



County Council Public Hearing | January 20, 2026

ZRA 218: Accessory Dwelling Units

The Housing Affordability Coalition strongly urges the County Council to approve ZRA 218. This amendment brings Howard County's zoning code into alignment with recently enacted state law and our own General Plan, *HoCo By Design*, while providing a practical housing option for some County residents.

Accessory Dwelling Units (ADUs) represent an underutilized "missing middle" housing tool, which has been held back by regulatory barriers that ZRA 218 would remove. This change would empower homeowners to use flexible, small-scale housing options that preserve neighborhood character while addressing real community needs.

ADUs Support Families Through Every Stage of Life

ADUs promote essential social infrastructure, enabling:

Aging in place. Seniors can remain in their communities by moving into an ADU on their property or housing a caregiver nearby, maintaining independence without leaving familiar neighborhoods.

Support for family members with disabilities. Parents can provide independent living arrangements for adult children with disabilities while having them close enough to offer assistance when needed.

Workforce housing. These units create naturally occurring affordable options for teachers, nurses, first responders, and other essential workers who serve Howard County but are increasingly priced out of our housing market.

By-Right Approval is Essential

The Coalition emphasizes that ADUs should be a by-right accessory use in the RC, RR, R-20, R-ED, R-12 and New Town residential zones. Extending "By Right" use to *detached* ADUs is consistent with current *attached* Accessory Apartment regulations. ZRA 218 would continue a more efficient and less expensive development approval process for a homeowner seeking to create an ADU.

Predictability for homeowners. Most homeowners are not professional developers. Requiring conditional use approval adds thousands of dollars in costs and months of uncertainty, making these projects financially unviable for the families who would benefit most.

Built-in safeguards. ZRA 218 includes robust protections to ensure that ADUs will remain subordinate to primary homes, including size limitations, setbacks, and height limits. And while some residents have concerns about institutional investors buying up ADUs – in spite of evidence to the contrary in other jurisdictions – owner occupancy requirements in the amendment will ensure

that ADUs will benefit the primary homeowner only. Additional guardrails already are provided by County zoning and HOA restrictions, development regulations and processes, and construction cost considerations.

School Impacts from ADUs are Negligible

Concerns about school overcrowding warrant attention, but research from peer jurisdictions consistently shows ADUs do not drive enrollment increases.

Low student generation rates. According to the American Planning Association, units with one bedroom or less – which describes the vast majority of ADUs – yield fewer than 7 students per 100 units.

Montgomery County findings. Our neighboring county changed its ADU regulations in 2019 and has found negligible impacts on schools. A county representative told the Maryland ADU Task Force that “Adequate Public Facilities testing of ADUs for schools has proven to be unnecessary, as the units are generally occupied by empty nesters” – a consequence of their small size and limited number of bedrooms.

ADUs Deliver Fiscal Benefits and Infrastructure Efficiency

Unlike new subdivisions, ADUs leverage existing infrastructure – roads, water lines, and power grids already in place – while providing net fiscal benefits:

Expanded tax base. ADUs increase property assessed values, generating additional property tax revenue with little increase in public service costs. And in some cases, they house taxpayers who are new to the County.

Smart infill development. These units represent "gentle density" that helps Howard County meet housing targets without the substantial capital investment required for new greenfield developments.

Conclusion

ADUs alone will not solve our housing shortage, but they can be a vital tool in our response. We urge the Council to accept the Planning Board's recommendation and approve ZRA 218. Let us base our decision on evidence rather than unfounded concerns, and help provide Howard County families with the housing flexibility and affordability they need and deserve.

Thank you.

Respectfully submitted,

Dana Sohr

Dana Sohr

Member, Coalition Steering Committee

Howard County Council Testimony
January 20, 2026

Deborah Clutts
10607 Millet Seed Hill
Columbia, MD 21044

Bill CB3 - 2026

Good Evening, Council members. I am Deborah Clutts, a 43-year resident of Howard County. I am also the mother of an adult son, Matthew, born and raised in Columbia, who is on the Autism Spectrum. Howard County's housing shortage affects many residents, but its consequences fall disproportionately on people with disabilities. In a county where roughly one in seven adults lives with a disability, accessible and affordable housing options remain extremely scarce. Housing Choice Voucher waitlists stretch for years, accessible units are routinely leased within hours, and many residents are left with no real choices at all.

