

Introduced 07.07.2025
Public hearing 07.21.2025
Council action 07.30.2025
Executive action 07.31.2025
Effective date 09.30.2025

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.~~ and generally related to Age Restricted Adult Housing.

Introduced and read first time July 7, 2025. Ordered posted and hearing scheduled.

By order

Michelle Harrod
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 July 21, 2025.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on July 30, 2025 and Passed ✓, Passed with amendments ✓, Failed .

By order

Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 31 day of July, 2025 at 5 a.m./p.m.

By order

Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive July 31, 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.~~

~~Section 115.0 POR (Planned Office Research) District~~

~~E. Additional Requirements for Age-Restricted Adult Housing~~

~~1. Design for Older Adults~~

~~The development shall incorporate universal design features from the Department of Planning and Zoning guidelines which identify required, recommended and optional features. Plan submittals shall include descriptions of the design features of the proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted shall 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 shall be subject to covenants or other legal restrictions enforcing the age restrictions for this use. Plan submittals shall 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 **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. PARCEL SIZE REQUIREMENT

13 AGE RESTRICTED ADULT HOUSING SHALL ONLY BE PERMITTED ON PARCELS
14 THAT ARE LESS THAN 10 ACRES.

15
16 ~~3~~ 4. MODERATE INCOME AND LOW INCOME HOUSING UNITS

17 AT LEAST 10% OF THE DWELLING UNITS SHALL BE MODERATE INCOME HOUSING
18 UNITS, ~~AND AT LEAST 5% OF THE DWELLING UNITS SHALL BE LOW INCOME~~
19 ~~HOUSING UNITS OR DISABILITY INCOME HOUSING UNITS.~~

20 45. COMMUNITY CENTER

21 AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY SPACE
22 WITHIN A PRINCIPAL STRUCTURE SHALL BE PROVIDED THAT CONTAINS A
23 MINIMUM OF:

24 A. 20 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT, FOR THE FIRST
25 99 DWELLING UNITS WITH A MINIMUM AREA OF 500 SQUARE FEET, AND

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

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

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

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

2 Conditional Uses in the PEC District are subject to the detailed requirements for
3 Conditional Uses given in Section 131.0. For the list of permitted Conditional Uses,
4 refer to the chart in Section 131.0.

5
6 **~~Section 117.4 CCT (Community Center Transition) District~~**

7 **~~E. Additional Requirements for Age-Restricted Adult Housing~~**

8 ~~1. Design for Older Adults~~

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

18
19 ~~2. Enforcement of Age Restrictions~~

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

27
28 ~~—3. Moderate Income AND LOW INCOME Housing Units~~

29 ~~At least 10% shall be Moderate Income Housing Units, AND AT LEAST 5% OF~~

1 THE DWELLING UNITS SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY
2 INCOME HOUSING UNITS.

3
4 **Section 121.0 — CEF (Community Enhancement Floating) District**

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

6 Only accessory uses established with the approval of the Development Concept Plan
7 are permitted

8
9 **E. Moderate AND LOW Income Housing**

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

17
18 **F. Residential Density**

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

22
23 **Section 127.1 — PSC (Planned Senior Community) District**

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

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

- 27 1. At the preliminary development plan stage and subsequent stages of plan
28 processing and development, the site shall be served by both public water and
29 public sewer.

2. ~~The site has direct access to a collector or arterial road designated in the General Plan.~~

3. ~~The development shall contain at least 50 dwelling units.~~

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.

e. ~~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 facilities
.....75 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.~~

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

5
6 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that in***
7 ***the list of "Uses Permitted as a Matter of Right" in Section 116.0.B, those uses numbered 2-35***
8 ***are renumbered to 3-36.***

9
10 ***Section 3. Be It Further Enacted by the County Council of Howard County, Maryland, that***
11 ***this Act shall become effective 61 days after its enactment.***

Amendment 1 to Council Bill No. 55 - 2025

BY: David Yungmann

Legislative Day 12

Date: 7/30/2025

Amendment No. 1

(This Amendment removes the proposed language requiring at least 5% Low Income Housing Units (LIHU) or Disability Housing Income Units (LIHU) for Age-Restricted Adult Housing (ARAH) in the R-SI, POR, PEC, CCT, CEF, and PSC Zoning Districts, removes the proposed definition of Low-Income Housing Unit, and amends the proposed additional regulations for ARAH in the PEC District.)

1 On the Title page, in lines 3-6 of the title, strike beginning with “amending” to the period after
2 “MIHUs” and substitute the following: “and generally related to Age Restricted Adult Housing.”

3
4 On page 1, strike lines 13-31 in their entirety.

5
6 Beginning on page 2, strike beginning with line 2 through line 29 on page 3.

7
8 On page 5, immediately following line 11, insert the following:

9 “3. PARCEL SIZE REQUIREMENT: AGE RESTRICTED ADULT HOUSING SHALL ONLY BE PERMITTED
10 ON PARCELS THAT ARE LESS THAN 10 ACRES.”.

11 Renumber the remainder of the Section accordingly.

12
13 On page 5, in line 12, strike “AND LOW INCOME”

14
15 On page 5, strike beginning with “, AND” on line 14 through “Units” on line 15.

16 I certify that this a true copy of

Am1 CB55-2025
passed on July 30, 2025
Michelle Gersso
Council Administrator

- 1 Beginning on page 6, strike from line 2 through line 31 on page 9.

