

Comparison of Task Force Recommendations and Plan Recommendations

By the Housing Opportunities Master Plan Task Force

INTRODUCTION

Starting in August 2020, the Housing Opportunities Master Plan Task Force hosted a series of Task Force-led discussions, independent of the facilitated meetings with the consultant team. As part of these discussions, the Housing Opportunities Master Plan Task Force developed a set of recommendations for consideration in the Housing Opportunities Master Plan.

Members of the Housing Opportunities Master Plan Task Force created this document to provide a comparison between its recommendations and the ones included in the final Housing Opportunities Master Plan. From here on out, text shown in **BLACK** reflects recommendations and other items from the Housing Opportunities Master Plan Task Force, while text shown in **RED** reflects recommendations and other items included in the final plan. Recommendation numbers correspond to those in Appendix A (“Detailed Recommendations and Implementation Strategies”).

I. LAND USE, PLANNING, ZONING

General Goal - Revise land use, planning, and zoning regulations to improve the availability, accessibility, affordability and diversity of housing.

- a. Amend zoning regulations and land use plans to provide more flexibility in housing types allowed in more areas of the county to continue this initiative in PlanHoward2030.
 - 1) *Create a countywide affordable housing overlay, which should allow affordable housing development proposals that are located in High-Barrier Neighborhoods and meet specified criteria to proceed “by-right,” or without the need for additional reviews and approvals (Recommendation I-1.5).*
 - 2) *Allow a broader range of housing types to proceed by-right through changes to zoning and density limits (Recommendation I-3.1).*
 - 3) *As part of the evaluation conducted during the General Plan process, “stress test” policies that allow greater form flexibility, density, etc. to ensure that other land use and zoning policies do not create “de facto” barriers to housing stock diversification, and adjust the associated policies accordingly (Recommendation I-3.3).*
- b. Explore strategic, limited expansion of the water and sewer district to provide more land for affordable housing development, including mixed-use/mixed-income housing.
 - 1) *Determine if there are strategic locations in the Rural West and in lower density portions of the planned service area where it is feasible to accommodate increased development, while balancing other priorities such as sewer/water capacity, historical context, and agricultural preservation goals. Revise zoning regulations in locations where such development is feasible (Recommendation I-2.1).*
- c. Encourage greater developer commitment to creating affordable housing units to serve residents earning below 40% AMI through density bonuses, reduced development fees, tax abatements, reduced property taxes and streamlined permit and development approval processes.
 - 1) *Include incentives to encourage the production of additional affordable and/or accessible units beyond the MIHU baseline rules (Recommendation I-1.3).*

- 2) *Negotiate rental contracts and/or provide tax incentives to facilitate additional affordable units and/or deeper income targeting in the redeveloped property or others throughout the neighborhood (Recommendation II-3.8).*

d. Amend zoning regulations and land use plans to add flexibility to facilitate redevelopment, preservation and new construction of diverse housing types that improve a community's housing affordability balance while being sensitive to the community's existing character and aesthetics.

- 1) *Make "tactical" investments and/or regulatory changes to create "15 minute neighborhoods," in which a significant proportion of everyday needs could be reached within a short walk or bike ride. Such tactical improvements should advance integrated living opportunities and support the needs of persons with mobility impairments and could include paratransit options for persons with disabilities (Recommendation I-4.1).*
- 2) *Allow neighborhood-serving retail in all residential zones. The list of eligible establishments could correspond with those allowed in Village Centers under the New Town zoning designation, though some restrictions on the scale of such establishments may be necessary for neighborhood context (Recommendation I-4.2).*
- 3) *Provide Zoning flexibility to enable both vertical mixed-use buildings and horizontal mixed-use sites (Recommendation I-4.3).*
- 4) *Create and regularly update a database of affordable housing units, including both income-restricted and market-rate properties. The County should use the database to identify "high-impact" properties that it should preserve, such as larger ones with a significant number of affordable housing units or smaller ones in locations without other affordable housing options nearby (Recommendation II-3.1).*
- 5) *Tailor capital/revenue generation and planning strategies to individual properties identified as "high-impact" (Recommendation II-3.2).*
- 6) *Create a framework for evaluating which "right of first refusal" opportunities to pursue and the appropriate tools to do so (Recommendation II-3.3).*
- 7) *Engage with developers to identify organizations or partners that will have adequate capacity to work with the County to acquire critical properties, when available (Recommendation II-3.4).*
- 8) *Deploy property tax incentives, rental assistance contracts, reservations of units for voucher holders, etc. as necessary when negotiating right-of-first refusal opportunities (Recommendation II-3.5).*

