



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, JAMES RAGGIO, have been duly authorized by
(name of individual)

DUNTEGACHIN ESTATES HOMEOWNERS ASSOC to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 87-2021 (ZRA 198) to express the organization's
(bill or resolution number)

support for / ~~opposition to~~ / ~~request to amend~~ this legislation.
(Please circle one.)

Printed Name: JAMES RAGGIO

Signature: James Raggio

Date: 11/14/21

Organization: DUNTEGACHIN ESTATES HOMEOWNERS ASSOC.

Organization Address: 6030 MARSHALGG DRIVE, BOX 505

GLKRIDGE, MD 21075

Number of Members: 119 HOMES

Name of Chair/President: DAVID ZAJIC

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 2 hours prior to the start of the Public Hearing.

Dunteachin Estates Homeowners Association, Inc.
Testimony in Support of CB 87 - 2021 (ZRA 198)

Good evening, Council members. I am James Raggio, a Board member of the Dunteachin Estates Homeowners Association that requested this Bill to be introduced. The Bill would amend three provisions in the County's zoning regulations for age-restricted housing permitted as a conditional use in residential districts. I have appended Fact Sheets to the end of this testimony that explain the purpose of each of the provisions and answer some questions you may have about the provisions.

Tonight, I want to talk about the most important provision in the Bill that would require at least 25% of new homes built in age-restricted housing developments in residential districts to be smaller with 1,600 square feet maximum of living space above grade. Homes with 1,600 square feet or less of living space above grade are single-story homes and will be more affordable.

Seniors age 55 or over who are searching for a home in an age-restricted community in Howard County have mainly two options: a condominium apartment or a large, multistory townhome. There is a missing option: smaller, single-single story homes that are more affordable. The Bill would provide this missing housing option and would meet the needs of these seniors who want to live independently in their communities near their children and grandchildren:

- Seniors who are empty-nesters and want to move from their large family homes to smaller homes;
- Seniors who want to age-in-place and have all their living space on one level so they do not have to climb stairs as their knees and hips age; and
- Seniors who have difficulty walking or climbing stairs and may need to use walkers, wheelchairs or other mobility aids as they age.

The Bill is Consistent with the County's General Plans and Housing Opportunities Master Plan

The County's General Plans and Housing Opportunities Master Plan have long recognized the need to provide smaller, single-story housing options that are more affordable for seniors.

General Plan 2000

“Many active seniors desire to sell their large family home and yard to purchase a smaller, easier-to-maintain home with a first floor bedroom. This active senior market is the largest segment of the senior housing market, according to the County's Office on Aging, but is not well accommodated in Howard County. Many residents have expressed concern about having to move out of the County to find this type of housing

[T]he County should amend the Zoning Regulations to provide other housing options for seniors, including attached and detached single story, single family homes. Such active senior housing developments would be age-restricted” Pages 82 -83.

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PlanHoward 2030

“The County’s housing stock should support the aging population and will need to continue General Plan 2000 policies to promote diverse senior housing for those that wish or need to downsize to more easily maintained units as they age. . . .

For those that want to relocate from a large family home to a home that is smaller with less maintenance and with a bedroom on the first floor, County housing stock should include options that are affordable and have been universally designed to meet the needs of this population. . . .

Specifically, age-restricted adult housing is intended to allow empty nesters the option of downsizing. As seniors relocate to ARAH [age-restricted adult housing], their former homes become available for younger families.” Page 130.

Housing Opportunities Master Plan (April 29, 2021)

“[S]maller homes are generally attainably priced, and smaller unit sizes can facilitate development on a wider range of lot types, shapes, and sizes. The production of smaller units may also allow those individuals who prefer to downsize to do so, opening up larger homes for families and other households that require additional space.” Page 28.

Housing Opportunities Master Plan Market Overview & Background Research (June 30, 2021)

- Older adults and persons with disabilities are underserved groups
- “Very few homes that fit their needs to move and/or downsize into, especially in the case of newer homes”
- “Develop a greater diversity of housing, including . . .single-story homes; accessible units; . . . 55+ communities”
- “Increases the likelihood that these households will stay in Howard County but move out of their existing homes, thereby freeing up older forms of housing” Page 59.

The Bill Would Provide the Type of Homes Senior Homebuyers Want

The National Association of Homebuilders (NAHB) conducts annual surveys of homebuyers. NAHB’s latest report on “What Homebuyers Real Want” (2021 Edition) shows that:

- 70% of homebuyers ages 55 to 64 and 74% of homebuyers age 65 and older prefer single-story homes (Question 21, page 192)

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- 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 (Question 17, page 186)

The National Association of Realtors “2021 Home Buyers and Sellers Generational Trends Report” states that homebuyers over age 55 “expect to own their homes for the longest period of time of 20 years.” Page 8. 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.

The Bill Would Increase the Number of Smaller, Single Story Homes in the County’s Age-Restricted Housing Stock

The Department of Planning and Zoning’s Development Monitoring System (DMS) Report (April 2021) contains data on the County’s age-restricted housing stock built between October 1, 2004 and December 31, 2020. (Table 46, page 47.) During this period, 3,820 age-restricted units were built, which represents 15% of all housing units built in the County during the same period. The types of age-restricted units are shown below.

Age-Restricted Housing Units Built Between October 1, 2004 and December 31, 2020		
Type of Unit	Number of Units	Percentage of Total
Apartment Units	2,138	56%
Single Family Attached (Townhomes)	1,323	35%
Single Family Detached	359	9%
TOTAL	2,136	100%

The DMS Report does not breakdown the number of single family detached homes by size and number of stories. ArcGIS has data on 42 age-restricted housing communities in Howard County, including types of units at: <https://arcg.is/0WzL4S0>. The “55 Places” website has data on age-restricted housing communities in Maryland, including the number of units by type, square feet of living space and floor plans at: <https://www.55places.com/maryland>. Combining the data from these sources, we identified 6 age-restricted housing communities shown below in Howard County that include single family detached homes.

