

Dunteachin Estates Homeowners Association, Inc.  
6030 Marshalee Drive, Box 505  
Elkridge, Maryland 21075

November 1, 2021

The Honorable Liz Walsh  
Howard County Council  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, MD 21043

Dear Council Member Walsh:

I am writing on behalf of the members of Dunteachin Estates Homeowners Association (HOA) to urge you to support Council Bill 87-2021 (ZRA 198). The Bill would amend the zoning regulations for age-restricted housing developments permitted as a conditional use in residential zoning districts by:

- Reducing the maximum number of dwelling units allowed in R-ED and R-20 districts by 1.
- Requiring at least 25% of dwelling units to have at most 1,600 square feet of living space above grade. This will result in smaller and more affordable single-story homes for empty nesters who want to downsize, seniors who want to age-in-place, and seniors with disabilities.
- Increasing the minimum size of community buildings to 30 square feet of net floor area per dwelling unit for the first 99 units to accommodate the residents of age-restricted housing developments at community game nights and parties.

Enclosed are Fact Sheets that explain the reasons for these amendments. Jim Raggio, a member of the Dunteachin Estates HOA Board, will contact your office to arrange a meeting with you to discuss the amendments and answer questions you may have.

We appreciate your consideration of these issues and hope you will support the Bill.

Sincerely,

David Zajic, President

# Council Bill 87-2021 (ZRA 198)

## Fact Sheet #1

**ZRA 198 would reduce the maximum number of age-restricted adult homes (ARAH) allowed as a conditional use in R-ED and R-20 zoning districts from 4 to 3 homes per net acre in developments with 20 to 49 units, and from 5 to 4 homes per net acre in developments with 50 or more units. The base zoning in R-ED and R-20 zoning districts is 2 homes per net acre.**

### 1. What data was used to justify the higher density for ARAH in R-ED & R-20 zoning Districts

As explained by the Department of Planning and Zoning (DPZ),

“To support the density increase, the DPZ prepared a comparison of the sizes of ‘elderly’ dwellings to typical single family detached dwellings in the R-ED and R-20 zoning districts. The analysis concluded that the standard ‘elderly’ dwelling was 600 square feet and the typical single family detached dwelling was 1,500 square feet. Based on this analysis, DPZ proposed a density multiplier of 2.5 times [250%] the base zoning district.”<sup>i</sup>

### 2. Is this justification valid today?

No. As explained by DPZ,

“[T]he single family attached dwelling units in the most recent approved ARAH Conditional Use (BA-17-030C) were 2,187 feet. Additionally, multiple ARAH Conditional Uses in process propose single family attached and detached dwellings that exceed 2,000 square feet. **Given the change in development patterns and market conditions, the prior multiplier analysis no longer supports the ARAH density increase.**” (Emphasis added.)<sup>ii</sup>

### 3. Was the same multiplier used to justify allowing higher densities in the other residential zoning districts?

No. Lower multipliers were used for the other residential zoning districts as shown in the table below. ZRA 198 would bring the multiplier for R-ED and R-20 zoning districts in line with the other residential zoning districts: 150% for developments with 20 to 49 homes, and 200% for developments with 50 or more homes.

Zoning District	Base Zoning Homes Per Net Acre	Maximum ARAH Allowed Per Net Acre		Multiplier
		Units	Count	
RC & RR	1	20 or more	1	0%
R-ED & R-20	2	20 - 49	4	200%
		50 or more	5	250%
R-12	3	20 - 49	5	167%
		50 or more	6	200%
R-SC	4	20 - 49	7	175%
		50 or more	8	200%
R-SA-8	8	20 or more	12	150%
R-A-15	15	20 or more	25	167%

# Council Bill 87-2021 (ZRA 198)

## Fact Sheet #1

### 4. Do the higher densities allowed in R-ED and R-20 zoning districts actually incentivize developers to build ARAH?

No ARAH developments have been approved as a conditional use in R-ED zoning districts. Only 5 ARAH developments have been approved as a conditional use in R-20 zoning districts since 2002. Developers have not always built the maximum number of ARAH allowed as shown in the table below. Some developers have built ARAH because of the Adequate Public Facilities Act (AFPO), which limits construction of conventional housing in areas of the County facing school overcrowding.