e. Provide incentives to owners and developers to encourage redevelopment, including the cost of teardown, where appropriate and prudent to meet the county's long-term goals for housing affordability, equity, balance and stability.

- 1) *Provide guidance on minimum growth and affordability goals countywide. When undertaking an Official Area Plan, the County should ensure that the provisions within those plans related to building form, density, height, etc. contribute to those Countywide goals within the neighborhood context (Recommendation I-2.2).*
- 2) *When the redevelopment of existing affordable properties is necessary, allow density transfers and form/height flexibility to create opportunities for mixed-income redevelopment (Recommendation II-3.6).*
- 3) *Provide capital subsidies for multifamily rental rehabilitation in exchange for ongoing affordability. Forms of subsidies might include property tax incentives or low-interest or forgivable loans (Recommendation II-4.7).*

f. Modify permit and development processes where necessary to improve efficiency of processing new housing project submissions. Encourage use of appropriate tools for redevelopment projects, such as tenant relocation support and mobility assistance, so tenants can pursue housing opportunities in more areas of low poverty in the county. Encourage redevelopment that could deconcentrate areas of low income and increase income diversity without causing involuntary displacement of existing residents.

- 1) *Ensure that any affordable housing development receiving County financial support or Housing Commission development in a Preservation-Revitalization Neighborhood contributes to neighborhood revitalization and supports the prevention or reduction of concentrated poverty through mixed-income housing development. An*

example of an applicable neighborhood would be one that has substantial housing options for lower-income households but may have housing quality challenges (Recommendation I-1.6).

- 2) *To the extent feasible, approvals and incentives should be granted administratively. This approach could be particularly beneficial for recommendations regarding MIHU requirements/incentives, income-restricted affordable housing production through the countywide affordable housing overlay or in Preservation-Revitalization Neighborhoods, and accessory dwelling units (Recommendation I-5.1).*
- 3) *Create an expedited review and approval process for proposals that require Planning Board Approval and fall within a specific “safe harbor” (Recommendation I-5.3).*
- 4) *Expand upon the County’s existing tracking efforts and proactively analyze data regarding the length of the approval process on an ongoing basis to identify trends, potential inefficiencies, and potential product types or development characteristics that contribute to lengthier development timelines. This information can be used to update administrative processes and remove zoning barriers (Recommendation I-5.4).*
- 5) *Provide tenant relocation support, mobility assistance and counseling, and rental assistance to existing tenants to find affordable replacement housing and provide additional choice for those that prefer to explore housing options in other neighborhoods (Recommendation II-3.9).*
- 6) *Identify neighborhoods with significant capital needs and/or that are at risk of disinvestment, based on the age and quality of the existing housing stock and community infrastructure (Recommendation II-4.5).*
- 7) *In identified neighborhoods, conduct proactive outreach to neighborhood residents and organizations to identify opportunities for targeted investments, and coordinate subsidy provision and rehabilitation activities (Recommendation II-4.6).*

g. Encourage developers to consult the Housing Opportunities Master Plan and local community plans when evaluating new development and redevelopment plans in the greater context of local community and county needs.

- 1) *Ensure that any Official Area Plan that the County decides to undertake (e.g., redevelopment plans), includes clear policies for meeting affordable housing goals (Recommendation I-1.4).*

h. Establish criteria to allow ADUs throughout the county to integrate them into existing communities in a holistic manner to preserve the character and nature of the local communities while expanding housing affordability options.

- 1) *Provide regulatory flexibility to increase opportunities for ADUs (Recommendation I-3.2).*

i. Use code enforcement laws and regulations to ensure housing units meet health and safety standards. Promote existing government and private services for older adults to make safety improvements to continue to live in their homes.

