

**Amendment 100 to Council Bill No. 28 -2023**

**BY: Deb Jung**

**Legislative Day 11**

**Date: October 2, 2023**

**Amendment No. 100**

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

- Chapter 6: Dynamic Neighborhoods*
- *Removes all quotes;*
  - *Amends the Equity in Action subsection of the “What We Heard” section by adding a second sentence to the third bullet as follows: “Explore programs that will incentivize developers to build housing in mixed-use projects that will be affordable and create new home ownership opportunities.”;*
  - *Amends the Housing Element (HB 1045) and the Housing Opportunities Master Plan section by describing the types of rental housing and homes for sale in Columbia.*
  - *Amends the second paragraph of the Housing Element (HB1045) and the Housing Opportunities Master Plan section by deleting “However, as and substituting “Since”;*
  - *Amends the Data and Findings of the Housing Opportunities Master Plan section by specifying the locations in the County with concentrations of low- and moderate-income households that have lower home ownership rates and less access to affordable for sale homes;*
  - *Amends the Why is Missing Middle Housing Important paragraph of the Diversify Housing Typologies Permitted in the County section by deleting the second sentence and adding the following sentence at the end of the paragraph: “Home ownership opportunities should be emphasized in the areas where apartments are now concentrated.”;*
  - *Amends the Accessory Dwelling Units section by deleting language relating to Portland, Oregon, data regarding the number of cars for each ADU and where they are parked;*
  - *Amends the DN-1 Policy Statement Implementing Action 2 to consider eliminating specified barriers to housing stock diversification in the Zoning Regulations and Subdivision and Land Development Regulations and deletes the following language: “and do not preclude their potential on existing lots”;*
  - *Amends the DN-1 Policy Statement Implementing Action 3 to consider expanding the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include specified missing middle housing types;*

- *Amends the DN-1 Policy Statement Implementing Action 4 to evaluate rather than establish specified zoning tools as potential opportunities to create missing middle housing;*
- *Amends the DN-2 Policy Statement Implementing Action 1 to explore a clear, predictable process and location-specific criteria for ADUs so they do not adversely impact older neighborhoods lacking sufficient infrastructure;*
- *Amends the DN-2 Policy Statement Implementing Action 2 to consider revising the Zoning Regulations;*
- *Amends the fourth paragraph of the Expand Locations and Opportunity Areas for More Diverse Housing Choices Throughout the County section to provide that new residential growth may have a net positive fiscal impact on the County budget, and deletes language that a specified approach to housing development will reduce constraints on housing prices and continue a net positive tax revenue for the County;*
- *Amends the fifth paragraph of the Expand Locations and Opportunity Areas for More Diverse Housing Choices Throughout the County section by deleting language relating to the County's inclusionary zoning policies and the development of diverse housing types;*
- *Amends the first paragraph of the Diverse Housing Opportunities in New Activity Centers section to provide that a significant amount of future housing may, rather than will, be concentrated in new mixed-use activity centers;*
- *Amends the third paragraph of the Diverse Housing Opportunities in New Activity Centers to add consideration of the unintended impact of activity centers resulting in students who may be added to overcrowded schools;*
- *Amends the DN-3 Policy Statement Implementing Actions 1 to consider establishing rather than establish a specified zoning district and adds language relating to more home ownership opportunities;*
- *Amends the DN-3 Policy Statement Implementing Actions by adding Action 5 to consider establish housing scenarios that support for-sale units to specified income households and to require mixed use and activity centers to reflect home-ownership opportunities;*
- *Amends the third paragraph of the Infill Development in Existing Residential Neighborhoods section to note that the current occupancy of detached ADUs is limited to elderly or disabled family members and deletes language relating to the historical use of specified structures;*
- *Amends the fourth paragraph of the Infill Development in Existing Residential Neighborhoods section by deleting specified language and adding specified considerations of the impact of*

- new development on neighborhood character and storm water management as well as specified infrastructure;*
- *Amends DN-4 Policy Statement to allow the development of missing middle and ADUs that are consistent with the character and integrity of their surroundings and comply with all applicable APFO and parking requirements;*
  - *Amends DN-4 Policy Statement Implementing Actions by adding Action 5 to determine specified parking requirements for specified small scale missing middle housing and ADUs;*
  - *Amends paragraph 3 of the Opportunities to Increase the Supply of Income-Restricted Housing Units section by deleting the fourth and fifth sentences referencing the Housing Opportunities Master Plan;*
  - *Amends the DN-5 Policy Statement Implementing Actions by adding Action 5 to incentivize affordable for-sale housing opportunities in specified areas;*
  - *Amends the third paragraph of the Opportunities for New Multi-Family Communities by deleting language relating to the redevelopment of older mobile home parks;*
  - *Amends the DN-7 Policy Statement by deleting Implementing Action 1;*
  - *Amends the DN-8 Policy Statement Implementing Action 1 to consider rather than allow the development of ADUs that conform to specific design and site criteria and Implementing Action 2 to explore locating rather than locating missing middle housing typologies in the Rural Crossroads;*

*Chapter 11:  
Implementation*

- *Amends the DN-1 Policy Statement Implementing Action 2 to consider eliminating specified barriers to housing stock diversification in the Zoning Regulations and Subdivision and Land Development Regulations and deletes the following language: “and do not preclude their potential on existing lots”;*
- *Amends the DN-1 Policy Statement Implementing Action 3 to consider expanding the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include specified missing middle housing types;*
- *Amends the DN-1 Policy Statement Implementing Action 4 to evaluate rather than establish specified zoning tools as potential opportunities to create missing middle housing;*
- *Amends the DN-2 Policy Statement Implementing Action 1 to explore a clear, predictable process and location-specific criteria*

*for ADUs so they do not adversely impact older neighborhoods lacking sufficient infrastructure;*

- *Amends the DN-2 Policy Statement Implementing Action 2 to consider revising the Zoning Regulations;*
- *Amends the DN-3 Policy Statement Implementing Actions 1 to consider establishing rather than establish a specified zoning district and adds language relating to more home ownership opportunities;*
- *Amends the DN-3 Policy Statement Implementing Actions by adding Action 5 to consider establish housing scenarios that support for-sale units to specified income households and to require mixed use and activity centers to reflect home-ownership opportunities;*
- *Amends DN-4 Policy Statement to allow the development of missing middle and ADUs that are consistent with the character and integrity of their surroundings and comply with all applicable APFO and parking requirements;*
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- *Amends the DN-8 Policy Statement Implementing Action 1 to consider rather than allow the development of ADUs that conform to specific design and site criteria and Implementing Action 2 to explore locating rather than locating missing middle housing typologies in the Rural Crossroads;)*

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: 6, 11, 13, 21, 22, 25, 36, 39, 40, 41, 42, 43, 44, 45,  
4 46, 47, 49, 50, 51, 54, 57, 60, and 65; and
- 5 • Chapter 11: Implementation: 36, 37, 38, 39, and 41.

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

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# What We heard

Throughout the engagement process, the character of housing and neighborhoods were prominent themes communicated by participants. Community members cited concerns regarding the impact of new housing on county infrastructure (including schools and roads), yet also acknowledged that there is both a high demand to live in the County and a growing need for more financially attainable quality housing.

Community members also grappled with the lack of developable land in the County and were interested in redevelopment opportunities to offer a variety of housing choices, from high-density housing to moderate-density options like missing middle housing (defined later in this chapter). They also considered strategies that would allow detached accessory dwelling units on existing residential lots and opportunities for missing middle housing through residential infill development. Many said that if housing were integrated in the redevelopment of activity centers, design should recognize the uniqueness of each community and the scale should fit the context of the existing built environment. This recognition of context included the Rural West, where there was mixed feedback about whether any additional housing should be constructed. Most agreed new housing in the West should respect the rural nature of the area and not infringe upon, but compliment, agricultural uses by offering housing affordable to workers of local agribusinesses and farms.

Some community members expressed concerns about adding housing in the County given the existing school capacity challenges, while others shared concerns with new housing types. Many suggested that missing middle housing and accessory dwelling units should be compatible with existing housing and contribute to a cohesive neighborhood design. Furthermore, many supported developing appropriate guidelines for the design of housing, with an emphasis on ensuring guideline compliance. It was also emphasized that any new housing should be sensitive to the natural environment and sustainable building practices.