Howard County Age-Restricted Housing Community	Number of Single Family Detached Homes	Square Feet of Living Space	Number of Stories
Courtyards at Waverly Woods	Not available	2,068 to 2,432	1 to 2
Villas at Cattail Creek	25	2,000 to 4,700	1 to 2
Walden Woods	10	1,806 to 2,534	2
Scots Glen	6	3,300 to 4,800	2
Ellicott Meadows	68	Not available	
Miller’s Grant	24	Not available	
TOTAL	133		

The Courtyards at Waverly Woods have 3 single family detached home models. One model (Amistead) has one story and two models (Bornquisit and Cavendish) have two stories. The Villas at Cattail Creek have 4 single family detached home models. One model (Springbrook)

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has one story; another model (Cardiff) has one story with an option for a second story; and 2 models (Brighton and Milford) have two stories. Data were not available on the living space or number of stories for the single family detached homes at Ellicott Meadows and Miller's Grant. Real estate listings for the single family detached homes at Ellicott Meadows show that the units have two stories, and floor plans for the single family detached homes at the Miller's Grant website show that the units have one story. This sample indicates that the single family detached homes in the County's age-restricted housing stock tend to be large and have more than one story.

Home Builders Have Single-Story Home Models That Can Comply with the Bill

At least 5 home builders that operate in Maryland have more than 20 single-story model homes with less than 1,600 square feet of living space above grade that would comply with CB 87 - 2021 (ZRA198) as shown below. All the home models have 2 to 3 bedrooms and bathrooms, two car garages, and can comply with the County's Universal Design Guidelines for Age-Restricted Housing.

Single-Story Homes with 1,600 Sq. Ft. Maximum Living Space Above Grade		
Builder	Model	Square Feet of Living Space
Ryan Homes	Aviano	1,566
	Alberti Ranch	1,566
	Newbury	1,565
	Cayman & Grand Cayman	1,533
	Turks/Caicos	1,501
	Pisa Torre	1,407
	Barbados Isle	1,343
	Grand Bahama	1,338
	Bahama	1,321
	Spruce	1,296
	Aruba Bay	1,153
	Aruba	1,150
K Hovnanian Homes	Maya	1,506
	Covington	1,482
	Athens	1,383
	Danielle	1,370
	Brooklynn	1,362
Pulte Homes	Passport	1,498
	Blue Rock	1,489
McKee Builders	Easton	1,490
	Cambridge	1,419
Williamsburg Homes	Chesapeake	1,407

Williamsburg Homes is building the Chesapeake model at The Enclave at Hines Farm age-restricted community in Laurel. K. Hovnanian Homes is building the Athens model at the Four

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unit is priced \$94,000 less than the Ryan Homes' Palladio two-story unit at Two Rivers as shown below.

Ryan Homes New Units at Two Rivers Age-Restricted Community in Odenton	Square Feet	Selling Price
Palladio Two-Story Unit	2,626	\$662,990
Alberti Ranch Single-Story Unit	1,461	\$568,990
	Price Difference	\$94,000

I have attached pictures and floor plans of the Ryan Homes' Griffin Hall townhome model that has been built in age-restricted communities in Howard County, and the Ryan Homes' Alberti Ranch and Turks/Caicos single-story model homes that would comply with the Bill. You can see that the size of the owner's bedroom and bathroom, and the great room or family room are about the same. The layout and size of the kitchen and dining area are different. The biggest difference is that all the living areas in the Alberti Ranch and Turks/Caicos are on one level, which is exactly what most senior homebuyers want.

We hope that you will vote for the Bill. Thank you.

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Griffin Hall 2,178 sq. ft.



Alberti Ranch 1,410 sq. ft.

