of the public wastewater treatment system.

Implementing Actions

1. Continue to program capital projects for capacity expansion and systemic renovations in the public wastewater treatment system through the Master Plan for Water and Sewerage.
2. Encourage large development sites added to the current Planned Service Area (PSA) and large redevelopment sites within the PSA to minimize increases in flow and minimize the nutrient concentration in flow sent to the wastewater treatment plants.
3. Expand reclaimed water reuse and nutrient trading to reduce nutrient flows and help maintain the nutrient cap at the Little Patuxent Water Reclamation Plant and the Patapsco Wastewater Treatment Plant.
4. Continue regular coordination with Baltimore City to ensure Howard County can meet some of its wastewater treatment needs via the Patapsco Wastewater Treatment Plant.

Septic Systems

Homes and businesses in the County that are not served by public sewer—nearly all of which are located outside of the Planned Service Area (PSA)—use septic systems to treat their wastewater. Septic disposal systems may be individual sewerage systems that serve single lots, multi-use sewerage systems that serve a group of individuals on a single lot and have a treatment capacity greater than 5,000 gallons per day, or community sewerage systems that serve two or more lots. New privately owned or operated community sewerage systems are no longer permitted outside the PSA, and the only publicly owned and operated community sewerage systems permitted are shared sewage disposal systems. In 2020, approximately 17,361 households and a small number of businesses and institutions used private septic systems or shared sewage disposal systems to treat an estimated 5.3 million gallons of wastewater annually.

Generally, soils throughout the Rural West can support septic system drain fields, except for Lisbon—a problem area because of small lot sizes, marginal soils in some areas, and aging systems. The County evaluated Lisbon for well and septic system concerns and proposed a shared sewage disposal system in 2008; however, residents were not supportive of the proposal. Some of the problem lots may need holding tanks if suitable repair areas are not available. The Health Department also receives reports on a small number of individual failing septic systems in other areas of the County. Repairs to these systems are based on individual property conditions and available septic system repair areas.

Previous General Plans recommended the use of shared sewage disposal systems (SSDS) in limited cases for cluster subdivisions to protect groundwater and agricultural land in the Rural West. Generally, soils that are well-suited for septic systems are also well-suited for agriculture. With an SSDS, the common treatment system and drain field are placed on optimum soils, and this allows homes to be located in areas that are marginally or poorly suited for agriculture.

SSDS are operated and maintained by the County, and operation, maintenance, repair, and replacement costs are financed by the system users. In 2020, there were 28 existing or planned SSDS in the County. Six of these systems are large enough (with more than six dwellings served) to require an MDE groundwater discharge permit. Because the maintenance cost per house is very high for large systems, the County no longer allows any new large systems requiring an MDE permit.

Individual septic systems can be a water quality concern because of the amount of nitrogen the systems discharge to groundwater. Excess nitrogen in groundwater limits the use of groundwater as a water supply source. In addition, since groundwater is a source of base flow in streams, excess nitrogen in groundwater can also contribute to nutrient enrichment problems in streams and the Chesapeake Bay.

A variety of on-site treatment technologies have been developed to reduce the amount of nitrogen discharged from septic systems. Nitrogen reducing septic systems provide substantially better treatment, but they cost significantly more than a standard system and have ongoing operation and maintenance costs.

Maryland's Chesapeake Bay Restoration Fund has grant funds available for adding nitrogen reducing technology to existing septic systems; however, the priority area for these funds is the Chesapeake Bay and Coastal Bays Critical Areas. The County could also provide financial incentives, such as tax credits, to encourage the use of nitrogen reducing treatment for new and upgraded septic systems. As these systems become more numerous, the County should investigate options to establish a long-term inspection and maintenance program.

INF-1112 Policy Statement

Reduce nitrogen loads from septic systems.

Implementing Actions

1. Explore financial incentives to promote the use of nitrogen reducing treatment for new and upgraded septic systems.
2. Investigate options to establish and maintain a long-term septic system inspection and maintenance program for nitrogen reducing systems.

