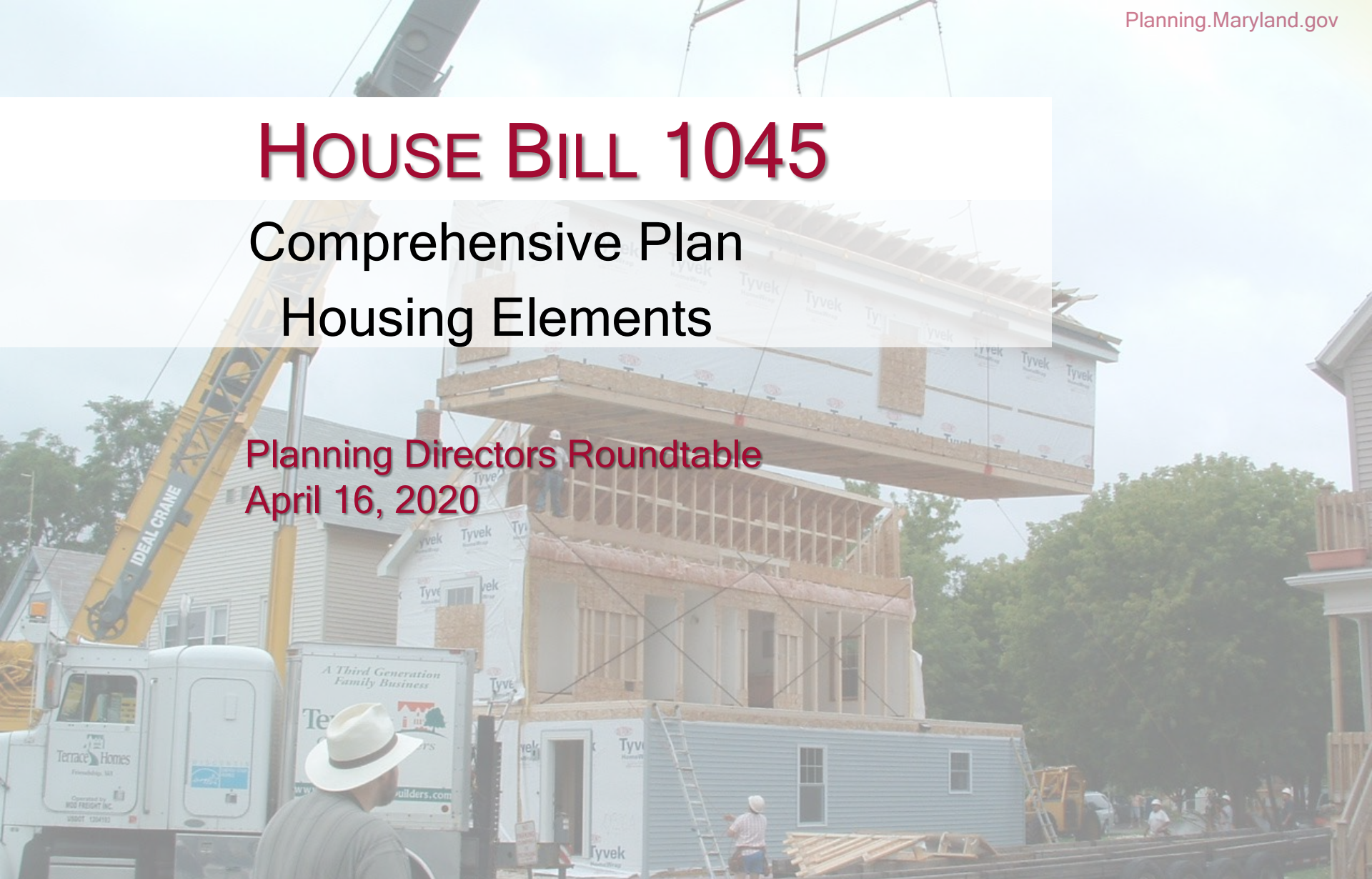


# HOUSE BILL 1045

## Comprehensive Plan Housing Elements

Planning Directors Roundtable  
April 16, 2020



# MEETING OBJECTIVES

- Review HB 1045 requirements
- Provide update on Models and Guidelines (M&G) development process and timeline
- Review draft guidance outline and engage in a dialogue about its components, including phasing, data services, common housing planning practices, and resources
- Solicit feedback on additional resources, guidance, and examples that should be included in M&G



# POLL QUESTION

Does your comprehensive plan include a housing element?