Development	Net Acres	Actual Number of ARAH		Maximum Allowed Per Net Acre
		Total	Per Net Acre	
Hearthstone at Ellicott Mills	7.0	35	5.0	5*
Enclave at Ellicott Station	15.5	68	4.4	5
Enclave at Park Forest	11.3	45	3.9	4
Bethany Glen	68.5	154	2.2	5
Enclave at Hines Farm	15.7	63	4.0	5

Source: DPZ Technical Staff Report on ZRA 198 (August 26, 2021).

\* Maximum allowed per net acre when development was approved.

### 5. Will ZRA 198 result in fewer ARAH units being built in the County?

ZRA 198 will reduce the density of ARAH by 1 home per net acre only in R-ED and R-20 zoning districts. A total of 3,820 ARAH units were built in the County between October 1, 2004 and December 31, 2020, which is 15% of the 24,894 housing units built during the period.<sup>iii</sup> ZRA 198 will not likely result in fewer ARAH units being built in the County.

### 6. Is ZRA 198 consistent with the County’s General Plan?

Yes. ZRA 198 is consistent with:

- Policy 10.1 to “[p]rotect and enhance established communities through compatible infill” by making infill ARAH developments in R-ED and R-20 zoning districts compatible with the surrounding neighborhoods of single family detached homes.
- Policy 10.4 to “[r]eview and update all County development regulations to respond to . . . changing market conditions” because the data used to justify the higher density for ARAH in R-ED and R-20 zoning districts is no longer valid today.

ZRA 198 strikes the proper balance between promoting ARAH and preserving the character of existing communities in R-ED and R-20 zoning districts.

<sup>i</sup> DPZ, Technical Staff Report on ZRA 187 (April 19, 2019). The 250% multiplier was established in 1988 for “elderly and handicapped housing” in R-ED and R-20 zoning districts (ZB 849R) and was retained when “elderly and handicapped housing” was replaced by ARAH in 2001 (CB 11-2001). The multiplier was reduced to 200% for developments with 20 to 49 units in 2005 (CB 2-2005).

<sup>ii</sup> DPZ, Technical Staff Report on ZRA 187 (April 19, 2019).

<sup>iii</sup> DPZ, Development Monitoring System Report, Table 40 (April 2021).

# Council Bill 87-2021 (ZRA 198)

## Fact Sheet #2

**ZRA 198 would require at least 25% of age-restricted adult housing (ARAH) allowed as a conditional use to be smaller, single-story homes (1,600 square feet maximum of living space above grade) that are affordable for empty nesters who want to downsize, seniors who want to age in place, and seniors with disabilities.**

### **1. For whom does the County’s General Plan say ARAH is intended?**

The County’s General Plan says:

“Specifically, age-restricted adult housing is intended to allow **empty nesters** the option of downsizing. As seniors relocate to ARAH, their former homes become available for younger families.” (Emphasis Added.)<sup>i</sup>

### **2. Do ARAH developments in the County provide options for empty nesters who want to downsize?**

No. The trend in ARAH developments in the County is to build large, multi-story townhomes with 3,000 to 3,500 square feet that are suitable for larger, multi-generational families that have a family member who is age 55 or older. They are not suitable for empty nesters who want to downsize to smaller, more affordable homes as intended by the County’s General Plan.

