

Assessment of Past Goals and Actions

Washtenaw Urban County completed its last Analysis of Impediments (AI) in November 2011. The list of recommendations in the AI was extensive, and in many ways presented a portrait of the ideal scenario for Fair Housing education, communication, advocacy, enforcement and action.

Many recommendations were taken, and completed either partially or in full. Others were not taken up for a variety of reasons, including a change to department structure, a loss of county planning function. Some recommendations were considered low priority and others yet may have been lost sight of due to significant staff turnover in the primary Urban County staffing positions. Below details the complete list of recommendations outlined in the 2011 AI report, including actions taken for each recommendation. Note: a recent survey was sent to current Urban County members to gather further information regarding what actions were taken in each respective jurisdiction.

TABLE 4_PAST RECOMMENDATIONS FROM ASSESSMENT OF IMPEDIMENTS (AI), 2011

Recommendation	Actions Taken
<p>1. Baseline Data: New jurisdictions should conduct a baseline “audit” of their status related to fair housing, including looking at their ordinances, web site, publications, and master plan.</p>	<p>Inconsistent application. Reviewed for urban areas as part of 2015 Housing Affordability and Economic Equity. This goal is to be carried over for new communities joining in 2018, and potentially create a template.</p>
<p>2. Awareness: Every jurisdiction should prominently display—both in their offices and on their web sites—information about fair housing, and about how to access fair housing services.</p>	<p>Recent survey indicated that local jurisdictions are aware of Fair housing and how to find more information, but are not consistently sharing information in print and online.</p>
<p>3. Diversity: Every governmental unit in the county should be working to make itself accessible to all residents, regardless of their race, ethnicity, color, religion, family status, disability, national origin, or sex.</p>	<p>Aside from barrier-free buildings noted in #4 below, staff does not currently have a reliable measure for this recommendation. Needless to say, much work is still needed on improving accessibility across these protected classes.</p>
<p>4. Accessibility: Every governmental unit in the county should work to make itself user-friendly to people with disabilities.</p>	<p>Recent survey indicated that most government buildings are barrier free. Other “user-friendly” features vary.</p>

<p>5. Curb Cuts and More: New sidewalk construction needs to meet the ADA requirements. Curb cuts are an excellent example of how planning for persons with disabilities enhances the livability of a community and sets a welcoming tone- not just for people with disabilities but also for people pushing strollers.</p>	<p>The Ann Arbor Center for Independent Living has received judgements in a series of cases in local communities, resulting in renovation or addition of ADA curb cuts. OCED is working with several of these communities to use CDBG funds to complete or improve pedestrian facilities such as sidewalk, ADA ramps, and non-motorized path additions.</p>
<p>6. Definitions of Family: Family definitions in zoning ordinances should include functional families and relationships such as adoption and foster care.</p>	<p>Staff reviewed zoning ordinances and 17 out of 18 jurisdictions provided definitions that include functional family. Seventeen out of 18 were also clear that adoption is part of a family; however, only three (3) of 18 jurisdictions explicitly included foster care.</p>
<p>7. Zoning Definitions: Zoning definitions that address the kind of facilities in which senior citizens and persons with disabilities live should be reviewed and revised, as necessary, to ensure that:</p> <ul style="list-style-type: none"> 1) they are compatible with civil rights laws (including FHAA and the Elliott-Larsen Civil Rights Act), state law, and the Americans with Disabilities Act; and 2) they are respectful of the people or citizens served. 	<p>No review has been conducted to date.</p>
<p>8. Planning Process: Staff and elected officials must work to ensure that the planning process is free of bias.</p>	<p>Previously, the County Planning Advisory Board provided input and oversight into master planning for communities across the county. However, the board, and the department that provided staffing and support, has been defunded by the county.</p>
<p>9. Master Plans: All jurisdictions should include information about the community's racial and ethnic makeup, as well as thoughts and plans regarding affordable housing and housing for older adults, in the master plans.</p>	<p>As a standard practice for master plan and master plan updates, the 2015 Housing Affordability and Economic Equity Analysis was adopted by the City of Ann Arbor, City of Ypsilanti, Ypsilanti Township, Pittsfield Township Ann Arbor DDA and Washtenaw County.</p>