Solid Waste Management

Howard County provides weekly curbside solid waste, recyclables, yard waste, and food scrap collections for most County residents, while private, commercial, and industrial enterprises contract with private waste collection companies.

One of Howard County's chief solid waste management goals is waste diversion through a program that promotes reduction, reuse, and recycling of materials within the County. Most of the solid waste collected is exported out of the County courtesy of a service agreement with the Northeast Maryland Waste Disposal Authority. All single-stream recyclables are sent to a contracted privately owned material recycling facility (MRF) in the County for further processing, marketing, and sales. Yard waste and food scrap collections are brought to the Alpha Ridge Landfill (ARL) and composted at the county-operated compost facility. Compost is then sold to commercial customers and landscapers, as well as residents, for gardens, lawns, and other uses.

The ARL is county-owned and operated, and is the sole operating landfill located inside the County's borders. County residents may also deposit recyclables free of charge at the Alpha Ridge Residents' Convenience Center, and deposit compostable materials at the Alpha Ridge Composting Facility.

In addition, Howard County is encouraging new solid waste technologies, such as the private construction and operation of bio-digester facilities. These facilities convert the methane gas generated by food waste decomposition into renewable clean energy at many food processing businesses within the County. The County should explore ways to intentionally support existing businesses pursuing sustainable initiatives, which will also serve to attract new businesses to the County.

The ARL site also includes the Alpha Ridge Transfer Station, which exports waste out of the County. The projected total waste generation rate of 2.26 tons per person per year is expected to remain stable for the foreseeable future, and the ARL's current landfill cell is not expected to reach capacity for many years. Moreover, there is additional space at the ARL site to develop approximately 6.79 million cubic yards of additional landfill if needed. As a result, the ARL should meet the County's waste disposal needs for the next 120 years.

INF-1213 Policy Statement

Divert waste from landfills using a program that promotes reduction, reuse, and recycling materials within the County.

Implementing Actions

1. Minimize the tons of waste each year that are exported from the County under an agreement with the Northeast Maryland Waste Disposal Authority.
2. Expand business opportunities in the County that focus on the recycle, reuse, or repurpose components of solid waste management.
3. Consider new solid waste technologies in the future to further reduce the waste footprint for Howard County.



Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
INF-9 - Continue to support medical service providers and help resolve emergency room wait times.		
<u>1. Pursue immediate and long-term solutions to the County's overburdened hospital to reduce emergency room wait times.</u>	<u>Private Partners</u>	<u>Ongoing</u>
<u>2. Continue to support and enhance financial assistance for behavioral health programs established by the Hospital, Shepard Pratt and other nonprofit agencies.</u>	<u>Private Partners Health Dept</u>	<u>Ongoing</u>
INF-9 10 - Ensure the safety and adequacy of the drinking water supply and promote water conservation and reuse.		
1. Continue to program capital projects for capacity expansion and systemic renovations in the public drinking water system through the Master Plan for Water and Sewerage.	DPW	Ongoing
2. Encourage large development sites added to the current Planned Service Area (PSA) and large redevelopment sites within the PSA to implement water conservation and reuse practices and	DPZ DPW DILP	Ongoing
3. Modify codes and regulations, as needed, to remove impediments for existing development, new development, and redevelopment to implement water conservation and reuse practices and technology.	DPZ DPW DILP	Ongoing
4. Allow and promote greywater reuse for non-potable uses.	DPW DILP	Long-term
5. Conduct public outreach and education to encourage greater water conservation in homes, gardens, and businesses.	DPW OCS	Ongoing
6. Provide incentives to encourage property owners to install water conserving fixtures and appliances.	DPW OCS Private Property Owners	Long-term
INF-10 11 - Ensure the adequacy of the public wastewater treatment system.		
1. Continue to program capital projects for capacity expansion and systemic renovations in the public wastewater treatment system through the Master Plan for Water and Sewerage.	DPW	Ongoing
2. Encourage large development sites added to the current Planned Service Area (PSA) and large redevelopment sites within the PSA to minimize increases in flow and minimize the nutrient concentration in flow sent to the wastewater treatment plants.	DPZ DPW DILP	Ongoing
3. Expand reclaimed water reuse and nutrient trading to reduce nutrient flows and help maintain the nutrient cap at the Little Patuxent Water Reclamation Plant and the Patapsco Wastewater Treatment Plant.	DPW	Long-term
4. Continue regular coordination with Baltimore City to ensure Howard County can meet some of its wastewater treatment needs via the Patapsco Wastewater Treatment Plant.	DPW	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
INF-11 12 - Reduce nitrogen loads from septic systems.		
1. Explore financial incentives to promote the use of nitrogen reducing treatment for new and upgraded septic systems.	HCHD DPW OCS	Long-term
2. Investigate options to establish and maintain a long-term septic system inspection and maintenance program for nitrogen reducing systems.	HCHD DPW OCS	Long-term
INF-12 13 - Divert waste from landfills using a program that promotes reduction, reuse, and recycling materials within the County.		
1. Minimize the tons of waste each year that are exported from the County under an agreement with the Northeast Maryland Waste Disposal Authority.	DPW	Ongoing
2. Expand business opportunities in the County that focus on the recycle, reuse, or repurpose components of solid waste management.	DPW	Ongoing
3. Consider new solid waste technologies in the future to further reduce the waste footprint for Howard County.	DPW	Long-term

