

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2025 Legislative Session

Legislative day # 10

Date: July 7, 2025

Council Bill 55 – 2025 (ZRA – 213)

Introduced by:
Liz Walsh

SHORT TITLE: Age Restricted Adult Housing in Planned Employment Center (PEC) zoning district and Moderate-Income Housing Unit requirements.

AN ACT amending the Howard County Zoning Regulations to allow Age Restricted Adult Housing as a permitted use in the Planned Employment Center (PEC) zoning district, with additional requirements; amending the Moderate-Income Housing Unit (MIHU) requirements for Age-Restricted Units in the R-SI, POR, CCT, CEF and PSC zoning districts to require at least 5% Low-Income Housing Units (LIHU) or Disability Income Housing Units (DIHU); and generally related to MIHUs.

Introduced and read first time _____, 2025. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2025.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2025 and Passed ___, Passed with amendments ___, Failed ____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2025 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2025

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard County Zoning Regulations are hereby amended as follows:

By Adding:

Section 116.0: “PEC (Planned Employment Center) District”

Subsection B: “Uses Permitted as a Matter of Right”

New Number 2: “Age-Restricted Adult Housing, subject to the requirements of Subsection E”; and

Section 116.0: “PEC (Planned Employment Center) District”

Subsection E: “Additional Requirements for Age-Restricted Adult Housing”.

By Amending:

Section 103.0: “Definitions”

“Low Income Housing Unit”;

Section 113.2: “R-SI (Residential: Senior – Institutional) District”

Subsection E: “Additional Requirements for Age-Restricted Housing”;

Section 115.0: “POR (Planned Office Research) District”

Subsection E: “Additional Requirements for Age-Restricted Adult Housing”;

Section 117.4: “CCT (Community Center Transition) District”

Subsection E: “Additional Requirements for Age-Restricted Adult Housing”;

Section 121.0: “CEF (Community Enhancement Floating) District”

Subsection E: “Moderate Income Housing”; and

Section 127.1: “PSC (Planned Senior Community) District”

Subsection B: “Requirements for Planned Senior Community”

Subsection F: “Bulk Regulations”.

HOWARD COUNTY ZONING REGULATIONS

Section 103.0 Definitions

Low Income Housing Unit: A dwelling unit offered for sale or rent to households with incomes below [[50]] 60% of the median income in the Baltimore region.

Section 113.2 R-SI (Residential: Senior – Institutional) District

E. Additional Requirements for Age-Restricted Adult Housing

1. Design for Older Adults

The development must incorporate universal design features from the department of planning and zoning guidelines which identify required, recommended and optional features. Plan submittals must include descriptions of the design features of the proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted must indicate how universal design features will be used to make individual dwellings adaptable to persons with mobility or functional limitations and how the design will provide accessible routes between parking areas, sidewalks, dwelling units and common areas.

2. Enforcement of Age Restrictions

If the development will not be a rental community under single ownership, it must be subject to covenants or other legal restrictions enforcing the age restrictions for this use. Plan submittals must include the proposed covenants and other legal means of enforcing the age restrictions. The legal entity that will implement and maintain the age restrictions must be clearly identified and able to provide effective enforcement to supplement county enforcement of zoning regulations.

3. Moderate Income AND LOW INCOME Housing Units

At least 10% shall be Moderate Income Housing Units, AND AT LEAST 5% OF THE DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY INCOME HOUSING UNITS.

1

2 **Section 115.0 POR (Planned Office Research) District**

3 **E. Additional Requirements for Age-Restricted Adult Housing**

4 1. Design for Older Adults

5 The development shall incorporate universal design features from the Department
6 of Planning and Zoning guidelines which identify required, recommended and
7 optional features. Plan submittals shall include descriptions of the design features of
8 the proposed dwellings to demonstrate their appropriateness for the age-restricted
9 population. The material submitted shall indicate how universal design features will
10 be used to make individual dwellings adaptable to persons with mobility or
11 functional limitations and how the design will provide accessible routes between
12 parking areas, sidewalks, dwelling units and common areas.

13

14 2. Enforcement of Age Restrictions

15 If the development will not be a rental community under single ownership, it shall
16 be subject to covenants or other legal restrictions enforcing the age restrictions for
17 this use. Plan submittals shall include the proposed covenants and other legal means
18 of enforcing the age restrictions. The legal entity that will implement and maintain
19 the age restrictions must be clearly identified and able to provide effective
20 enforcement to supplement county enforcement of zoning regulations.

21

22 3. Moderate Income AND LOW INCOME Housing Units

23 At least 10% shall be Moderate Income Housing Units, AND AT LEAST 5% OF THE
24 DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY INCOME
25 HOUSING UNITS.