- 1) *Evaluate zoning, land use, and building regulations to identify necessary changes to advance independent living opportunities. Specifically, the County should evaluate requirements related to universal design, accessibility, and visitability (Recommendation I-2.3).*
- 2) *Provide expedited or by-right approval for home modifications that facilitate independent living (accessibility, visitability, one-floor living, fall prevention (Recommendation I-5.2).*
- 3) *Expand code enforcement in coordination with landlord and homeowner outreach, technical assistance, and subsidy provision (Recommendation II-4.1).*

j. 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.

II. PROGRAMS AND POLICIES

General Goal - Support housing stability through the improvement of existing policies and programs and the creation of new ones.

- a. Create county housing trust fund in order to expand the number of affordable rental and home ownership units serving persons and families earning below 60% AMI including older adults and persons with disabilities, special needs or facing homelessness.
- 1) *Establish an affordable housing trust fund, which is a formal, coordinated, and predictable structure for allocating housing funding. The primary purpose of the Trust Fund should be to expand the number of income-restricted affordable rental and homeownership units in the County (Recommendation II-2.2).*
 - 2) *Assemble capital for the Trust Fund from both new and existing sources. Given the fiscal uncertainty and increased social service needs associated with the COVID-19 pandemic, the County should adopt an initial target of \$5 million in new revenues for the first year, with the goal of increasing this target once the impact of the COVID-19 pandemic on local budgets has lessened. Critically, this initial target of \$5 million should be in addition to existing revenue sources that the County already dedicates to housing. Following the COVID-19 pandemic, the County should then establish an annual target of \$10 million (including existing revenue sources), with the goal of eventually expanding to \$20 million over time (Recommendation II-2.3).*
- b. Advance housing opportunities for groups that have historically faced discrimination, and for groups that have encountered significant economic barriers, vulnerable populations, and households with special needs.
- 1) *Create a local rental assistance pilot program to provide or enhance housing stability for the highest need households, and to support County residents in times of natural disaster or economic instability (Recommendation II-6.1).*
 - 2) *Expand the County's current landlord outreach programs by increasing marketing to landlords and expanding resources available for landlord incentives (Recommendation II-6.2).*
 - 3) *Look for opportunities for deeper engagement with property owners of naturally occurring affordable housing units that might be targets for acquisition or preservation (Recommendation II-6.3).*
 - 4) *Create a formal evaluation structure for COVID-19 relief efforts and incorporate lessons learned into standing programs (Recommendation II-6.4).*
 - 5) *Formalize protocols for responding to future natural and economic disasters, based on what worked well in recent disaster response efforts (Recommendation II-6.5).*
 - 6) *Conduct a neighborhood accessibility/mobility assessment with a specific focus on identifying areas with characteristics that facilitate more independent living opportunities. Prioritize the identified areas for investment in age-restricted housing and integrated housing opportunities for those with disabilities (Recommendation II-6.6).*
 - 7) *Identify neighborhoods that lack mobility infrastructure but already offer senior communities or supportive housing stock. Prioritize tactical infrastructure investments in these neighborhoods (Recommendation II-6.7).*
 - 8) *Prioritize integrated living to the greatest extent possible for individual developments (Recommendation II-6.8).*
- c. Amend MIHU Fee-in-Lieu regulations to more accurately reflect the cost of MIHUs and make it feasible for developers to actually build MIHUs instead of paying the fee-in-lieu.
- 1) *Update MIHU rules and fee structures, with the primary goal of producing more units throughout the County that are integrated within communities (Recommendation I-1.1).*
- d. Amend MIHU regulations to create more rental opportunities at below 40% AMI ranges (DIHUs, LIHUs), to extend the period for resale to keep more MIHUs in the program, to require a higher percentage of

MIHUs in low poverty areas and to have MIHU fee-in-lieu revenue used in comparable neighborhoods to provide below AMI housing.