For too many people with disabilities, the lack of housing options means being pushed into unsafe housing, frequent moves, or institutional settings — not because of need, but because of policy constraints which negatively impact available and affordable housing. That is not a failure of individual circumstances; it is a failure of our housing system.

Accessory Dwelling Units, or ADUs, offer a practical and immediate way to address this gap. ADUs expand housing choices within existing neighborhoods, where a person with a disability can be close to transit, services, and social supports, which is exactly where people with disabilities want and need to live.

Independent living is a core value of the disability community. ADUs support that goal by offering private, self-contained homes that allow people to live autonomously while remaining near family members or caregivers when desired. This flexibility is especially important in Howard County, where most housing stock consists of older single-family homes that are difficult and expensive to retrofit for accessibility.

ADUs also create real opportunities for accessible design. Small, ground-level units can be built with universal design features from the outset, often at far lower cost than modifying an existing home or competing for one of the very few accessible and affordable apartments available countywide. Allowing detached ADUs and approving them by right gives homeowners the predictability they need to make those investments.

ZRA-218 removes unnecessary barriers while preserving neighborhood character. It expands housing choice without large-scale development and without public subsidy. For people with disabilities, this is not a technical zoning matter, it's about dignity, independence, and the right to live safely in the community of one's choosing.

I urge you to support ZRA-218 and take this meaningful step toward a more inclusive Howard County. Thank you for your consideration.

Citizens for Age-Friendly Howard County

Coalition of Members from Major Aging Groups
citizensforagefriendlyhowardcounty@outlook.com

My name is Jim Sanders. I am 40+ year resident, active community advocate, and Professor of Social Entrepreneurship at the University of Maryland. I am testifying today in support of the passage of ZRA-218 in its current form.

I am focusing today on 50,000 Howard County residents who are over 65. I will address the challenges and opportunities of aging in place and how ADUs can make a significant contribution.

I represent the Citizens for Age Friendly Howard County which is a coalition of members from the major aging groups. The group was founded around the need for housing and healthcare appropriate to the lifecycle of aging, The platform is to implement the many unrealized plans from Age Friendly, Housing Opportunities Masterplan, and Longevity Ready Maryland. While the aging demographic continues to grow actions to respond have not grown.

The Coalition advocates for passage of ZRA-218 for the following reasons of how ADUs are good for the aging population:

1. It creates aging in place options – Older adults who wish to downsize can move into an ADU while renting their primary residence or housing family members.
2. It creates caregiving solutions – ADUs allow older adults to live near caregivers, children, or loved ones while maintaining their independence.
3. It creates financial security – Homeowners can generate rental income to offset property taxes, home maintenance, and healthcare costs.

The following five details support the recommendation.

1. The challenges created by the size and growth of the aging population
2. How the lifecycle of aging creates changing living requirements
3. Why aging-in-place becomes stuck-in-space due to lack of choices.
4. Why aging individuals and families want ADUs
5. How ADUs provide a significant contribution.

Details on the size and growth of the aging population in Howard County

Howard County has one of the fastest growing aging populations. Over 65 residents are 13.3% of the total population. The ongoing aging of the rest of the population is expected to bring the total to 1 in 5 or 20% of the county population in 2030

The key number in the chart below is the large number of individuals over 75 and 80.

Table I-1: Population Distribution, Howard County, CY 2020-2035

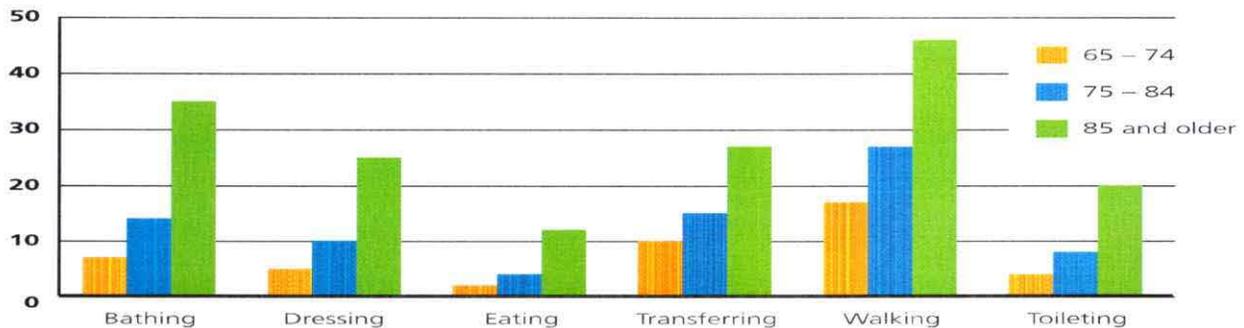
Region	Age Group	2020	Projected 2025	Projected 2030	Projected 2035	Percent Change (2020-2035)
Howard County	65 - 69	16,841	19,126	21,098	19,374	15%
	70 - 74	13,312	15,175	17,257	19,085	43%
	75 - 79	9,204	12,329	14,083	16,048	74%
	80 - 84	5,493	7,786	10,423	11,954	118%
	85+	4,847	6,047	8,226	11,343	134%
	Total		49,697	60,463	71,087	77,804