A. Yes

B. No

C. Not Sure



# LAND USE ARTICLE SECTION 3-102

(a) (1) The planning commission for a local jurisdiction shall include in the comprehensive plan the following elements:

- (i) a community facilities element;
- (ii) an area of critical State concern element;
- (iii) a goals and objectives element;
- (iv) A HOUSING ELEMENT;**
- (v) a land use element;
- (vi) a development regulations element;
- (vii) a sensitive areas element;
- (viii) a transportation element; and
- (ix) a water resources element.



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(2) If current geological information is available, the plan shall include a mineral resources element.

(3) The plan for a municipal corporation that exercises zoning authority shall include a municipal growth element.

(4) The plan for a county that is located on the tidal waters of the State shall include a fisheries element.



# REQUIREMENTS

## SECTIONS 3-114 & 1-407.1

- (B) a housing element may include goals, objectives, policies, plans, and standards.
- (C) a housing element shall address the need for affordable housing within the county/local jurisdiction, including:
  - (1) workforce housing; and
  - (2) low-income housing



# DEFINITIONS

- **Low-Income:** Annual household income that is below 60% of the area median income (AMI).
- **Workforce:** Range of annual household income between 60% and 120% of AMI<sup>1</sup>

<sup>1</sup> 60% - 150% in target Maryland Mortgage Program areas  
50% - 100% for rental housing



# AREA MEDIAN INCOME (AMI)

- The "middle" number of all the incomes for a given area; 50% of people in that area make more than that amount, and 50% make less than that amount.
- Aggregated by Metropolitan Statistical Areas or Counties and updated annually



# POLL QUESTION

Do your comprehensive plan or other planning documents include goals and objectives for affordable, workforce, and low-income housing?