### **3. Is data available on what type of floor plan home buyers age 55 and over want?**

Yes. The National Association of Home Builders (NAHB) surveys home buyers each year. The data shows that homebuyers age 55 and older overwhelmingly prefer single-story homes. According to the most recent survey, 70% of homebuyers age 55 to 64 and 74% of homebuyers age 65 and older prefer single-story homes.<sup>ii</sup>

### **4. Why do home buyers age 55 and over want single-story homes?**

According to research conducted by the National Association of Realtors (NAR), home buyers age 55 and older expect to own their homes for 20 years.<sup>iii</sup> They want to age-in-place in their own home. They want all their living space on one level and do not want to climb stairs as their knees and hips age.

### **5. Does the County’s General Plans support amending the zoning regulations to provide single-story homes for seniors?**

Yes. The County’s General Plan 2000 recommended that:

“[T]he County should amend the Zoning Regulations to provide other housing options for seniors, including **attached and detached single story, single family homes.**” (Emphasis Added.)<sup>iv</sup>

PlanHoward 2030 recommended that the County:

“continue General Plan 2000 policies to promote diverse senior housing for those who wish or need to downsize . . .”<sup>v</sup>

### **6. Is data available on how much living space home buyers age 55 and over want?**

Yes. The most recent NAHB survey shows that 31% of homebuyers age 55 to 64 and 44% of homebuyers age 65 and older prefer homes with less than 1,600 square feet of living space.<sup>vi</sup>

# Council Bill 87-2021 (ZRA 198)

## Fact Sheet #2

### 7. How is living space above grade calculated?

The American National Standards Institutes (ANSI) has adopted a standard for calculating the living space above grade of detached and attached single family homes: ANSI Z765-2021.

The ANSI standard calculates living space above grade by measuring the finished area of the home that is above ground level. It does not include garages and basements that are wholly or partially below ground level.

### 8. Do builders offer single-story home models with 1,600 square feet or less of living space above grade?

Yes. Two new ARAH developments in Maryland are offering single-story home models with 1,600 square feet or less of living space above grade. The Enclave at Hines Farm in Laurel is offering the Chesapeake model (1,407 square feet) by Williamsburg Homes. Two Rivers in Odenton is offering the Alberti Ranch model (1,421 square feet) by Ryan Homes. Ryan Homes offers 11 other single-story home models with 1,600 square feet or less of living space above grade in the Northeast.<sup>vii</sup> All the home models have 2 to 3 bedrooms and bathrooms, two car garage, and can comply with the County's Universal Design Guidelines for ARAH.

### 9. Why does ZRA 198 specify a maximum of 1,600 square feet of living above grade instead of a single-story?

Single-story homes can have 2,000 square feet or more of living space above grade, which would not provide housing options for empty nesters who want to downsize as intended by the County's General Plan. The County's Universal Design Guidelines for ARAH require that the homes have a complete living area, including a master bedroom and bathroom, on the main level. Homes with 1,600 square feet or less of living space above grade must be a single-story to comply with these guidelines. Homes with more than 1,600 square feet of living space above grade can have two-stories.<sup>viii</sup>

---

<sup>i</sup> PlanHoward 2030, page 130.

<sup>ii</sup> NAHB, "What Home Buyers Really Want" (2021 Edition), Question 21, page 192.

<sup>iii</sup> NAR, 2021 Home Buyers and Sellers Generational Trends Report, page 8.

<sup>iv</sup> Howard County General Plan 2000, pages 82-83.

<sup>v</sup> PlanHoward 2030, page 130.

<sup>vi</sup> NAHB, "What Home Buyers Really Want" (2021 Edition), Question 17, page 186.

<sup>vii</sup> Aviano (1,566 sq. ft.); Newburg (1,565 sq. ft.); Grand Cayman (1,533 sq. ft.); Turks/Caicos (1,501 sq. ft.); Pisa Torre (1,407 sq. ft.); Barbados Isle (1,343 sq. ft.); Grand Bahama (1,338 sq. ft.); Bahama (1,321 sq. ft.); Spruce (1,296 sq. ft.); Aruba Bay (1,153 sq. ft.); and Aruba (1,150 sq. ft.). The floor plans can be viewed at:

<sup>viii</sup> The Ryan Homes Calvert model has 1,717 sq. ft. of living space above grade and has two-stories.