There was general agreement that new housing should be attainable for a diversity of income levels. Some mentioned challenges with the existing Moderate Income Housing Unit (MIHU) program and suggested it be reevaluated to ensure it is meeting its intended objectives.

Housing was viewed as a part of a holistic community. Many remarked that the County should be intentional about the location of future development so it is well connected to amenities, planned improvements to public facilities, and employment centers—all assets that make Howard County's neighborhoods so desirable.



## Diversity, Equity, and Inclusion Focus Groups Findings

- Housing in Howard County is not financially attainable for many people—need greater variety of housing types at various price points (for both rental and homeownership).
- Need more housing units that serve persons of all age and ability levels, especially the older adult population
- Housing is connected to concerns regarding school overcrowding and redistricting.
- Need for common/open space to be integrated into all neighborhoods

## Equity in Action

The following are equity best practices. Housing is inextricably linked with equity in Howard County, so many of the policies and associated implementing actions in this chapter have been identified as equity best practices. Each policy or implementing action that directly advances equitable outcomes will be noted with a " " symbol.

- Remove barriers to affordable housing in zoning and subdivision regulations.
- Provide a range of housing types.
- Preserve affordability of existing homes and neighborhoods for rental and homeownership opportunities for low- and moderate-income households. [Explore programs that will incentivize developers to build housing in mixed-use projects that will be affordable and create new home ownership opportunities.](#)
- Increase connected multi-modal infrastructure that provides access to jobs and amenities, particularly for low-income and transit-dependent community members.
- Identify housing needs for the entire community, as well as specific populations, including low-income, older adults, disabled, and homeless families and individuals.

## strategic aDVisory group input

Since housing affordability was identified as one of the most critical challenges currently facing the County, a Housing and Neighborhoods Strategic Advisory Group (SAG) was formed to discuss how to diversify housing options throughout the County. The SAG focused on housing typologies referred to as missing middle and discussed several factors: what missing middle housing could look like, where it should be located, and what zoning changes need to occur to make it possible. The group recognized that missing middle housing has the potential to foster racial and socioeconomic diversity, provide more entry-level housing options, help address the downsizing needs of the older adult community, and contribute additional housing for persons with disabilities. There was consensus that to support a diversity of housing types and strong neighborhoods in the County, there must be policies that ensure affordable and attainable units are created, zoning tools that support diverse housing development, and infill development/redevelopment opportunities for missing middle housing that respect the character and integrity of a neighborhood—all while recognizing that limited land is available for new development. The work of the SAG informed many of the policies in the Dynamic Neighborhoods chapter and complemented recommendations found in the Howard County Housing Opportunities Master Plan (HOMP).

# housing eLement (hb 1045) and the housing Opportunities master pLan

Maryland House Bill (HB) 1045, adopted in 2019, requires jurisdictions with planning and zoning authority to include a housing element in comprehensive plan updates. A housing element must address the need for affordable housing within jurisdictions, including both workforce and low-income housing. HB 1045 defines workforce housing as follows:

- Workforce housing for home ownership – Housing that is affordable to a household with an aggregate annual income between 60–120% of the area’s median income (see AMI definition next page).
- Workforce housing for rental – Housing that is affordable to a household with an aggregate annual income 50–100% of the area’s median income (see AMI definition next page).

Columbia was built on the concepts embodied in HB 1045 and contains the highest concentration of low and moderate-income rental housing and lower priced homes for sale in Howard County. Home ownership rates are also lower in Columbia than in the rest of the County. The focus going forward should be to increase home buying opportunities for those living in Columbia.

~~However, as~~ Since various policies and actions in HoCo by Design are based on the Howard County Housing Opportunities Master Plan, workforce housing (also referred to as moderate-income housing) in this document is more broadly defined as housing that is affordable to households that earn 60–120% of the area median income (AMI), while low-income housing is defined as housing affordable to households that earn less than 60% of the AMI. According to the US Department of Housing and Urban Development (HUD), a home is affordable when 30% or less of a household income is spent on housing costs.

In 2019, recognizing that the housing inventory was scarce for people at every income level, which contributed to rising housing prices and rents, the County launched a process to create a housing plan. Completed in 2021, the County’s housing plan, known as the Housing Opportunities Master Plan (HOMP), includes an assessment of the current state of housing in the County and strategies for improving its availability, affordability, and accessibility. The HOMP includes various recommendations for land use planning, many of which have been contemplated in the HoCo By Design planning process.

The Dynamic Neighborhoods chapter incorporates various data and recommendations from the HOMP and includes policies and implementing actions that address the requirements of HB 1045.



## Dynamic Neighborhoods terms

**Affordable Housing:** As defined in the Housing Opportunities Master Plan (HOMP), this term is often used in different contexts and to convey different concepts. Broadly speaking, affordable housing is housing in which its occupants can live and still have enough money left over for other necessities, such as food, health care, and transportation. This relationship is often expressed in terms of the percentage of income that a household spends on its housing payments. For the purpose of the HOMP and HoCo By Design, affordable housing can include both income-restricted housing, as well as attainably priced market-rate housing.

**Attainable Housing:** An attainably priced home is one that does not create cost burdens for the family living there and is generally affordable without a subsidy.

According to the US Department of Housing and Urban Development (HUD), a home is affordable if the occupant is paying no more than 30% of gross income for housing costs, including utilities. Based on this definition, a household that makes \$73,000 per year could probably afford a monthly rent of \$1,825 and a mortgage on a home priced at \$200,000–\$250,000.

**Income-Restricted Housing:** As defined in the HOMP, rental or homeownership units that are restricted to households at a certain income level, and are often calculated as a percentage of Area Median Income (AMI). These units tend to receive some form of public, philanthropic, or policy support. Examples include, but are not limited to, the following:

- Moderate Income Housing Units (MIHUs)—units that developers of new market-rate housing in Howard County must reserve for moderate-income households at reduced rents or purchase prices.
- Low Income Housing Units (LIHUs)—units that must be reserved for low-income households at reduced rents or purchase prices.
- Disability Income Housing Units (DIHUs)—units that must be reserved for households receiving a disability income.

**Area Median Income (AMI):** As defined in the HOMP, the midpoint of the income distribution for a region, with half of the households in that region earning more than this amount and half of the households in that region earning less than this amount. In 2019, according to the US Census, the AMI in Howard County was \$121,160. Using this AMI as the basis, below are estimated low and moderate household income ranges:

- Extremely Low Income: Under 30% of AMI (or \$36,348 or less/year)
- Low Income: 30–60% of AMI (or \$36,349–\$72,696/year)
- Moderate Income: 60–120% of AMI (or \$72,696–\$145,392/year)

## Data and Findings from the Housing Opportunities Master Plan

The Housing Opportunities Master Plan (HOMP) involved extensive research of the local housing market and existing policy landscape, and makes the case for expanding home choices and affordability in the County. The “Market Overview & Background Research” from the HOMP should be used as a resource document to HoCo By Design as it provides an overview the County’s housing inventory, affordability, and demand. However, some of the key findings relevant to the policies and actions presented in HoCo By Design can be found below:

- In 2019, just one-quarter (25.6%) of for-sale housing units in Howard County were affordable to households making less than 120% of Area Median Income (AMI), with most of this housing stock being much older.
- There is not enough housing supply for renters who make less than 60% of AMI (or less than \$73,000 annually).
- Most new housing being built by the market is affordable to households making more than 80% of AMI (rental) and more than 120% of AMI (for-sale).
- Just 9% of housing in Howard County is affordable to households making less than 60% of AMI, and virtually no for-sale homes that have been built in the last two decades are affordable to this group.
- The Rural West lacks housing options for low- and moderate-income households. Based on prices of homes sold between 2015–2018, to include new construction and resales, just 1% of its homes are affordable to households making less than 60% of AMI, largely due to the lack of modestly priced for-sale housing.
- Cost burdens are disproportionately felt by diverse populations, both for rental and for-sale housing.
- While single-family detached homes under 3,000 square feet represent nearly half (48%) of the overall for-sale inventory, they account for just 17% of new product today. In April 2020, the average size of a for-sale, newly constructed, single-family detached home was 4,025 square feet and 2,471 square feet for a townhome, generally larger than neighboring jurisdictions.
- The average share of income spent on housing is especially high (32.2%) for 65 years and older renter households, one-quarter of which pay 50% or more of their incomes.
- The amount of new housing that has been built in Howard County has decreased in recent years. As a result, housing supply has not kept up with housing demand, which has contributed to rising home prices.
- Households that own their own homes and make more than 120% of AMI account for a majority (51%) of all households in Howard County, compared to just 37% in surrounding counties (which include: Anne Arundel, Baltimore, Carroll, Montgomery, and Prince George’s).
- Compared to surrounding counties, Howard County is home to a lower percentage of homeowners who make less than 120% of AMI, as well as most types of renters. The types and price points of housing that exist in the County today are at least partially attributable to these differences.