Amendment 130 to Council Bill No. 28 2023

BY: Liz Walsh

**Legislative Day 12
Date: October 11, 2023**

Amendment No. 130

(This Amendment makes the following changes to HoCo by Design Chapter 3 and Chapter 11 to:

Chapter 3: Ecological Health - Adds a new Implementing Action to EH-9 Policy Statement about new agricultural zoning districts; and

Chapter 11: Implementation - Adds a new Implementing Action to EH-9 Policy Statement about new agricultural zoning districts.)

1

2

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

- 5 • Chapter 3: Ecological Health: page 54.
6 • Chapter 11: Implementation: page 21.

7

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

I certify this is a true copy of

Am 130 CB28-2023

passed on

10/11/2023

Mitchell Peterson
Council Administrator

ALPP Funding

Since its inception, the ALPP has been funded by a 25% share of local transfer tax revenues. This dedicated funding source has been critical to the success of the program over the years. The County initially compensated property owners in cash for their development rights, but in 1989 established the installment purchase agreement (IPA) method. The initial IPAs provided the property owner with small, incremental principal payments and twice-yearly tax-free interest throughout the length of the term, with a balloon payment of the remaining principal upon maturity of the IPA bond. After about 20 years, the County stopped using balloon payments and began paying the owner in equal amounts over the length of the term. The twice yearly tax-free interest on the remaining principal arrangement did not change. Howard County was the first jurisdiction in the nation to utilize the innovative IPA approach, the template of which has since been copied elsewhere in Maryland and across the country.

The County monitors the fund balance annually to ensure solvency and to anticipate future spending potential. A number of large final IPA payments will come due between 2019 and 2024, resulting in a significant decrease in the fund balance. However, given the waning number of annual acquisitions, the closure of final payouts, and reduced interest rates over time, the fund balance is projected to rebound quickly and significantly starting in the mid-to-late 2020s.

Given the limited amount of remaining land eligible for preservation, the County should consider repurposing a portion of the fund to assist the agricultural community in other ways and to enhance the County's efforts to improve ecological health, as discussed earlier in this chapter. There is precedent for using the ALPP Fund for other agricultural purposes besides acquisition, including support for the Howard Soil Conservation District and the Agricultural Business Development Program within the Howard County Economic Development Authority. However, any significant transition to non-agricultural uses would require legislation at the state level, since the funding is sourced from the transfer tax.