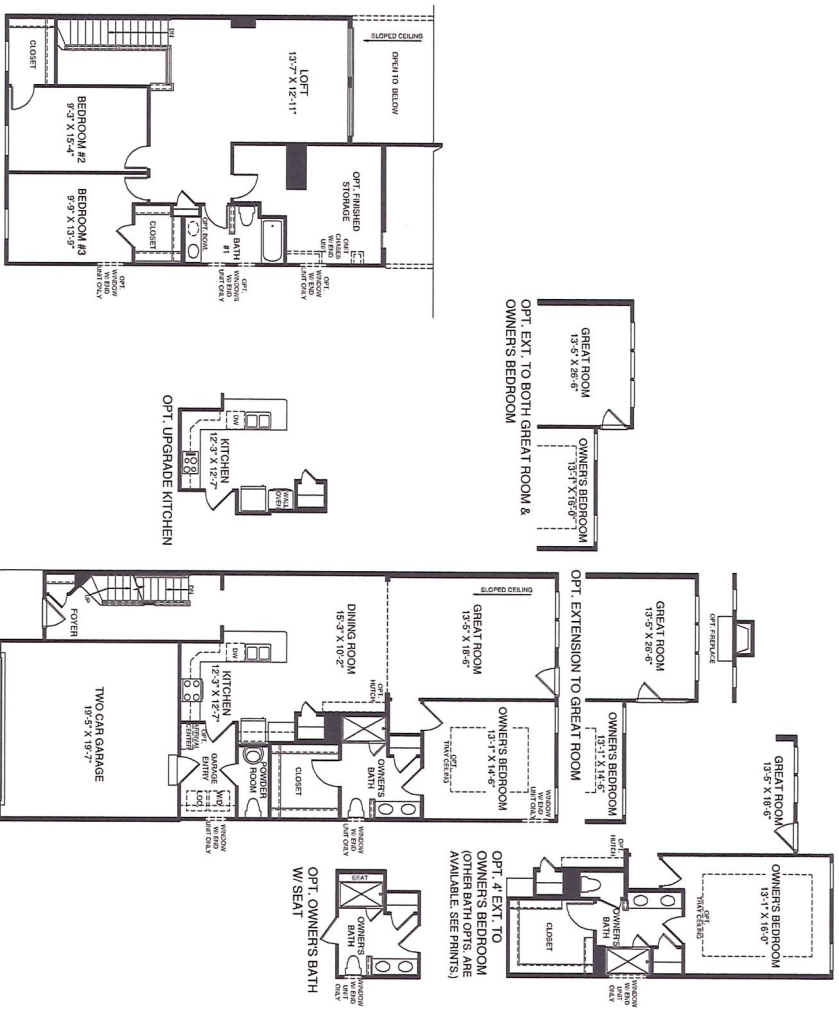


Turks/Caicos 1,503 sq. ft.

GRIFFIN HALL



LEVEL ENTRY W/ BASEMENT



An optional finished basement is available. Please see brochure or online marketing material for details.
 This is a preliminary floor plan. It is not intended to be used for construction. It is not intended to be used for construction. It is not intended to be used for construction.
 Plans are subject to change without notice. © 2014 Ryan Homes, Inc. All rights reserved.
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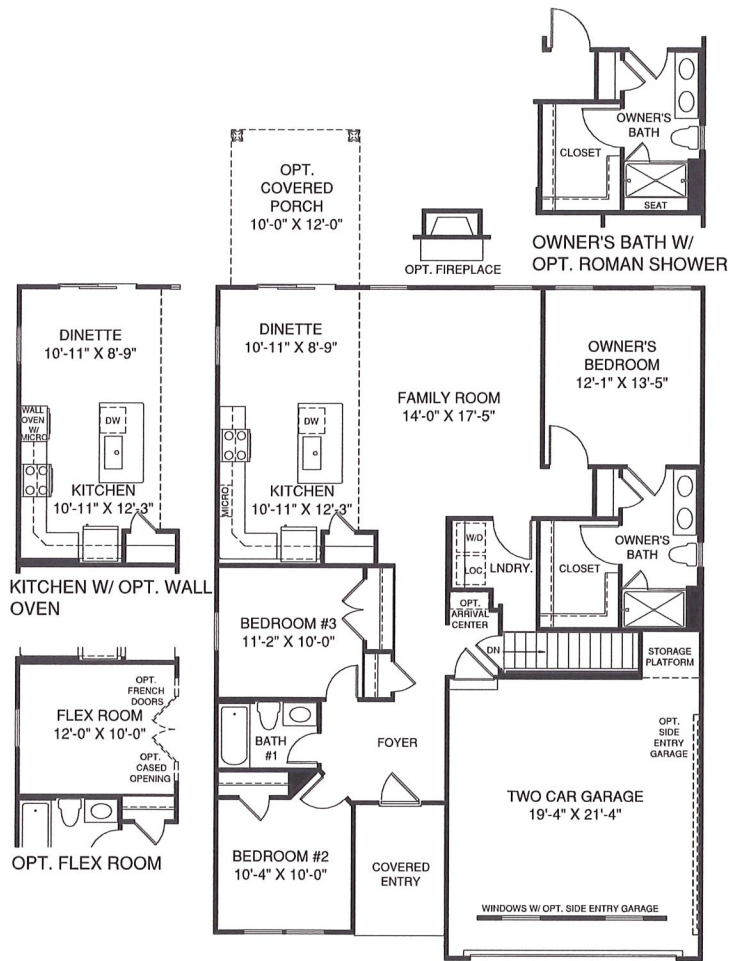


ALBERTI RANCH

ELEVATION A



ELEVATION B



MAIN LEVEL

An optional finished basement is available. Please see brochure or online marketing material for details.

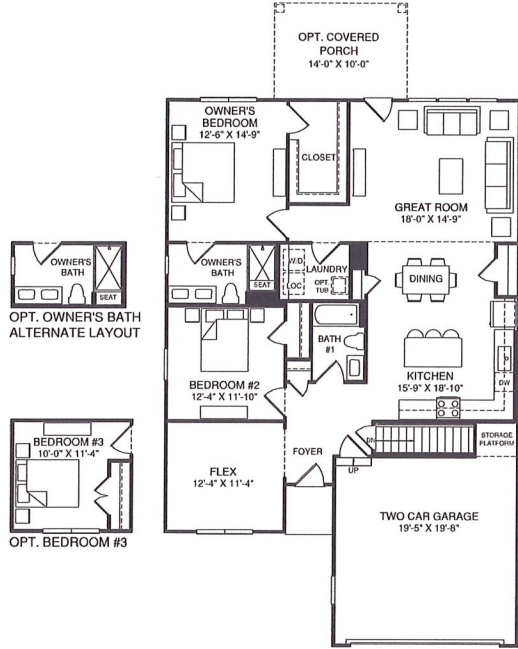
Although all dimensions and specifications are believed correct at the time of publication, the right is reserved to make changes without notice or obligation. Windows, doors, and fixtures may vary depending on the options and materials selected. Optional items, materials and finishes are available at additional cost. The responsibility for obtaining proper permits and meeting all legal conditions is recommended for all construction projects. For further information, contact the manufacturer. All dimensions are shown in feet and inches and may vary slightly from actual dimensions. For example, a 10'0" dimension may be 10'0 1/2".