A. Yes

B. No

C. Not Sure





# PURPOSE OF M&G

- Guidance
- Resources
- Self-assessment
- Data
- Assistance



Placing Jobs:  
Economic  
Development  
and Planning

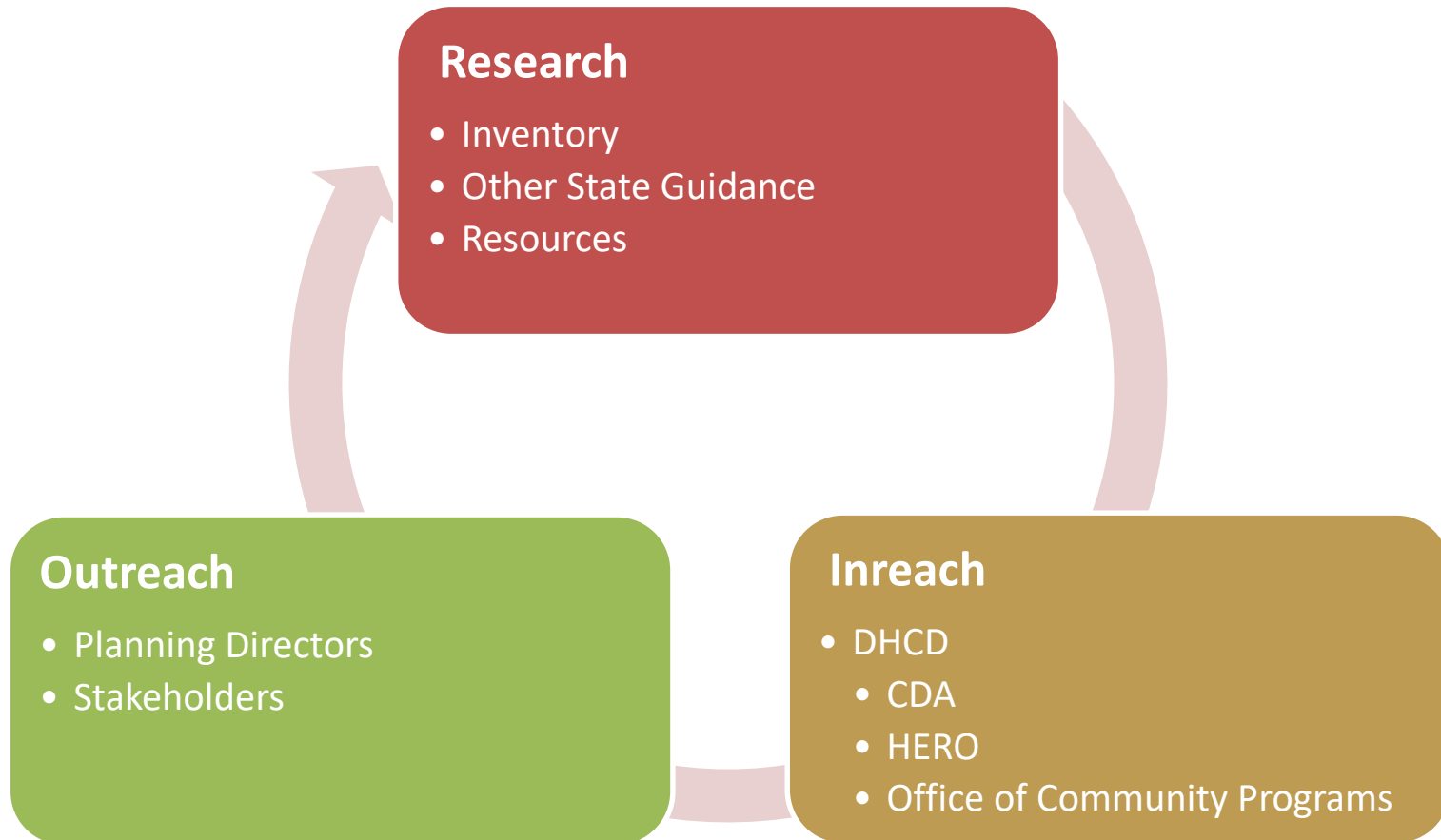
Models &  
Guidelines  
Managing  
Maryland's  
Growth



*Form and exact content not mandated*



# PROCESS



# STAKEHOLDER INPUT

Strategy for overcoming local opposition

Visioning, education, proactivity, and ongoing dialogue

Affordable housing benefits communities and households in interconnected ways

Don't reinvent the wheel. Use and build upon existing resources

Preservation/maintenance of existing units just as important as building new ones

Zoning is key (greater density, by-right development)

Partnerships and allies (health care facilities, employers, churches, CDCs)

High costs and barriers to development (impact fees, water and sewer availability, delayed/unclear local processes)

Helpful analyses (gap, housing market, income levels, needs assessment, commuting)



# POLL QUESTION

Have you engaged partners (e.g. local/ regional community development corporations, employers) in a discussion about housing in your jurisdiction?

A. Yes

B. No

C. Not Sure



# MARYLAND HOUSING NEEDS ASSESSMENT

## PHASE 1

Develop a baseline understanding of existing and future housing needs

OCT 2019 – MAR 2020

## PHASE 2

Evaluate past performance of state and local resources and prioritize needs by issue area and geography

FEB 2020 – MAY 2020

## PHASE 3

Communicate actionable recommendations in the Housing Needs Assessment and 10-Year Strategic Plan

MAY 2020 – AUG 2020



# POLL QUESTION

If you have a housing element, does it project additional housing needs forward on a long-range time horizon?

