


# Howard County

## Internal Memorandum

**Subject:** *Testimony for Council Bill XX-2025: Accessory Dwelling Unit Zoning Regulation Amendment 218*

**To:** *Brandee Ganz, County Administrative Officer*

**From:** *Lynda Eisenberg, AICP, Director* <sup>DS</sup>  For

**Date:** *December 18, 2025*

The Department of Planning and Zoning (DPZ) supports Council Bill XX-2025. The proposed zoning regulation amendment aims to implement State Law (HB-1466) regarding Accessory Dwelling Units and to align the regulations with the broader goals of Howard County's General Plan, HoCo By Design, and the County's Housing Opportunities Master Plan.

Key recommendations of the bill are:

- Rename Accessory Apartment to Accessory Dwelling Unit (ADU)
- Update or add definitions pertaining to ADUs
- Add an ADU as a permitted accessory use in all zoning districts that permit single-family detached, attached, semi-detached (duplex) or two-family dwellings
- Allow an ADU to be within, attached, or detached from the principal dwelling
- Allow only one ADU per lot with a maximum size of 75% of the principal dwelling
- Remove the minimum lot size requirement for an ADU
- Exempt an ADU from lot coverage requirements
- Retain the owner-occupied requirement. The owner must reside in the ADU or principal dwelling
- Retain a maximum of 2 bedrooms in an ADU
- Apply accessory use side and rear setbacks to detached ADUs
- Remove two-family dwellings as a conditional use and allow by right in the RC, RR, R-ED, R-20, and R-12 zoning districts. R-ED and R-12 districts require 16,000 SF minimum lot size
- Remove accessory apartments and temporary accessory family dwellings from the zoning regulations.

This Zoning Regulation Amendment originated from the adoption of HB-1466, effective October 1, 2025, to adopt local laws authorizing the development of ADUs on land with a single-family detached dwelling. HB-1466 requires each legislative body to adopt local law authorizing the development of ADUs before October 1, 2026. DPZ has used this opportunity to incorporate ADU policies from HoCo By Design and The Housing Opportunities Master Plan into the proposed legislation. DPZ has met with the Howard County Housing Affordability Coalition and the Howard County Citizens Association to discuss the regulation changes. On October 16, 2025, ZRA-218 was presented to the Howard County Planning Board for its recommendations who voted in favor, 4-0, with the following recommendations:

1. To keep the owner-occupied requirement so that the owner must reside in either the ADU or principal structure.
2. To request accompanying legislation that mandates the advertising of properties for sale must explicitly and accurately align with the permitted uses of the underlying zoning district. This is intended to increase market transparency and protect prospective buyers from misleading advertisements.

The council-filed version of the ZRA includes the first Planning Board recommendation and reinstates a maximum of 2 bedrooms in the ADU, as currently required by code, based on community feedback.

There are no fiscal impacts associated with adoption of this Council Bill. Given the reasons stated above, DPZ supports Council Bill XX-2025 and appreciates Council's consideration.

cc: Jennifer Sager, Legislative Coordinator, Department of Administration  
Angela Cabellon, Chief of Staff  
Brian Shepter, Deputy Chief of Staff  
Gary W. Kuc, County Solicitor, Office of Law