<p>10. Promoting Accessibility through Building Codes: Federal Fair Housing Amendments Act Accessibility Guidelines for new construction of multi-family dwellings should be made available from local building departments. In addition, while localities are not currently responsible for enforcement, they should consider ways to make the law clearer to those going through the multi-family building process.</p>	<p>Previous conversations indicated that several local building departments do not feel they have the authority to enforce federal fair housing rules, outside of Michigan Building Code.</p> <p>Several tools such as checklists could be developed (as a future goal) to provide clear information to officials and developers about legal requirements.</p>
<p>11. Public Parks, Private Parks: Localities should have as their goal, the provision of access to all residents to park land.</p>	<p>Larger local units have a separate parks master plan, updated every 5 years. County parks also develop a parks plan every 5 years. Most plans are looking to add, expand and/or connect parks to communities.</p>
<p>12. Fair and Open Housing Ordinances: All jurisdictions should consider adding Fair and Open Housing ordinances if they do not already have them on their books. These ordinances should include a reference to federal and state law, and in addition, should protect source of income and sexual orientation.</p>	<p>Recent survey indicated that the majority of jurisdictions do not currently have a local Fair and Open Housing ordinance in effect.</p>
<p>13. Diversity on Commissions: In recruiting for these commissions, and in appointing members of commissions, those who make the appointments should look for a set of members that represents the diversity of the communities, including an awareness of race/ethnicity, gender, and disability. In addition, members of these boards and commissions should receive training on fair housing and civil rights annually.</p>	<p>Washtenaw County is undergoing an equity initiative which includes reviewing hiring practices, agency cultures and requirements for both staff and boards and commissions. While this work is ongoing, the county has committed to training through the Government Alliance on Race and Equity and is looking to adopt a countywide equity ordinance in 2018, which will require many of these elements in its implementation.</p>
<p>14. Jurisdictional Banking Choices: Jurisdictions should investigate their institutions' banking practices, and either choose financial institutions based on their community-mindedness, or encourage their current bank to invest significantly in their community.</p>	<p>This goal was not completed, and has been identified as a recommendation by the AFFH subcommittee to continue, especially in regard to the Community Reinvestment Act (CRA).</p>

<p>15. Rural Housing Investment: The Urban County as a whole, and/or specific jurisdictions that qualify for Rural Housing Service programs, should investigate their applicability to their local areas. In some cases, they may help allow current residents to stay in that jurisdiction (i.e. Northfield, Salem, Scio, and York Townships).</p>	<p>OCED is a member of Washtenaw Housing Education Partners (WHEP). This group provides homebuyer and education support throughout the county, and utilizes USDA rural loans when appropriate.</p>
<p>16. Transportation: The Urban County Consortium should investigate ways to ease transportation problems for people in their home jurisdictions, whether through participation in the county-wide transit planning process or with specific actions targeted at particular jurisdictions.</p>	<p>Since the 2011 AI, the Ann Arbor Area Transportation Authority (The Ride) has greatly expanded its funding base, board and transit service. In particular, service has been expanded and redesigned for the east side of the county, which is lower-income and more dependent on mass transit than other areas.</p>
<p>17. Prayer at Public Meetings: Although it is not illegal to do so, if prayers are offered at public meetings, care should be taken to ensure that they are non-denominational and do not refer to any particular religion.</p>	<p>Not applicable.</p>
<p>18. Funding: The City of Ann Arbor should continue to fund fair housing enforcement.</p>	<p>Washtenaw County OCED is now the Community Development arm of the City of Ann Arbor. Any funding would likely come through OCED.</p>
<p>19. Human Rights/Relations Commission Websites: The Human Rights Commission/Human Relations Commission web sites should be maintained, and a more adequate referral system should be set in place.</p>	<p>At least two (2) communities (out of 18) have a Rights Commission/Human Relations Commission and both have up-to-date websites, but only one includes clear referral information.</p>
<p>20. Housing Commission Training and Websites: All Housing Commission employees at both housing commissions should be fully trained, annually, in fair housing law. Web sites should be fully maintained with up-to-date information and meeting minutes.</p>	<p>Ann Arbor Housing Commission trains all employees annually in fair housing law and their website is current with a link to meeting minutes.</p> <p>Ypsilanti Housing Commission (YHC) uses private property managers instead of its own employees to administer housing programs. All of the property managers are trained annually in fair housing law by their regional manager who is a qualified fair housing trainer. The YHC website</p>