1 **SECTION 116.0 – PEC (Planned Employment Center) District**

2 **A. Purpose**

3 The PEC District is established to provide for comprehensively planned employment
4 centers combining research and development, office, light manufacturing and
5 assembly, limited commercial and other enumerated uses. It is intended that this
6 district provide higher standards of development and a more flexible approach to
7 design and development than could be achieved under conventional zoning districts. It
8 is further the purpose of this district to:

- 9 1. Provide for orderly development of large-scale, comprehensively planned
10 employment centers;
- 11 2. Provide for open areas to act as buffers between incompatible uses and as
12 design elements which will achieve the physical and aesthetic integration of the
13 uses and activities within each development; and
- 14 3. Provide a landscaped, campus-like setting for employment in which the
15 various uses relate compatibly with one another according to a comprehensive
16 plan of development for an entire district.

17

18 **B. Uses Permitted as a Matter of Right**

- 19 2. AGE-RESTRICTED ADULT HOUSING, SUBJECT TO THE REQUIREMENTS OF
20 SUBSECTION E.

21

22 **E. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING**

23 1. DESIGN FOR OLDER ADULTS

24 THE DEVELOPMENT SHALL INCORPORATE UNIVERSAL DESIGN FEATURES FROM
25 THE DEPARTMENT OF PLANNING AND ZONING GUIDELINES WHICH IDENTIFY
26 REQUIRED, RECOMMENDED AND OPTIONAL FEATURES. PLAN SUBMITTALS SHALL
27 INCLUDE DESCRIPTIONS OF THE DESIGN FEATURES OF THE PROPOSED DWELLINGS
28 TO DEMONSTRATE THEIR APPROPRIATENESS FOR THE AGE-RESTRICTED
29 POPULATION. THE MATERIAL SUBMITTED SHALL INDICATE HOW UNIVERSAL
30 DESIGN FEATURES WILL BE USED TO MAKE INDIVIDUAL DWELLINGS ADAPTABLE
31 TO PERSONS WITH MOBILITY OR FUNCTIONAL LIMITATIONS AND HOW THE DESIGN

1 WILL PROVIDE ACCESSIBLE ROUTES BETWEEN PARKING AREAS, SIDEWALKS,
2 DWELLING UNITS AND COMMON AREAS.

3 2. ENFORCEMENT OF AGE RESTRICTIONS

4 IF THE DEVELOPMENT WILL NOT BE A RENTAL COMMUNITY UNDER SINGLE
5 OWNERSHIP, IT SHALL BE SUBJECT TO COVENANTS OR OTHER LEGAL
6 RESTRICTIONS ENFORCING THE AGE RESTRICTIONS FOR THIS USE. PLAN
7 SUBMITTALS SHALL INCLUDE THE PROPOSED COVENANTS AND OTHER LEGAL
8 MEANS OF ENFORCING THE AGE RESTRICTIONS. THE LEGAL ENTITY THAT WILL
9 IMPLEMENT AND MAINTAIN THE AGE RESTRICTIONS MUST BE CLEARLY
10 IDENTIFIED AND ABLE TO PROVIDE EFFECTIVE ENFORCEMENT TO SUPPLEMENT
11 COUNTY ENFORCEMENT OF ZONING REGULATIONS.

12 3. MODERATE INCOME AND LOW INCOME HOUSING UNITS

13 AT LEAST 10% OF THE DWELLING UNITS SHALL BE MODERATE INCOME HOUSING
14 UNITS, AND AT LEAST 5% OF THE DWELLING UNITS SHALL BE LOW INCOME
15 HOUSING UNITS OR DISABILITY INCOME HOUSING UNITS.

16 4. COMMUNITY CENTER

17 AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY SPACE
18 WITHIN A PRINCIPAL STRUCTURE SHALL BE PROVIDED THAT CONTAINS A
19 MINIMUM OF:

20 A. 20 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT, FOR THE FIRST
21 99 DWELLING UNITS WITH A MINIMUM AREA OF 500 SQUARE FEET, AND

22 B. 10 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT FOR EACH
23 ADDITIONAL DWELLING UNIT ABOVE 99.

24 **[[E.]] F. Other Provisions**

25 Golf courses shall be permitted uses on open space land in the PEC District.

26 **[[F.]] G. Conditional Uses**

27 Conditional Uses in the PEC District are subject to the detailed requirements for
28 Conditional Uses given in Section 131.0. For the list of permitted Conditional Uses,
29 refer to the chart in Section 131.0.

1

2 **Section 117.4 CCT (Community Center Transition) District**

3 **E. Additional Requirements for Age-Restricted Adult Housing**

4 1. Design for Older Adults

5 The development shall incorporate universal design features from the
6 Department of Planning and Zoning guidelines which identify required,
7 recommended and optional features. Plan submittals shall include descriptions
8 of the design features of the proposed dwellings to demonstrate their
9 appropriateness for the age-restricted population. The material submitted shall
10 indicate how universal design features will be used to make individual
11 dwellings adaptable to persons with mobility or functional limitations and how
12 the design will provide accessible routes between parking areas, sidewalks,
13 dwelling units and common areas.

14

15 2. Enforcement of Age Restrictions

16 If the development will not be a rental community under single ownership, it
17 shall be subject to covenants or other legal restrictions enforcing the age
18 restrictions for this use. Plan submittals must include the proposed covenants
19 and other legal means of enforcing the age restrictions. The legal entity that
20 will implement and maintain the age restrictions must be clearly identified and
21 able to provide effective enforcement to supplement county enforcement of
22 zoning regulations.