# **Council Bill 87-2021 (ZRA 198)**

## **Fact Sheet #3**

**ZRA 198 would require community buildings in age-restricted adult housing (ARAH) developments to contain a minimum of 30 square feet of net floor area per dwelling unit for the first 99 units.**

### **1. What do the zoning regulations currently require for community buildings?**

The current zoning regulations require community buildings to contain a minimum of 20 square feet of gross floor area per dwelling unit for the first 99 units.

### **2. What is the difference between gross and net floor area?**

Gross floor area is measured from the exterior faces of the building's walls.<sup>i</sup> Net floor area is the usable space within a building and is measured from the inside walls of the building with deductions for features like toilet rooms, pantries, utility closets, and the thickness of walls.<sup>ii</sup>

### **3. How are community buildings used?**

Community buildings have multiple uses depending on their size. Smaller buildings with a single room are used for community game nights, parties, book or hobby clubs, and meetings. Depending on the type of use, the space may be set up with tables and chairs, rows of chairs, standing space, or a combination of each. Larger buildings may have game rooms with billiards and ping-pong tables, exercise rooms with gym equipment, and pool rooms with lockers and showers.

### **4. What does ZRA 198 base the minimum net floor area per dwelling unit on for the first 99 units?**

ZRA bases the minimum net floor area per dwelling unit for the first 99 units on the building code's allowance of 15 square feet per occupant for assembly areas with tables and chairs and an average of 2 residents per dwelling unit for a total of 30 square feet of net floor area per dwelling unit.<sup>iii</sup>

### **5. How many people can be accommodated at a community game night set up with tables and chairs under the current zoning regulations and ZRA 198?**

The number of people that can be accommodated depends on the number of dwelling units. For example, in an ARAH development with 30 dwelling units, the community building is required to have a minimum of 600 square feet of gross floor area under the current zoning regulations. The net floor area or usable space would be 383 square feet after deducting for the toilet rooms, a pantry, a utility closet to store the tables and chairs when not in use, and the thickness of walls. See Floor Plan A-1.<sup>iv</sup> The building can accommodate 20 people at five 42 inch round tables with four chairs per table or 1/3 of the residents based on an average of 2 residents per dwelling unit. ZRA 198 would require the community building to have a minimum of 900 square feet of net floor area that would accommodate 44 people at eleven 42 inch round tables with four chairs per table or 3/4 of the residents based on an average of 2 residents per dwelling unit. See Floor Plan B.

---

<sup>i</sup> Howard County Zoning Regulations, Section 103.0, Definition of "Floor Area, Gross."

