

**Amendment 73 to Council Bill No. 28 -2023**

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**Legislative Day 11**

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**Amendment No. 73**

*(This Amendment makes the following changes to HoCo by Design Chapters 6 and 11:*

*Chapter 6: Dynamic Neighborhoods - Deletes Implementing Action 4 in the DN-2 Policy Statement.*

*Chapter 11: Implementation - Deletes Policy and Implementing Action 4 in the DN-2 Policy and Implementing Action in Table 10-1: Implementation Matrix.)*

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following  
2 pages as indicated in this Amendment:

- 3 • Chapter 6: Dynamic Neighborhoods, page 40; and  
4 • Chapter 11: Implementation, page 37.

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6 Correct all page numbers, numbering, and formatting within this Act to accommodate this  
7 amendment.

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## DN-1 Policy Statement



Increase opportunities for missing middle housing through the creation and use of zoning tools and incentives.

### Implementing Actions

1. Evaluate conditions where duplex and multiplex homes can be compatible with existing neighborhoods and permitted by-right in a greater number of residential and mixed-use zoning districts.
2. Identify and eliminate barriers in the Zoning Regulations and Subdivision and Land Development Regulations to housing stock diversification. Ensure that bulk regulations are realistic for these housing types and do not preclude their potential on existing lots.
3. Expand the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include missing middle housing types, such as stacked townhomes, cottage clusters, and multiplexes, and consider appropriate parking requirements for these housing types.
4. Evaluate and establish one or more of the following zoning tools and incentives as potential opportunities to create missing middle housing:
  - a. Zoning overlays or floating zones that could be applied to activity centers, transportation corridors, or other areas that are appropriate for this housing type.
  - b. Smaller lot sizes (lot width and lot area).
  - c. Density-based tools such as transfer of development rights or density bonuses.
  - d. Tax incentives for developers and/or land owners.
  - e. Flexible development standards such as maximum building size or lot coverage.
5. Establish regulations that disperse missing middle homes throughout the County so that neighborhoods contain a proportionate mix of different housing types and can balance other infrastructure needs.
6. Explore opportunities to work with public and private partners to build missing middle housing demonstration projects or provide models and designs for these housing types.

## DN-2 Policy Statement



Allow attached and detached accessory dwelling units (ADUs) on a variety of single-family attached and single-family detached lots that meet specific site development criteria in residential zoning districts.

### Implementing Actions

1. Establish a clear, predictable process and location-specific criteria for ADUs.
2. Revise the Zoning Regulations and Subdivision and Land Development Regulations to allow attached and detached ADUs that meet pre-determined location and site criteria. Provide parking requirements as needed.
3. Establish a clear definition of ADUs in the updated Zoning Regulations.
4. ~~Direct the Adequate Public Facilities Ordinance (APFO) task force to develop recommendations as to the applicability of APFO to accessory dwelling unit creation or construction.~~

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-2 - Allow attached accessory dwelling units (ADUs) on a variety of single- family attached and single-family detached lots that meet specific site development criteria in residential zoning districts.</b>		
1. Establish a clear, predictable process and location-specific criteria for ADUs.	DPZ	Mid-Term
2. Revise the Zoning Regulations and Subdivision and Land Development Regulations to allow attached and detached ADUs that meet pre-determined location and site criteria. Provide parking requirements as needed.	DPZ DHCD	Mid-Term
3. Establish a clear definition of ADUs in the updated Zoning Regulations.	DPZ	Mid-Term
<del>4. Direct the Adequate Public Facilities Ordinance (APFO) task force to develop recommendations as to the applicability of APFO to accessory dwelling unit creation or construction.</del>	<del>DPZ DHCD</del>	<del>Mid-Term</del>
<b>DN-3 - Future activity centers—as identified on the Future Land Use Map (FLUM)—should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options.</b>		
1. Establish a new mixed-density and mixed-use zoning district that encourages diverse housing types and creates opportunities for mixed-income neighborhoods.	DPZ	Mid-Term
2. Allow a vertical (a range of uses within one building) and horizontal (a range of uses within one complex or development site) mix of uses, including housing, employment, and open space, that encourage walkability and transit connections.	DPZ OOT	Mid-Term
3. Incentivize the production of housing units affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program.	DHCD DPZ Non-profit Partners	Ongoing
4. Incentivize the production of housing units that meet the needs of different levels of ability (like persons with disabilities) and other special needs households. Ensure that these units are both accessible and affordable.	DPZ DHCD Non-profit Partners	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-4 - Allow the development of small-scale missing middle housing and accessory dwelling units (ADUs) that respect the character and integrity of their surroundings and meet specific site conditions in single-family neighborhoods.</b>		
1. Establish design requirements, pattern book or character-based regulations for missing middle housing types and detached accessory dwelling units to ensure that new construction is consistent with the character of the surrounding existing housing.	DPZ	Long-term
2. Establish provisions in the regulations that include dimensional and design standards to ensure neighborhood compatibility, off-street parking requirements, minimum lot sizes, and other standards.	DPZ	Mid-Term
3. Explore zoning and other incentives for minor subdivisions that consist of missing middle housing types and explore form-based or character-based zoning for these types of residential infill developments.	DPZ	Mid-Term
4. Evaluate how accessory dwelling units and other types of new development could enhance or impact stormwater management practices.	DPZ DPW	Mid-Term