The Future of ALPP

There are approximately 86 properties totaling just over 3,300 acres that are potentially eligible for the ALPP. Additional recruitment efforts to preserve remaining uncommitted land may prove successful as properties transfer to new ownership. However, it is unlikely that recruitment will result in a significant amount of additional preserved land, since the ALPP is well known throughout the community, given its 40-year operational history in Howard County.

PlanHoward 2030 recognized that uncommitted land was a diminishing resource and that, in addition to acquisition, the focus of the ALPP should shift to stewarding existing easements, and helping farmers confront challenges and embrace opportunities that they may face in the future. In the intervening years since the adoption of PlanHoward 2030, the ALPP has been active and successful in these endeavors. There have been 26 properties preserved, totaling 1,480 acres. As of this General Plan, two additional properties totaling 55 acres are in the acquisition pipeline. The ALPP established and implemented an easement stewardship program, whereby most properties received their first monitoring inspection in well over a decade. Monitoring helps determine whether the terms and conditions of each easement are being met, such as maintaining the agricultural suitability of the land. Lastly, ALPP staff continues to partner with the County's other agricultural agencies to provide financial incentives, technical assistance, and general support to the farming community as it grows and diversifies.

EH-9 Policy Statement

Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.

Implementing Actions

1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.
4. [Evaluate strategies to identify, expand and preserve agricultural land uses within the Public-Planned Service Area, to include a review of regulations specific to agricultural use and preservation.](#)

EH-10 Policy Statement

Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.

Implementing Actions

1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-8 - Expand implementation of the Green Infrastructure Network Plan.		
1. Integrate the Green Infrastructure Network Plan implementation actions into the relevant county plans and programs.	DPZ DRP OCS DPW	Ongoing
2. Consider use of an overlay zoning district or other regulatory measures to target resource protection measures for the Green Infrastructure Network.	DPZ	Mid-Term
3. Establish an easement or land purchase program to protect uncommitted parcels within the Green Infrastructure Network.	DPZ OCS	Mid-Term
4. Amend county design standards for roads, bridges, and culverts to facilitate safe passage for wildlife at county road crossings within the Green Infrastructure Network.	DPZ OCS DPW OOT	Mid-Term
5. Conduct studies of existing resource conditions and wildlife use within the network to enhance management of the Green Infrastructure Network.	DPZ OCS	Long-Term
6. Consider expansion of the Green Infrastructure Network to include smaller habitat areas that provide 'stepping stones' to the primary network.	DPZ OCS	Mid-Term
EH-9 - Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.		
1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.	DPZ OCS	Ongoing
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.	DPZ	Ongoing
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.	DPZ OCS	Ongoing
4. Evaluate strategies to identify, expand and preserve agricultural land uses within the Public-Planned Service Area, to include a review of regulations specific to agricultural use and preservation.	DPZ	Ongoing
EH-10 - Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.		
1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.	DPZ OCS	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-11 - Encourage individual environmental stewardship in daily activities on private and public property.		
1. The County should continue to provide leadership by incorporating environmentally sensitive site development and property management practices on county properties.	DPW DRP DPZ OCS	Ongoing
2. Continue existing and expand current outreach programs to promote and assist private property owners with the implementation of stewardship practices.	OCS DRP HSCD Private Property Owners	Ongoing
3. Increase opportunities for student participation in environmental outreach and education and stewardship practices on school properties.	HCPSS HSCD OCS DRP	Ongoing
EH-12 - Commit to and support the County's designation as a Bee City USA.		
1. Integrate pollinator-friendly practices into county policies, programs, and capital projects.	OCS DRP DPW DPZ	Mid-Term
2. Incorporate improvements to the County's pest management policies and practices as they relate to pollinator conservation.	OCS DRP	Ongoing
3. Develop and implement a program to create and enhance pollinator-friendly habitat on public and private land.	OCS DRP	Mid-Term
EH-13 - Continue to balance the potential for mineral resource extraction with other land uses.		
1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.	DPZ	Ongoing

Amendment 1 to Amendment No. 130 to Council Bill No. 28 -2023

BY: Liz Walsh

Legislative Day 12

Date: October 11, 2023

(This Amendment to Amendment 130 corrects "Public Service Area" to "Planned Service Area".)

