

COUNTY COUNCIL CHAIR, LIZ WALSH \* BEFORE THE  
PETITIONER \* PLANNING BOARD OF  
ZRA-213 \* HOWARD COUNTY, MARYLAND

\* \* \* \* \*

MOTION: Recommend approval of ZRA-213.

ACTION: *Approved with Amendments; Vote 4-0.*

\* \* \* \* \*

RECOMMENDATION

On May 15, 2025, the Planning Board of Howard County, Maryland, considered the petition of County Council Chair, Ms. Liz Walsh (Petitioner) to amend the Planned Employment Center (PEC) zoning district (Section 116.0.B) and amend the Moderate-Income Housing Units (MIHU) requirements for Age-Restricted Adult Housing (ARAH) in the R-SI (Residential: Senior Institutional), POR (Planned Office Research), CCT (Community Center Transition), CEF (Community Enhancement Floating), and PSC (Planned Senior Community) zoning districts as follows:

- To add “Age-Restricted Adult Housing” as the 36th permitted use for the PEC district with additional requirements for designs for older adults, enforcement of age restrictions, moderate-income and low-income housing units (LIHU), and community centers,
- Require at least 5% of the Age-Restricted Adult Housing units in the R-SI, POR, CCT, CEF, and PSC zoning districts be LIHU’s or Disability Income Housing Units (DIHU).

The Planning Board considered the petition and the Department of Planning and Zoning’s (DPZ) Technical Staff Report.

Testimony

County Council Chair, Ms. Liz Walsh, the Petitioner, stated the intent of the proposed Zoning Regulation Amendment (ZRA) is to provide more opportunity within the zoning regulations for the County’s seniors to downsize at affordable prices and stay within the County. Ms. Walsh testified that although the County has MIHU requirements for ARAH developments, it is still not enough to meet the demand of the County’s senior population. Ms. Walsh noted the rationale for the proposed amendment included the following:

- Expand opportunities for ARAH developments across the County, and
- Incentivize the production of LIHU’s and DIHU’s where ARAH is permitted by right.

1 Ms. Walsh gave an in-depth background into the proposed ZRA, specifically discussing how she  
2 thought that the adoption of the school impact fee legislation, would increase the number of ARAH units being  
3 built because ARAH units are not subject to the increased school impact fees. In researching and crafting the  
4 proposed ZRA, Ms. Walsh learned very few ARAH developments are being developed across the County. Ms.  
5 Walsh provided the statistic that from the 187 total age-restricted adult housing units built from January 2020  
6 to December 2024, only seven (7) are MIHU's. Ms. Walsh testified the number of ARAH MIHU's being  
7 developed is not nearly enough to serve the needs of the County's senior population. Ms. Walsh explained the  
8 County wants their older residents to stay in the County but the affordability and opportunity for them to do so  
9 is very limited.

10 During testimony, Mr. Kevin McAliley, Chair of the Planning Board, asked Ms. Walsh about the  
11 property noted in the Technical Staff Report, 3300 North Ridge Road. Ms. Walsh explained that she does not  
12 know why that property was pointed out in the TSR and Petition. Ms. Walsh's explained her focus is on  
13 increasing the number of LIHU and DIHU's in ARAH developments, not a specific property or development.  
14 Ms. Walsh said she was approached by an attorney, who will soon be testifying, regarding wanting to construct  
15 ARAH in the PEC district. Ms. Walsh explained this request was in line with what she was seeking to  
16 accomplish with this amendment and decided to include the PEC request in ZRA-213 with the additional  
17 requirements.

18 Mr. James Cecil, Planning Board member, asked what kind of protection could be placed on the 5%  
19 requirement of LIHU's and DIHU's to make sure the units are actually built and sold as LIHU's and DIHU's  
20 forever. Ms. Walsh agreed with the sentiment and explained there will be a tandem bill at the Council level that  
21 will require the affordable units to be built on-site, not fee-in-lieu, and the units could not be swapped. Ms.  
22 Walsh explained that the details of the MIHU's, LIHU's, and DIHU's, will be worked out with Housing and  
23 Community Development. Ms. Walsh also explained that this tandem bill strategy has been used in the past for  
24 the Transit Oriented Development (TOD) district.