Overall, the housing affordability challenges are most severe for low- and moderate-income households. These households, concentrated [in certain areas of the County mostly in Columbia, along Route 40 and Route 1](#), have lower homeownership rates and less access to [affordable units for sale homes that are affordable](#).

Map 6-2 on Pages 15-16 shows median household income, by census block group, throughout the County. The block groups with the lowest income households are found along Route 40, in Ellicott City, in parts of Columbia, and along the Route 1 Corridor.



# DiVersify housing typologies permitted in the County

## What is Missing Middle Housing?

For the purposes of the General Plan, missing middle housing refers to a range of small- to medium-size home choices that are available at different price points. New missing middle homes are compatible in scale and character with surrounding neighborhoods or integrated into new or existing activity centers throughout the County as a transition between different land uses or building types. Missing middle homes may be represented by a single multi-unit building on a single lot, a multi-unit building on multiple lots, or a cluster of homes oriented around a common green space. Missing middle housing types may include duplexes, triplexes, quadplexes, courtyard apartments, live/work units, multi-use dwellings, cottage courtyards, modest-sized homes (under 2,000 square feet), stacked townhomes, plus others.

## Why is Missing Middle Housing Important?

Missing middle housing would increase home choices for both rental and homeownership in Howard County. Having more diverse housing types in a community fosters socioeconomic diversity. ~~These housing types are recommended in this General Plan to help address the significant under-supply of homes.~~ Relative to larger single-family detached homes, these housing types could be more affordable for those with lower or moderate incomes. They could also provide housing options for the County's growing older adult population, persons with disabilities, young professionals, artists, and many members of the County's workforce.

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*To me, this new housing choice is a critical focus area in order for HoCo to remain a relevant and leading place to live for families and young people. Mixed-use, bike/walk/transit friendly, green spaces, more housing choices, YES!*  
 — “ —  
*—HoCo By Design process participant*



Source: Opticos Design Inc.



Map 6-3, on Pages 23-24, depicts the locations of existing multi-family buildings (both apartments and condos), single-family attached (SFA) neighborhoods, and single-family detached (SFD) neighborhoods. There is greater racial and ethnic diversity where there is a variety of housing types. While 36% of all census tracts have a nonwhite population that is 50% or greater, those same census tracts contain 60% of all apartment, townhome, and condominium units in the County. [Home ownership opportunities should be emphasized in the areas where apartments are now concentrated.](#)



Image 6-1 is an example of a modest-sized home, approximately 1,300 square feet, in the Cottages at Greenwood, a permanently affordable housing development that consists of 10 single-family homes on approximately 3.5 acres. This development provides homeownership opportunities for moderate-income households. In 2011 and 2012, homes in the neighborhood sold for \$252,400. In 2019, a home in the neighborhood sold for \$265,274.

## Zoning Regulations and Missing Middle Housing

The Howard County Zoning Regulations and the Subdivision and Land Development Regulations govern the development and use of land in the County. The County has multiple zoning districts in which different uses are permitted, prohibited, or permitted with conditions. The Zoning Regulations dictate which housing types are permitted by-right, as an accessory use, or by conditional use in specific zoning districts. While the Zoning Regulations overall allow single-family detached, single-family attached, single-family semi-detached (homes that share a wall but have separate lots), and multi-family homes by-right, there are a limited number of zoning districts that allow single-family attached, single-family semi-detached, and multi-family homes by-right.

The series of zoning maps on the following pages depict where certain housing types are allowed by-right in the County. However, Map 6-7 reflects the locations in Columbia's New Town Zone that allow certain housing types because this zoning district is governed by Final Development Plans for small geographic areas that are more specific than the general residential zoning districts.

Map 6-4, on Pages 27-28, depicts where single-family detached homes are permitted by-right under the Zoning Regulations. Map 6-5, on Pages 29-30, shows where single-family attached and single-family semi-detached homes are permitted by-right under the Zoning Regulations. Map 6-6, on Pages 31-32, shows where multi-family and mixed-use residential homes are permitted by-right under the Zoning Regulations.



Image 6-2



Image 6-3

Images 6-2 and 6-3 show examples of a duplex (semi-detached) and a two-family dwelling, both of which are allowed in limited areas under the Zoning Regulations. Homes in a duplex share a common wall but are divided by property lines (shown in yellow). A two-family dwelling has two separate living units but is on one parcel.

While the County's housing mix presented earlier in the chapter represents the percentage of specific housing types that exist in the County today, zoning districts determine where certain housing types are allowed by-right or as a conditional use. Zoning districts west of the Planned Service Area (PSA) are restricted in development density due to lack of access to public water and sewer, growth tiers limiting the number of units, and significant amounts of land permanently preserved for agricultural uses. Therefore, the amount of land permitting single-family detached homes is much higher than the amount of land permitting other types of housing in the County.

Since missing middle housing types often include two or more units, there are a limited number of locations where they can be built under the Zoning Regulations, as they are either not defined in the regulations or not permitted. New zoning should also consider bulk requirements (a set of controls that determine the size and placement of a building on a lot) that are realistic for these housing types and do not preclude their potential on existing lots. Regulatory barriers, limited precedent, and uncertain returns on investments are noted obstacles to creating this housing type in today's market. While demand exists for smaller, more affordable housing stock, many missing middle types are not a common housing product within the building industry and the ability to finance them remains to be proven in the market. Therefore, jurisdictions may need to facilitate and incentivize demonstration projects to encourage these new housing types or offer a range of multi-unit or clustered housing models or designs that are compatible with single-family homes. This could provide greater predictability for both the community and the developers of these housing types.

## Accessory Dwelling Units

The American Planning Association defines an accessory dwelling unit (ADU) as "a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home." ADUs are self-contained residences that include their own kitchen, bathroom, and sleeping area. ADUs can go by many other names, such as granny flats, tenant homes, accessory apartments, in-law suites, and more. They can also come in a variety of shapes and forms, including basement, attic, garage, attached, and detached. The ADU drawings and descriptions on page 37 help to distinguish between these different types.



Not only do ADUs increase the supply of diverse, lower cost housing options, they provide opportunities for homeowners to supplement their income. This could help many older adults to age in place. Today, Howard County Zoning Regulations allow some forms of ADUs—accessory apartments and temporary accessory family dwellings—but there are various restrictions on where they are permitted. Between 2015 and 2020, only 99 attached accessory apartments and one temporary accessory family dwelling were permitted in the County.

Throughout the HoCo By Design planning process, some residents have expressed concerns about the impact that ADUs would have on parking, the environment, and neighborhood character. However, regulatory tools can be adopted to minimize these potential impacts.

~~According to the AARP, data from Portland, Oregon suggests that the average ADU in Portland has 0.93 cars, and about half of Portland's ADU-generated cars are parked on the street. Portland's experience suggests that ADUs have a minimal impact on street parking; however, parking requirements should be flexible and location- and site-dependent so that units are neither over- nor under-parked.~~

To ensure that ADUs have minimal impact on the environment and neighborhood character, zoning regulations could provide height and size caps, design controls, minimum lot size or environmental condition restrictions, and limits on the number of bedrooms. These types of standards could provide neighbors with greater predictability of the size and look of this housing type. Additional information on the environmental impact can be found in the "Infill Development in Existing Residential Neighborhoods" section.