Amendment 1 to Amendment 1 to Council Bill No. 55 - 2025

BY: David Yungmann

Legislative Day 12

Date: 7/30/2025

Amendment 1 to Amendment No. 1

(This Amendment revises the proposed language to make Age-restricted Adult Housing a Conditional Use in the PEC Zoning District.)

1

2

3

4

5

I certify that this a true copy of

Am1 Am1 CB55-2025

passed on July 30, 2025

Michelle Dorr

Council Administrator

Withdrawn



Zoning Regulation Amendment Petition

Zoning Regulation Amendment Request: This proposed amendment would do the following:

1. Add "Age-Restricted Adult Housing" as a permitted use in the Planned Employment Center (PEC) zoning district, with additional requirements.
2. Amend the Moderate-Income Housing Units requirement for Age-Restricted Units in the R-SI, POR, CCT, CEF and PSC zoning districts to require 15% affordable housing units, with at least one third being Low-Income Housing Units.

Petitioner Information

Name: Liz Walsh

Trading As:

Address: 3430 Court House Drive, Ellicott City, MD, 21043

Phone: 4103132001

Email: ewalsh@howardcountymd.gov

Petitioner's Interest in the Property: Council Member

Representative Information

Name: David Moore

Address: 3450 Court House Drive, Ellicott City, MD, 21043

Phone: 4103132100

Email: dmoore@howardcountymd.gov

Profession: Attorney

Property Information

Property Address: 3300 North Ridge Road, Ellicott City, MD, 21043

Total Site Area: 6.25 acres Use Area (if different): Tax Map: 24 Grid: 6 Parcel: 1180

County Council District: 1 Zoning District: POR

Subdivision Name: SDP #:

Zoning Regulation Amendment Information

1. Explain the reason the requested amendment is being proposed.

The goal of this ZRA is to create more opportunities for more affordable age-restricted housing to be built in a larger amount of zoning districts to solve this shortage of age-appropriate housing for Howard County's older adult population.

One of the goals articulated in the HoCo By Design General Plan is to create more opportunities for older adults to remain in Howard County. Chapter 6 of the Howard County General Plan states that only 4% of the County's housing mix is age-restricted (55 years and older), and notes that "The County has limited affordable housing options for older adults, many of whom will have mobility and accessibility needs as they age, and persons with disabilities. Without an adequate supply of these types of homes, some older adults may be unable to find appropriate housing, forcing them to look outside the County if/when they decide to move".

The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A.

The justification for this proposed ZRA being in harmony with preserving and promoting the health, safety, and welfare and other issues as set forth in Section 100.A can be found described in the enumerated additional intent number 5, which states the following: "5. To provide for adequate housing choices in a suitable living environment within the economic reach of all citizens;"

Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

This amendment is expected to impact more than 12 properties. Generally, it has the potential to impact properties in the County in the R-SI, PSC, CEF, POR, PEC and CCT zoning districts.

Provide the address, Tax Map, and Parcel Number for any parcel of land known to be affected by the amendment(s) that the Petitioner owns or has a legal or equitable interest in.

N/A

Zoning Regulation Amendment Criteria

The compatibility, including potential adverse impacts and consequences, of the proposed zoning regulation amendment with the existing and potential land uses of the surrounding areas and within the same zoning district.

This proposed amendment would allow for more opportunities to develop and increase the available stock of affordable age-restricted adult housing, which the Department of Planning & Zoning have indicated is needed in Howard County. There is not anticipated to be adverse impacts or issues with compatibility.

The properties to which the zoning regulation amendment could apply and, if feasible, a map of the impacted properties.

Generally, this proposed amendment would have an impact on all property in Howard County that currently have Age-Restricted Adult Housing units, should they choose to expand or build more units, and properties in the zoning districts listed in question #3 above. Also, there is the potential to impact the development of moderate income housing units that are part of age-restricted adult housing developments in the following zoning districts: POR, CCT, R-SI, PSC, CEF, and PEC.

Conflicts in the Howard County Zoning Regulations as a result of the zoning regulation amendment.

This amendment is not expected to create conflicts in the Howard County Zoning Regulations.

The compatibility of the proposed zoning regulation amendment with the policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.

Chapter 6 of the General Plan articulates a goal to create "Dynamic Neighborhoods" in Howard County and lays out "guidance on maintaining and supporting vibrant living that meets the needs of current and future residents and offers opportunities for a more equitable future for all". The General Plan recommends "creating more diverse housing options throughout the County, increasing housing affordability, and ensuring there are housing options for older adults, disabled populations, and those with special needs." (DN-3)

The need for a mix of housing types for older adults is further emphasized in the same chapter: "housing options for early retirees, empty nesters, or older adults who want to downsize?perhaps because they can no longer maintain a single-family detached dwelling on a large lot (or choose not to)?should be readily available as part of a larger suite of housing typologies catering to changing demands and interests." (DN-61)

The following policy and actions would be satisfied with the implementation of this amendment:

DN-4 Policy Statement, Implementing Action #3 – "Incentivize the production of Low Income Housing Units (LIHU) and Disability Income Housing Units (DIHU) affordable to low- and moderate-income households, beyond what is currently required by the Moderate Income Housing Unit (MIHU) program." (DN-44)

DN-7 Policy Statement, Implementing Action #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." (DN-52)

DN-12 Policy Statement – "Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities." (DN-62)

Implementing Actions:

“2. Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.

