

DEPARTMENT OF PLANNING AND ZONING, * BEFORE THE
PETITIONER * PLANNING BOARD OF
ZRA-219 * HOWARD COUNTY, MARYLAND

* * * * *

MOTION: Recommend approval of ZRA-219.

ACTION: *Approved with Amendments; Vote 5-0.*

* * * * *

RECOMMENDATION

On October 16, 2025, the Planning Board of Howard County, Maryland, considered the petition of the Department of Planning and Zoning (DPZ), the Petitioner, for several amendments throughout the Zoning Code to promote diverse housing opportunities within Activity Centers in the Transit Oriented Development (TOD) and Traditional Neighborhood Center Overlay (TNC) zoning districts, specifically to:

- Create new definition for Activity Center under Section 103.0.
- Add age-restricted adult housing (ARAH) as a permitted use by right in the TOD district, subject to additional requirements, and allow ARAH housing developments to satisfy the Moderate Income Housing Unit (MIHU) requirement off-site or by fee-in-lieu payment.
- Require residential development projects, including ARAH projects, in the TOD and TNC districts that are five acres or greater to have more than one housing type, unless the developer can demonstrate that the property has a unique condition that precludes this requirement from being met.

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

Testimony

Ms. Julia Sauer, DPZ staff member, presented the proposed Zoning Regulation Amendment (ZRA). She stated the purpose of the ZRA is to promote diverse housing opportunities within identified Activity Centers in the TOD and TNC zoning districts to help align future development with the goals of Howard County’s General Plan, HoCo By Design. Ms. Sauer went through each text amendment and explained what the current regulations allow, what is proposed, what code sections are impacted (as summarized above), as well as the ZRA criteria.

1 Following DPZ's presentation of the proposed amendment, Mr. Kevin McAliley, Planning Board
2 Chair, asked the Planning Board if they had questions for DPZ. Ms. Barbara Mosier and Mr. James Cecil,
3 Planning Board members, asked about the MIHU requirements for ARAH in the TOD district and the option
4 to pay a fee-in-lieu or provide MIHU's offsite. Ms. Sauer explained that the Housing and Community
5 Development Ordinance, which administers the MIHU program, explicitly allows ARAH to provide fee in-lieu
6 or off-site units, and the proposed ZRA adds language for the ARAH MIHU requirement to be consistent with
7 the Housing and Community Development Ordinance Ms. Lynda Eisenberg, Executive Secretary of the
8 Planning Board and Planning Director, explained the Department of Housing and Community Development
9 obtains funding from fee in-lieu units which would create a bigger conversation on eliminating the option of
10 fee-in-lieu. Mr. Cecil asked if consideration was given by DPZ to increase the MIHU requirement from 15% to
11 20% to be consistent with the policies of the General Plan. Ms. Sauer said increasing the MIHU requirement
12 was not contemplated.

13 Ms. Jasmine Duvall testified in support of the proposed ZRA, once on behalf of the Howard County
14 Housing Affordability Coalition and again on behalf of the Columbia Housing Center. Ms. Duvall testified that
15 the amendment would provide opportunity for affordable housing in Activity Centers. Ms. Duvall stated that
16 Housing Affordability Coalition and Columbia Housing Center provided a favorable recommendation on the
17 ZRA with a recommendation to increase the MIHU requirement to 20%. Ms. Duvall, on behalf of Columbia
18 Housing Center, also recommended providing an incentive for developers to build affordable housing onsite.
19 Mr. Cecil asked if the Coalition had any thoughts on the MIHU fee in-lieu option. Ms. Duvall stated the
20 Coalition does not have a stance or recommendation of the MIHU fee in-lieu option. Mr. Cecil also asked if
21 Ms. Duvall felt the MIHU fees are appropriate. Ms. Duvall stated on behalf of the Columbia Housing Center,
22 she feels the fees should be higher and there should be fewer projects that allow fee-in-lieu. Mr. Joel Hurewitz
23 testified on the proposed ZRA and asked for clarification on nonconformities.

24 Ms. Mosier asked staff to explain how the MIHU requirement is administered. DPZ staff explained that
25 the DPZ would provide the number of units needed to meet the MIHU requirement and the developer would
26 work with the Department of Housing and Community Development to come to an agreement to meet the
27 MIHU requirement. Ms. Mosier asked if there are any incentives for developers to provide more than the
28 required MIHU minimum. Ms. Eisenberg stated that the zoning code does not have incentives, but the TOD
29 district does allow for certain qualified projects to be exempt from Adequate Public Facility testing if providing
30 additional affordable housing on-site. Ms. Eisenberg explained that HoCo By Design does recommend looking
31 at the MIHU requirements comprehensively, but conversations about MIHU application is beyond a zoning
32 code update and should be discussed with the Department of Housing and Community Development.
33
34

Board Discussion and Recommendation

The Planning Board discussed that they were generally in favor of the ZRA and discussed the text changes by section of the code. Mr. Cecil stated he would be supportive of increasing the MIHU requirements to 20% in both the TOD and TNC districts to align with HoCo By Design. The Planning Board also recommended the Council could explore incentives for achieving the 20% MIHU requirement.

Mr. Cecil motioned to recommend approval of ZRA-219 with an amendment. Mr. Mason seconded the motion. The motion passed 5-0.

The amendment is:

1. Increase the MIHU requirements in the TOD and TNC districts to 20% to align with the goals of HoCo By Design and to consider and explore incentive structures to achieve the 20%, as needed.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 10th day of November 2025, recommends that ZRA-219, as described above, be APPROVED WITH AMENDMENTS.

HOWARD COUNTY PLANNING BOARD

Signed by:

Kevin McAliley

C2C88F5D2434478...

Kevin McAliley, Chair

Signed by:

James Cecil

7DA1123B1D2D404...

James Cecil, Vice-chair

DocuSigned by:

Mason Godsey

B79ABA28B31447E...

Mason Godsey

ABSENT

Lynn Moore

Signed by:

Barbara Mosier

B05ABB04E9F949F...

Barbara Mosier

ATTEST:

DocuSigned by:

Lynda Eisenberg

4228D635869942E...

Lynda Eisenberg, AICP, Executive Secretary