## aDUs in hoWarD County

### attacheD accessory apartments

Accessory apartments are permitted as an accessory use in most residential zoning districts if located within a single-family detached dwelling, such as a renovated basement, attic, or garage. In addition to meeting various site and building criteria, they must be located in an owner-occupied dwelling, and the owner must occupy either the accessory or the principal dwelling.

### DetacheD accessory apartments

Detached accessory apartments are not permitted under the Zoning Regulations, except as a temporary accessory family dwelling. These dwellings are permitted conditionally (as opposed to by-right) and allow for a second dwelling unit on a lot if it is used for an elderly or disabled family member of the resident of the primary residence. There are various site and building criteria that must be met, such as being located on a lot that is two acres or larger, and allowed through a conditional-use process in certain zoning districts. These dwellings must be removed once no longer in use by a family member.

## 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~~ Consider eliminating 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~~ Consider expanding 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~~ Explore a clear, predictable process and location-specific criteria for ADUs so they do not adversely impact older neighborhoods lacking sufficient infrastructure.
2. ~~Revise~~ Consider revising 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.

## expand Locations and opportunity areas for more DiVerse housing choices throughout the county

Diverse housing options are necessary for continued economic prosperity, especially to attract talent to fill positions with new companies in employment centers and retain the people who already enjoy the quality of life the County offers. As the County continues to evolve, providing housing choices that appeal to a broad range of people, whether they are young professionals starting their careers or retirees who want to downsize, will be critical. Housing variety can expand the range of price points and help to balance the overall housing market.

Focusing these housing options strategically in areas where infrastructure already exists (such as activity centers) provides multiple economic, transportation, and environmental benefits. As discussed in the Economic Prosperity chapter, job growth fuels the need for nearby homes to create a healthy jobs-housing balance and strong tax base. Balancing jobs and housing within a jurisdiction has the potential to reduce road congestion and the need for public investment in additional roads by keeping trips within the County and reducing trips into the County. It also retains more spending locally, as people who live and work in the same community are more likely to shop in that community, thereby helping to strengthen and diversify the local economy.

Targeted housing opportunities also benefit the environment as sites are redeveloped with new or improved stormwater management. Additional environmental enhancements could include incorporating green site and building design elements, such as energy efficient buildings, solar energy, green space, multi-modal transportation options, reduced water consumption, and other environmentally friendly features.

As discussed in Chapter 2, new residential growth ~~has may have~~ a net positive fiscal impact on the County's budget: the revenues generated can exceed costs to service the new development. Much of this impact is attributed to the unique tax structure in Howard County, whereby property and income tax comprise 90% of the County's operating revenues. Additionally, transfer and road excise taxes and a school surcharge fee are collected and used to help pay for new capital facilities. These one-time revenues make up a significant portion of the net revenues to the County each year and are necessary to sustain the County's supporting infrastructure. Absent a steady revenue stream, additional funding would be needed to maintain current services levels, ~~which would otherwise necessitate tax increases~~. A reasonable and balanced approach to housing development will reduce constraints on housing prices and continue a net positive tax revenue for the County to address infrastructure needs and provide public services.

Solutions to increase home choices for all income levels throughout Howard County start, in part, with the type and distribution of uses envisioned in the Future Land Use Map (FLUM), and the guidance and policies included to support those uses. In HoCo By Design, redevelopment in activity centers provides the greatest opportunity for growth in places that are already developed. However, opportunities for modest growth exist elsewhere, including in the Rural West and existing residential neighborhoods, and through multi-family redevelopment and

— “ —  
*Most of housing in Howard County is low-density or very low-density. Seem to be lacking the 'missing middle' and the middle-income housing*  
— “ —  
*-HoCo By Design process participant*



infill development. ~~By seeking opportunities to expand the County's inclusionary zoning policies and encouraging the development of diverse housing types where growth opportunities exist, mixed-income communities will become more prevalent, housing prices will be less constrained, and county tax rates can remain stable. New financially attainable housing opportunities for all, including low- and moderate-income households, will be less concentrated and more available in more communities throughout the County.~~

As noted in the previous section, the Zoning Regulations do not permit many missing middle housing types or detached ADUs, and proposed policies aim to allow them with appropriate criteria. This section focuses on where opportunities exist for all types of new housing in the County. The section also emphasizes how regulations may need to change within different geographies, or opportunity areas, to accommodate diverse housing types.

### Diverse Housing Opportunities in New Activity Centers

Based on the limited amount of land still available for development, a significant amount of future housing ~~will~~ may be concentrated in new mixed-use activity centers identified on the Future Land Use Map (FLUM). The new mixed-use activity centers are envisioned to be compact walkable areas with employment opportunities, commercial uses and open space, community services and amenities, and multi-modal transportation connections. Activity centers, refined from PlanHoward 2030's Growth and Revitalization place type, create a predictable and sustainable pattern of growth. This pattern supports existing neighborhoods with retail, services, and job growth; provides greater opportunity for attainable housing; and supports opportunities to reduce environmental impacts of activity centers through redevelopment, including improved stormwater management infrastructure. Medium to high housing densities will likely be necessary to supporting this vision.



It is anticipated that activity centers will appeal to a wide variety of residents and will support and maintain the County's socioeconomic diversity by offering a multitude of housing options and opportunities to increase the supply of income-restricted affordable housing. Retirees, empty nesters, persons with disabilities, families, and young professionals would likely be attracted to living in more active mixed-use environments. As activity centers are envisioned to be the areas with the greatest potential for growth and are planned to be located along transportation corridors, having an efficient, safe, and well-maintained multi-modal transportation system that connects these places is critical. See the County in Motion chapter for more details about the future of transportation.

Activity centers are envisioned to be varying sizes and scales, which will help inform their infrastructure needs. They will also provide beneficial amenities to adjacent existing neighborhoods. However, they should be sensitive to any unintended impacts they may cause, such as traffic, ~~and~~ noise and students who may add to overcrowded schools. The Supporting Infrastructure chapter discusses the adequate and timely provision of infrastructure. The Public Schools Facilities chapter discusses opportunities for new models for public schools that could be appropriate in certain locations. The Quality by Design chapter recommends that adverse impacts, such as noise, light, and air pollution, be mitigated and new developments should be contextually-appropriate. It also provides guidance on the public realm and walkability within and around these new mixed-use centers.

#### DN-3 Policy Statement



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.

#### Implementing Actions

1. ~~Establish~~ Consider establishing a new mixed-density and mixed-use zoning district that encourages diverse housing types and creates opportunities for mixed-income neighborhoods and more home ownership opportunities.
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.
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.
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.
5. Consider establishing housing scenarios that support for-sale units to households making 60% or less of AMI that are financially feasible for the developers. Require mixed use and activity centers to reflect home-ownership opportunities.

## Infill Development in Existing Residential Neighborhoods

While existing residential neighborhoods in Howard County generally have one residential dwelling per lot, there may be opportunities through residential infill development to introduce missing middle housing typologies and accessory dwelling units (ADUs). During the planning process, some participants expressed concerns that new development, especially missing middle housing types or ADUs, could detract from the existing neighborhood character; therefore, preserving the character of existing neighborhoods is paramount when developing any housing type, including single-family detached homes. All missing middle housing and single-family detached homes should attempt to maintain the scale, massing, and building orientation of existing development. For example, a quadplex with four apartments or condos can be designed to look nearly the same as a single-family detached home, allowing it to fit seamlessly into the neighborhood. When parking is located in the rear of the lot, accessed from an alley or a front-loaded driveway, the occupancy of the building can appear to be no different from the adjacent houses. Design requirements, pattern books, and/or other character-based regulations offer predictability for what new diverse housing types will look like.

In addition to the form of a house itself, various other factors contribute to neighborhood character, including road networks, architecture, tree canopy, and open space. Refer to the Quality By Design chapter for additional guidance on maintaining the character of single-family neighborhoods.