3. Encourage Age-Restricted Adult Housing (ARAH) developments to build small- to medium-scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low- and moderate-income households. Evaluate if current ARAH Zoning Regulations allow sufficient density increases to incentivize missing middle housing types, such as cottage clusters, duplexes, and multiplexes.” (DN-62)

DN-13 Policy Statement – “Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.” (DN-62).

If the zoning regulation text amendment would impact eight (8) parcels of land or less:

- (i) A list of those impacted parcels;
- (ii) The address of each impacted parcel;
- (iii) The ownership of each impacted parcel; and
- (iv) The contact information for the owner, if an individual, or resident agent or owner, if a corporate entity, of each impacted parcel.

N/A. This amendment is expected to impact more than 12 properties.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct.

Petitioner's Signature  Date 04.23.25__

Property Owner's Signature _____ Date _____

Process information and submittal requirements can be found on the [ProjectDox website](#)

ZRA-213

Petitioner's Proposed Text

HOWARD COUNTY ZONING REGULATIONS

Add the following text:

Section 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

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

E. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING

1. DESIGN FOR OLDER ADULTS

THE DEVELOPMENT SHALL INCORPORATE UNIVERSAL DESIGN FEATURES FROM THE DEPARTMENT OF PLANNING AND ZONING GUIDELINES WHICH IDENTIFY REQUIRED, RECOMMENDED AND OPTIONAL FEATURES. PLAN SUBMITTALS SHALL INCLUDE DESCRIPTIONS OF THE DESIGN FEATURES OF THE PROPOSED DWELLINGS TO DEMONSTRATE THEIR APPROPRIATENESS FOR THE AGE-RESTRICTED POPULATION. THE MATERIAL SUBMITTED SHALL 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 SHALL BE SUBJECT TO COVENANTS OR OTHER LEGAL RESTRICTIONS ENFORCING THE AGE RESTRICTIONS FOR THIS USE. PLAN SUBMITTALS SHALL 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% OF THE DWELLING UNITS 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.

4.COMMUNITY CENTER

AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY SPACE WITHIN A PRINCIPAL STRUCTURE 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.

Example of how the proposed text would look in Section 116.0 if adopted:

Section 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

- 2. Age-Restricted Adult Housing, subject to the requirements of Subsection E.

E. Additional Requirements for Age-Restricted Adult Housing

1. Design for Older Adults

The development shall incorporate universal design features from the Department of Planning and Zoning guidelines which identify required, recommended and optional features. Plan submittals shall include descriptions of the design features of the proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted shall 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 shall be subject to covenants or other legal restrictions enforcing the age restrictions for this use. Plan submittals

shall 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% of the dwelling units shall be Moderate Income Housing units, and at least 5% of the total dwelling units shall be Low Income Housing Units or Disability Income Housing Units.

4.Community Center

At least one on-site community building or indoor community space within a principal structure 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.

Amend the following text:

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

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 113.2 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 115.0 POR (Planned Office Research) District

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 115.0 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 117.4 CCT (Community Center Transition) District

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 117.4 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 121.0 – CEF (Community Enhancement Floating) District

E. Moderate AND LOW Income Housing

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

Example of how this text would look in Section 121.0 if adopted:

Section 121.0 – CEF (Community Enhancement Floating) District

E. Moderate AND Low Income Housing

The CEF petition shall comply with the Moderate Income Housing Unit requirements that were in effect for the zoning district for the property immediately before the CEF District was established on the property. If there were no Moderate-Income Housing Unit requirements for the previous zoning district, a minimum of 10% of the total number of dwelling units shall be Moderate Income Housing Units, and at least 5% of the total number of dwelling units shall be Low Income Housing Units or Disability Income Housing Units.

Amend the following text:

Section 127.1 – PSC (Planned Senior Community) District

B. Requirements for Planned Senior Community

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

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.

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.

Example of how this text would look in Section 127.1 if adopted:

B. Requirements for Planned Senior Community

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

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.

F. Bulk Regulations

1. Maximum Density

a. Developments providing at least 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.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

■ Ellicott City, Maryland 21043

■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

TECHNICAL STAFF REPORT

Planning Board Meeting of May 15th, 2025

Case No./Petitioner: ZRA-213; County Council President, Liz Walsh

Request: To amend the Planned Employment Center (PEC) zone under Section 116.0 to add 'Age-Restricted Adult Housing' as a permitted use, with additional requirements.

Amend the Moderate-Income Housing Units (MIHU) requirements for Age-Restricted Adult Housing (ARAH) Units in the R-SI, POR, CCT, CEF, and PSC zoning districts to require at least 5% of the total dwelling units to be Low-Income Housing Units (LIHU) or Disability Income Housing Units (DIHU).

I. BACKGROUND AND HISTORY OF EXISTING ZONING REGULATIONS

The Planned Employment Center (PEC) district was established with the 1985 Zoning Regulations with the intent to "...provide for comprehensively planned employment centers combining research and development, office, light manufacturing and assembly, limited commercial and other enumerated uses." The PEC District has largely been scattered, larger parcels, located in the eastern part of the County. There have been multiple amendments to the PEC district specifically to the permitted uses. The proposed amendment would add Age-Restricted Adult Housing (ARAH) as a use permitted as a matter of right.