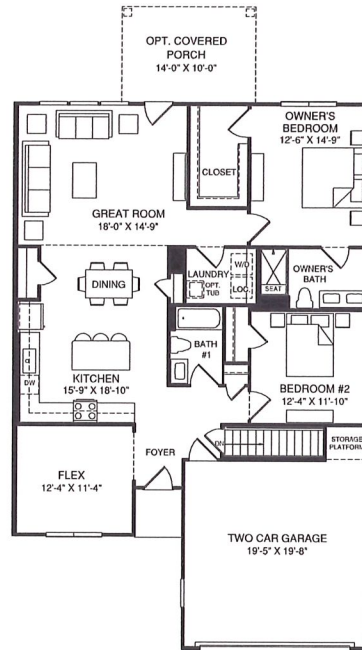
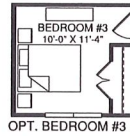
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TURKS/CAICOS

PAIRED VILLA L & K



TURKS MAIN LEVEL



CAICOS MAIN LEVEL

An unfinished basement is included. Please see brochure or online marketing material for details.

Although all dimensions and specifications are based on current information at the time of publication, the builder reserves the right to make changes, a final model or options. Windows, doors, casings, and room sizes may vary depending on the options and the conditions required. Opt or alternate placement are available in some only cases. The blueprint is for illustration purposes only and not part of a legal contract. It is recommended that you consult with a professional for more information. Builders do not warrant the quality of construction. Floor plans only, vary per situation. Ryan Homes reserves the right to make changes without notice or prior approval.



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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.”ⁱ

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.)ⁱⁱ

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
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.ⁱⁱⁱ 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.

ⁱ 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).

ⁱⁱ DPZ, Technical Staff Report on ZRA 187 (April 19, 2019).

ⁱⁱⁱ 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.)ⁱ

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.ⁱⁱ

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.ⁱⁱⁱ 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.)^{iv}

PlanHoward 2030 recommended that the County:

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

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.^{vi}

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.^{vii} 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.^{viii}

ⁱ PlanHoward 2030, page 130.

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

ⁱⁱⁱ NAR, 2021 Home Buyers and Sellers Generational Trends Report, page 8.

^{iv} Howard County General Plan 2000, pages 82-83.

^v PlanHoward 2030, page 130.

^{vi} NAHB, "What Home Buyers Really Want" (2021 Edition), Question 17, page 186.

^{vii} 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: <https://www.ryanhomes.com/new-homes/our-homes>.

^{viii} 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.ⁱ 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.ⁱⁱ

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.ⁱⁱⁱ

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.^{iv} 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.

ⁱ Howard County Zoning Regulations, Section 103.0, Definition of "Floor Area, Gross."

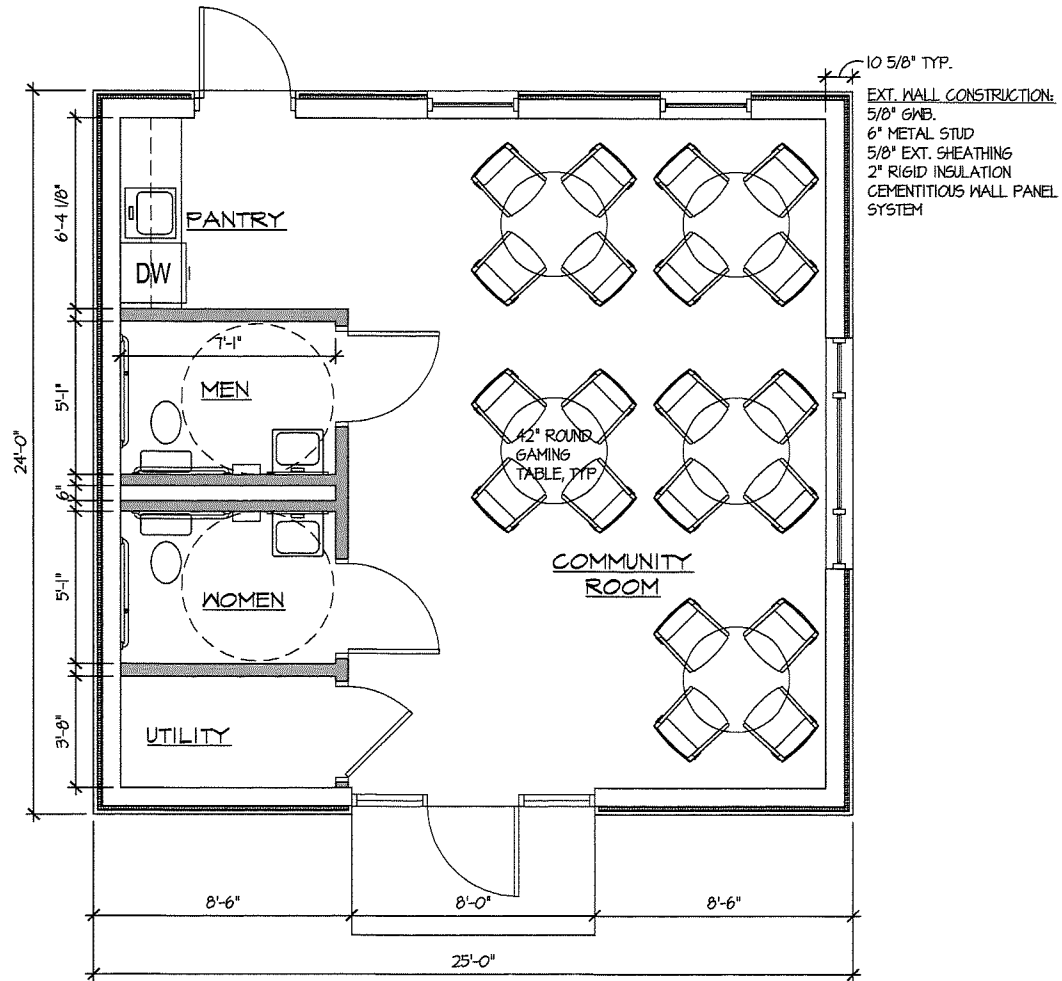
Council Bill 87-2021 (ZRA 198)

Fact Sheet #3

ⁱⁱ 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).