A. Yes

B. No

C. Not Sure



# MODELS AND GUIDELINES COMPONENTS

- HB 1045 Description and Requirements
- Rationale: Importance of Planning for Housing
- Self-assessment questionnaires
- Housing Data Dashboard
- Potential Actions and Implementation Strategies
- Best Practices and Examples in Housing Planning
- Resource Inventory
- Model Housing Element and Analysis
- Affordable Housing Design Examples and Guidance



# MODELS AND GUIDELINES (PHASING)

Ongoing Enhancement and Maintenance

## Phase 1: 6/1/20

Bill Description

Mapping/Data Service

Resources/Technical Assistance

Self-assessment Questionnaires

Model Housing Element

## Phase 2: Summer – Fall 2020

SharePoint Lists of Strategies, Actions, Resources

Data Interpretation

Common Practices

Case Studies

## Phase 3: Fall – Winter 2021

SharePoint and Mapping/Data Service Expanded and Refined

Housing Analyses

Affordable Housing Design Examples and Guidance





# WHY PLAN FOR HOUSING?

- Biggest household expenditure
- Primary driver of investment, public services, amenities, workforce/economic development, tax revenue
- Closely aligned with other planning areas
- Address needs of existing and future population
- Facilitate regional collaboration



# POLL QUESTION

Do you have a local department or division dedicated to housing development and needs?

A. Yes

B. No

C. Not Sure



# MODELS AND GUIDELINES (QUESTIONNAIRES)

## Local Self-assessments

- Vision
- Analysis and Policy
- Regulation and Implementation

### QUESTIONNAIRE

Very often

Often

Sometimes

Rarely



# POLL QUESTION

Does your jurisdiction have a DHCD Sustainable Communities designation?

A. Yes

B. No

C. Not Sure



# POLL QUESTION

If you answered yes, does the housing action plan include strategies for affordable or workforce housing?

A. Yes

B. No

C. Not Sure



# DATA DASHBOARD: PHASE I

- Easily accessible customized dashboard for a broad array of audiences that can inform housing elements
- Curated ACS data that provides indicators of affordable/workforce housing need
- Will enable like to like comparison of census tracts, MSAs, places (jurisdictions), counties
- Additional GIS Layer overlays (PFA, SC, OZs)
- Growth projections by county