Age-Restricted Adult Housing (ARAH) was added to the Zoning Regulations with the 1993 Comprehensive Zoning Plan, and included a definition of ARAH, the zoning districts that permitted ARAH, and additional design regulations for ARAH developments. The 2004 Comprehensive Zoning Plan rewrote many of the ARAH regulations, including expanding the number of zoning districts that permit ARAH, adding design regulations for ARAH developments, and adding the requirement for at least 10% of the ARAH dwelling units to be Moderate Income Housing Units (MIHU). The current regulations for ARAH largely reflect the 2004 Zoning Regulations.

In the current zoning regulations, ARAH is either permitted by right, permitted as a conditional use, or not permitted in the following zoning districts:

- Permitted by right: R-SI, CCT, TNC, POR, PSC, CEF.
- Permitted as a Conditional Use: RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, PGCC, B-1, B-2.
- Not permitted: R-MH, R-VH, TOD, HO, HC, PEC, BR, OT, SC, M-1, M-2, I.

The table below depicts the R-SI, POR, CCT, CEF, and PSC zoning districts, when they were established, and when Age-Restricted Adult Housing became a permitted use in the corresponding district.

District	District established	When Age-Restricted became permitted
Planned Office Research (POR)	1977	1993, permitted use
Planned Senior Community (PSC)	1993	1993, permitted use
Community Center Transition (CCT)	2004	2004, permitted use
Community Enhancement Floating (CEF)	2004	2004, permitted use
Residential: Senior Institutional (R-SI)	2004	2004, permitted use

II. DESCRIPTION OF PROPOSAL

This section contains a summary of the Petitioner’s proposed amendment. The Petitioner’s proposed amendment text is attached as Exhibit A.

The Petitioner is proposing to amend the PEC Zoning District to:

- Add ‘Age-Restricted Adult Housing’ as the 36th permitted use by right for the district.
- Add additional requirements for ARAH in the PEC district related to:
 1. Design for Older Adults
 2. Enforcement of Age Restrictions
 3. Moderate Income and Low-Income Housing Units
 4. Community Center

The Petitioner is proposing to amend the R-SI, POR, CCT, CEF, and PSC districts to:

- Require at least 5% of the ARAH units to be Low-Income Housing Units or Disability Income Housing Units.

The petitioner states, “The goal of the ZRA is to create more opportunities for more affordable age-restricted housing to be built in a larger amount of zoning districts to solve this shortage of age-appropriate housing for Howard County’s older adult population.”

Sec. 116.0.B¹

This section contains the uses permitted as a matter of right in the PEC zoning district. The Petitioner proposes to add “Age-Restricted Adult Housing” to the list of uses permitted as a matter of right.

Sec. 116.0.E²

The petitioner proposes to add additional requirements for ARAH.

Sec. 113.2.E

This section contains the additional requirements for ARAH in the R-SI district. The Petitioner proposes to add the requirement that 5% of the total ARAH units must be LIHU’s or DIHU’s.

Sec. 115.0.E

This section contains the additional requirements for ARAH in the POR district. The Petitioner proposes to add the requirement that 5% of the total ARAH units must be LIHU’s or DIHU’s.

Sec. 117.4.E

This section contains the additional requirements for ARAH in the CCT district. The Petitioner proposes to add the requirement that 5% of the total ARAH units must be LIHU’s or DIHU’s.

Sec. 121.0.E

This section contains the requirements for MIHU’s in the CEF district. The Petitioner proposes to add the requirement that 5% of the total ARAH units must be LIHU’s or DIHU’s.

Sec. 127.1.B

This section contains the requirements for planned senior communities in the PSC district. The Petitioner proposes to add the requirement that 5% of the total ARAH units must be LIHU’s or DIHU’s.

¹ Drafting changes to the section numbering may be needed to list the permitted uses alphabetically.

² The Zoning Regulations currently include a Section 116.0.E. Changes to the numbering system may be needed when legislation is introduced.

Section 127.1.F

This section contains the maximum density requirements in the PSC district. The Petitioner proposes to require at least 15% of the dwelling units as MIHU's and LIHU's to allow a maximum density of 8 dwelling units per net acre.

III. EVALUATION OF PROPOSAL

This section contains the Department of Planning and Zoning (DPZ) technical evaluation of ZRA-213 in accordance with Section 16.208.(d) of the Howard County Code.

1. The compatibility, including potential adverse impacts and consequences, of the proposed Zoning Regulation Amendment with the existing and potential uses of the surrounding areas and within the same zoning district.

This amendment would add “Age-Restricted Adult Housing” as a permitted use by right in the PEC zoning district. The PEC district was established to provide comprehensively planned employment centers that combine research and development, office, light manufacturing and assembly, limited commercial and other enumerated uses. While housing is not a focus of the PEC zoning district purpose statement, the district does permit residential Housing Commission Housing Developments as a matter of right. The General Plan’s Dynamic Neighborhoods chapter is supportive of continuing to grow opportunities for housing for older adults as well as affordable and accessible housing within the County, particularly identified activity centers. This will be further explained in Section III.3 of this TSR.

The amendment would also change the MIHU requirements for ARAH developments in the R-SI, POR, CCT, CEF, and PSC zoning districts to require at least 5% of the total ARAH units to be LIHU's or DIHU's. The proposed amendment is not anticipated to produce adverse impacts on the uses of the surrounding area as the amendment will designate the number of units which must be LIHU or DIHU and will not change the overall density of the development.

2. The properties to which the Zoning Regulation Amendment could apply and, if feasible, a map of the impacted properties.