	is current with a link to meeting minutes.
21. Updating Zoning Ordinances: As zoning ordinances are updated and overhauled, the involved parties should be careful to ensure that they pay attention to Fair Housing Law.	The County has no jurisdiction over individual communities' zoning ordinance changes.
22. Student Housing: Although the intent of the ordinance is not a problem, it is critical that Ypsilanti remain vigilant to ensure that landlords in the student overlay district do not believe that this allows them to exclude non-students of any age, or students with children, from the area.	The City of Ypsilanti removed the zoning overlay district from their zoning ordinance in 2015.
23. Supportive Housing Ordinance: Section 122-811 of the City of Ypsilanti Zoning Ordinance is a barrier to equal housing opportunity for people with disabilities, or for others who might otherwise be helped by a supportive housing environment. The Fair Housing Center of Southeast and Mid Michigan (FHC) strongly recommends that the City of Ypsilanti rescind this ordinance.	Previously, supportive housing was allowed as only a special use permit. Changes in 2015 expand where supportive housing is allowed as a special use, but also include it as a permitted use in the housing and human services zoning district.

TABLE 5_RECOMMENDATIONS FOR WASHTENAW COUNTY/URBAN COUNTY GOVERNANCE, 2011

Recommendation	Actions Taken
1 Assist jurisdictions that are new to the Urban County to collect baseline data regarding fair housing issues.	This is not consistently applied- to continue this goal for new jurisdictions.
2 Provide training for local officials on Fair Housing Law as it pertains to building codes, zoning, planning and land use.	The county does not currently provide training for practitioners, but does ongoing training for Urban County Executive Committee members.
3 Create materials for all building departments to aid builders/developers in compliance with Fair Housing Amendments Act accessibility requirements.	The county does not currently provide training for practitioners, but does provide ongoing training for Urban County Executive Committee members.
4 Conduct a periodic review of all local regulations pertaining to building codes,	Washtenaw County no longer funds a planning department, so there is no longer staff nor

<p>zoning, planning and land use.</p>	<p>resources available for such a review at this time.</p>
<p>5 Provide basic training for Building, Planning, and Zoning staff on the accessibility requirements written into the Fair Housing Amendments Act.</p>	<p>Washtenaw County no longer funds a planning department, so there is not staff and resources available for such a review at this time.</p>
<p>6 Encourage local jurisdictions to involve members of the disability rights community in building, planning and zoning decisions/issues.</p>	<p>Since the Center for Independent Living (CIL) lawsuits, the CIL is involved in more transportation decisions, at a minimum.</p>
<p>7 Have a list of fair housing experts available to consult with the County on zoning, planning, and land use issues.</p>	<p>The County relies on the FHC for expert advice and referrals.</p>
<p>8 Washtenaw County and local jurisdictions can include community education around fair housing laws in seminars related to building and development, through inserts in newsletters published by the various jurisdictions, and by placing relevant links on their web sites.</p>	<p>OCED will be working with FHC on supporting education and outreach with local units including building and planning departments. This will include making information available in print and online for local units to share with their constituents and stakeholders.</p>
<p>9 Washtenaw County and local jurisdictions can work to educate planning and zoning staff so that they are trained to give clear and consistent information to all citizens, without discrimination.</p>	<p>Washtenaw County no longer funds a planning department, so there is not staff and resources available for such a review at this time.</p>
<p>10 As the county becomes more diverse, Washtenaw County should investigate ways to assist local jurisdictions with translation-related needs.</p>	<p>All public meetings offer translation services on request. For larger events, sign language interpreters are often available.</p>
<p>11 Washtenaw County should continue its pursuit of public, county-owned parkland.</p>	<p>Most jurisdictions and the County are park-rich. This is a goal; however, the use of public land for affordable housing is another identified (and potentially competing) need.</p>
<p>12 Washtenaw County should continue to contract with a private fair housing organization to support fair housing investigation and testing activities within the county.</p>	<p>The FHC provides investigation and testing. They are not currently funded by the Urban County.</p>