# Data Related to Current Housing Supply

AMI  
~~~~~

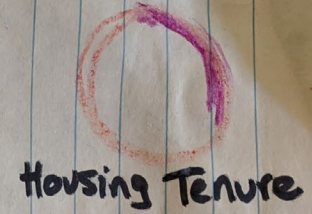
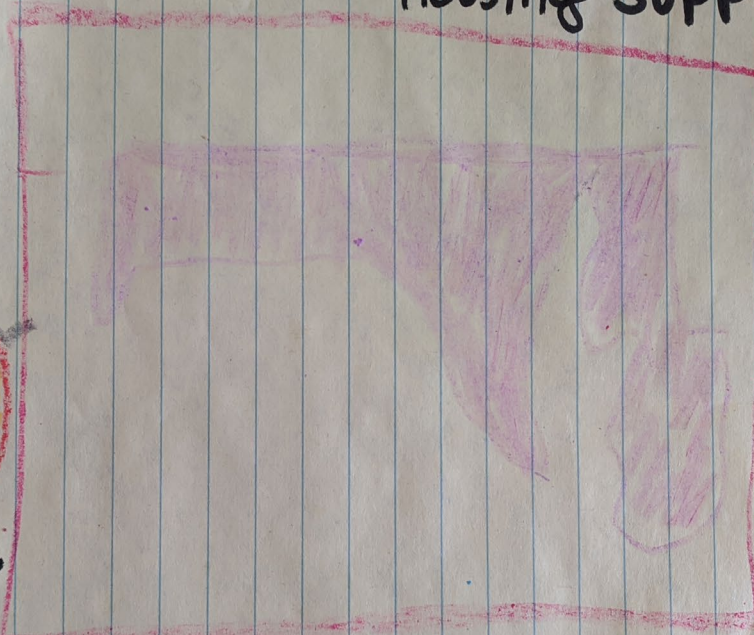
# Single



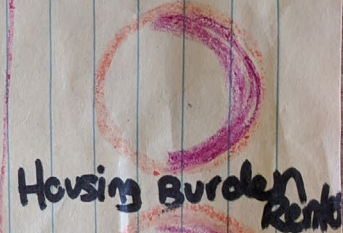
Housing Type



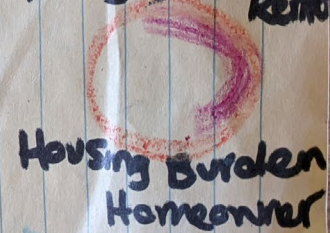
Housing Occupancy



Housing Tenure



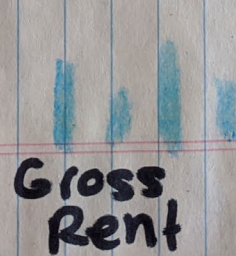
Housing Burden Rents



Housing Burden Homeowner



Value Occupied



Gross Rent



# of Bedrooms



# PHASE II > FUTURE

- DHCD Housing Needs Assessment data
- Historical ACS data (2009-13)
- Foreclosure information
- County or other sourced data layers
  - Ex. new residential units by land management areas (ex. growth area, employment center, rural residential); zoning; projections
- Modifications based on stakeholder feedback





# POLL QUESTION

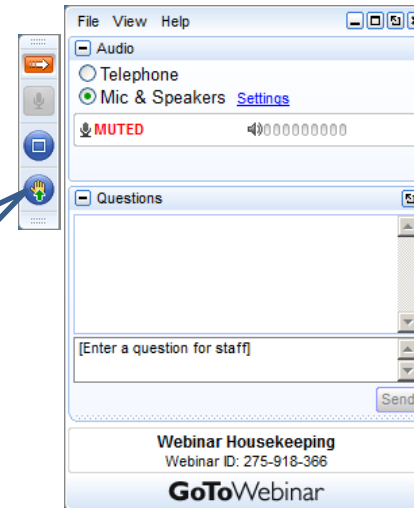
What data sources do you use for your housing unit analysis?

- A. Census/ACS
- B. Local/Regional/State Data Source(s)
- C. Combination of these
- D. Not Sure
- E. We have not completed a housing unit analysis



# Raise your hand to be recognized to speak

Click the hand to raise or lower



- Submit questions using the Questions Tool in the GoToWebinar control panel



# DISCUSSION

- Which data sets are essential to your housing planning?
- What data do you wish you had to inform affordable housing needs, but it is difficult to access?
- What data (and ways of presenting that data) have you found most compelling to build a case for affordable housing?
- What kind of data interpretation assistance could the state provide?



# COMMON PRACTICES

- Inclusionary Zoning
- Incentives
- Community Development Partnerships
- Accessory Dwelling Units
- Increase Density for Affordable units in Targeted Areas



# COMMON PRACTICES

## Inclusionary Zoning

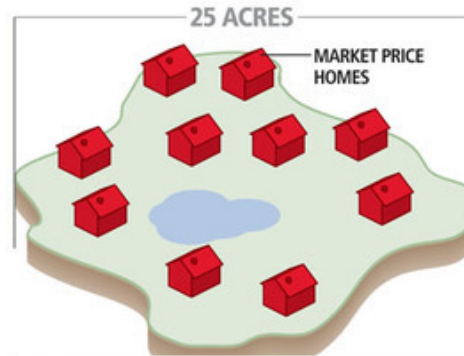
A common practice is to increase the density over the base density to incentivize a percentage of the units as affordable units

### Running the numbers

A developer in Collier County can get bonus densities to build more houses depending on how many of them he agrees to sell to people who earn various percentages of the county's median income. One example:

#### NO BONUS

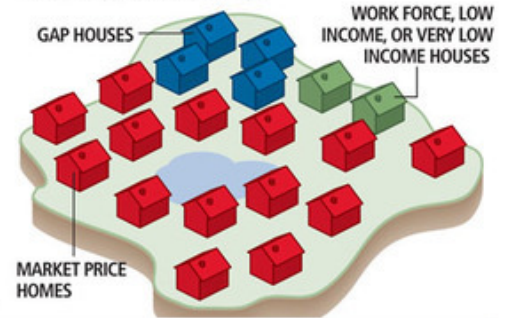