Throughout the planning process, concerns were also raised that ADUs would cause an owner-occupied single-family neighborhood to convert to a rental community. In consideration of these concerns, it is important to note that ADUs are not a new housing typology. As noted previously, detached ADUs were permitted in Howard County until the 1970s. Detached ADUs are often found on historic sites as a carriage or coach house and occupancy is currently limited to elderly or disabled family members. These structures historically doubled as a shelter for a horse-drawn carriage and living quarters for workers. These structures historically doubled as a shelter for a horse-drawn carriage and living quarters for workers. Currently, attached ADUs are permitted



and mostly undetected in a neighborhood. Not only have many of these housing types existed for centuries, they have successfully conformed to the neighborhood character and have not yet turned owner-occupied single-family communities into rental communities. As previously noted, between 2015 and 2020, there were 99 attached ADUs permitted in the County.

~~New development not only has to consider its impact on neighborhood character, but also its impact on the environment. In addition to dwelling units, new development can include additions to existing homes, driveway expansions, and accessory structures such as garages or pool houses. If new development disturbs more than 5,000 square feet, it is required to comply with county stormwater management regulations. Because disturbances less than 5,000 square feet do not contribute much in the way of environmental impacts to stormwater, management is not required. New development not only has to consider its impact on neighborhood character and storm water management but also infrastructure such as parking, road and school capacity.~~

By virtue of their smaller size, newly-constructed ADUs are likely to disturb less than 5,000 square feet and would be treated akin to customary single-family home additions or garages. If disturbance for an ADU exceeds 5,000 square feet, stormwater management must be provided to treat runoff.

Additionally, given the cost to build a new dwelling, such as an ADU, it is unlikely that many residents/property owners will have the resources to build these structures immediately or rapidly. Most ADUs are envisioned to be renovations within existing homes or detached structures, such as garages, barns, or pool houses. In many instances these structures already exist and could be converted to a self-contained residence, resulting in limited impacts to stormwater runoff (with the exception of any off-street parking or paved access that may be required).

However, as identified in the Ecological Health chapter, watershed health, flood risk, and other environmental concerns should be considered for any new development, including new ADU structures.



## DN-4 Policy Statement



Allow the development of small-scale missing middle housing and accessory dwelling units (ADUs) that respect are consistent with the character and integrity of their surroundings and, meet specific site conditions in single-family neighborhoods, and comply with all applicable APFO and parking requirements.

## Implementing Actions

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.
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.
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.
4. Evaluate how accessory dwelling units and other types of new development could enhance or impact stormwater management practices.
5. Determine parking requirements for small scale missing middle housing and ADUs that accommodate increased occupancy and diffuse neighborhood conflicts.



## Opportunities to Increase the Supply of Income-Restricted Housing Units

Inclusionary zoning policies typically encourage the construction of homes affordable to low- and moderate-income households in communities where there are higher area median incomes. In Howard County, the Moderate Income Housing Unit (MIHU) program is an inclusionary zoning program that requires developers of new housing in specific zoning districts to sell or allocate a portion of new dwelling units to low- or moderate-income households.

The MIHU requirements are established in 20 zoning districts and require that 10-25% of any new residential development be affordable to households earning 40-80% of the Howard County Area Median Income (AMI). Generally, the total production of MIHUs is proportionate to the overall quantity of new residential units constructed. As of June 2021, there were 770 MIHU rental apartments and 402 MIHU homeownership units that had been rented or sold to low- and moderate-income households in 30 communities throughout the County. Most rental units are in the eastern part of the County (Elkridge and Southeast). Additionally, county regulations ensure the units in the MIHU program remain affordable to low- and moderate-income households in perpetuity. As new developments are built, more units are required to enter the program. All MIHU prices are dependent upon the County's AMI and are set by the Howard County Department of Housing and Community Development.

## afforDable housing OverLay District Considerations

According to the Housing Opportunities Master Plan, the overlay district should:

- Identify neighborhoods with few existing housing options for low- and moderate-income households.
- Include incentives to encourage the production of additional affordable and/or accessible units beyond the MIHU baseline rules.
- Allow affordable housing development proposals that meet specified criteria to proceed by-right, or without the need for additional reviews and approvals. To qualify, an affordable housing development should reserve a significant portion of units at 60% of AMI and be subject to a long-term use restriction, provide accessible and visitable units beyond the minimum required by law, and fall within a range of parameters related to form, density, massing, setbacks, parking, etc.
- Expand below-AMI housing opportunities in larger areas of the County to address de-concentration of poverty for redevelopment or preservation projects within the wider context of the County as a whole.
- Consider areas of the County where existing infrastructure is underutilized and therefore could support additional residential density with limited new public investment.
- Encourage greater racial and socioeconomic integration by increasing affordable housing opportunities throughout Howard County, especially in locations that do not have them at this time.

There are circumstances in which land and construction costs make it challenging for developers to produce income-restricted units on-site, primarily in the case of single-family detached and age-restricted housing developments. For these two housing types, Howard County therefore allows developers to pay a fee-in-lieu (FIL) instead of providing the units on-site, which is a practice that other jurisdictions also use to advance affordable housing goals. The FIL generates revenue that allows the County to provide gap funding for housing developments with even greater percentages of income-restricted units or even deeper levels of income targeting than what market-rate developments can achieve. The MIHU and FIL policies are central elements of the affordable housing strategy in Howard County. ~~The Housing Opportunities Master Plan (HOMP) also notes that income-restricted units not only provide housing options for moderate- and low-income households but can also serve the needs of various other household types, including those with extremely low incomes, persons with disabilities and/or receiving disability income, youth aging out of the foster care system, and persons at risk of or experiencing homelessness, among others. These groups~~

~~face unique circumstances and challenges. However, the common thread is that many households with these characteristics may disproportionately struggle to find housing that is both affordable to them and meets their specific needs.~~

To increase the number of income-restricted units in the County and make more units available to special needs households, the HOMP recommends improvements to the MIHU program, such as additional flexibility to accommodate on-site provisions, incentives to encourage the production of more than the required number of units, greater shares of accessible and visitable units for those with disabilities, and/or deeper levels of income targeting. The HOMP also recommends that the County establish various growth and development targets to demonstrate a clear commitment to increasing the supply of homes affordable to low- and moderate-income households and persons with disabilities and special needs, including the following.

- Affordability Target: The greater of at least 15% of all net new housing units should be available to households making less than 60% of AMI each year.
- Accessibility Target: At least 10% of new housing units affordable to households making less than 60% of AMI should be physically accessible for persons with disabilities. This target should be supplemented with concerted efforts to facilitate accessibility improvements to the existing ownership and rental stock to better enable integrated aging in place.

In addition to the MIHU program, the County encourages affordability with financial incentives to residents. For example, the County currently offers downpayment assistance to low- or moderate-income residents seeking to purchase a home through the Settlement Downpayment Loan Program.


The County could also encourage greater affordability through the Zoning Regulations by providing density bonuses or other incentives to developers and property owners in exchange for meeting affordable housing goals. The County should create a working group to examine the feasibility of a targeted incentive program, such as a zoning overlay district, to increase the supply of affordable and accessible housing. According to the HOMP, a zoning overlay district could be targeted to areas with limited affordable and accessible housing, and offer incentives to encourage an increase in the supply of affordable housing through tools such as density bonuses, a bonus pool of housing allocations within the Adequate Public Facilities Ordinance Allocation chart (refer to the Managing Growth chapter), and an administrative review processes. Such a program should seek to increase the supply of affordable and accessible housing units at different AMI levels, similar to the multi-spectrum market affordable housing provisions for Downtown Columbia.

— ☺ —  
*I would want to live in Howard County in 10 years if parks, people, and diversity continue to be a priority, but it would be a matter of cost if I could return.*

— ☺ —  
*-HoCo By Design process participant*




## DN-5 Policy Statement

 Increase the supply of for-sale and rental housing units in all new developments attainable to low- and moderate-income households and special needs households.