23

24 3. Moderate Income AND LOW INCOME Housing Units

25 At least 10% shall be Moderate Income Housing Units, AND AT LEAST 5% OF
26 THE DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY
27 INCOME HOUSING UNITS.

28

29 **Section 121.0 – CEF (Community Enhancement Floating) District**

1 **D. Accessory Uses in a CEF District**

2 Only accessory uses established with the approval of the Development Concept Plan
3 are permitted

4
5 **E. Moderate AND LOW Income Housing**

6 The CEF petition shall comply with the Moderate Income Housing Unit requirements that
7 were in effect for the zoning district for the property immediately before the CEF District
8 was established on the property. If there were no Moderate-Income Housing Unit
9 requirements for the previous zoning district, a minimum of 10% of the total number of
10 dwelling units shall be Moderate Income Housing Units AND AT LEAST 5% OF THE TOTAL
11 NUMBER OF DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY
12 INCOME HOUSING UNITS.

13
14 **F. Residential Density**

15 The Zoning Board may require that an appropriate percentage of the residential density
16 authorized for the CEF development be acquired by the developer through the neighborhood
17 preservation density exchange option.

18
19 **Section 127.1 – PSC (Planned Senior Community) District**

20 **B. Requirements for Planned Senior Community**

21 The Planned Senior Community District may be established at a particular location if the
22 following requirements are met:

- 23 1. At the preliminary development plan stage and subsequent stages of plan
24 processing and development, the site shall be served by both public water and
25 public sewer.
- 26 2. The site has direct access to a collector or arterial road designated in the General
27 Plan.
- 28 3. The development shall contain at least 50 dwelling units.
- 29 4. The development shall contain at least two of the following types of housing:

single-family detached dwellings, single-family attached dwellings, apartments, assisted living facilities, and nursing homes. At least one of the housing types shall be independent single-family or multi-family dwellings.

5. Open space shall constitute at least 35% of the gross acreage of the planned senior community.

6. The community shall include recreation and common areas for residents, including at least pathways and seating areas.

7. At least 10% shall be Moderate Income Housing Units, AND AT LEAST 5% OF THE DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY INCOME HOUSING UNITS.

8. At least one on-site community building or interior community space shall be provided that contains a minimum of:

a. 20 square feet of floor area per dwelling unit, for the first 99 dwelling units with a minimum area of 500 square feet, and

b. 10 square feet of floor area per dwelling unit for each additional dwelling unit above 99.

9. The proposed PSC does not comprise parcels which were added to the Planned Service Area to achieve Bay Restoration goals articulated in *Plan Howard 2030*.

F. Bulk Regulations

1. Maximum Density

a. Developments providing at least ~~[[10]]~~ 15% of the dwelling units as Moderate Income AND LOW INCOME Housing Units.....8 dwelling units per net acre.

b. Developments providing an additional 33% of all units over 8 dwelling units per net acre as Moderate Income Housing Units12 dwelling units per net acre.

c. Assisted living and nursing home beds shall be included in density calculations. One bed equals 0.25 dwelling units for the purpose of

determining density only. Assisted living and nursing home beds are not subject to MIHU requirements.

2. Minimum structure and use setbacks:

- a. From arterial or collector public street right-of-way50 feet
- b. From other public street right-of-way40 feet
- c. From residential lots in RC, RR, R-ED, R-20, R-12 or R-SC Districts50 feet

Except structures containing apartments, assisted living facilities or nursing facilities75 feet

- d. From open space and other uses in RC, RR, R-ED, R-20, R-12 or R-SC Districts30 feet
- e. From zoning districts other than RC, RR, R-ED, R-20, R-12 or R-SC30 feet
- f. If a PSC District is separated from another zoning district by a public street, only the setbacks from a public street right-of-way shall apply.

3. Maximum height shall not exceed:

- a. Apartments60 feet
- b. Other principal structures34 feet
- c. Accessory structures15 feet

4. Requirements regarding lot sizes, setbacks, distances between structures not located on individual lots, building heights and all other bulk regulations for the PSC District not established in this Section shall be established by the Planning Board through approval of a Comprehensive Sketch Plan and Development Criteria, in addition to any requirements imposed by the Zoning Board in the Preliminary Development Plan and Preliminary Development Criteria. The development criteria may also establish setback and height requirements that are more restrictive than the requirements given in this section.

5. The provisions of Section 128.0 (Supplementary Zoning District Regulations) and Section 133.0 (Off Street Parking and Loading Facilities) shall apply in the PSC District unless different requirements are specifically approved in the Comprehensive Sketch Plan and Development Criteria.

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2 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that in
3 *the list of "Uses Permitted as a Matter of Right" in Section 116.0.B, those uses numbered 2-35*
4 *are renumbered to 3-36.*

5

6 ***Section 3. Be It Further Enacted*** by the County Council of Howard County, Maryland, that
7 *this Act shall become effective 61 days after its enactment.*