Source: DI #12, p.11.

Maryland Department of Planning, Total Population Projections by Age, Sex, 2020. Accessed September 18, 2025. https://planning.maryland.gov/MSDC/Pages/s3_projection.aspx

Understanding the lifecycle of aging and the role of housing requires identifying changing needs. The chart below illustrates likely changes in mobility and needs for assistance over time.

People with Limitations in Activities of Daily Living by Age



Howard County has limited ability to respond to changing living situations based on healthcare needs.

LIIMITED FACILITIES /SENIOR HOUSING

- 692 Beds Group home (1-16 residents)
- 1389 Assisted Living
- 683 beds Skilled Nursing
- 26 facilities Active Adult 55+
- 2 facilities CCRC

HIGH COST

- Nursing \$12,000/mo
 - Assisted Living \$5,000/mo
 - Home Health Care \$3-5K/mo
- Source: adjusted Genworth

Why aging individuals and families want ADUs and support for aging-in-place

- 77% of people aged 50+ want to live in their community for as long as possible.
- 76% want to continue living in their current residence.
- 59% believe they can remain in their community, whether in their existing home (46%) or another home nearby (13%).
- 67% of older adults would consider an ADU to live near family while maintaining their own space.
- 70% would build an ADU for a loved one in need of care.

Source: AARP Research

The People's Voice, LLC

Ethics Ballot™

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The People's Voice -

Testimony on CB3 – 2026 – Support with Amendment

The People's Voice has actually requested the equivalent of allowing ADU's for almost 10 years. We do believe they can be beneficial and provide more affordable rental units and even help people stay in their homes as they age, with more income and ability to have caretakers live on site but independently.

The State Bill requiring more ease of doing ADU's clearly allows local jurisdictions to add restriction as they feel are necessary, specifically noting the areas of parking and infrastructure needs. Thus, CB3 is not simply a compliance Bill, as it goes farther by allowing ADU's as a matter of right, and not just in single-family detached zones, and also allows 2-family i.e. duplexing of single units across many zones.

The amendments we believe are needed to this legislation are twofold. One is to require that with duplexing OR ADU's OR both, that owner occupancy of the main residence be required with building and renting. Adding these zoning allowances across these residential zones, especially if done as 3 to 1, will add great value to homes, so sales affordability is not going to be helped. Therefore, it is very important that we make every attempt to get more rental affordability, which has been the stated goal. In order to achieve that, it must be owner-occupied, otherwise investors will be far too enticed to buy up homes, making 1 into 3 and then we will not see the lower rents that homeowners investing in this would provide. This also has a great affect on how many will occur in a localized fashion as predicted by DPZ.

In the Bill, on page 42 line 9 and 10 there seems to be some errors. The "accessory apartment" notation in the first part of the first sentence on line 9 is not changed where requiring owner occupancy, and it still says "within" instead of within or detached, which needs to be the new language. That firms up owner occupancy for ADU's, but the duplexing part should also be owner-occupied to build or rent.

Secondly, the Bill should add these uses as conditional uses. It is not a good idea for the County to give up all control over where all this could happen in a localized way with cumulative impacts that are not being taken fully into consideration at present. The County needs to preserve some planning ability as to any possible need to address overwhelming certain roads, storm water needs, or other regional issues.

We could always do something to speed and ease the ADU conditional process. Possibly the County could charge less for that conditional use process, or even hasten it. The State requirements allow restrictions that could be abided by in criteria for the use being granted. That would retain some County input into the process going forward. If an owner can afford to build these units, even the current fee is not a hardship. Although fees and delays could be controlled. Property values and ability to finance will be increased by these zoning changes as well.