## **Council Bill 87-2021 (ZRA 198)**

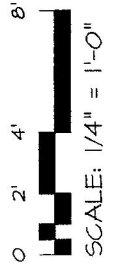
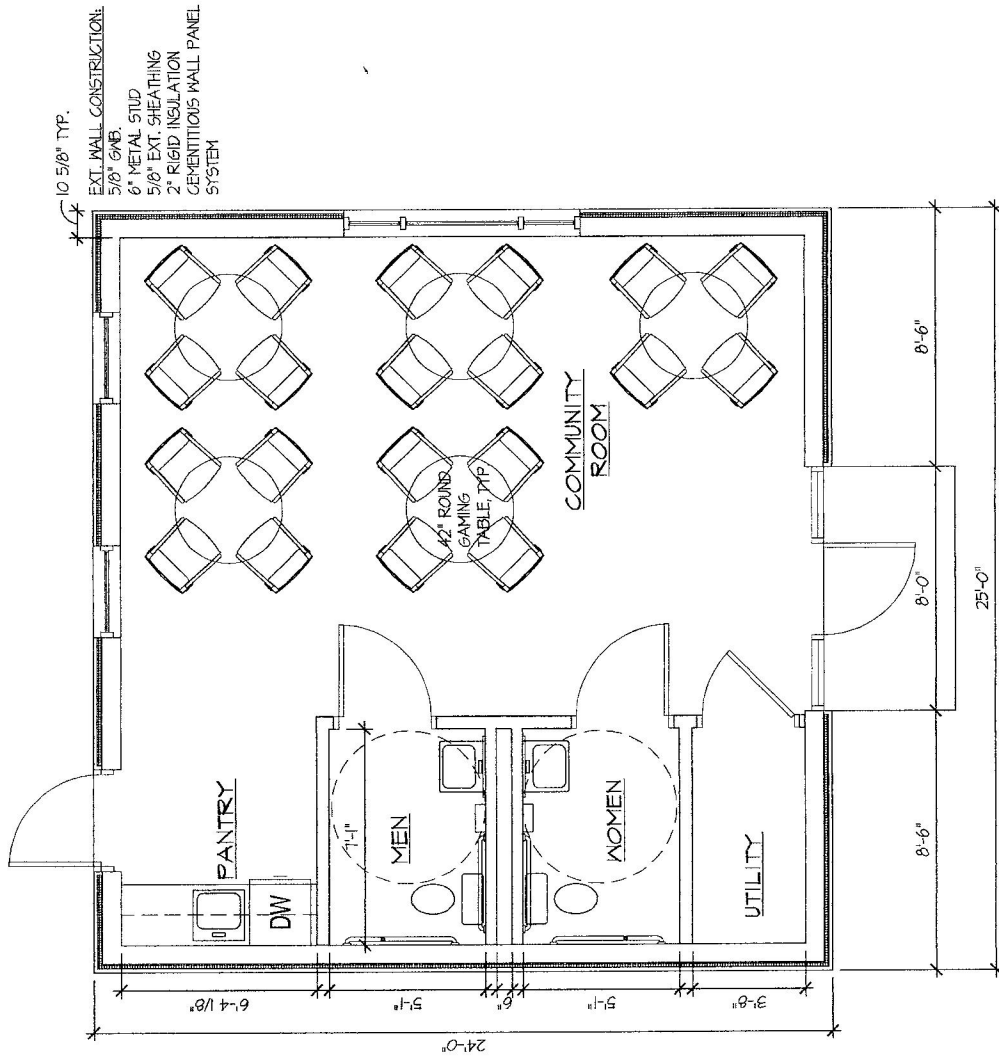
### **Fact Sheet #3**

---

<sup>ii</sup> International Building Code (IBC) 2018 Edition, Section 202, Definition of “Floor Area, Net.” The Howard County Building Code adopts the IBC 2018 Edition. Section 3.100 (B).

<sup>iii</sup> IBC 2018 Edition, Table 1004.5. The allowance for chairs only (not fixed) is 7 square feet and for standing spaces is 5 square feet. Townhouses in ARAH developments typically have 3 bedrooms that can accommodate from 1 to 6 occupants. Multi-generational families that have at least one member who is age 55 or older will have more occupants. The Department of Planning and Zoning (DPZ) agrees that an average of 2 residents per dwelling unit is a reasonable number. DPZ Technical Staff Report on ZRA 198 (August 26, 2021).

<sup>iv</sup> Separate toilet rooms for men and women are required in buildings with more than 15 occupants. Howard County Plumbing Code, Section 403.2. The deductions to arrive at the net floor area are: 92 sq. ft. for two ADA complaint toilet rooms; 13 sq. ft. for the pantry; 28 sq. ft. for the utility closet; and 84 sq. ft. for the exterior walls. If there are standing spaces for more than 49 people, two exits are required. IBC 2018 Edition, Section 1006.2.1.