The proposed ZRA will add ARAH as a permitted use by right to the entire PEC district, and the requirement for LIHU and DIHU's in the R-SI, POR, CCT, CEF, and PSC districts. The ZRA could potentially impact approximately 2,350 parcels zoned PSC, CEF-M, CEF-R, POR, POR-MXD-6, CCT, R-SI, PEC, PEC-MXD-3, totaling nearly 3,330 acres in the County. The average parcel size is approximately 1.5 acres, with the largest parcel being approximately 360 acres. . A map of these potentially impacted parcels are shown in Attachment B.

Any future ARAH developments, or major redevelopment of existing ARAH developments, would require compliance with the proposed amendment, increasing the number of LIHU's and DIHU's.

3. Conflicts in the Howard County Zoning Regulations as a result of the Zoning Regulation Amendment.

The Zoning Regulations (Sec. 103.0) and Housing and Community Development Regulations (Sec. 13.401) provide definitions for a “Moderate Income Housing Unit” and “Low Income Housing Unit.” The definition of LIHU differs between regulations. The Housing and Community Development ordinance specifies low income as “an annual household income of up to 60% of the median income in Howard County”, whereas the Zoning Regulations specifies low income housing units as “...households with incomes below 50% of the medium income in the Baltimore region.” DPZ believes it may be appropriate to consider changing the Zoning Regulation definition of LIHU to be consistent with the Housing and Community Development ordinance.

4. The compatibility of the proposed Zoning Regulation Amendment with the Policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.

The General Plan’s Dynamic Neighborhoods chapter is supportive of continuing to grow opportunities for housing for older adults as well as affordable and accessible housing within the County, particularly identified activity centers.

Policy Statement DN-4 (page DN-44) states that “Future activity centers should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options.” **Implementing Action 3** for DN-4 states the County should “Incentivize the production of LIHU and DIHU affordable to low- and moderate-income households, beyond what is currently required by the MIHU program.”

Policy Statement DN-7 (page DN-52) states that the County should “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 and preserve the County’s existing affordable housing inventory.” **Implementing Action 4** recommends that the County “Offer additional incentives to encourage the production of more MIHU’s than required, and/or deeper levels of income targeting in the form of LIHU’s or DIHU’s.”

Policy Statement DN-12 (page DN-62) states that the County should “Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.” **Implementing Action 2** recommends that the County “Provide flexibility in the Zoning Regulations and the Subdivision and Land Development Regulations for adult group homes/communal living and for accessibility modifications for persons with disabilities who wish to live independently or older adults who wish to age in place or downsize and age in their community at affordable price points.” **Implementing Action: 3** recommends the County “Encourage age-restricted adult housing developments to build small-to medium scale housing units to include apartments, condominiums, townhomes, and missing middle housing types that allow seniors to downsize and are affordable to low-and moderate income Households.”

Policy Statement DN-13 (page DN-62) states the County should “Create greater opportunities for multi-generational neighborhoods, especially in character areas identified as activity centers.”

Conclusion

Overall, DPZ finds that amending the Planned Employment Center “PEC” zoning district to allow ‘Age-Restricted Adult Housing’ as a permitted use with additional requirements and increasing the LIHU and DIHU requirements for Age-Restricted developments in the R-SI, POR, CCT, CEF, and PSC zoning districts is consistent with the Policy Statements and Implementing Actions in the General Plan.

Environmental Policies and Objectives

The proposed ZRA 213 is not in conflict with the environmental policies and objectives in HoCo By Design, the County’s General Plan. The proposed ZRA 213 would not change any development requirements for sensitive resource protection, stormwater management or forest conservation.

DocuSigned by:

Lynda Eisenberg

5/1/2025

42208635883042E...

Lynda D. Eisenberg, AICP, Director Date

Exhibit A

Petitioner's Proposed Text

(CAPITALS indicate text to be added; text in [[brackets]] indicates text to be deleted.)

Section 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

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

E. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING

1. DESIGN FOR OLDER ADULTS

THE DEVELOPMENT SHALL INCORPORATE UNIVERSAL DESIGN FEATURES FROM THE DEPARTMENT OF PLANNING AND ZONING GUIDELINES WHICH IDENTIFY REQUIRED, RECOMMENDED AND OPTIONAL FEATURES. PLAN SUBMITTALS SHALL INCLUDE DESCRIPTIONS OF THE DESIGN FEATURES OF THE PROPOSED DWELLINGS TO DEMONSTRATE THEIR APPROPRIATENESS FOR THE AGE-RESTRICTED POPULATION. THE MATERIAL SUBMITTED SHALL 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 SHALL BE SUBJECT TO COVENANTS OR OTHER LEGAL RESTRICTIONS ENFORCING THE AGE RESTRICTIONS FOR THIS USE. PLAN SUBMITTALS SHALL 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% OF THE DWELLING UNITS 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.

4.COMMUNITY CENTER

AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY SPACE WITHIN A PRINCIPAL STRUCTURE 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.

Example of how the proposed text would look in Section 116.0 if adopted:

Section 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

- 2. Age-restricted adult housing, subject to the requirements of subsection E.

E. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING

1. Design for Older Adults

The development shall incorporate universal design features from the department of planning and zoning guidelines which identify required, recommended and optional features. Plan submittals shall include descriptions of the design features of the proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted shall 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 shall be subject to covenants or other legal restrictions enforcing the age restrictions for this use. Plan submittals shall 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% of the dwelling units shall be Moderate Income Housing units, and at least 5% of the total dwelling units shall be Low Income Housing Units or Disability Income Housing Units.