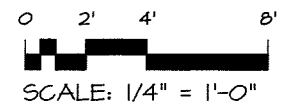
ⁱⁱⁱ IBC 2018 Edition, Table 1004.5. The allowance for chairs only (not fixed) is 7 square feet and for standing spaces is 5 square feet. Townhouses in ARAH developments typically have 3 bedrooms that can accommodate from 1 to 6 occupants. Multi-generational families that have at least one member who 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).

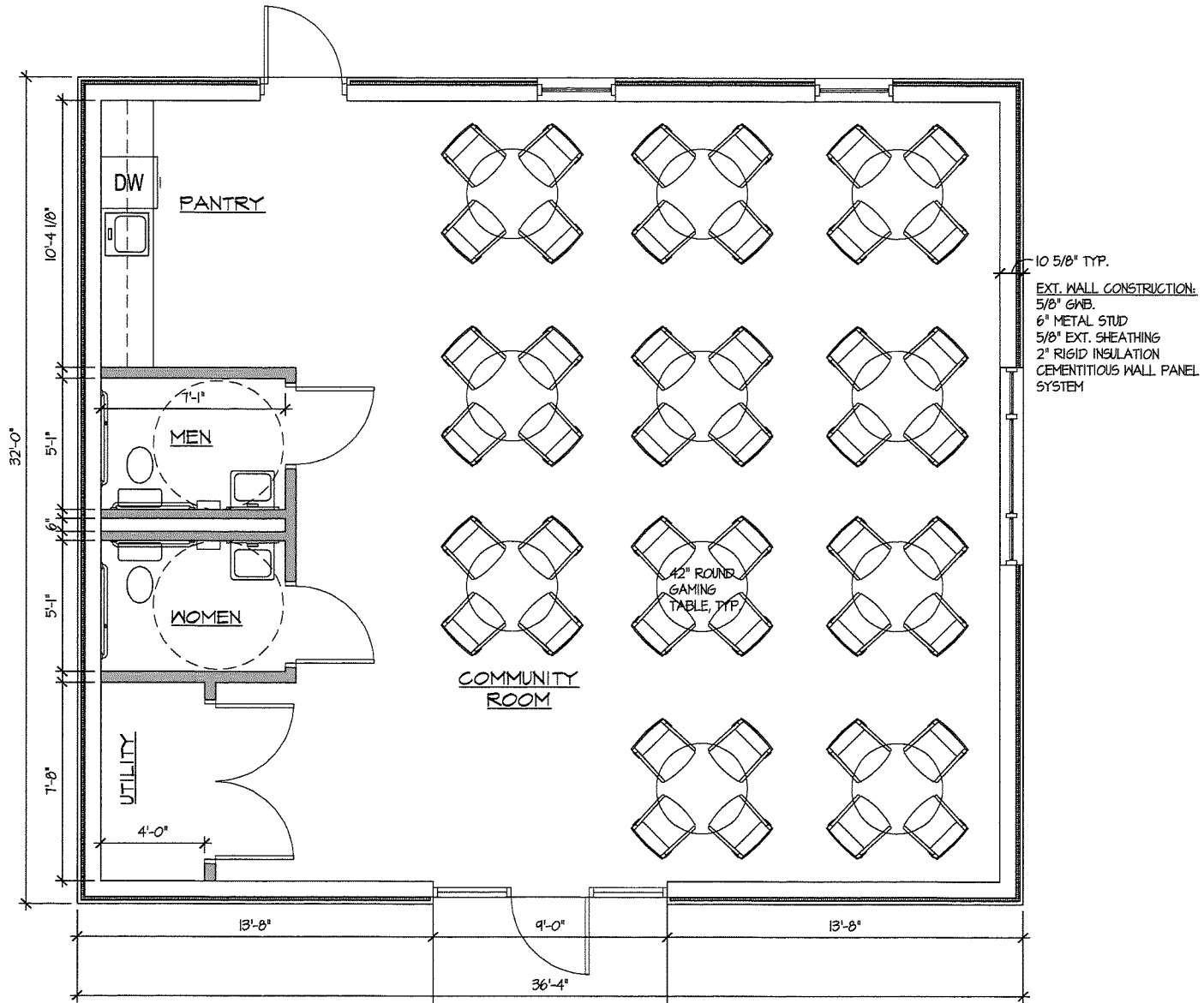
^{iv} Separate toilet rooms for men and women are required in buildings with more than 15 occupants. Howard County Plumbing Code, Section 403.2. The deductions to arrive at the net floor area are: 92 sq. ft. for two ADA complaint toilet rooms; 13 sq. ft. for the pantry; 28 sq. ft. for the utility closet; 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

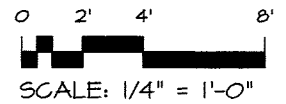
384 NSF (Net Interior Square Feet) 600 GSF





Community Building Floor Plan B

900 NSF (Net Interior Square Feet) 1163 GSF



Bruce A. Harvey
Testimony 11/15/2021
Howard County Council
Bill CB-87

My name is Bruce Harvey and I live on Elmwood Road in Fulton, MD. I'm also President of Williamsburg Homes headquartered in Columbia. I am testifying against Council Bill CB-87.

