

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council Of Howard County, Maryland

2026 Legislative Session

Legislative Day No. 1

### Bill No. 4 -2026 (ZRA 219)

Introduced by: The Chairperson at the request of the County Executive

Short Title: Zoning Regulation Amendment 219 – Activity Centers – TOD or TNC  
Zoning Districts – Age-Restricted Adult Housing

Title: AN ACT amending the Howard County Zoning Regulations to implement the General Plan’s recommendations for housing in activity centers, including defining activity center; providing that certain types of development projects in the TOD or TNC zoning districts shall provide more than one housing type; and adding regulations for age-restricted adult housing in the TOD zoning district; and generally relating to the Howard County Zoning Regulations.

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Introduced and read first time \_\_\_\_\_, 2026. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2026.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

This Bill was read the third time on \_\_\_\_\_, 2026 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 \_\_\_\_\_, 2026 at \_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2026

\_\_\_\_\_  
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 amended as follows:

1. By amending

103.0: Definitions

To add a definition for “activity center”

2. By amending

Subsection B “Uses Permitted as a Matter of Right” and Subsection F

“Requirements for TOD Development”

Section 127.4: TOD (Transit Oriented Development) District

3. By amending

Subsection C “Uses Permitted as a Matter of Right” and Subsection F

“Requirements for TNC Development”

Section 127.6: TNC (Traditional Neighborhood Center) Overlay District

## **Howard County Zoning Regulations.**

### **Section 103.0. Definitions.**

Terms used in these Zoning Regulations shall have the definition provided in any standard dictionary, unless specifically defined below or in any other provision of these Zoning Regulations:

#### **A**

Accessory Use or Accessory Structure: A use or structure which is customarily incidental to the principal use or structure, serving no other use or structure, and which is subordinate in area, intensity and purpose to the principal use or structure. An accessory use or accessory structure shall be located on the same lot or parcel as the principal use or structure, except where it is otherwise allowed in these Zoning Regulations.

**ACTIVITY CENTER: TARGETED AREAS FOR GROWTH IDENTIFIED IN THE HOWARD COUNTY GENERAL PLAN, THAT PROMOTE OPPORTUNITIES FOR COMPACT MIXED-USE DEVELOPMENT, DIVERSE MIXED-INCOME FOR-SALE AND RENTAL HOUSING CHOICES,**

1 SMALL PARKS OR COMMUNITY GATHERING SPACES, EMPLOYMENT OPPORTUNITIES,  
2 RETAIL USES, AND WALKING, BIKING, AND TRANSIT OPTIONS.

3  
4 **Howard County Zoning Regulations.**  
5 **Section 127.4 TOD (Transit Oriented District)**  
6

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

8 1. **AGE-RESTRICTED ADULT HOUSING, SUBJECT TO THE REQUIREMENTS OF**  
9 **SUBSECTION F.2 AND F.3. DEVELOPMENT PROJECTS THAT ARE 5 GROSS ACRES**  
10 **OR GREATER OF TOD ZONED LAND MUST INCLUDE MORE THAN ONE**  
11 **RESIDENTIAL HOUSING TYPE.**

12 [[1]]2. Ambulatory health care facilities, including pharmacies incidental to these uses.

13 [[2]]3. Athletic facilities, commercial.

14 [[3]]4. Biomedical laboratories.

15 [[4]]5. Commercial communication antennas.

16 [[5]]6. Conservation areas, including wildlife and forest preserves, environmental  
17 management areas, reforestation areas, and similar uses.

18 [[6]]7. Data processing and telecommunication centers.

19 [[7]]8. Dwellings, apartment[.]/MULTIFAMILY AND SINGLE-FAMILY ATTACHED.

20 **DEVELOPMENT PROJECTS THAT ARE 5 GROSS ACRES OR GREATER OF TOD**  
21 **ZONED LAND MUST INCLUDE MORE THAN ONE RESIDENTIAL HOUSING TYPE.**

22 [[8. Dwellings, single-family attached.]]

23 9. Flex space.

24 10. Government structures, facilities and uses, including public schools and colleges.

25 11. Horse racetrack facilities.

26 12. Hotels, motels, country inns and conference centers.

27 13. Industrial Uses, light, provided that: The property is at least 30 acres or greater and fronts  
28 on and has direct access to an arterial or collector highway; adjoins other properties  
29 developed with existing light industrial uses; the light industrial use is principally  
30 conducted within a building with a maximum building height of 50 feet; the proposed  
31 industrial development does not include a proposal for any dwelling units within the  
32 same project; and; the light industrial development is at the periphery of the TOD  
33 District, well separated from the MARC Station.

