

Land Use and Housing

The Land Use and Housing subgroup has been evaluating housing and land-use policy in Howard County as it pertains to advancing racial equity. It has reviewed pertinent housing data, evaluated exclusionary policies, and is developing recommendations to the County Council to address racial disparities in housing. Subgroup recommendations to the County Council are below.

Many of these recommendations center around the concept of “Affordable Housing,” which is an imprecise term that often raises questions or causes confusion. Among housing experts, “**affordable housing**” is generally **defined** as **housing** on which the occupant is paying no more than 30 percent of gross income for **housing** costs, including utilities. However, for these recommendations, we have embraced this definition as well as a broader, community-wide one that recognizes that affordable housing opportunities in our community must be available, accessible, and sustainable if they are to provide the stable foundation for our neighbors to thrive.

Zoning

Recommendation 1: We recommend the County Council desegregate Howard County by allowing a wide variety of housing types and prices throughout the County. Specifically, we recommend the Council and DPZ:

1. Expand the areas of the County in which multifamily is allowed using the new County Masterplan
2. Expand multifamily zones into the west of the County even if water and sewer is not yet in place using the new County Masterplan. The County is not obligated to provide water and sewer and these services can be created over time and paid for by multiple parties. Without amendments to zoning, water and sewer will never be solved.
3. Expand the areas of the County in which townhomes and small-lot, single-family detached housing can be built using the new County Masterplan.

Intent Behind Recommendation:

The County is essentially segregated, especially with its Black population concentrated in relatively few census tracts and substantially under-represented in a large number of other tracts. This is due to the lack of diverse housing types and high prices in many tracts and the concentration of multifamily housing and townhomes in Columbia and a few other areas. In order to create opportunity for all and to desegregate the County, zoning rules must be changed to allow multifamily housing, townhomes, small lot detached homes, and other housing types in more zones.

Many potential homeowners are priced out of the County. Families are unable to build wealth through homeownership. The County’s workforce generally lives elsewhere, causing road congestion and air pollution due to commuting patterns.

Racial Equity Impact:

Dramatically reduced segregation in Howard County.

Data that Supports Recommendation:

See attached maps.

Metrics to measure impact:

Concentration of County's non-white residents; concentration of non-white students in County schools.

Timeframe to Impact – short term (0 to 2 years) or long term (over 2+ years):

2+ years. Once zoning changes have been put in place, it will take time for development and redevelopment to occur, which is necessary to alter the County's demographics.

Affordable Housing

Recommendation 1: We recommend Howard County revise the County's Moderate Income Housing Unit ("MIHU") Ordinance. Howard County's MIHU program is generally designed to promote housing for County residents earning between 60% and 80% of the County median income. This income range and other rules of the program can be adjusted to better promote housing opportunities for people of color who may be unintentionally harmed by some of the program rules. Alterations the County should consider include:

1. Require MIHUs universally in Howard County, including in New Town Zoning. May need to exclude Downtown Columbia because of DRRA related to its redevelopment.
2. Procure a consultant to recommend appropriate fee in lieu amounts based on the cost of creating comparable units in similar locations (or to suggest other definitions for what the fee in lieu amount should be based on).
3. Modify MIHU rental income limits to match needs of renters of color.
4. Establish marketing requirements in order to ensure marketing of MIHU units to all communities.
5. Modify the resale limits on the price of MIHU homes in order to generate more wealth for the MIHU owner.
6. Review uses of fee in lieu with a racial equity lens. Ensure that any alternative compliance is created in either areas of opportunity or in areas that need revitalization.

Once enacted, these efforts will increase program benefits to County residents of color.

Recommendation 2: Allow affordable housing and/or other unit types by right and reduce fees and process affordable housing. Amend the APFO (Adequate Public Facilities Ordinance) to allow by-right development exemption/ waiver for affordable housing projects. Specifically, we recommend the Council:

1. Eliminate APFO requirements for affordable housing in school areas that have below average FARMs rates.
2. Make affordable housing a by right process in a wider range of zoning areas. (idea still being workshopped)
3. Create a "Green Tape" process for affordable housing with faster reviews and fewer restrictions.
4. Reduce fees for affordable housing so that State and federal government funds are not needed to pay the County government. Biggest fee is Building Permit.

Black County residents are disproportionately concentrated in relatively few census tracts. This is likely due to the fact that Black County residents have disproportionately lower incomes than the County's white residents. In addition, Black residents are concentrated in areas of the County that have schools with higher FARMs rates. De-concentration of lower-priced housing would alleviate the concentration of the County's Black residents and help reduce FARMs rates in schools at the upper end of the FARMs spectrum. Allowing affordable housing by right in all eligible areas without APFO or other restrictions would help to increase and disperse lower-

priced housing in the County. In addition, a reduction in review times and costs for affordable housing will encourage its production and help increase options for the County's Black residents.

Furthermore, allowing a by-right development exemption or waiver for affordable housing projects would allow developers building affordable housing projects or including on-site affordable housing within a market-rate development to be able to get a building permit to build in areas that are closed off or only have limited allocations under APFO. Currently, a waiver must be approved by the County Council.