I want to focus on the numbers. Williamsburg is the contract owner of Enclave at Hines Farm, a 63 home Active Adult community in North Laurel. The project is on approximately 16 acres and is expected to begin development next year. We will have 34 villa townhomes and 29 single family homes. 7 of the townhomes will be MIHU's. If in place, CB87 would impose a 1,600 maximum square foot restriction on 25% of the homes, approximately 16 of the 63 homes. At this time, Williamsburg is expecting to offer for sale an approximately 1,500 square foot ranch home. The retail price is currently projected at \$670,000. Other single family homes that we will offer are larger and all 2 story homes. They line up is expected to be as follows 1,800 sq ft - \$700,000, 2,350 sq ft - \$730,000, 2,550 sq ft - \$770,000. While the 1,500 square foot ranch home is our least expensive, it is not the affordable option that consumers perceive for a small ranch. Why? Because our finished land cost is estimated at \$300,000. So approximately 45% of the retail price is in the land. In our active adult single family communities, we have always offered the 1,500 square foot home. But less than 10% of our sales have been that home. Why would we impose a restriction to build this type of home when it is not preferred by consumers and is the most expensive home we offer on a per square foot basis?

Now let's talk density. We were only able to achieve 4 units per acre at Hines Farm even though the conditional use would allow 5 per acre. We were at 69 homes, but had to cut back to achieve storm water management and forest conservation requirements. If we could have achieved the 69 homes, those extra 6 single family homes would have lowered our lot cost by \$20,000 and our retail prices above could be lowered accordingly. So density is the key to trying to help achieve affordability. So don't take away the one arrow in our quiver to help with affordability by lowering the allowed density.

Please also realize that the 7 MIHU homes that we will build at Hines Farm will be offered at approximately \$313,000. The only way to offer these homes at this price is to allocate \$-0- land cost to them. This raises the land cost for the remaining market rate homes. This is yet another important factor to consider when discussing the active adult conditional use requirements and the appropriate density maximums.

For the above stated reasons, please vote no on CB-87.

Thank you for hearing my testimony.

Sayers, Margery

From: ldw11@aol.com
Sent: Monday, November 15, 2021 7:50 PM
To: CouncilMail; Ball, Calvin
Subject: Bill CB 87-2021 -- ZRA 198

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

(Hope I'm not too late)

Please vote yes on Council Bill 87-2021. I think it places reasonable and appropriate standards on senior housing in Howard County.

Thank you,
Larry Wagoner

1725 Henryton Road
Marriottsville MD 21104

Sayers, Margery

From: Samer Alomer <salomer@mba-eng.com>
Sent: Monday, November 15, 2021 7:10 PM
To: CouncilMail
Subject: CB-87

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

My name is Sam Alomer, and I live on Woodstock Road, Woodstock MD. My office is at 7350 grace drive, Columbia MD 21044 I am the president of Mildenberg Boender and associates. an engineering firm with a long history in Howard County.

I am here this evening to testify against Council Bill CB-87.

My firm has two projects in process for Conditional Use Age Restricted housing, with one more in the pipeline. Changing the zoning rules will adversely impact our clients, in one case it would completely kill a project, the landowners and ultimately the buyers.

I believe the proposed changes will result in increased costs per unit in almost all cases. The development costs will not go down when the number or size of the proposed units decreases, should this zoning change pass. In fact, it will increase the selling prices.

Plan Howard 2030 *urges* the expanding of Age Restricted Housing. Figure 9.6 (page 130- Plan Howard 2030) clearly states that 20% of Howard County residents will be above age 65, with even more residents over 55.

This bill is in direct conflict with Plan Howard 2030.

Reducing the density now, without acknowledging those critical numbers, will cause a shortage in supply and will push these aging county residents to seek housing outside of Howard County.

Passing this ZRA would be a costly mistake to Howard County.

Sam Alomer, P.E.

President

Mildenberg, Boender & Assoc., Inc.
7350B Grace Drive, Columbia, MD 21044
410-997-0296

 **MILDENBERG,
BOENDER & ASSOC., INC.**

Sayers, Margery

From: Mike DiFilippo <mike@mdcsr.com>
Sent: Monday, November 15, 2021 6:56 PM
To: CouncilMail
Cc: Ball, Calvin; Mark
Subject: Support for Council Bill 87-2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to ask you to support Council Bill 87 - 2021 (ZRA - 198). My wife and I are over 55 and would like a new, one-level home option in Howard County. Our children and grand-children live in Howard County and we want more housing options for aging-in-place.

The bill noted above amends the zoning regulations for age-restricted housing developments by:

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- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
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- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
-

-
-
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.
-

We no longer want a home with stairs but one with the living spaces on a single-level. This bill will ensure that this type of home is available for us in an age-restricted housing development.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Fulfilling social contact and engagement is one of most important ways to ensure senior quality of life. Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit us and other seniors who want to live in age-restricted housing developments and make this housing a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Thank you,

Mike DiFilippo

mike@mdcsr.com

Sandra DiFilippo

difilippomom@gmail.com

Sayers, Margery

From: Brent Mager <brentmager1@gmail.com>
Sent: Monday, November 15, 2021 6:09 PM
To: CouncilMail
Subject: cball@howardcountymd.gov

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

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- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
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- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
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- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.
-

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Brent M. Mager

5379 Dunteachin Drive
Ellicott City, MD 21043
443-745-6448

Sayers, Margery

From: John Spitz <jjspitz@yahoo.com>
Sent: Monday, November 15, 2021 5:10 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: Council Bill 87 - 2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

John Spitz

5372 Dunteachin Drive

Ellicott City, MD 21043

Sayers, Margery

From: Tim Burkard <tim@burkardhomes.com>
Sent: Monday, November 15, 2021 4:53 PM
To: CouncilMail
Subject: CB 87

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council:

Please see below regarding my opposition to CB 87:

I own a home building company that is somewhat unique in that we focus on the first-time homebuyer and the more affordable price points.