14. Offices, professional and business.
15. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
16. Religious facilities, structures and land used primarily for religious activities.
17. Research and development establishments.
18. Restaurants, carryout, including incidental delivery services.
19. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
20. Rooftop solar collectors.
21. Schools, commercial.
22. Schools, private academic, including colleges and universities.
23. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
24. Volunteer fire departments.

#### **F. Requirements for TOD Development**

##### **1. Amenity Area**

TOD developments shall include an amenity area or areas that are a minimum of 10% of the net site acreage. The amenity area shall include seating and trees. The number of seating areas and trees shall increase proportionately to the increase in size of the amenity area. No amenity area shall be smaller than 0.25 acre. Amenity areas on the site shall be connected by pedestrian and bicycle improvements that link with existing and future connections to surrounding developments.

Sites larger than 25 acres must provide well-designed recreational areas for both children's and adult's activities. On sites larger than 25 acres, one amenity area must be designed as a civic gathering place large enough to accommodate such activities as community picnics, concerts, fairs and similar events.

##### **2. Area Requirements for Residential Uses**

- a. Residences are permitted only within a development project encompassing at least 3 gross acres of TOD-zoned land. **IF THE PROJECT IS ON MORE THAN 5 GROSS ACRES OF LAND, IT MUST INCLUDE MORE THAN ONE RESIDENTIAL HOUSING TYPE UNLESS IT IS DEMONSTRATED ON A SITE DEVELOPMENT PLAN SUBMITTED TO THE DEPARTMENT OF PLANNING AND ZONING THAT THE MINIMUM DENSITY**

1           **REQUIREMENTS OF THE TOD DISTRICT CANNOT BE MET DUE TO UNIQUE**  
2           **PHYSICAL CONDITIONS, INCLUDING IRREGULARITY, NARROWNESS OR**  
3           **SHALLOWNESS OF LOT OR SHAPE, EXCEPTIONAL TOPOGRAPHY, OR OTHER**  
4           **EXISTING FEATURES PECULIAR TO THE PARTICULAR LOT PRECLUDING STRICT**  
5           **COMPLIANCE WITH THIS PROVISION. ANY RESIDENTIAL HOUSING PROJECT WITH**  
6           **ONE RESIDENTIAL HOUSING TYPE IN EXISTENCE PRIOR TO [[EFFECTIVE DATE OF**  
7           **LEGISLATION]] WILL NOT BE SUBJECT TO SECTION 129.0.**

8           b. No more than 50% of the developable acreage, excluding road right-of-way and open  
9           space, shall be devoted to residential buildings and parking. For parcels that are 5  
10          acres or less, no more than 50% of the developable acreage, excluding road-right-of-  
11          ways, open space, and structured parking, shall be devoted to residential buildings  
12          and surface parking lots.

13          c. Moderate Income Housing Units

14           At least 15% of the dwelling units shall be Moderate Income Housing Units [[and  
15           shall be developed on the site]]. **EXCEPT FOR AGE-RESTRICTED ADULT HOUSING**  
16           **UNITS, THE[[The]]** developer shall not provide the moderate income housing units at  
17           a different location or pay a fee-in-lieu to the Department for the moderate income  
18           housing units required under this subsection.

19       **3. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING**

20       **A. DESIGN FOR OLDER ADULTS**

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

32       **B. ENFORCEMENT OF AGE RESTRICTIONS**

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

9           **C. COMMUNITY CENTER**

10           **AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY**  
11           **SPACE WITHIN A PRINCIPAL STRUCTURE SHALL BE PROVIDED THAT CONTAINS**  
12           **A MINIMUM OF:**

13           **(1) 20 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT, FOR THE FIRST 99**  
14           **DWELLING UNITS WITH A MINIMUM AREA OF 500 SQUARE FEET; AND**

15           **(2) 10 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT FOR EACH**  
16           **ADDITIONAL DWELLING UNIT ABOVE 99.**

17           **D. HOUSING TYPES**

18           **ONLY SINGLE-FAMILY ATTACHED AND APARTMENTS/MULTIFAMILY UNITS ARE**  
19           **PERMITTED IN AGE-RESTRICTED ADULT HOUSING DEVELOPMENTS. AGE-**  
20           **RESTRICTED ADULT HOUSING DEVELOPMENTS THAT ARE GREATER THAN 5**  
21           **ACRES MUST PROVIDE MORE THAN ONE HOUSING TYPE.**

22  
23                           **Howard County Zoning Regulations.**

24           **Section 127.6 TNC (Traditional Neighborhood Center) Overlay District.**

25  
26           **C. Uses Permitted as a Matter of Right**

- 27           1. Age-restricted adult housing, SUBJECT TO THE REQUIREMENTS OF SUBSECTION F.3  
28           AND F.4 [[if the additional requirements for age-restricted adult housing set forth in the  
29           POR District are met]]. **DEVELOPMENT PROJECTS THAT ARE 5 GROSS ACRES OR**  
30           **GREATER OF TNC ZONED LAND MUST INCLUDE MORE THAN ONE RESIDENTIAL**  
31           **HOUSING TYPE.**  
32           2. Ambulatory health care facilities.