At a base density of four houses per acre, a developer with 25 acres can build 100 homes and sell them at market prices.



#### BONUS

The same developer could build 200 homes—140 of which he can sell at market prices—if:

- 1) He sets aside 20 percent of them, or 40 homes, for gap housing
- 2) He sets aside 10 percent of them, or 20 homes, for work force, low income, or very low income housing.



#### KEY:

= 10 market price houses

= 10 gap houses (sold to people making between 80 and 150 percent of the median income, or between \$52,880 and \$99,150 for a family of four)

= 10 very low income, low income, or work force houses (sold to people making less than 80 percent of the median income, or less than \$52,880 for a family of four)

Source: Daily News research

Chad Yoder/Staff



# COMMON PRACTICES

## Incentives

- Housing trust funds
- Tax credits
- Modify impact fees and APFO restrictions
- Tax generated revenue specified for affordable housing
- Fee-in-lieu
- Waive application fees
- Involve publicly held lands
- Brownfield re-development funding



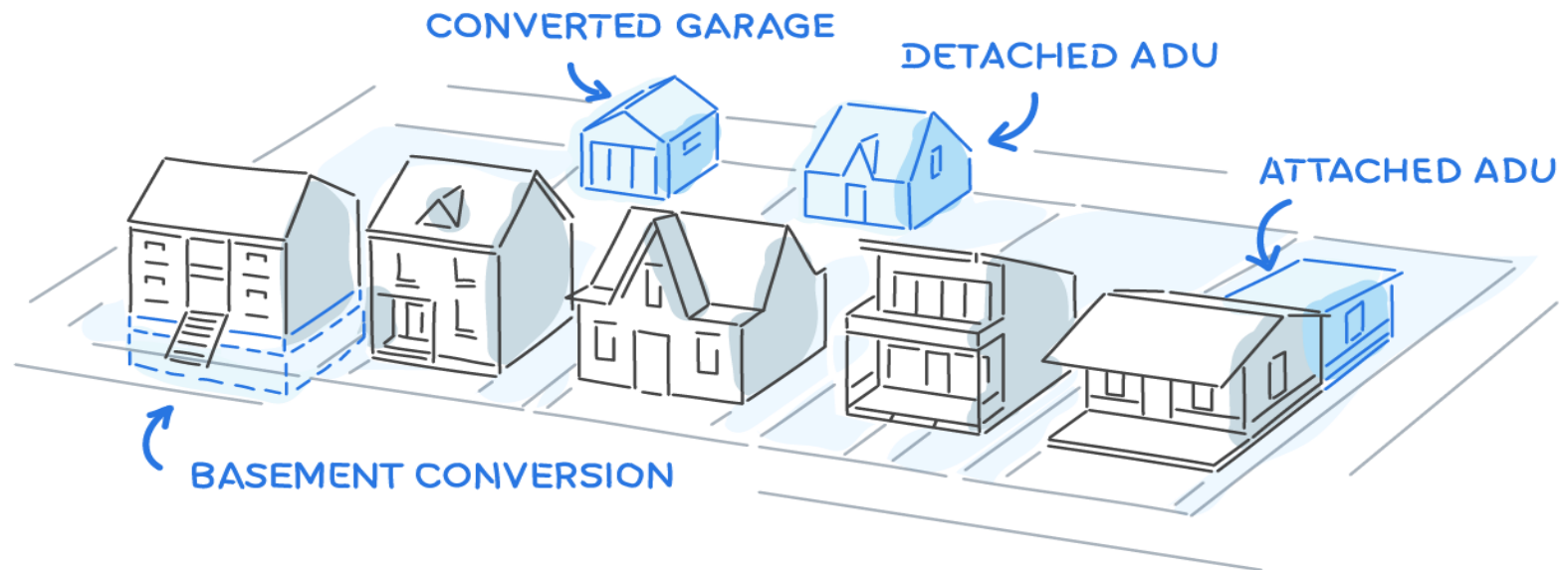
# COMMON PRACTICES

## Partnerships with Non-profits/Developers/Employers



# COMMON PRACTICES

Accessory Dwelling Units in single-family neighborhoods creating two dwelling units, by right in certain zones.





# COMMON PRACTICES

## Increase Density for Affordable units in Targeted Areas

Providing a variety of unit types as low-income, workforce and market rate provides for integration into a community. Note: No homeowner's open space is proposed in the example below to keep HOA fees to a minimum.

### VISUALIZING DENSITY: 8 UPA

#### UNIT DISTRIBUTION

|                   |            |
|-------------------|------------|
| Single-family:    | 76         |
| Duplex:           | 16         |
| Townhome:         | 58         |
| Apartment:        | 50         |
| Secondary Suites: | 15         |
| <b>TOTAL:</b>     | <b>215</b> |

#### ASSUMPTIONS

Lot widths: 20-45'  
 Road Right-of-Way: 16 m  
 Municipal Reserve: 10%

Municipal Reserve: 10%



# OTHER PRACTICES & TRENDS

## Promoting the Missing Middle Housing

- Density is between single family and mid-rise housing
- Designed to fit into single family neighborhoods in terms of form and scale
- These structures may be new construction, accessory, or conversions