The County should keep some control of ever being able to cap or plan for ADU's and duplexing across a wide variety of neighborhoods that have ingress/egress, parking, storm water, and other differences. ADU's and duplexes can provide more middle income rentals and help homeowners too, but only if we figure out a productive but conditional process and require owner occupancy. We should not just wait for problems to happen then try to address them, as homeowners would have been given the matter of right use, then it would be taken away? That could be problematic. We should set things up for productive planning up front.

The People's Voice, LLC

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It is also important to implement good licensing and permitting for rentals, including short-term, airbnb type rental issues. The State Bill says short-term rentals are not to be restricted, but could be overseen well, as they are in Montgomery County where inspections and permitting issues are detailed.

Another question I recently saw was whether the ADU will be considered an addition or not in construction, and would the lower building fee of \$1.32 per square foot apply? The lower square footage is not the only definer of that lower fee. It also needs to be defined as an addition. The code currently reads addition -to a building- in definitions, so detached construction seems not to apply. Something to consider when weighing a conditional use cost decision as well.

Thank you,

Lisa Markovitz

President, The People's Voice

COMBERRATE

area. This means that there are limitations on how close you can build to that stream. This will be reviewed during the Environmental Concept Plan (ECP) stage. The new house would need to be constructed outside of the blue area on the map which depicts the stream buffer requirement (see image below)..



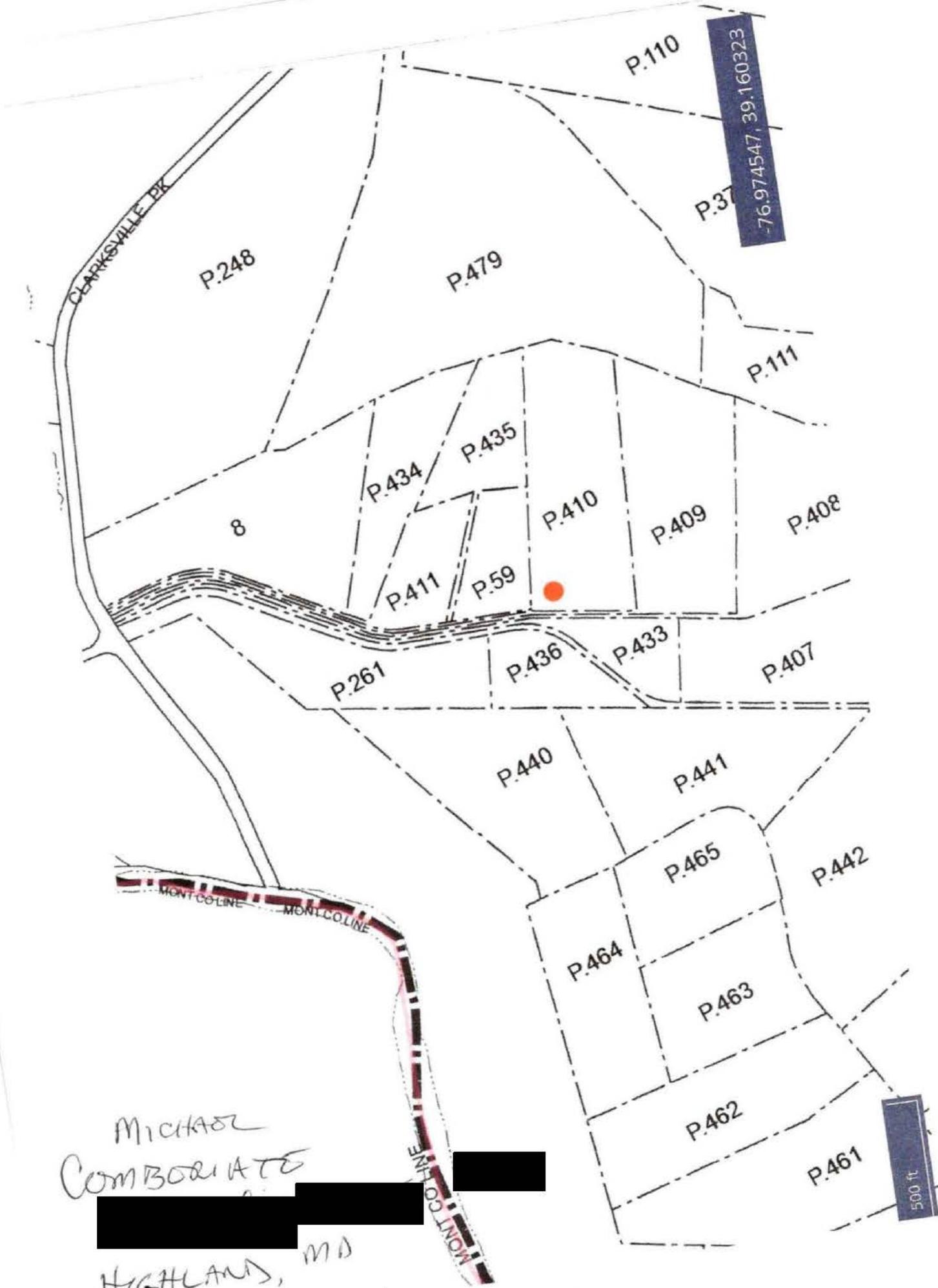
I would also ask Jill if there are any limitations within the Subdivision and Land Development Regulations regarding panhandle lots.