4. Community Center

At least one on-site community building or indoor community space within a principal structure 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.

Amend the following text:

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

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 113.2 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 115.0 POR (Planned Office Research) District

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 115.0 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 117.4 CCT (Community Center Transition) District

E. Additional Requirements for Age-Restricted Adult Housing

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.

Example of how this text would look in Section 117.4 if adopted:

E. Additional Requirements for Age-Restricted Adult Housing

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.

Amend the following text:

Section 121.0 – CEF (Community Enhancement Floating) District

E. Moderate and LOW INCOME Housing

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

Example of how this text would look in Section 121.0 if adopted:

Section 121.0 – CEF (Community Enhancement Floating) District

E. Moderate and Low Income Housing

The CEF petition shall comply with the Moderate Income Housing Unit requirements that were in effect for the zoning district for the property immediately before the CEF District was established on the property. If there were no Moderate-Income Housing Unit requirements for the previous zoning district, a minimum of 10% of the total number of dwelling units shall be Moderate Income Housing Units, and at least 5% of the total number of dwelling units shall be Low Income Housing Units or Disability Income Housing Units.

Amend the following text:

Section 127.1 – PSC (Planned Senior Community) District

B. Requirements for Planned Senior Community

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

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.

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.

Example of how this text would look in Section 127.1 if adopted:

B. Requirements for Planned Senior Community

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

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.