### Implementing Actions

1. Reevaluate the County's inclusionary zoning policies to ensure they are meeting their intended objectives. Expand Moderate Income Housing Unit (MIHU) requirements in areas with a disproportionately lower share of housing options affordable to low- or moderate-income households.
2. Ensure that any corridor, neighborhood, redevelopment, or area plan includes clear policies for meeting affordable housing goals.
3. Update MIHU rules and fee structures, with the goal of producing more units throughout the County that are integrated within communities. Seek opportunities to amend the Zoning Regulations to enable housing types more conducive to on-site MIHU provision across a broader area.
4. Establish a working group to evaluate the feasibility of a targeted incentive program for affordable and accessible housing, including:
  - a. The creation of a definition of affordable and accessible housing, including physical factors such as unit type, size, or physical accessibility design criteria; and/or income factors through tools such as deed restrictions.
  - b. A zoning overlay targeting locations for affordable and accessible housing where there is limited existing supply of affordable and accessible units.
  - c. Incentives related to development, such as density bonuses or relief to setback or other development standards.
  - d. Incentives related to the development process, such as the creation of a specific housing allocation pool for affordable and/or accessible units or other means of reducing other regulatory barriers.
5. [Incentivize affordable for-sale housing opportunities in areas where low-income rental housing has become concentrated.](#)

## DN-6 Policy Statement

 Provide various incentives that encourage the development of for-sale and rental housing units affordable to low- and moderate-income households and special needs households.

### Implementing Actions

1. Continue to support the Housing Opportunities Trust Fund to expand the number of income-restricted rental and homeownership units produced. Explore the feasibility of establishing a dedicated funding source for this fund.
2. Evaluate opportunities to co-locate income-restricted housing and community facilities on county-owned land.
3. Establish criteria for flexible use and disposition of county real estate assets that are near amenities and would promote development of affordable missing middle and multi-family housing for low- and moderate-income households where appropriate.
4. Offer additional incentives to encourage the production of more Moderate Income Housing Units than required, and/or deeper levels of income targeting in the form of Low Income Housing Units or Disability Income Housing Units.
5. Continue to provide and increase downpayment assistance funding to income-eligible households through the County's Settlement Downpayment Loan Program.

## Opportunities for New Multi-Family Communities

Rising affordability issues and personal lifestyle preferences, nationally and locally, have driven many households towards rentership. Between 2005 and 2018, the homeownership rate in Howard County fell from 77% to 72%, as households in nearly every age category moved away from homeownership. The number of renter households between the ages of 25 and 74 increased by 6,000 between 2010 and 2018 (a 43% increase). However, the number of renter households under the age of 35 decreased by 9% between 2010 and 2018, likely due to affordability issues. The County lacks a sufficient supply of rental units to meet future demand. The HoCo By Design Market Research and Demand forecast cites projected demand for 11,249 multi-family apartment rental units over 20 years (2020-2040). While there is a much greater demand for rental multi-family developments, there is still a projected demand for 1,884 for-sale condominium units over the next 20 years.

The HOMP found that a large share of the County's existing rental market is affordable to households that make 60-80% of the Area Median Income (AMI). However, since there are limited rental options for higher (over 120% AMI) and lower (under 60% AMI) income households, the supply of moderately priced rental units tends to serve all income levels. The HOMP suggests that future rental housing should be available at all price points, especially housing that serves low- and moderate-income households where housing supply is limited.



To remain socioeconomically diverse and support a healthy economy, the County should consider opportunities for new multi-family communities in the Multi-Family Neighborhood, Mixed-Use Activity Centers, and Mixed-Use Neighborhood character areas identified on the Future Land Use Map (FLUM). These opportunities can be realized through redevelopment of existing, aging, multi-family properties, older suburban shopping centers, ~~and~~ strategic infill development, ~~and redevelopment of older mobile home parks~~. Increasing the supply of multi-family units, to include market rate rental and units affordable to low- and moderate- income households, will help the County meet various housing supply gaps identified in the HOMP and the Market Research and Demand Forecast completed for HoCo By Design. While multi-family buildings are defined in the County's Zoning Regulations as structures with three or more housing units, multi-family properties can range in size from three to more than 50 units per structure. Various character areas on the FLUM are envisioned to have a range of multi-family housing types; however, Multi-Family Neighborhood, Mixed-Use Activity Centers, and Mixed-Use Neighborhood character areas are envisioned to contain apartment complexes and condominiums with a higher number of units and buildings at a greater scale.

New multi-family communities are encouraged to redevelop using design principles that emphasize an interconnected network of streets, bicycle facilities, and walkways; encourage options to reduce the size and location of surface parking lots; orient buildings toward the street; offer a variety of housing types between larger buildings; and deliver a comprehensive and connected network of open space. For additional details and illustrative concepts about the design and character of new multi-family communities, see Technical Appendix B: Character Areas and Technical Appendix C: Focus Areas.


### DN-7 Policy Statement

Support the new development and redevelopment of multi-family communities to meet the County's current and future rental housing demands and ensure that resident displacement is minimized in redevelopment projects.

### Implementing Actions

- ~~1. Establish new locations and zoning districts as identified on the Future Land Use Map (FLUM) and defined in the character areas appendix for multi-family developments.~~
- ~~Prioritize new locations for multi-family housing that are near transit and transit corridors.~~
1. Support multi-family housing projects that serve a range of income levels and integrate traditional market rate housing with affordable housing opportunities.
2. Ensure that redevelopment of age-restricted housing and housing for residents with disabilities preserves affordability of units for existing residents.
3. Strive for a one-for-one replacement of affordable housing units when multi-family communities with affordable units are redeveloped.

## DN-8 Policy Statement

 Create opportunities to increase the diversity of home choices in the Rural West, especially missing middle housing types, that preserve the character of the Rural West.

### Implementing Actions

1. ~~Allow~~ **Consider** the development of accessory dwelling units that conform to specific design and site criteria.
2. ~~Locate~~ **Explore locating** missing middle housing typologies in the Rural Crossroads, where upper-story residential and small-scale residential infill opportunities exist. Use recommendations found in the Rural Crossroads section of the Focus Areas Technical Appendix for additional guidance.
3. Determine if there are strategic locations in the Rural West where it is feasible to accommodate increased housing development on shared or community well and shared or multi-use sewerage systems while balancing other priorities such as environmental concerns, historical context, and agricultural preservation goals.
4. Evaluate and amend Rural Conservation and Rural Residential Zoning District regulations to allow for duplex and multiplex housing types that fit within the existing neighborhood character.
5. Determine zoning, land development, and other code changes needed for small-scale, context-sensitive, multi-family or mixed-use development in the Rural West.
6. Evaluate and identify barriers to on-site tenant housing for the agricultural workforce.

## DN-9 Policy Statement

Facilitate the use of shared and/or multi-use sewerage system technologies to create more diverse housing options in the Rural West.

### Implementing Actions

1. Identify best practices for shared and/or multi-use sewerage systems and pursue state and local code changes necessary to facilitate their use.
2. Establish necessary management, operations, and maintenance structures to increase the use of shared and multi-use sewerage systems in the West.
3. Evaluate how accessory dwelling units may be able to safely connect to existing septic systems with capacity.

## DN-10 Policy Statement

Establish policies, programs, and planning and zoning practices aimed at reducing farmer-neighbor conflicts.

### Implementing Actions

1. Enhance farmer-resident relationships through expansion of educational programs that encourage farm visits and other activities to bridge the farming and non-farm communities and build understanding of allowable farm-related uses.
2. Work with the agricultural and development communities to evaluate, determine, and implement adequate landscape, screening, or other type of buffer requirement on new residential development abutting agricultural uses.
3. Encourage use of the Maryland Agricultural Conflict Resolution Service or other conflict resolution programs to help address farmer-neighbor conflicts.

# housing for a groWing OLDer aDuLt PopuLation: age-frienDLy Communities

Although Howard County has historically been home to many families with children, its empty nester household base is aging. In response to this trend, the County launched the Age-Friendly Howard County Initiative in 2019. This initiative involved an 18-month process of community engagement, research, and planning to develop a strategic plan that will move the County toward becoming a more cohesive livable community for persons at all ages and stages in life. The Age-Friendly Howard County Action Plan was released in December 2021.