- 1) *Consistent with current regulations, FIL should be allowed in specific cases when on-site MIHU provision would jeopardize the economic feasibility of a housing development and inhibit its ability to proceed. In such cases, the County should work to ensure that the resulting revenues proactively advance economic integration and support expanded housing choice (Recommendation I-1.2).*
- 2) *Utilize shared equity/permanent affordability provisions similar to those of MIHU when incorporating affordability provisions into redevelopment plans or other new policies (Recommendation II-5.2).*
- 3) *Work with banks that offer first mortgages for shared equity purchasers in other local jurisdictions to expand into Howard County and increase mortgage access for these programs (Recommendation II-5.3).*
- 4) *Regularly evaluate and adjust MIHU resale formulas as necessary to reduce the number of resales that are released to the general public when an income-qualified purchaser is not found (Recommendation II-5.4).*

e. Provide automatic Payment in Lieu Of Taxes (PILOTs), subordinate mortgages, gap financing to facilitate new affordable housing, including mixed use and mixed income projects.

- 1) *Allow additional density, subsidies, PILOTs and/or other incentives to facilitate the creation of replacement units (Recommendation II-3.7).*

f. Pursue additional strategies like raised voucher payments based on zip code that allow voucher holders to pursue housing opportunities in more areas and facilitate de-concentration.

- 1) *Negotiate rental assistance contracts (i.e. agreements to reserve units for lower-income households in exchange for subsidies) with private landlords (Recommendation II-3.10).*
- 2) *Provide tenant matching and income-qualification/certification assistance for landlords participating in rental contracts and offering units at below-market rates (Recommendation II-3.11).*
- 3) *Provide property tax incentives to encourage landlord participation (Recommendation II-3.12).*

g. Support mobility counseling for voucher holders to offer opportunities to explore new communities and to ensure all communities in the county are accessible for voucher holders.

h. Create a one-stop shop and information clearinghouse within the county to provide home improvement consulting for homeowners on financing options, design options, contractor negotiations, pre-approved contractor lists, county code and inspections.

- 1) *Create a homeowner resource navigator website and hotline which would serve as a one-stop shop and clearinghouse for housing resources in the county, including all pertinent agencies and particularly the Department of Planning and Zoning, the Department of Housing and Community Development, the Department of Community Resources and Services, and the Office on Aging (Recommendation II-4.8).*
- 2) *Offer specific support for expanding opportunities for independent living for older adults and persons with disabilities (Recommendation II-4.9).*
- 3) *Provide technical assistance to property owners to identify needs and access resources (Recommendation II-4.10).*
- 4) *Create a vetted contractor/vendor list and assist households in navigating the rehab/retrofit process (Recommendation II-4.11).*
- 5) *Use information gained to inform adjustments to existing programs and development of new options (Recommendation II-4.12).*
- 6) *Grandfather in non-conforming elements of existing properties unrelated to health and safety (Recommendation II-4.13).*

i. Promote Housing Repair Loan Program (Reinvest, Renovate, Restore) for existing homeowners.

Promote Settlement Downpayment Loan Program (SDLP) for new homebuyers.

- 1) *Provide resources (e.g. tax incentives, small rehabilitation loans, etc.) for property upgrades and/or maintenance in exchange for ensuring ongoing affordability (Recommendation II-4.3).*
- 2) *Use down payment assistance and/or second mortgages to help acquire/preserve existing lower-cost units (Recommendation II-5.1).*

j. Create a one-stop shop and information clearinghouse within the county to support landlords and tenants with training on rental regulations, codes, legal matters, tenant screening services, landlord-tenant relations, and mediation and conflict resolution.

- 1) *Provide support to renters in affected properties to improve housing stability, including relocation and/or legal assistance (Recommendation II-4.2).*
- 2) *Expand resources for tenant legal assistance and proactive outreach efforts to both tenants and landlords (Recommendation II-6.11).*
- 3) *Create a one stop shop and information clearinghouse within the County to support landlords and tenants with training on rental regulations, codes legal matters, tenant screening services, landlord-tenant relations, and dispute mediation and conflict resolution (Recommendation II-6.12).*

k. Incorporate DHCD into the development approval process to consider compatibility with recommendations in the Housing Opportunities Master Plan.