# PRESERVING EXISTING AFFORDABLE HOUSING STOCK



- Code enforcement
- Façade improvements
- Rental assistance - HUD
- Energy efficiency programs
- Tracking income restricted units
- Property maintenance assistance to homeowners
- Homeownership assistance and education



# POLL QUESTION

Which of the following implementation measures do you *most* rely on to promote affordable housing in your community?

- A. Zoning
- B. Financial and other Incentives
- C. Partnerships
- D. Housing Maintenance and Preservation
- E. Other



# QUESTIONS

- What affordable housing practices have worked in your community?
- Have you tried implementing any affordable housing initiatives that have fallen short? What were the reasons?
- What are some other barriers?



# MODEL HOUSING ELEMENT

## Suggested components

- Sample intro narrative
- Conditions analysis
- Current affordable housing initiatives/programs/  
partners in community
- Needs assessment
- Sample and general goals, objectives, strategies,  
and actions





# DRAFTING THE HOUSING ELEMENT

1. Engage stakeholders
2. Gather and analyze current data
3. Project future growth & identify needs
4. Identify supporting programs and agencies
5. Consider best practices and learn from other jurisdictions
6. Policy and strategy decisions



## Data Resources

- MD DHCD Housing Economic Research Office
- MD Planning Data Products (Dashboards, State Data Center)
- US Census (Table DP04, etc.)
- HUD Library for Maryland

## Best Practices/Samples

- Examples from Maryland
- Examples from Other Jurisdictions
- Sample Tables and Graphics



# RESOURCE INVENTORY

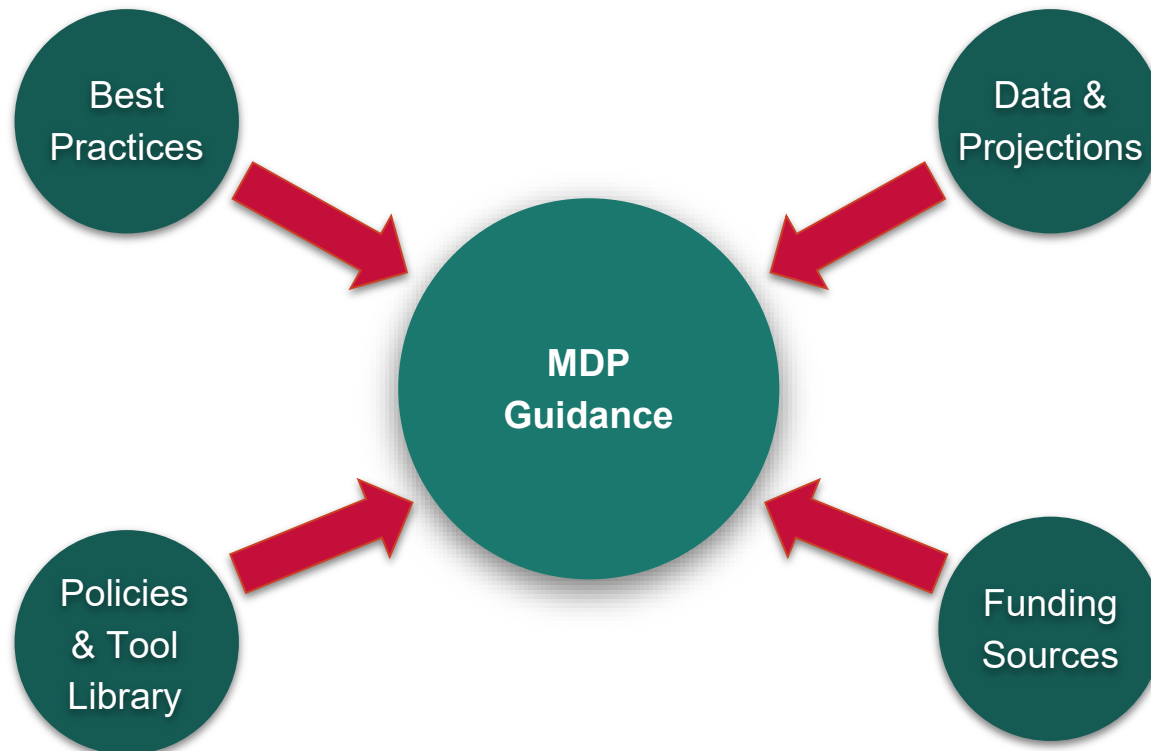
| Level              | Source                                                                                                                                          |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| State              | DHCD, MDE (Lead Poisoning Prevention), DOL Workforce Dashboard), MEA (Residential Grant and Loans)                                              |
| Federal            | HUD (HOME, HOPE VI, Fair Market Rents, PHA Contact Information), LIHTC, National Housing Trust Fund, Housing Choice Vouchers, Opportunity Zones |