3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Athletic facilities, commercial.
6. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
7. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions, without a drive-through, except that one lane drive-through service shall be permitted on sites within a Route 40 corridor development project encompassing at least 20 gross acres of land in the TNC District provided that there shall be no portion of drive-through service visible from a public road and the drive-through service shall be appropriately buffered from adjoining residential property.
8. Bicycle repair shops.
9. Blueprinting, printing, duplicating or engraving services limited to 5,000 square feet of net floor area.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
11. Child day care centers and nursery schools.
12. Clothing and apparel stores with goods for sale or rent.
13. Commercial communication antennas.
14. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
15. Convenience stores.
16. Day treatment or care facilities.
17. Drug and cosmetic stores, without a drive-through, except that one lane drive-through service shall be permitted on sites within a Route 40 corridor development project encompassing at least 20 gross acres of land in the TNC District provided that there shall be no portion of drive-through service visible from a public road and the drive-through service shall be appropriately buffered from adjoining residential property.
18. Dwellings, apartment and single-family attached, only within a Route 40 corridor development project with at least 2 gross acres of TNC-zoned land. **DEVELOPMENT PROJECTS THAT ARE 5 GROSS ACRES OR GREATER OF TNC ZONED LAND MUST INCLUDE MORE THAN ONE RESIDENTIAL HOUSING TYPE.**

- 1 19. Farmers markets.
- 2 20. Food stores.
- 3 21. Furniture, appliance and business machine repair, furniture upholstery, and similar
- 4 services.
- 5 22. Government structures, facilities and uses, including public schools and colleges.
- 6 23. Hardware stores.
- 7 24. Hotels, motels, country inns and conference centers.
- 8 25. Laundry or dry cleaning establishments.
- 9 26. Liquor stores.
- 10 27. Museums and libraries.
- 11 28. Nonprofit clubs, lodges, community halls.
- 12 29. Offices, professional and business.
- 13 30. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
- 14 31. Personal service establishments.
- 15 32. Pet grooming establishments and daycare, completely enclosed.
- 16 33. Recreation Facilities, Commercial including bowling centers, billiard or pool centers,
- 17 children's party and play spaces, laser-tag facilities, computer gaming centers, golf
- 18 driving ranges, miniature golf, water slides, paintball, and similar uses.
- 19 34. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry,
- 20 and similar items.
- 21 35. Restaurants, carryout, including incidental delivery service.
- 22 36. Restaurants, fast food, in a building without a drive-through.
- 23 37. Restaurants, standard, and beverage establishments, including those serving beer, wine
- 24 and liquor.
- 25 38. Rooftop solar collectors.
- 26 39. Seasonal sale of Christmas trees or other decorative plant materials, subject to the
- 27 requirements of Section 128.0.D.
- 28 40. Schools, commercial.
- 29 41. Schools, private academic, including colleges and universities.
- 30 42. Service agencies.
- 31 43. Specialty stores.
- 32 44. Underground pipelines; electric transmission and distribution lines; telephone, telegraph
- 33 and CATV lines; mobile transformer units; telephone equipment boxes; and other similar
- 34 45. Volunteer fire departments.



1 **F. Requirements for TNC Development**

2 1. Amenity area

3 TNC developments shall include a formal, landscaped, outdoor amenity area,  
4 such as a plaza, courtyard, square, or common that complies with the  
5 requirements of the Route 40 Manual.