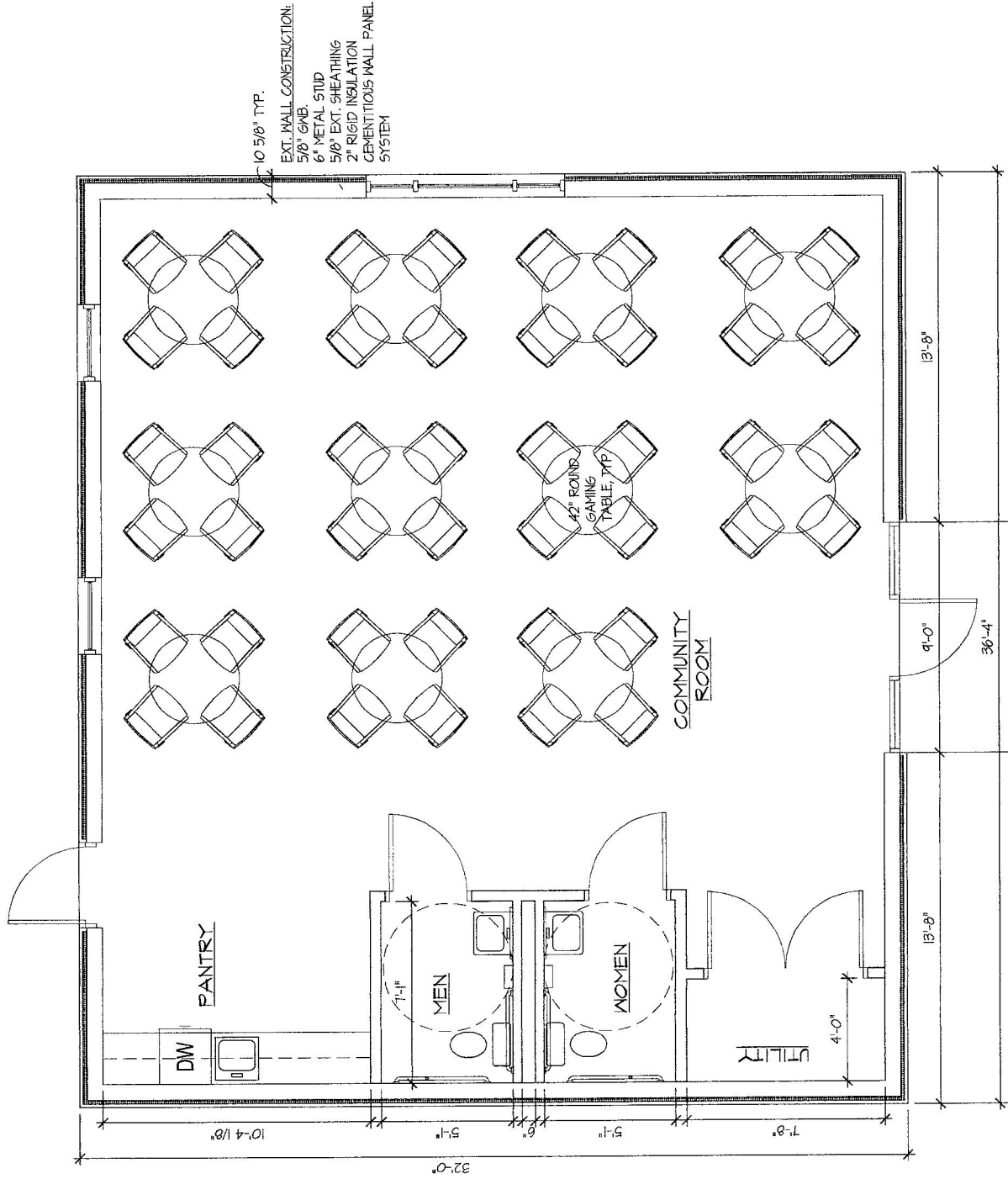


# Community Building Floor Plan A-1

384 NSF (Net Interior Square Feet) 600 GSF







**Community Building Floor Plan B**  
 900 NSF (Net Interior Square Feet) 1163 GSF