Recommendation 3: We recommend the County Council support the creation of the Howard County Housing Opportunities Trust Fund. In Howard County there are numerous barriers to the creation of affordable housing including a lack of funding to increase affordable homeownership and rental units, and a long project review process that can be very reliant on the political actors involved. Furthermore, the lack of affordable rental housing disproportionately impacts people of color and creates concentrated areas of poverty within Howard County.

The Howard County Housing Opportunities Trust Fund (HOTF) would address these issues by creating a targeted, but flexible local funding source that can be used to reflect the priorities of our community including: (i) creating more affordable housing through investments to broaden homeownership for first-time homebuyers and minorities, (ii) support senior renters aging in place, and (iii) create more affordable accessible rental units to allow persons with disabilities to live and thrive in Howard County. The HOTF will expand the number of affordable housing units and will provide the funding to allow those units to be built all across Howard County to reduce pockets of poverty and low-income housing and provide access to areas of opportunity.

Recommendation 4: We recommend the County Council amend the HOME act to better support low-income renters. Specifically, it should reduce the income requirements for HCV holders, and prohibit landlords from using inflated income requirements to deny housing to applicants applying for a unit using a Housing Choice Voucher.

Maryland passed the HOME Act in 2020. The "Housing Opportunities Made Equal (HOME) Act" prohibits landlords from discriminating against individuals who use Housing Choice Vouchers (HCV) by adding "source of income" to the classes protected by current Maryland fair housing law. Howard County already has a source of income discrimination ordinance, but landlords are still able to use loopholes to deny HCV holders. In particular, the requirement that an applicant /household applying for a unit must have 3x the contract rent in monthly income is a loophole that needs to be addressed. Housing Choice Voucher holders would be over income for the voucher program in most cases if their household grossed 3x the contract rent for a unit in Maryland. Additionally, research suggests that only 1 in 3 voucher holders are protected under source of income discrimination laws. Once enacted, the recommendation would increase the number of available units for Housing Choice Voucher holders.

Narrative Change

Recommendation 1: We recommend the County Council work with the County Executive to provide funding and support for a community engagement and outreach process to collect and analyze stories from residents regarding their experiences with the social dynamics and forces that fuel segregation. We can examine a variety of data to understand the patterns of residential segregation that exist to this day, but this information can often fail to adequately convey the

experiences of living in neighborhoods that are subject to the unseen but long-standing forces underlying segregation. To better understand the historical and current factors that guide the evolution of our neighborhoods and their demographic makeups, we need qualitative as well as quantitative information. By creating a platform for stories to be shared, captured, analyzed, and synthesized, we can better understand facets of life in our communities that are obscured or left out of metric-based data collection. We can make connections between experiences that produce insights and ideas for how to improve the lives of our neighbors and build communities that are intentionally and sustainably inclusive.

Recommendation 2: We recommend the County Council work with the County Executive to provide funding and support for the formation of a broad coalition of local leaders to conceive, launch, and ongoing story-telling campaign about living in Howard County. Perceptions about Howard County's neighborhoods and communities are often informed as much, if not more, by stereotypes and biases than they are by the experiences of the residents of those communities. In many cases, these perceptions harden into something approaching "fact", at least in the minds of some, and this dynamic creates a vicious cycle of "sorting" and "othering" that only reinforces stereotypes and undermines our community's shared values of nurturing and fostering welcoming, inclusive, and supportive neighborhoods. To help reverse this cycle, we are recommending that local leaders conceptualize, create, and implement an ongoing, collaborative communications and marketing effort to showcase and celebrate Howard County's neighborhoods and the unique attributes and opportunities of each. This campaign should be based on information gleaned from sensemaking exercises to present an accurate and authentic assessment of life in Howard County's many and varied neighborhoods.

Recommendation 3: We recommend that the County Council work with the County Executive to provide funding and support for a broad-based community-wide effort to enhance Civic Literacy by developing inclusive communications standards and practices for public programs and policies. Efforts to broaden participation and community engagement can be strengthened and made more effective if all members of our community have access to news and information about the policies, programs, and operations of our local government and community institutions. A coordinated civic literacy effort across Howard County's most important public agencies and community organizations would make information more accessible and attainable for all residents. Using a variety of platforms, languages, and publications, this initiative should provide clear, objective information directly to those who need it in proactive ways that meet our residents "where they are."

Recommendation 4: We understand that Howard County Government has created a Public Facilities and Spaces Commission to review the namesakes for public facilities and spaces to determine if those namesakes contributed to the history of systemic racism. Recognizing the power of named spaces to shape and inform narratives, we fully support the work of this Commission as it explores the naming of streets, parks, neighborhoods, libraries, and more. Furthermore, we hope that the Commission's recommended changes will help further the narrative change work that we have proposed here. We affirm the importance of the work of this commissioned group with hopes that the stated assignment will be expedited in a timely and urgent manner.