The Action Plan describes the following:

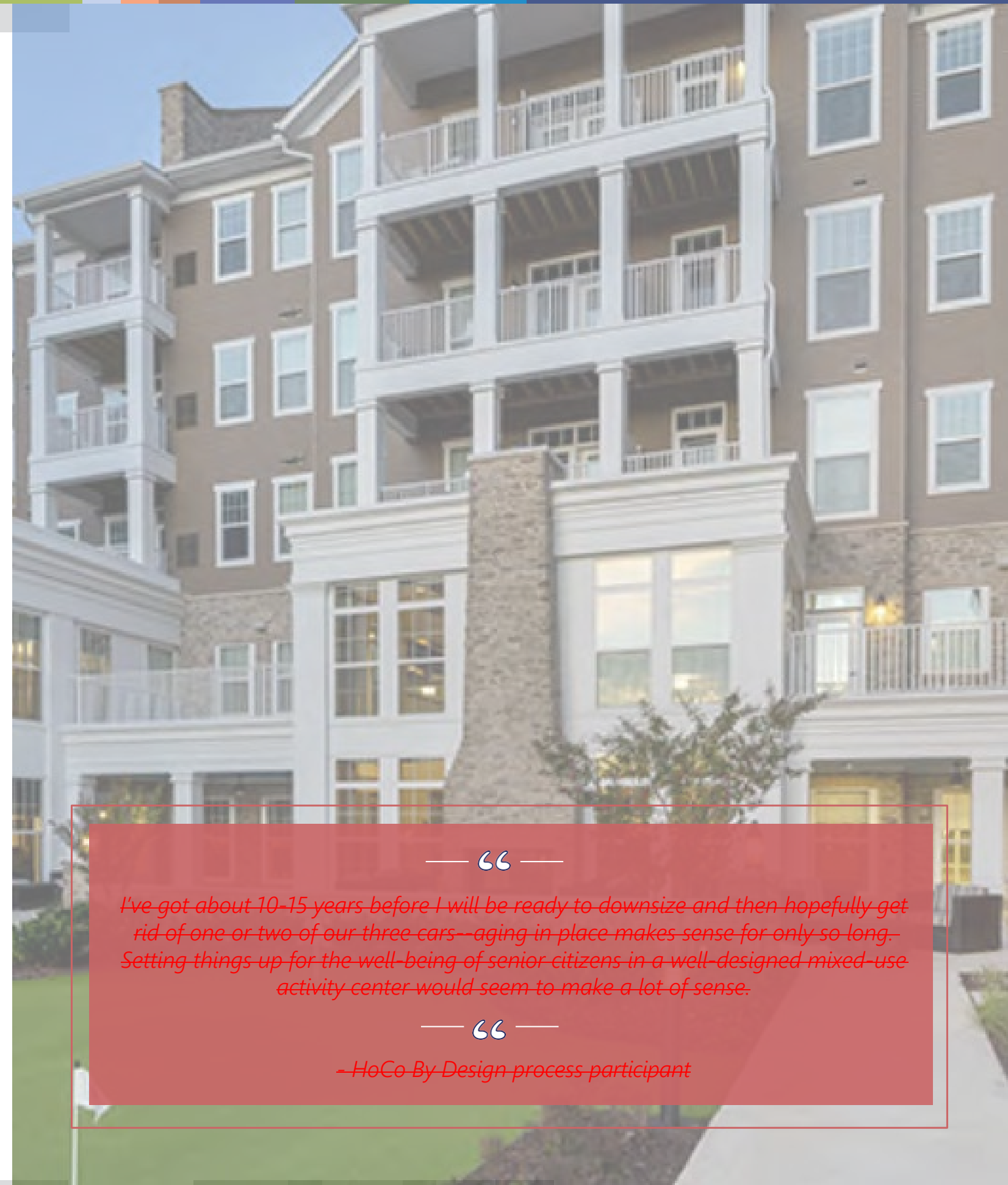
- By 2030, one in five Howard County residents will be 65 or older and 8,000 residents will be 85 years or older—double the number of individuals in that age group today.
- 5.6% of individuals aged 65 or older live below the poverty level.
- Of those living alone, 3.3% are men over the age of 65 and 6.4% are women over the age of 65.

Creating more opportunities for older adults to remain in the County is key to its future. Older adults provide significant contributions to the community, including, but not limited to, serving as volunteers in many organizations, offering expertise in consulting and gig-work, and supporting the economy as vibrant purchasers of services and products.

## Housing and Community Needs

According to the Age-Friendly Howard County Initiative and AARP, age-friendly communities are “safe and secure, have affordable and appropriate housing and transportation options, and offer supportive community features and services.” There should be sidewalks with safe crossable streets for pedestrians, dedicated bicycle lanes, and public transit options.

Throughout the HoCo By Design planning process and the Age-Friendly Initiative, older adults expressed that they want housing options that meet the needs of those with differing incomes and at various life stages. Some of the specific needs mentioned during the planning process include more opportunities for communal living, small housing options that allow older adults to downsize, greater flexibility to make accessibility modifications to homes, updated universal design guidelines, and greater opportunities for attached and detached accessory dwelling units (ADUs). Findings from the Strategic Advisory Group and recommendations in the Housing Opportunities Master Plan (HOMP) suggest that missing middle housing and ADUs would provide housing options for down-sizing and allow aging residents to remain in Howard County as they grow older.



— “ —  
*I've got about 10-15 years before I will be ready to downsize and then hopefully get rid of one or two of our three cars—aging in place makes sense for only so long. Setting things up for the well-being of senior citizens in a well-designed mixed-use activity center would seem to make a lot of sense.*

— “ —  
*—HoCo By Design process participant*

“

*Housing affordability is critical to this conversation. As older communities and Village Centers are revitalized, existing residents should not be priced out and there need to be intentional efforts to make these higher-density areas more affordable. More missing middle housing in these targeted revitalization areas is key.*

”

*-HoCo-By-Design process participant*



### DN-13 Policy Statement



Preserve affordability of existing housing stock and create opportunities for context-sensitive infill development, especially in Preservation-Revitalization Neighborhoods.

#### Implementing Actions

1. Identify neighborhoods and properties for preservation.
2. Continue to support the County's housing preservation programs, which are designed to preserve existing affordable housing and assist low- and moderate-income homeowners and renters to remain in their homes.
3. Explore options and partnerships for acquisition/rehabilitation programs for older single-family homes that would support homeownership opportunities for moderate-income households.
4. Encourage the development of missing middle housing types that conform to existing neighborhood character and contribute to the creation of mixed-income communities.
5. Develop strategies for employing the right of first refusal policy to ensure no loss of affordable units when there are opportunities for redevelopment of multi-family properties.

### DN-14 Policy Statement



Support existing neighborhoods and improve community infrastructure and amenities as needed, especially in older or under-served neighborhoods and multi-family communities.