13 Washtenaw County should consider doing testing, or mystery shopping, of planning and building departments within the Urban County. This would identify any potential problems in the treatment of protected classes. For instance, if a white person and a black person both request information on building a new home, are they given the same information?	Washtenaw County cannot test per federal rules. However, the FHC provides investigation and testing throughout the county.
14 Washtenaw County should encourage the banks (in which it invests) to invest in Washtenaw County.	Washtenaw County convened a group to examine local investing and has encouraged the County Treasurer (who is responsible for county investing) to pursue. No local investments have been made to date.
15 Washtenaw County should ensure that any banks in which it invests have minimal CRA ratings of Satisfactory, and preferably of Outstanding.	AFFH subcommittee has expanded this goal around CRA investment.

In addition to individual actions noted in the table above, in Fiscal Year 2013-14, the Urban County completed a number of administrative actions including:

- Adding a Fair Housing web page for Washtenaw County¹
- Providing fair housing training to the Urban County Executive Committee;
- Engaging staff in ongoing fair housing training at the Building Communities Conference;
- Supporting the FHC through attendance and sponsorship of their annual meeting (ongoing).

Overall, a fair number of recommendations were implemented as part of ongoing work after the AI was completed six years ago. Many are ongoing tasks around education, outreach and review that would need to be maintained over the long-term as elected officials and local government staff frequently change. These goals would need to be carried on as part of future AFH Plans.

¹ Fair Housing in Washtenaw County

http://www.ewashtenaw.org/government/departments/community-and-economic-development/housing-and-community-infrastructure/urban_county/fair-housing/

However, some elements recommended in 2011 are more difficult to address due to structural changes to County departments. In 2011, Washtenaw County still maintained a planning division to assist local units with master plan and zoning review, as well as regional planning and governance efforts. This department has since been eliminated and, as a result, the county no longer has the function of (or capacity for) providing formal planning and zoning support to local communities.

For recommendations around education to local units, OCED has engaged the FHC for some education and support, but this funding has not been consistent and projects have tended to be short-term rather than ongoing. At this point, OCED would like to work in closer ongoing collaboration with the FHC to amplify their education and support, particularly among local jurisdictions that meet regularly as part of the Urban County Executive Committee (UCEC).

With respect to physical improvements, OCED works to improve public accessibility for persons with disabilities through the funding of ADA curb cut projects and by requiring compliance with ADA regulations in all construction Requests for Proposals (RFPs). Further, OCED supports housing nonprofits that work to add and to preserve affordable housing the community and support agencies providing services to low-income households. This work is also ongoing and will be included as part of the ongoing work addressed in this and future AFH Plans.

Based on the ongoing nature of many of these recommendations, below are several broad categories that will be carried forward in the current AFH Plan to direct activities over the course of the next five years:

- Ongoing education, outreach and support for local jurisdictions through the Urban County Executive Committee;
- Support for transportation improvements that increase access to opportunity;
- Support for county goals around equity and inclusion including diversifying staff and boards and committees; and
- Implementation of goals of 2015 Housing Affordability and Economic Equity Analysis.