6 2. Requirements for nonresidential uses

7 On a lot adjoining the right-of-way of Route 40 or Frederick Road, for the  
8 buildings closest to Route 40 or Frederick Road:

- 9 a. At least 50% of the first floor of the building must be designed for retail or  
10 service uses. Service uses include personal service, service agency, restaurants,  
11 and similar uses serving the public.
- 12 b. The first floor of the building façade facing the right-of-way must include  
13 storefronts and entrances for the first floor retail and service uses.
- 14 c. The first floor façade shall be designed to provide pedestrian interest along sides  
15 of buildings that face the street in accordance with the Route 40 Manual

16 3. Requirements for residential uses

- 17 a. Residences are permitted only within Route 40 corridor development projects  
18 encompassing at least 2 gross acres of TNC-zoned land. **DEVELOPMENT**  
19 **PROJECTS THAT ARE 5 GROSS ACRES OR GREATER OF TNC ZONED LAND MUST**  
20 **INCLUDE MORE THAN ONE RESIDENTIAL HOUSING TYPE UNLESS IT IS**  
21 **DEMONSTRATED ON A SITE DEVELOPMENT PLAN SUBMITTED TO THE**  
22 **DEPARTMENT OF PLANNING AND ZONING THAT THERE ARE UNIQUE PHYSICAL**  
23 **CONDITIONS, INCLUDING IRREGULARITY, NARROWNESS OR SHALLOWS OF**  
24 **LOT OR SHAPE, EXCEPTIONAL TOPOGRAPHY, OR OTHER EXISTING FEATURES**  
25 **PECULIAR TO THE PARTICULAR LOT PRECLUDING STRICT COMPLIANCE WITH**  
26 **THIS PROVISION. ANY RESIDENTIAL HOUSING PROJECT WITH ONE**  
27 **RESIDENTIAL HOUSING TYPE IN EXISTENCE PRIOR TO [[EFFECTIVE DATE OF**  
28 **LEGISLATION]] WILL NOT BE SUBJECT TO SECTION 129.0.**

- 29 b. The first floor of buildings on lots adjoining the Route 40 or Frederick Road  
30 right-of-way shall not include residential uses in the building space closest to  
31 the right-of-way. Residences may occupy other portions of the first floor space.

- 1 c. For every dwelling unit developed, 300 square feet of commercial space must  
2 be developed or renovated to be compatible in architectural character with new  
3 development on the site. The Director of the Department of Planning and  
4 Zoning may, however, reduce the commercial space requirement to 200 square  
5 feet per dwelling unit under the following conditions:  
6 (1) The TNC Development is less than 20 acres and is specially constrained in  
7 terms of size, shape, environmental factors or access in a manner that limits  
8 commercial development potential; or  
9 (2) The proposed design includes recreational, public, or non-profit uses on the  
10 first floor that benefit and are accessible to the general public.  
11 d. The phasing of residential and commercial construction should be roughly  
12 proportional. Once building permits have been issued for 50% of the residential  
13 units, no more building permits for residential units will be issued until the  
14 developer obtains building permits for a proportional amount of commercial  
15 construction or renovation. This requirement may be satisfied by continuing  
16 presence of a proportional amount of existing commercial development that is  
17 intended to remain as part of the development project, provided that the existing  
18 commercial space is redeveloped and the redevelopment is subject to the same  
19 requirements as new commercial construction in the TNC District.  
20 e. At least 15% of the dwelling units shall be Moderate Income Housing Units.

21 **4. ADDITIONAL REQUIREMENTS FOR AGE-RESTRICTED ADULT HOUSING**

22 **A. DESIGN FOR OLDER ADULTS**

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

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

3 **B. 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**  
9 **WILL IMPLEMENT AND MAINTAIN THE AGE RESTRICTIONS MUST BE CLEARLY**  
10 **IDENTIFIED AND ABLE TO PROVIDE EFFECTIVE ENFORCEMENT TO**  
11 **SUPPLEMENT COUNTY ENFORCEMENT OF ZONING REGULATIONS.**

12 **C. COMMUNITY CENTER**

13 **AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INDOOR COMMUNITY**  
14 **SPACE WITHIN A PRINCIPAL STRUCTURE SHALL BE PROVIDED THAT CONTAINS**  
15 **A MINIMUM OF:**

- 16 **(1) 20 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT, FOR THE FIRST 99**  
17 **DWELLING UNITS WITH A MINIMUM AREA OF 500 SQUARE FEET; AND**  
18 **(2) 10 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT FOR EACH**  
19 **ADDITIONAL DWELLING UNIT ABOVE 99.**

20 **D. HOUSING TYPES**

21 **ONLY SINGLE-FAMILY ATTACHED AND APARTMENTS/MULTI-FAMILY UNITS**  
22 **ARE PERMITTED IN AGE-RESTRICTED ADULT HOUSING DEVELOPMENTS IN**  
23 **DEVELOPMENT PROJECTS THAT ARE 5 GROSS ACRES OR GREATER OF TNC**  
24 **ZONED LAND AND MUST PROVIDE MORE THAN ONE HOUSING TYPE.**

25  
26 ***Section 2. And Be It Further Enacted** by the County Council of Howard County,*  
27 *Maryland, that this Act shall become effective 61 days after its enactment.*