25 Ms. Mande Heinl, an attorney with Saul Ewing, LLP, testified in favor of the regulation amendment,  
26 specifically adding ARAH as a use permitted by right in the PEC district. Ms. Heinl testified with language  
27 from the County's general plan, HoCo By Design, specifically that the Plan states by 2030 one out of five  
28 County residents will be 65 and older and 8,000 will be 85 and older. Ms. Heinl quoted further from HoCo by  
29 Design, that "creating opportunities for older residents to remain in the County is key to its future." Ms. Heinl  
30 testified that ZRA-213 is a comprehensive approach to achieving this. Ms. Heinl explained that including  
31 ARAH in the PEC district offers the opportunity for mixed-use development, which is desirable to retirees,  
32 empty nesters, young professionals, persons with disabilities, and families who are attracted to living in centers  
33 of activity. Ms. Heinl explained that the purpose of the PEC district in Section 116 of the code is to "provide

higher standards of development, a more flexible approach to design and development than could be achieved in conventional zoning districts.” Ms. Heidl asserts that ZRA-213 accomplishes the purpose of the PEC district.

Mr. Cecil asked if there is any potential conflict with this ZRA and the on-going discussion of the Gateway Master Plan. Ms. Lynda Eisenberg, AICP, Executive Secretary to the Planning Board, explained that Gateway offers a residential and mixed-use component, so she does not foresee any conflicts.

Mr. Mason Godsey, Planning Board member, asked Ms. Heidl about the relevance of the inclusion of young professionals in-regards to an ARAH centered bill. Ms. Heidl explained that the quote was taken from HoCo By Design and is talking about the overall growing interest of all types of citizens living in mixed-use areas and centers of activity, which includes younger and older adults. Mr. Mason asked staff the age of ARAH. Ms. Weber answered it is ages 55 plus.

Mr. McAliley asked Ms. Heidl what could motivate older people to move away from places where they raised their family to these ARAH developments? Ms. Heidl explained that HoCo By Design Chapter 6 – Dynamic Neighborhoods describes how older adults are actually wanting to down-size while remaining in the County. Ms. Heidl referred to Ms. Walsh’s testimony that there is not the opportunity for older adults to downsize because of low stock and high prices of ARAH units. Ms. Heidl explained that this ZRA aims to address both issues. Ms. Eisenberg reaffirms Ms. Heidl testimony, saying that this ZRA is seeking to provide the opportunity for seniors to downsize affordably where there isn’t the opportunity to do so now.

#### Board Discussion and Recommendation

In the work session, Mr. Cecil said he felt that HoCo By Design and other housing discussions demonstrate the need for missing middle housing and ARAH units that are affordable. Mr. Cecil said this ZRA is trying to address these issues but explained the need for safeguards to ensure that 5% of units are LIHU or DIHU’s in perpetuity.

Mr. Cecil motioned to recommend approval of ZRA-213 with an amendment. Mr. Godsey seconded the motion. The motion passed 4-0.

The amendment is:

1. Adjust the LIHU definition in the Zoning Regulations to be consistent with the Housing and Community Development regulations.
2. The support of the recommendation is contingent on the 5% LIHU and DIHU requirement being maintained in perpetuity.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 5th day of June,

2025, recommends that ZRA-213, as described above, be APPROVED WITH RECOMMENDED AMENDMENTS.

HOWARD COUNTY PLANNING BOARD

Signed by:

*Kevin McAliley*

Kevin McAliley, Chair

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Signed by:

*James Cecil*

James Cecil, Vice-chair

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ABSENT

Barbara Mosier

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*Mason Godsey*

Mason Godsey

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Signed by:

*Lynn Moore*

Lynn Moore

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ATTEST:

DocuSigned by:

*Lynda Eisenberg*

Lynda Eisenberg, AICP, Executive Secretary

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