- 1) *Create an inter-agency housing opportunities task force with DPZ, HCD and CRS (Recommendation II-1.1).*

l. Enhance coordination with County departments and regional partners to share and access data to create informative maps to facilitate an open, transparent and comprehensive information source to inform decisions that can lead to greater diversity in housing types, sizes and costs to provide housing opportunities for residents of all income ranges.

- 1) *Enhance current relationships with nonprofits to ensure that there is a programmatic approach to meeting housing needs countywide (Recommendation II-1.2).*
- 2) *Ensure resources for operations and general support for nonprofit organizations are proportionate to the role that they play, and explore opportunities for other administrative partnerships that help smaller nonprofits improve scale (Recommendation II-1.3).*
- 3) *Create a joint strategy for fundraising from major funders/institutions to build nonprofit organization capacity and resources (Recommendation II-1.4).*
- 4) *Support enhanced participation in and utilization of MDHousingSearch.com, with the goal of matching households with available units. Support coordination with MD Department of Disabilities to access Section 811 waiting list to match tenants with accessible units when they become available (Recommendation II-6.9).*
- 5) *Negotiate with landlords to reduce penalties for tenants who terminate a lease in order to access and accessible unit (Recommendation II-6.10).*

m. Identify areas of housing opportunity that encourage diverse economic and social groups throughout the County. Use census data to regularly update areas of housing opportunity.

- 1) *Identify opportunities to strategically acquire properties from willing sellers to preserve those properties and units (Recommendation II-4.4).*
- 2) *Address zoning challenges, such as barriers to mixed-use or housing development, on institutionally zoned sites (Recommendation III-3.6).*
- 3) *Facilitate information sharing, outreach, and technical assistance in planning and development for community organizations (Recommendation III-3.7).*

III. APFO – HOUSING AND INFRASTRUCTURE

General Goal - Address both housing and infrastructure needs in Howard County to ensure that neither form of demand eclipses the other.

a. Amend Adequate Public Facilities Ordinance (APFO) and mitigation goals and infrastructure financing methods to improve planning and predictability and better balance the provision of housing and the necessary accompanying infrastructure.

- 1) *Identify new, ongoing funding resources for affordable housing investment that can generate a large upfront allocation of capital (Recommendation II-2. 1).*
- 2) *Identify new, ongoing funding sources to generate large upfront capital with a defined split between housing and school facility investment (Recommendation III-1. 1).*
- 3) *Allow developers to proffer land or a portion of a site for school facility construction in exchange for zoning flexibility and/or density on the remaining portion of the site (Recommendation III-1.2).*
- 4) *Consider amending APFO restrictions, moratoria, and fee structures for all housing types in areas with existing transportation infrastructure and strong mobility/independent living characteristics (Recommendation III-2. 1).*
- 5) *Consider automatic exemptions from school related moratoria for affordable housing in low-poverty school districts, as well as market-rate housing in high poverty school districts (Recommendation III-2.2).*
- 6) *Consider whether specific types of housing like age restricted and “missing middle” should receive automatic or limited exemptions from moratoria (Recommendation III-2.3).*
- 7) *Consider identifying areas of the County where existing infrastructure is underutilized and therefore could support additional residential density with limited new public investment (Recommendation III-2. 4).*

b. Establish procedures regarding the disposition of county land that would promote the use of public land to increase affordable housing opportunities, including prerequisite that any proposed sale or other disposition of county-owned land be subject to a priority for the development of affordable housing opportunities such as mixed-income and mixed-use development.

- 1) *Allocate proceeds from County land sale to Trust Fund when the site is not prioritized for affordable/mixed-income housing and/or community facilities (Recommendation III-3.4).*
- 2) *Establish protocols for conveying site control, public benefit/revenue contribution requirements, and a process for accepting unsolicited bids (Recommendation III-3.5).*

c. Evaluate potential to use County owned land for projects that provide below AMI housing, including mixed-income and mixed-use developments.

- 1) *Create an inventory of publicly-owned land assets and benchmark inventory against facility needs (Recommendation III-3. 1).*
- 2) *Establish affordable and mixed-income housing as a priority for the use of publicly-owned land assets (Recommendation III-3.2).*
- 3) *Identify opportunities for co-location of public facilities and housing and prioritize such complementary developments (Recommendation III-3.3).*