- 1 Substitute the pages EH-54 and IMP-21 attached to Amendment 130 with the pages EH-54 and
- 2 IMP-21 attached to this Amendment to Amendment.

I certify this is a true copy of

Am 1 Am 130 CB28-2023

passed on 10/11/2023

Michelle Anderson
Council Administrator

ALPP Funding

Since its inception, the ALPP has been funded by a 25% share of local transfer tax revenues. This dedicated funding source has been critical to the success of the program over the years. The County initially compensated property owners in cash for their development rights, but in 1989 established the installment purchase agreement (IPA) method. The initial IPAs provided the property owner with small, incremental principal payments and twice-yearly tax-free interest throughout the length of the term, with a balloon payment of the remaining principal upon maturity of the IPA bond. After about 20 years, the County stopped using balloon payments and began paying the owner in equal amounts over the length of the term. The twice yearly tax-free interest on the remaining principal arrangement did not change. Howard County was the first jurisdiction in the nation to utilize the innovative IPA approach, the template of which has since been copied elsewhere in Maryland and across the country.

The County monitors the fund balance annually to ensure solvency and to anticipate future spending potential. A number of large final IPA payments will come due between 2019 and 2024, resulting in a significant decrease in the fund balance. However, given the waning number of annual acquisitions, the closure of final payouts, and reduced interest rates over time, the fund balance is projected to rebound quickly and significantly starting in the mid-to-late 2020s.

Given the limited amount of remaining land eligible for preservation, the County should consider repurposing a portion of the fund to assist the agricultural community in other ways and to enhance the County's efforts to improve ecological health, as discussed earlier in this chapter. There is precedent for using the ALPP Fund for other agricultural purposes besides acquisition, including support for the Howard Soil Conservation District and the Agricultural Business Development Program within the Howard County Economic Development Authority. However, any significant transition to non-agricultural uses would require legislation at the state level, since the funding is sourced from the transfer tax.

The Future of ALPP

There are approximately 86 properties totaling just over 3,300 acres that are potentially eligible for the ALPP. Additional recruitment efforts to preserve remaining uncommitted land may prove successful as properties transfer to new ownership. However, it is unlikely that recruitment will result in a significant amount of additional preserved land, since the ALPP is well known throughout the community, given its 40-year operational history in Howard County.

PlanHoward 2030 recognized that uncommitted land was a diminishing resource and that, in addition to acquisition, the focus of the ALPP should shift to stewarding existing easements, and helping farmers confront challenges and embrace opportunities that they may face in the future. In the intervening years since the adoption of PlanHoward 2030, the ALPP has been active and successful in these endeavors. There have been 26 properties preserved, totaling 1,480 acres. As of this General Plan, two additional properties totaling 55 acres are in the acquisition pipeline. The ALPP established and implemented an easement stewardship program, whereby most properties received their first monitoring inspection in well over a decade. Monitoring helps determine whether the terms and conditions of each easement are being met, such as maintaining the agricultural suitability of the land. Lastly, ALPP staff continues to partner with the County's other agricultural agencies to provide financial incentives, technical assistance, and general support to the farming community as it grows and diversifies.

EH-9 Policy Statement

Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.

Implementing Actions

1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.
4. [Evaluate strategies to identify, expand and preserve agricultural land uses within the Public-Planned Service Area, to include a review of regulations specific to agricultural use and preservation.](#)

EH-10 Policy Statement

Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.