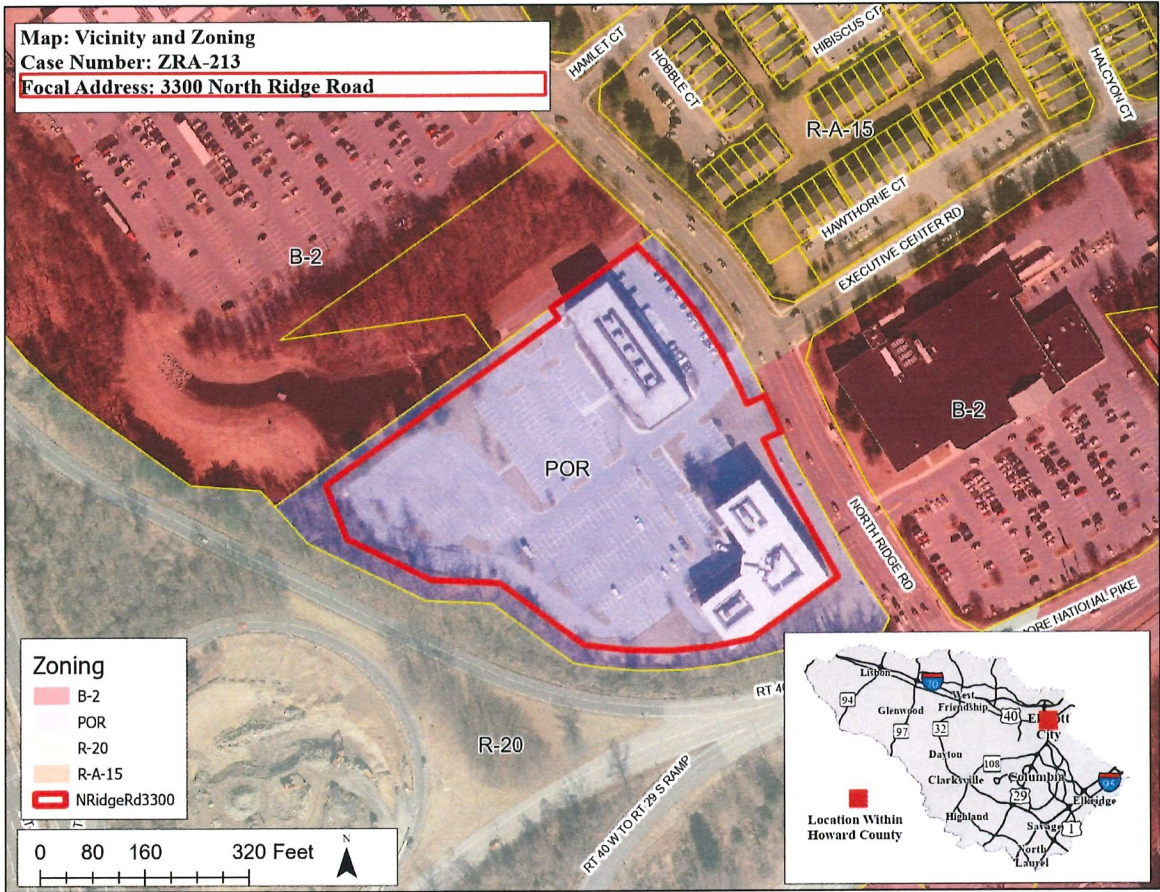
F. Bulk Regulations

1. Maximum Density

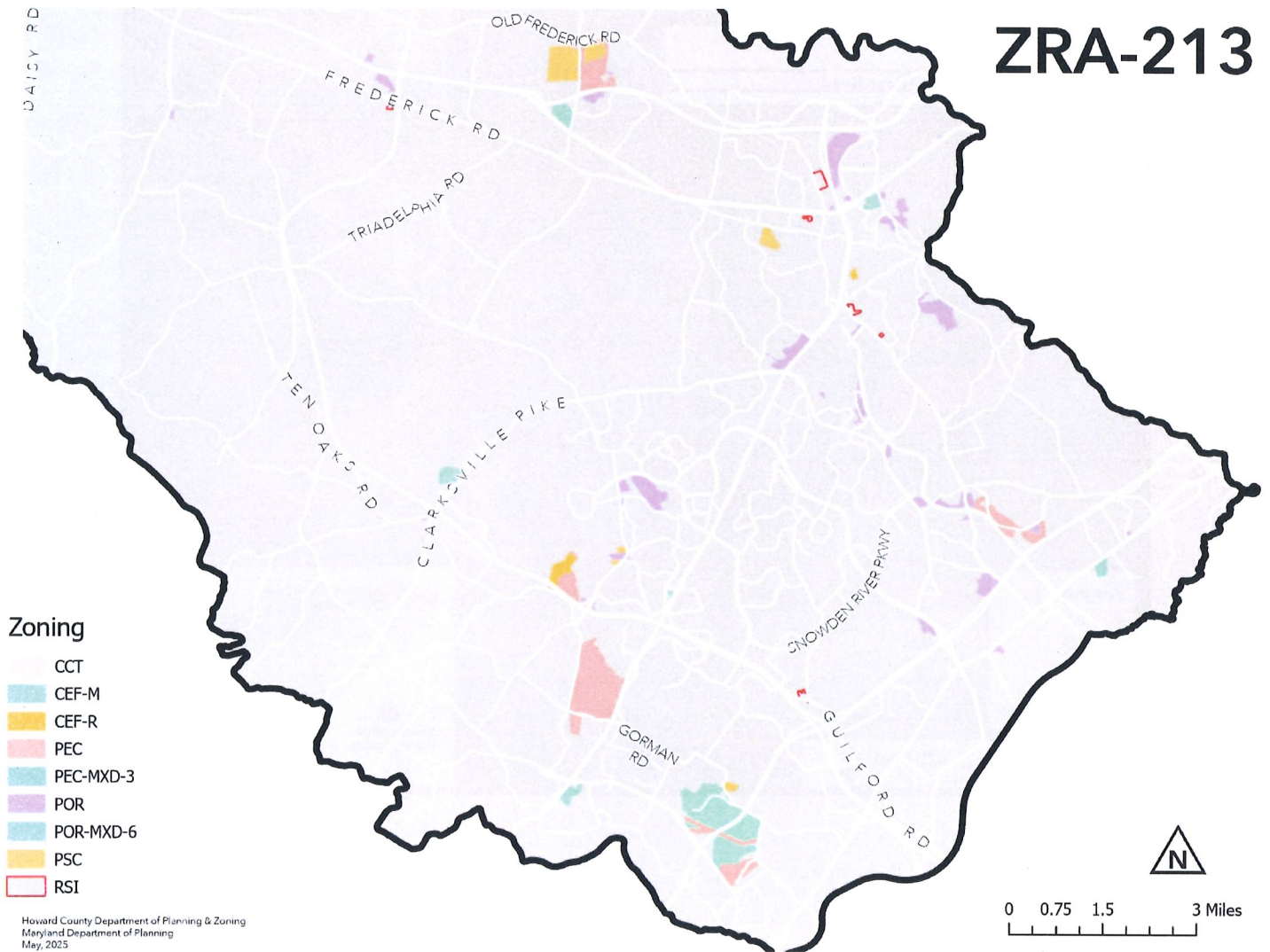
a. Developments providing at least 15% of the dwelling units as Moderate Income and Low Income Housing Units.....8 dwelling units per net acre.

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.

Attachment A



Attachment B



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.

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

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

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

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

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

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

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

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

18 19 20 Board Discussion and Recommendation

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

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

27
28 The amendment is:

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

33
34 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

17D7DFE9D4214A8...

Signed by:

James Cecil

James Cecil, Vice-chair

7DA1123B1D2D404...

ABSENT

Barbara Mosier

DocuSigned by:

Mason Godsey

879ABA20831447E...

Mason Godsey

Signed by:

Lynn Moore

Lynn Moore

CB40F4A80072471...

ATTEST:

DocuSigned by:

Lynda Eisenberg

4229B625063942E...

Lynda Eisenberg, AICP, Executive Secretary



AFFIDAVIT AND DISCLOSURE OF CONTRIBUTION

For Petitions to Amend the Zoning Regulations, Zoning Maps and Preliminary Develop Plans of Howard County

Zoning Matter: ZRA-213

AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS

As required by the Maryland Public Ethics Law Annotated Code of Maryland, General
Provisions Article Sections 5-852 through 5-854

ALL BOLDDED TERMS ARE DEFINED BY SECTION 5-852 MARK EACH PARAGRAPH AS
APPLICABLE

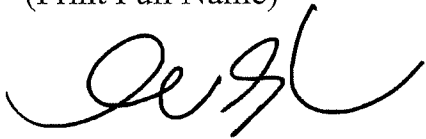
1. I, LIZ WASH, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief ☐ HAVE / ☒ HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I ☐ AM / ☒ AM NOT currently **Engaging in Business** with an **Elected Official**. OTHER
2. I, the ☒ **Applicant** or a ☐ **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the ☐ **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

UZWALSH

(Print Full Name)



(Sign full name & indicate legal capacity, if applicable)

23APR25

Date

Zoning Matter: _____

DISCLOSURE OF CONTRIBUTION

As required by the Maryland Public Ethics Law Annotated Code of Maryland, General Provisions Article Sections 5-852 through 5-854

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

Applicant or Party of Record: LEE WALSH
(Print Full Name)

RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

LIZ WALSH

(Print Full Name)



(Sign full name & indicate legal capacity, if applicable)

23A1225

Date

This Affidavit must be signed, scanned and uploaded through the ProjectDox Zoning Petition Application process at <https://howard-md-us.avolvecloud.com/ProjectDox/>

For more information or questions, contact DPZ at (410) 313-2350.