#### Implementing Actions

1. Assess existing community facilities and the neighborhoods that they serve, and upgrade or retrofit as needed to support changing neighborhood needs. Engage communities in the identification of neighborhood needs.
2. Identify older communities in need of a comprehensive revitalization strategy and work with those communities to develop revitalization plans to assist those communities.
3. Work with the multi-family rental community to understand barriers to reporting and resolving issues related to multi-family property maintenance.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>EP-12 - Reduce regulatory barriers to diversified agricultural operations in both the Rural West and the East.</b>		
1. Update the Zoning Regulations and other policies to promote agricultural expansion and diversification, especially for on-farm processing and other agribusiness opportunities.	DPZ OCS HCEDA	Mid-Term
2. Work with agricultural and community stakeholders to review and update the Zoning Regulations and other regulations to create more opportunities for agritourism.	DPZ OCS HCEDA DILP HCHD	Mid-Term
3. Reduce barriers to the burgeoning demand for on-farm breweries, wineries, cideries, meaderies, and distilleries.	DPZ OCS HCHD HCEDA	Mid-Term
<b>EP-13 - Review transportation planning and road development and maintenance standards to reduce transportation barriers to farming.</b>		
1. Improve rural road conditions by increasing overhead tree clearance and addressing passage at narrow bridges.	DPW OOT	Long-term
2. Reduce conflict between recreational, residential, commercial, and agricultural road uses.	OOT DPW	Long-term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-1 - Increase opportunities for missing middle housing through the creation and use of zoning tools and incentives.</b>		
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.	DPZ	Mid-Term
2. <del>Identify and eliminate</del> <b>Consider eliminating</b> 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 <del>and do not preclude their potential on existing lots.</del>	DPZ	Mid-Term
3. <del>Expand</del> <b>Consider expanding</b> 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.	DPZ	Mid-Term
4. Evaluate <del>and establish</del> one or more the following zoning tools and incentives as potential opportunities to create missing middle housing: <ul style="list-style-type: none"> <li>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.</li> <li>b. Smaller lot sizes (lot width and lot area).</li> <li>c. Density-based tools such as transfer of development rights or density bonuses.</li> <li>d. Tax incentives for developers and/or land owners.</li> <li>e. Flexible development standards such as maximum building size or lot coverage.</li> </ul>	DPZ	Mid-Term
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.	DPZ DHCD	Mid-Term
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.	HCHC DHCD DPZ	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+)
<b>DN-2 - 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.</b>		
1. <u>Establish Explore</u> a clear, predictable process and location-specific criteria for ADUs <u>so they do not adversely impact older neighborhoods lacking sufficient infrastructure.</u>	DPZ	Mid-Term
2. <u>Revise Consider revising</u> 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
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.	DPZ DHCD	Mid-Term
<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. <u>Establish Consider establishing</u> a new mixed-density and mixed-use zoning district that encourages diverse housing types and creates opportunities for mixed-income neighborhoods <u>and more home ownership opportunities.</u>	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
6. <u>Consider establishing housing scenarios that support for-sale units to households making 60% or less of AMI that are financially feasible for the developers. Require mixed use and activity centers to reflect home-ownership opportunities</u>	DPZ	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+)
<b>DN-4 - Allow the development of small-scale missing middle housing and accessory dwelling units (ADUs) that <u>respect- are consistent with</u> the character and integrity of their surroundings and meet specific site conditions in single-family neighborhoods, and comply with all applicable APFO and parking requirements.</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
5. <u>Determine parking requirements for small scale missing middle housing and ADUs that accommodate increased occupancy and diffuse neighborhood conflicts.</u>	DPZ	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-5 - Increase the supply of for-sale and rental housing units in all new developments attainable to low- and moderate-income households and special needs households.</b>		
1. Reevaluate the County's inclusionary zoning policies to ensure they are meeting their intended objectives. Expand Moderate Income Housing Unit (MIHU) requirements in areas with a disproportionately lower share of housing options affordable to low- or moderate-income households.	DHCD DPZ	Mid-Term
2. Ensure that any corridor, neighborhood, redevelopment, or area plan includes clear policies for meeting affordable housing goals.	DPZ DHCD	Long-term
3. Update MIHU rules and fee structures, with the goal of producing more units throughout the County that are integrated within communities. Seek opportunities to amend the Zoning Regulations to enable housing types more conducive to on-site MIHU provision across a broader area.	DHCD DPZ	Long-term
4. Establish a working group to evaluate the feasibility of a targeted incentive program for affordable and accessible housing, including: <ul style="list-style-type: none"> <li>a. The creation of a definition of affordable and accessible housing, including physical factors such as unit type, size, or physical accessibility design criteria; and/or income factors through tools such as deed restrictions.</li> <li>b. A zoning overlay targeting locations for affordable and accessible housing where there is limited existing supply of affordable and accessible units.</li> <li>c. Incentives related to development, such as density bonuses or relief to setback or other development standards.</li> <li>d. Incentives related to the development process, such as the creation of a specific housing allocation pool for affordable and/or accessible units or other means of reducing other regulatory barriers.</li> </ul>	DPZ DHCD Non-profit Partners	Mid-Term
5. <u>Incentivize affordable for-sale housing opportunities in areas where low-income rental housing has become concentrated.</u>	DPZ DHCD	Long-term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-6 - Provide various incentives that encourage the development of for-sale and rental housing units affordable to low- and moderate-income households and special needs households.</b>		
1. Continue to support the Housing Opportunities Trust Fund to expand the number of income-restricted rental and homeownership units produced. Explore the feasibility of establishing a dedicated funding source for this fund.	DHCD Elected Officials OOB	Ongoing
2. Evaluate opportunities to co-locate income-restricted housing and community facilities on county-owned land.	DPW DPZ DHCD	Long-term
3. Establish criteria for flexible use and disposition of county real estate assets that are near amenities and would promote development of affordable missing middle and multi-family housing for low- and moderate-income households where appropriate.	DHCD HCHC DPW	Mid-Term
4. Offer additional incentives to encourage the production of more Moderate Income Housing Units than required, and/or deeper levels of income targeting in the form of Low Income Housing Units or Disability Income Housing Units.	DHCD DPZ Non-profit Partners	Ongoing
5. Continue to provide and increase downpayment assistance funding to income-eligible households through the County's Settlement Downpayment Loan Program.	DHCD	Ongoing



Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-7 - Support the new development and redevelopment of multi-family communities to meet the County's current and future rental housing demands and ensure that resident displacement is minimized in redevelopment projects.</b>		
<del>1. Establish new locations and zoning districts as identified on the Future Land Use Map (FLUM) and defined in the character areas appendix for multi-family developments. Prioritize new locations for multi-family housing that are near transit and transit corridors.</del>	<b>DPZ</b>	<b>Mid-Term</b>
2. <u>1.</u> Support multi-family housing projects that serve a range of income levels and integrate traditional market rate housing with affordable housing opportunities.	<b>DHCD</b> DPZ	Ongoing
3. <u>2.</u> Ensure that redevelopment of age-restricted housing and housing for residents with disabilities preserves affordability of units for existing residents.	<b>DHCD</b>	Ongoing
4. <u>3.</u> Strive for a one-for-one replacement of affordable housing units when multi-family communities with affordable units are redeveloped.	<b>HCHC</b> <b>DHCD</b> Private Partners Non-profit Partners	Ongoing
<b>DN-8 - Create opportunities to increase the diversity of home choices in the Rural West, especially missing middle housing types, that preserve the character of the Rural West.</b>		
1. <del>Allow</del> <u>Consider</u> the development of accessory dwelling units that conform to specific design and site criteria.	<b>DPZ</b>	Mid-Term
2. <del>Locate</del> <u>Explore locating</u> missing middle housing typologies in the Rural Crossroads, where upper-story residential and small-scale residential infill opportunities exist. Use recommendations found in the Rural Crossroads section of the Focus Areas Technical Appendix for additional guidance.	<b>DPZ</b>	Mid-Term
3. Determine if there are strategic locations in the Rural West where it is feasible to accommodate increased housing development on shared or community well and shared or multi-use sewerage systems, while balancing other priorities such as environmental concerns, historical context, and agricultural preservation goals.	<b>DPZ</b> DPW HCHD	Ongoing
4. Evaluate and amend Rural Conservation and Rural Residential Zoning District regulations to allow for duplex and multiplex housing types that fit within the existing neighborhood character.	<b>DPZ</b>	Mid-Term
5. Determine zoning, land development, and other code changes needed for small-scale, context-sensitive, multi-family or mixed-use development in the Rural West.	<b>DPZ</b>	Mid-Term
6. Evaluate and identify barriers to on-site tenant housing for the agricultural workforce.	<b>DPZ</b>	Long-term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-9 - Facilitate the use of shared and/or multi-use sewerage system technologies to create more diverse housing options in the Rural West.</b>		
1. Identify best practices for shared and/or multi-use sewerage systems and pursue state and local code changes necessary to facilitate their use.	<b>DPZ</b> DPW HCHD	Long-Term
2. Establish necessary management, operations, and maintenance structures to increase the use of shared and multi-use sewerage systems in the West.	<b>DPW</b> DPZ	Long-Term
3. Evaluate how accessory dwelling units may be able to safely connect to existing septic systems with capacity.	<b>DPZ</b> HCHD	Ongoing
<b>DN-10 - Establish policies, programs, and planning and zoning practices aimed at reducing farmer-neighbor conflicts.</b>		
1. Enhance farmer-resident relationships through expansion of educational programs that encourage farm visits and other activities to bridge the farming and non-farm communities and build understanding of allowable farm-related uses.	<b>HCEDA</b> OCS	Ongoing
2. Work with the agricultural and development community to evaluate, determine, and implement adequate landscape, screening, or other type of buffer requirement on new residential development abutting agricultural uses.	<b>DPZ</b>	Ongoing
3. Encourage use of the Maryland Agricultural Conflict Resolution Service or other conflict resolution programs to help address farmer-neighbor conflicts.	<b>HCEDA</b> OCS	Ongoing