



WASHINGTON COUNTY PLANNING COMMISSION
ORDINANCE TEXT AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY
Rezoning No. RZ-25-007
Date Filed: _____

Washington Co Planning and Zoning
department

Applicant
747 Northern Av. Hagerstown, MD
21742

Address
Kyla Shingleton

Primary Contact
Same

Address

- Property Owner
- Contract Purchaser
- Attorney
- Consultant
- Other: _____

240-313-2430

Phone Number

askplanning@washco-md.net

E-mail Address

- Adequate Public Facilities Ordinance
- Forest Conservation Ordinance
- Subdivision Ordinance
- Solid Waste Plan
- Water and Sewer Plan
- Zoning Ordinance
- Other _____

Article 3, 7A, 8, 9, 10, 19C,
Section No. 28A

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].



Applicant's Signature

Subscribed and sworn before me this _____ day of _____, 20____.

My commission expires on _____

Notary Public

FOR PLANNING COMMISSION USE ONLY

- Application Form
- Fee Worksheet
- Application Fee
- Proposed Text Changes
- 30 copies of complete Application



DEPARTMENT OF PLANNING & ZONING

PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

RZ-25-002

February 27, 2025

Text amendment for group homes and halfway houses

ARTICLE 3. DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES; LAND USE REGULATIONS (RURAL AREA USES)

Section 3.3 - Table No. 3.3 - TABLE OF LAND USE REGULATIONS (RURAL AREA USES)

Land Uses	A(R)	EC	P	RV	RB	IM	Intensity of Use
I. Health Care and Social Assistance							
<u>Group Home, Small</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N/A</u>
<u>Group Home, Large</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N/A</u>
Transitional or Sheltered Care Facility, not to include Assisted Living Facilities.	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N/A</u>
J. Housing							
<u>Halfway Houses, Small</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N/A</u>
<u>Halfway Houses, Large</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N/A</u>

ARTICLE 7A “RT” RESIDENTIAL, TRANSITION DISTRICT

Section 7A.1 Principal Permitted Uses

(g) Nursery Schools or Child Care Centers.

(h) Halfway Houses, Small

(i) Group Home, Small

ARTICLE 8 “RS” RESIDENTIAL, SUBURBAN DISTRICT

Section 8.1 Principal Permitted Uses

(f) Mixed use developments subject to the provisions of Article 16.

(g) Halfway Houses, Small

(h) Group Home, Small

ARTICLE 9 “RU” RESIDENTIAL, URBAN DISTRICT

Section 9.1 Principal Permitted Uses

(f) Mixed use developments subject to the provisions of Article 16.

(g) Halfway Houses, Small

(h) Group Home, Small

ARTICLE 10 “RM” RESIDENTIAL, MULTI-FAMILY DISTRICT

Section 10.1 Principal Permitted Uses

(h) Agriculture, as defined in Article 28A, including animal husbandry facilities, as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.

(i) Halfway Houses, Small and Large.

(j) Group Homes, Small and Large.

ARTICLE 19C “SPECIAL ECONOMIC DEVELOPMENT DISTRICT”

Section 19C.2. Principal Permitted Uses

Golf Course, Country Clubs, Private Clubs, and similar Recreation Uses.

Group Homes, Small and Large.

Halfway Houses, Small and Large.

Health and Beauty Shops.

ARTICLE 28A- DEFINITIONS

~~Transitional or Sheltered Care Facility: A facility, including half-way houses, providing 24 hr/day care of persons with special needs, which provides food and shelter, and may also provide some combination of personal care, transportation, physical, social, or psychological therapy and counseling to assist persons in overcoming physical or emotional problems.~~

Group Home: A residence that provides for the care, supervision, and protection of persons with mental or developmental disabilities on a 24 hr/ day basis. This does not include assisted living facilities or comprehensive care facilities.

- A small group home houses at least 4 but not more than 9 adults.
- A large group home houses at least 10 but not more than 16 adults.

Halfway House: A clinically managed, low intensity residential treatment service for individuals with substance-related disorders who are capable of self-care but are not ready to return to individual living.

- A small halfway house admits at least 4 but not more than 8 individuals.
- A large halfway house admits at least 9 but not more than 16 individuals.

Halfway houses may also include a temporary residence for formally institutionalized individuals that is designed to facilitate their readjustment to private life.



DEPARTMENT OF PLANNING & ZONING

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RZ-25-002

February 27, 2025

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS

ARTICLES 3, 7A, 8, 9, 10, 19C, 28A

Proposal: This application is proposing to amend several sections of the Zoning Ordinance to change the allowed locations for halfway houses and group homes. State legislation states that they must be permitted in zones where single and multifamily residences are permitted.

Staff Report: Halfway houses are typically established as transitional housing for individuals leaving inpatient substance treatment; they may also be used as temporary housing for individuals formally institutionalized. They serve as a support system to help integrate individuals back into society. The houses provide support through programs and job training to help the residents find work and a new residence, for after their time in the house is over. Halfway houses being in residential neighborhoods allow for the house's residents to better integrate back into society and be close to societal resources, such as jobs. Halfway houses are mandated throughout the state and are given strict regulations on the structure of the house and its residents. The regulatory agency is the Behavioral Health Administration. Group homes are typically a permanent home for individuals with disabilities that need assistance in daily life. They provide services similar to halfway houses as well as more specified services such as personal care.

Analysis: Currently, county zoning does not match state zoning legislation for halfway houses, that permits halfway houses in all residential zoning districts. In 2015, Title 8, Substance Use Disorders Law, under Health-General in the Code of Maryland was updated to include a subtitle on zoning for halfway houses. The subtitle dictates what halfway houses must be zoned similarly to. Small halfway houses are comparable to single-family dwellings for zoning purposes and are permitted in all residential zones. Large halfway houses are comparable to multifamily dwellings for zoning purposes and are permitted in all zones with a similar density.

Under Health-General in the Code of Maryland, Title 10, group homes are to be permitted in all residential zoning districts. Small group homes are comparable to single-family dwellings and large group homes are comparable to multi-family dwellings.

To be consistent with State law, we are proposing that transitional care facilities be removed from the zoning ordinance and replaced with halfway house definitions. Group homes will be added to the zoning ordinance to allow for better clarification of the ordinance and remain consistent with State law.

The proposed amendments to Articles 3, 7A, 8, 9, 10 and 19C are additions to state where halfway houses and group homes are permitted. Per State legislation, halfway houses, small and large, must be a principally permitted use in all zoning districts where single and multifamily dwellings are a permitted use. Halfway houses and group homes are not subject to any special exception, conditional use permit, or

procedure that differs from that required for a single-family dwelling or a multifamily dwelling of similar density in the same zone.

Article 28A will be amended to include definitions for this amendment: halfway house and group homes.

Group Home is defined as:

“A residence that provides for the care, supervision, and protection of persons with mental or developmental disabilities on a 24 hr/ day basis. This does not include assisted living facilities or comprehensive care facilities.”

- A small group home houses at least 4 but not more than 9 adults.
- A large group home houses at least 10 but not more than 16 adults.

Halfway House is defined as:


“Clinically managed, low intensity residential treatment service for individuals with substance-related disorders who are capable of self-care but are not ready to return to individual living”

- A small halfway house that admits at least 4 but not more than 8 individuals.
- A large halfway house that admits at least 9 but not more than 16 individuals.

“Halfway houses may also include a temporary residence for formally institutionalized individuals that is designed to facilitate their readjustment to private life.”

Staff Recommendation: Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,



Kyla M. Shingleton

Comprehensive Planner