I am strongly opposed to this bill as it is yet another attack on affordable housing in Howard County.

Reducing the density from 4 units to 3 units for age restricted projects less than 50 units would dramatically increase the cost of land - up to 33% on a per unit basis. With our already high and ever increasing land costs, further reduction of supply and cost increases will only worsen the affordability crisis.

On a macro basis the total supply would be even more restricted. According to the auditor's report, there are 133 potentially eligible sites that fit this criterion. The report indicates that 51 of these or 38% would not be able to qualify under the conditional use criteria. This will reduce the supply of new projects which further escalates land costs due to scarcity. Our consumers are already complaining about the lack of available new homes in the marketplace.

I have one of these 51 parcels under contract and would not be able to move forward if this bill were to pass. I would be financially damaged by this bill as I have invested considerable funds in this project, and I could lose the opportunity to develop it since it would then be fewer than 20 units.

However, the case of the landowner and the 50 other landowners whose properties are between 5 and 7 acres is worse. They would lose the ability to develop their property under this conditional use provision. This would devalue their properties significantly as they are unable to develop their property timely due to previous regulations that have negatively impacted affordability. In many cases, the landowner's home and property is their most significant asset. They are often relying on this asset for their retirement and their families financial future.

The second component suggests that building a one-story home less than 1,600 square feet is a solution for affordable housing. It most certainly is not as one-story construction is much more expensive. First, it requires significantly more land due to the much larger footprint which increases land costs. Second, the overall construction cost of a ranch style home is around 30% greater than that of a two story home. Since the footprint is twice as large as a comparably sized two story home, all the expensive structural elements are also twice as expensive. These include the foundation, slab, steel, roof, roof trusses, and other structural elements. A ranch home is not a good solution as it is not very cost effective and there has been very little

demand for this type of product due to its very high cost. While many people advocate for a one story housing, very few people actually purchase it due to these higher costs. It is especially difficult in markets such as ours where the land component makes it prohibitively expensive.

Furthermore, the 55 plus market does not necessarily want a single-family home after maintaining one for their entire life. That is why we have seen market acceptance of the duplex and townhome products. These product types provide maintenance free living, a reasonably sized home including a first floor master, upstairs bedrooms for their visiting children and grandchildren, and a competitive price.

As someone who lived in the Dunteachin Estates community for 10 years I can tell you that many of the homes are over 3,000 square feet. I am not sure what gives that HOA the right to ask others in the county to limit their home to approximately one half the size of their homes. That does not seem appropriate and the Council should not be legislating county wide based on a single project.

To conclude, this bill makes affordable housing significantly worse for our seniors and I urge you to vote against it.

Thank you very much for your consideration.

Tim Burkard

--
Tim Burkard
Burkard Homes, LLC
1511 Ritchie Highway, Suite 305
Arnold, MD 21012

www.burkardhomes.com

Mobile: (240) 375-1052
Sales Office: (410) 992-2221

Sayers, Margery

From: Michael Berman <Mtberman@msn.com>
Sent: Monday, November 15, 2021 3:43 PM
To: Ball, Calvin; CouncilMail
Subject: Council Bill 87 - 2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Michael Berman
5388 Dunteachin Drive
Ellicott City MD 21043



PLEASANTS DEVELOPMENT, LLC | 24012 Frederick Rd. | Suite 200 | Clarksburg, MD 20871 | T 301-428-0800 | F 301-428-1736

November 15, 2021

Counsel Chair Elizabeth Walsh, Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: OPPOSITION TO CB 87-2021 Amending Howard County Zoning Regulations

Dear: Ms. Walsh and Members of the Council:

This Letter in opposition to Council Bill 87-2021 which would reduce the maximum number of housing units per net acre in R-ED and R-20 zoned residential areas, impose a restriction requiring that 25% of the dwelling units have 1,600 square feet of maximum living space above grade, and increase the minimum size of the required community building.

As a former urban planner who worked in the public sector for 15 years, combined with over 20 years in the private home building and land development business, I have a unique background and expertise in both zoning regulations and private sector housing.

This bill will have an egregious impact on the development of age-restricted adult housing communities in Howard County. By adding a limitation on the size of homes, the County Council is inserting themselves into the private marketplace, where it has no expertise regarding the needs and desires of seniors. Seniors who are contemplating buying a home, and in many cases down-sizing from a larger home, need to have the ability to choose a home that fits their needs. These buyers are looking for a home that has enough space for their belongings, but also room for the kids and grandkids to visit and stay overnight. A 1,600 square foot home, as mandated by the bill for 25% of a new community, will NOT be a choice that any seniors would choose for the reasons given above. Suffice it to say that the County Council has no business dictating the size of homes when the private marketplace is responsible for providing housing for seniors.

In addition, the lowering of the allowable density in R-ED and R-20 zoning districts from 4-5 to 3-4 would result in a reduction in available housing for seniors, which is in strong demand in Howard County, and would have the effect of increasing the cost of housing overall. Simply put, there is no need for this reduction in allowable density.

