



WASHINGTON COUNTY PLANNING COMMISSION
ORDINANCE TEXT AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY
Rezoning No. _____
Date Filed: _____

Washington Co Dept Planning and
Zoning

Applicant

747 Northern Ave 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. 22 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-25-004

February 18, 2025

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
J. Housing							
<u>Manufactured Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N/A</u>
<u>Mobile Homes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N/A</u>

ARTICLE 7A "RT" RESIDENTIAL, TRANSITION DISTRICT

Section 7A.1 Principal Permitted Uses

(c) Dwellings, single-family, two-family, ~~and~~ semi-detached, and manufactured.

ARTICLE 8 "RS" RESIDENTIAL, SUBURBAN DISTRICT

Section 8.1 Principal Permitted Uses

(a) Dwellings, single-family, two-family, ~~and~~ semi-detached, and manufactured.

ARTICLE 9 "RU" RESIDENTIAL, URBAN DISTRICT

Section 9.1 Principal Permitted Uses

(a) Dwellings, single-family, two-family, ~~and~~ semi-detached, and manufactured.

ARTICLE 10 "RM" RESIDENTIAL, MULTI-FAMILY DISTRICT

Section 10.1 Principal Permitted Uses

(d) Dwellings, single-family, two-family, ~~and~~ semi-detached, and manufactured.

ARTICLE 19C "SPECIAL ECONOMIC DEVELOPMENT DISTRICT"

Section 19C.2. Principal Permitted Uses .

Single Family Residential Units.

Manufactured Homes.

Two Family Dwelling or Duplex.

ARTICLE 22 SPECIAL PROVISIONS "DIVISION V - MOBILE HOME PARKS, TRAVEL TRAILER PARKS AND ~~MOBILE HOMES-MANUFACTURED HOMES~~ NOT IN MOBILE HOME PARKS OR TRAVEL TRAILER PARKS"

Section 22.54 ~~Mobile Homes~~ Manufactured Home

(a) All ~~mobile homes- manufactured homes~~ shall have a minimum of ~~five hundred (500)-three hundred twenty (320)~~ square feet of floor space.

~~(b) Mobile homes shall be permitted in the A(R), EC, and P districts and shall be prohibited in all other districts except as specifically allowed under the provisions of this Ordinance.~~

(c) Replacement:

(1) A ~~mobile home- manufactured home~~ may replace another ~~mobile home manufactured home~~ in any district provided such replacement is done no later than thirty (30) days from the removal date of the replaced mobile home, the provisions of Section 4.3(d) notwithstanding.

(2) Except in the A(R), EC, and P Districts, the replacing ~~mobile home- manufactured home~~ must be set on the same site as the replaced ~~mobile home- manufactured home~~ with the latter being removed from the property no later than thirty (30) days from the zoning permit issuance date.

(d) In no district shall a ~~mobile home- manufactured home~~ be parked, stored, or utilized as an accessory use; however, in the A(R), EC, and P Districts, one ~~mobile home- manufactured home~~ may be parked or stored on the same lot with a principal permitted use for a period not to exceed thirty (30) days, provided that no living quarters shall be maintained in the ~~mobile home- manufactured home~~ nor any business conducted therewith, and further provided that a zoning permit shall be required for the parking or storage.

(e) All ~~mobile homes- manufactured homes~~ shall be placed on a solid masonry support and shall have skirting sufficient to hide the undercarriage from view. Such skirting shall be completely installed no later than ninety (90) days from the date the zoning permit is issued.

(f) Manufactured homes must be converted to real property in accordance with the Real Property Article of the MD Annotated Code Md. Real Property Code Ann. § 8B-201

~~(f)~~ (g) All provisions of this Section shall be subject to the requirements of Sections 4.1, 4.2 and 22.4.

ARTICLE 28A "DEFINITIONS"

Building:

Any structure, which is permanently affixed to the land; and has one or more floors and a roof; and is bounded by either open area or the lot lines of a zoning lot. For regulatory purposes, the term "building" shall not include ~~mobile homes~~, tents, or other "portable" housing which may be attached to a foundation, but this exception shall not exclude factory constructed buildings which are transported to a site and erected on a permanent foundation.