AFFIDAVIT AND DISCLOSURE OF CONTRIBUTION

For Petitions to Amend the Zoning Regulations, Zoning Maps and Preliminary Develop Plans of Howard County

Zoning Matter: ZRA-213

AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS

As required by the Maryland Public Ethics Law Annotated Code of Maryland, General
Provisions Article Sections 5-852 through 5-854

ALL BOLDDED TERMS ARE DEFINED BY SECTION 5-852 MARK EACH PARAGRAPH AS
APPLICABLE

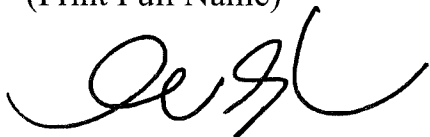
1. I, LIZ WAGSH, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief ☐ HAVE / ☒ HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I ☐ AM / ☒ AM NOT currently **Engaging in Business** with an **Elected Official**. OTHER
2. I, the ☒ **Applicant** or a ☐ **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the ☐ **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

UZWALSH

(Print Full Name)



(Sign full name & indicate legal capacity, if applicable)

23APR25

Date

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

LIZ WALSH

(Print Full Name)



(Sign full name & indicate legal capacity, if applicable)

234/225

Date

This Affidavit must be signed, scanned and uploaded through the ProjectDox Zoning Petition Application process at <https://howard-md-us.avovecloud.com/ProjectDox/>

For more information or questions, contact DPZ at (410) 313-2350.

Introduced 07.07.2025
Public hearing 07.21.2025
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 July 7, 2025. Ordered posted and hearing scheduled.

By order Michelle Harrod
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 July 21, 2025.

By order Michelle Harrod
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.

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

3
4 *By Adding:*

5 *Section 116.0: "PEC (Planned Employment Center) District"*

6 *Subsection B: "Uses Permitted as a Matter of Right"*

7 *New Number 2: "Age-Restricted Adult Housing, subject to the requirements of*
8 *Subsection E"; and*

9
10 *Section 116.0: "PEC (Planned Employment Center) District"*

11 *Subsection E: "Additional Requirements for Age-Restricted Adult Housing".*

12
13 *By Amending:*

14 *Section 103.0: "Definitions"*

15 *"Low Income Housing Unit";*

16
17 *Section 113.2: "R-SI (Residential Senior – Institutional) District"*

18 *Subsection E: "Additional Requirements for Age-Restricted Housing";*

19
20 *Section 115.0: "POR (Planned Office Research) District"*

21 *Subsection E: "Additional Requirements for Age-Restricted Adult Housing";*

22
23 *Section 117.4: "CCT (Community Center Transition) District"*

24 *Subsection E: "Additional Requirements for Age-Restricted Adult Housing";*

25
26 *Section 121.0: "CEF (Community Enhancement Floating) District"*

27 *Subsection E: "Moderate Income Housing"; and*

28
29 *Section 127.1: "PSC (Planned Senior Community) District"*

30 *Subsection B: "Requirements for Planned Senior Community"*

31 *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 UNIT SHALL BE LOW INCOME HOUSING UNITS OR DISABILITY INCOME HOUSING UNIT.

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.

26

27

28

29

SECTION 116.0 – PEC (Planned Employment Center) District

A. Purpose

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

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

B. Uses Permitted as a Matter of Right

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

E. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING

1. DESIGN FOR OLDER ADULTS

THE DEVELOPMENT SHALL INCORPORATE UNIVERSAL DESIGN FEATURES FROM THE DEPARTMENT OF PLANNING AND ZONING GUIDELINES WHICH IDENTIFY REQUIRED, RECOMMENDED AND OPTIONAL FEATURES. PLAN SUBMITTALS SHALL INCLUDE DESCRIPTIONS OF THE DESIGN FEATURES OF THE PROPOSED DWELLINGS TO DEMONSTRATE THEIR APPROPRIATENESS FOR THE AGE-RESTRICTED POPULATION. THE MATERIAL SUBMITTED SHALL INDICATE HOW UNIVERSAL DESIGN FEATURES WILL BE USED TO MAKE INDIVIDUAL DWELLINGS ADAPTABLE 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:

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

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

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

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

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

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

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

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

19 20 **F. Bulk Regulations**

21 **1. Maximum Density**

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

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

28 c. Assisted living and nursing home beds shall be included in density
29 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.

1

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 14B.0.B, those uses numbered 2-35*
4 *are renumbered to 3-36.*

5

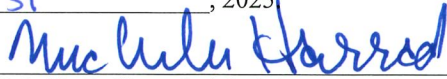
6 ***Section 3. Be It Further Enacted*** by the County Council of Howard County, Maryland, that
7 *this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

July 31

, 2025



Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2025.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2025.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2025.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2025.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2025.

Michelle R. Harrod, Administrator to the County Council