Implementing Actions

1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-8 - Expand implementation of the Green Infrastructure Network Plan.		
1. Integrate the Green Infrastructure Network Plan implementation actions into the relevant county plans and programs.	DPZ DRP OCS DPW	Ongoing
2. Consider use of an overlay zoning district or other regulatory measures to target resource protection measures for the Green Infrastructure Network.	DPZ	Mid-Term
3. Establish an easement or land purchase program to protect uncommitted parcels within the Green Infrastructure Network.	DPZ OCS	Mid-Term
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3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.	DPZ OCS	Ongoing
4. Evaluate strategies to identify, expand and preserve agricultural land uses within the Public Planned Service Area, to include a review of regulations specific to agricultural use and preservation.	DPZ	Ongoing
EH-10 - Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.		
1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.	DPZ OCS	Mid-Term

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1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.	DPZ	Ongoing

Amendment 130 to Council Bill No. 28 2023

BY: Liz Walsh

Legislative Day 12
Date: October 11, 2023

Amendment No. 130

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Chapter 3: Ecological Health - Adds a new Implementing Action to EH-9 Policy Statement about new agricultural zoning districts; and

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1

2

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

- 5 • Chapter 3: Ecological Health: page 54.
6 • Chapter 11: Implementation: page 21.

7

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EH-9 Policy Statement

Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.

Implementing Actions

1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.
4. [Evaluate strategies to identify, expand and preserve agricultural land uses within the Public Service Area, to include a review of regulations specific to agricultural use and preservation.](#)

EH-10 Policy Statement

Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.

Implementing Actions

1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-8 - Expand implementation of the Green Infrastructure Network Plan.		
1. Integrate the Green Infrastructure Network Plan implementation actions into the relevant county plans and programs.	DPZ DRP OCS DPW	Ongoing
2. Consider use of an overlay zoning district or other regulatory measures to target resource protection measures for the Green Infrastructure Network.	DPZ	Mid-Term
3. Establish an easement or land purchase program to protect uncommitted parcels within the Green Infrastructure Network.	DPZ OCS	Mid-Term
4. Amend county design standards for roads, bridges, and culverts to facilitate safe passage for wildlife at county road crossings within the Green Infrastructure Network.	DPZ OCS DPW OOT	Mid-Term
5. Conduct studies of existing resource conditions and wildlife use within the network to enhance management of the Green Infrastructure Network.	DPZ OCS	Long-Term
6. Consider expansion of the Green Infrastructure Network to include smaller habitat areas that provide 'stepping stones' to the primary network.	DPZ OCS	Mid-Term
EH-9 - Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.		
1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.	DPZ OCS	Ongoing
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.	DPZ	Ongoing
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.	DPZ OCS	Ongoing
4. Evaluate strategies to identify, expand and preserve agricultural land uses within the Public Service Area, to include a review of regulations specific to agricultural use and preservation.	DPZ	Ongoing
EH-10 - Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.		
1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.	DPZ OCS	Mid-Term

Table 10-1: Implementation Matrix

Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-11 - Encourage individual environmental stewardship in daily activities on private and public property.		
1. The County should continue to provide leadership by incorporating environmentally sensitive site development and property management practices on county properties.	DPW DRP DPZ OCS	Ongoing
2. Continue existing and expand current outreach programs to promote and assist private property owners with the implementation of stewardship practices.	OCS DRP HSCD Private Property Owners	Ongoing
3. Increase opportunities for student participation in environmental outreach and education and stewardship practices on school properties.	HCPSS HSCD OCS DRP	Ongoing
EH-12 - Commit to and support the County's designation as a Bee City USA.		
1. Integrate pollinator-friendly practices into county policies, programs, and capital projects.	OCS DRP DPW DPZ	Mid-Term
2. Incorporate improvements to the County's pest management policies and practices as they relate to pollinator conservation.	OCS DRP	Ongoing
3. Develop and implement a program to create and enhance pollinator-friendly habitat on public and private land.	OCS DRP	Mid-Term
EH-13 - Continue to balance the potential for mineral resource extraction with other land uses.		
1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.	DPZ	Ongoing