~~Mobile Home:~~

~~A detached structure with the following characteristics:~~

~~It is designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems, and;~~

~~It is designed for transportation after fabrication on streets or highways on its own wheels, or on flatbeds or other trailers, or detachable wheels, and;~~

~~It arrives at the site where it is to be occupied complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like.~~

Modular Unit:

~~A factory fabricated transportable building unit established on a permanent foundation so as not to be deemed transportable after installation and designed to be used by itself or to be incorporated with similar units at a building site into a modular structure for residential, commercial, educational, or industrial uses.~~

Modular Dwelling:

A building assembly or system of building subassemblies designed for habitation as a dwelling for one or more individuals that:

1. Includes the necessary electrical, plumbing, heating ventilating and other service systems;
2. Is made or assembled by a manufacturer on or off the building site for installation, or assembly and installation, on the building site; and
3. Installed and set up according to the Manufacturer's instructions on an approved foundation and support system.

Manufactured home (Mobile Homes):

A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code.



DEPARTMENT OF PLANNING & ZONING
PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

RZ-25-004

February 18, 2025

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS

Article 3, 7A, 8, 9, 10, 19C, 22, 28A

Proposal: This application is proposing to amend the Zoning Ordinance to address affordable housing and include language mandated through legislation by the State.

Staff Report: In recent decades, modular and manufactured homes have become an increasingly attractive option for homeowners. These options have grown in popularity due to their relatively lower associated costs compared to traditional stick-built homes and the shorter building timeline. Manufactured homes are commonly the most affordable of these types of homes. Building standards for manufactured homes are regulated by the Department of Housing and Urban Development (HUD). HUD states there are two types of homes. Those built before June 15th, 1976, are considered mobile homes and those built after are considered manufactured homes. The distinction between the two terms is that mobile homes built after 1976 are not considered up to HUD standards. Both types of these homes are built on a steel chassis and can be moved. However, it is very common to remove the axels to set it on a stable foundation or to place the homes on a permanent foundation to fix local zoning regulations. Modular homes are built to the standards of the local building codes where they are installed. These homes are built in a factory in pieces and installed on site on a permanent foundation.

Analysis: As a part of the Housing Expansion and Affordability Act of 2024, House Bill 538 provides the zoning density and permitting requirements for affordable housing. This Act went into effect January 1, 2025. This bill states a local legislative body is banned from prohibiting the placement of manufactured homes or modular homes in a single-family residential district under certain circumstances. The bill states that for new manufactured and modular to be placed in zones that allow single-family dwellings they must meet the definition of modular dwelling; or meet the definition of a manufactured home of commercial law article; and is, or will be after purchased, converted to real property in accordance with Title 8B of the Real Property Article.

Title 8B, Subtitle 2 of the Real Property Article states:

A manufactured home shall be converted to real property when all the following events have occurred:

- (1) The manufactured home is attached to a permanent foundation;
- (2) The ownership interests in the manufactured home and the parcel of real property to which the manufactured home is affixed are identical; and

(3) An affidavit of affixation complying with the requirements of § 8B-202 of this subtitle has been recorded with the clerk of the court of the county in which the parcel of real property to which the manufactured home is affixed is located.

The amendments are being proposed to Articles 3, 7A, 8, 9, 10, 19C, 22 and 28A. Mobile homes will be removed from the ordinance in Article 3, 22, and 28A. They will be replaced by manufactured home in these articles as well as added to articles 7A, 8, 9, 10, and 19C as a principal permitted use. Modular dwellings are already permitted as principal use in the zoning ordinance as they are considered a type of housing style.

Accompanying these amendments Article 28A will be amended to add an updated definition for modular dwelling and manufactured home.

Modular dwelling will be defined as:

“A building assembly or system of building subassemblies designed for habitation as a dwelling for one or more individuals:

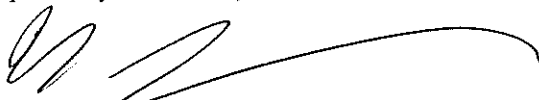
- (1) That includes the necessary electrical, plumbing, heating, ventilating, and other service systems;
- (2) That is made or assembled by a manufacturer on or off the building site for installation, or assembly and installation, on the building site; and
- (3) Installed and set up according to the manufacturer’s instructions on an approved foundation and support system.”

Manufactured home will be defined as:

“A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code.”

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

Respectfully submitted,



Kyla M. Shingleton

Comprehensive Planner