| Regional           | MWCOG, BMC                                                                                                                                      |
| Local              | Housing Trust Funds, Fee Waivers, Fast Tracking, Tax Abatements, Housing Opportunities Commission of Montgomery County                          |
| Foundation         | Maryland Association of Supportive Housing, Bridges to Housing Stability, Foundation Housing, Morris & Gwendolyn Cafritz Foundation             |
| Private/Non-Profit | Health Care Institutions, NLIHC, Maryland Affordable Housing Coalition, Local CDCs                                                              |
| Technical          | MML and MACo Technical Assistance, Local Housing Solutions, MDP Regional Planners, DHCD Program Managers and HERO staff                         |





# THE RESOURCE INVENTORY

- Provide jurisdictions with resources, technical assistance, examples, and funding sources to consider in the development of your housing element.
- Enable sorting and access to data and resources for each step of the Comp Plan Element drafting and implementation process.



# EXISTING RESOURCE LISTS

 **Local Housing Solutions**  
To enhance local affordability. To foster inclusive communities.

**What is affordable housing?**  
Video introduction to affordable housing: What is it and who needs it?

Choose an **ISSUE** you care about

Select a **POLICY** you want to learn about

Learn the **BASICS** of housing affordability

Learn **HOW TO** create a comprehensive housing strategy

**ASSESS** your local housing strategy

Browse the **FULL SET** of site resources

**COVID-19 RESPONSE**  
ACCESS INFORMATION ABOUT COVID-19'S IMPACT ON HOUSING AND EXAMPLES ON STATE- AND LOCAL-LEVEL RESPONSES.

 **HUD.GOV**

M A R Y L A N D



INFOPORTAL



**Maryland**  
DEPARTMENT OF HOUSING  
AND COMMUNITY DEVELOPMENT



**National Low Income  
Housing Coalition**



DEPARTMENT OF PLANNING  
**A BETTER MARYLAND**



# DISCUSSION QUESTIONS

What resources do you use to support affordable housing in your community?

Are we missing anything that would help your jurisdiction complete a housing element in accordance with the requirements of HB 1045?

Is anyone interested in joining a workgroup to delve into this more deeply?



# THANK YOU

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