Septic Considerations:

I suggested in a prior email that you contact the [Health Department - Bureau of Environmental Health](#) for requirements on septic systems. This is critical as this may be the biggest challenge with approving your proposal. I do not know enough to give you a sense on what they might say so please work with them as soon as possible before going too far down this path.

Other Considerations:

Additionally, I recommend reviewing your easement access rights for your panhandle lot with regards to your property (if one exists). Are you allowed to build an additional access point from your property to the driveway that



MICHAEL
COMBODATE

HIGHLANDS, MD

20777





Good evening Council members,

My name is Ryan Powers from Glenwood, and I am testifying on behalf of the Howard County Citizens Association.

HCCA supports CB3-2026, but we want to emphasize that the need for housing growth should be balanced with infrastructure investment such as affordable water, affordable sewer, schools that are well maintained, open space and recreation at the same per capita level, not to mention keeping police, fire, and EMS response times the same. As such, HCCA is in general support of CB3's Accessory Dwelling Unit legislation but questions why duplexes by right are part of this bill when they weren't mentioned in County Executive Ball's press releases

We want to acknowledge the excellent job the Department of Planning and Zoning did presenting ZRA-218 to community groups as well as outreach with their own event. Director Eisenberg answered at least 36 questions during HCCA's virtual discussion, after giving a presentation explaining the bill. We believe the Planning Board heard more from residents because of this and ultimately recommended keeping the owner-occupancy requirement for ADUs due to resident engagement. Finally, we'd like to thank County Executive Ball for following through with this recommendation and also keeping the two bedroom maximum.

While we appreciate these changes, we also have amendments we'd like the council to pursue.

- 1) With the intention of this bill to expand both the number and types of housing units in the county, we believe that a second look at infrastructure impacts should be done. For example, the school impact fee is an incredibly low 1.32 per sq ft for additional construction of additions less than 2000ft. We suggest impact fees should be more aligned with the intention of this bill and how people are living today. The median home size in Howard County is ~2100 sq ft. When CB58-2022 was put in place the average size of homes on the market was closer to 3000 sq ft. We are concerned an unknown number of additional housing units won't pay for additional infrastructure needs created by them.

2) This legislation also needs to clarify APFO restrictions on ADU's. Director Eisenberg has confirmed state law does not prohibit APFO restrictions on ADU's, so it makes little sense not to include them. Although ADU's don't involve the subdivision and site plan process, new legislation needs to account for a new type of housing.

3) Duplexes on single-family lots should remain a conditional use. This legislation sets a minimum lot size of 16,000 sq ft, $\frac{1}{3}$ of an acre, for potentially two housing units plus an ADU. The Department of Planning can tell us that bulk restrictions will limit this, or, given the variety of lot shapes, neighborhoods, roads conditions, traffic, and other external factors, the council can continue to make sure Howard County has the best plan for residential growth. There are also concerns that no owner-occupancy requirement for these duplexes will lead to what should be home ownership opportunities instead becoming investor-owned rentals.

And finally,

4) HCCA believes there's a technical error in the bill. The Administration has indicated that it wants this bill to retain owner-occupancy requirements for ADU's. It appears the actual owner-occupancy requirement is from a vestigial part of the prior language discussing accessory apartments, which no longer exist due to their replacement in this bill with accessory dwelling units (Page 42, Lines 9-11)

Thank you,

Ryan Powers, HCCA board member