Finally, this bill is clearly aimed at one specific proposed development, which is opposed by the adjacent home owners. It is unconscionable that the County Council would even consider this bill for that reason alone.

Thank you for your consideration in this matter and please vote against Bill 87-2021.

Sincerely,

PLEASANTS DEVELOPMENT, LLC

A handwritten signature in blue ink, appearing to read "Clark Wagner".

Clark Wagner, Vice Pres., Land Acquisition & Entitlement

CC: Vice-Chair Opel Jones
Councilmember Deb Jung
County Executive Calvin Ball
Councilman David Yungmann

Sayers, Margery

From: John Cords <john.cords@gmail.com>
Sent: Monday, November 15, 2021 12:26 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: Vote Yes on CB 87-2021 (ZRA 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,
John Cords
5367 Dunteachin Drive
Ellicott City, MD 21043

Sayers, Margery

From: Pat and Dale York <fiveyorks@verizon.net>
Sent: Monday, November 15, 2021 11:03 AM
To: CouncilMail
Subject: RE: CB 87 -2021 (ZRA 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello, I am Dale York. I live in Ellicott City. I will be 70 years old next year which I guess qualifies me to speak about the housing needs of seniors who want to age in place in their communities.

Howard County's population is aging. Baby-boomers—those born between 1946 and 1964—began turning 65 in 2011. By 2030, when the youngest boomers turn 66, the 65 and older population in Howard County is expected to almost double. At that time, about 1 out of every 5 Howard County residents, or 20% of the population, will be 65 and older.^[1]

Many of these seniors want to age in place in their communities and enjoy the sense of independence and comfort that only a home can provide. It is important that age-restricted housing developments take into account the needs of these seniors.

Some age-restricted housing developments being built in Howard County today are multi-story townhouses. To me, it defies logic and common sense why anyone who is 55 or older would want to buy a multistory townhouse that they may not be able to fully enjoy as they grow older and stairs become more difficult to climb. Would you buy a 3 story house if one day you would be confined to only one of the floors?

Seniors want choices about where and how they age in place. My wife and I have lived in single-family homes for more than 40 years. We enjoy having a backyard where we can garden and entertain family and friends. When we can no longer climb the stairs in our house, we want to move to a single family house in our community where all the living spaces are on one level. Age-restricted housing developments in Howard County need to provide options like this for seniors who want to age in place in their communities. CB 87 -2021 (ZRA 198) would accomplish this by requiring at least 25% of homes in such developments have 1,600 square feet of living space above grade. Homes meeting this requirement would provide all the living spaces on one level and I highly recommend this zoning change be adapted.

Thank You
Dale York
410-203-9019

TO: Howard County Council

FROM: Joan Lancos

RE: CB87-2021

As I read the primary information regarding CB87-2021, several questions came to mind. What also came to mind was a case that came before me in late 2000 and early 2001 when I served on the Planning Board.

During my years on the Planning Board, the Board had the responsibility to make recommendations on Special Exception cases (now Conditional Use) that would then go to the Board of Appeals for final consideration. There was no Hearing Examiner. The case I remembered was BA Case 00-37E. The request was for a Special Exception for Housing for the Elderly and/or Handicapped Persons. The subject property was off Montgomery Road near Landing Road, not far from the Dunteachin Estates Community who initiated the current ZRA-198 request.

At the time, the neighbors along Montgomery Road were opposed to the proposal for 21 single-family detached dwelling units. The layout was not very attractive. The units were crammed in around a loop road with two of the units in the middle of the loop. The neighbors complained that the small houses proposed did not blend with the existing homes in the area and should be denied. We tabled the case and asked that the developer come back with a better layout.

Two months later, the developer presented a plan for 21 single-family attached dwelling units. The units would be contained in eight two or three-unit buildings. The center of the loop would become a central open space labeled a "mini-park." The design was much more attractive and gained a *yes* recommendation from the Planning Board. It was ultimately approved by the Board of Appeals and now stands as Rockburn Woods. I visited it recently and it is a lovely community.

What struck me as interesting about the Dunteachin Estates HOA request is that the request is for smaller homes to be built. The same community that 20 years ago asked for larger homes now want smaller homes. Why? And why should homes be required to be a particular size? Doesn't the market itself determine what people will buy? I am also unclear as to why decreasing the yield per acre would encourage more small units. Wouldn't the opposite be the case?

I am completely unclear as to why the regulation goes into such detail on the size of the community building including spelling out how to calculate the net floor area. Is this done in any other zoning category? Has any information been collected from existing senior communities to determine whether there is a need for such regulation?

Here are some questions to ask those communities:

1. What is the approximate square footage of the community building in your neighborhood?
2. How often does the building get used? Daily? Weekly? Only occasionally?
3. What is it used for? Resident meetings? Classes? Private events held by individual residents?
4. Has maintenance of the building ever been a problem for the association? Do the costs of maintaining the building impact HOA fees?

I think it is important to know the answers to these questions before determining whether adding additional requirements for community buildings are necessary.

The reasons for this Zoning Regulation Amendment introduced by a homeowner's association have not been clearly articulated other than that some folks want to buy a smaller home that is all on one level. Is this desire for smaller senior units something that should be addressed as part of the General Plan? I hope that the County Council will investigate all ramifications of these significant changes before voting on this bill.

JL 11.15.21



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Isaac Ambruso, have been duly authorized by
(name of individual)

Maryland Building Industry Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 87-21 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation. *(Please circle one.)*

Printed Name: Isaac Ambruso

Signature: _____

Date: 11/15/2021

Organization: Maryland Building Industry Association

OrganizationAddress: 11825 West Market Place, fulton Maryland

Number of Members : 1,000

Name of Chair/President: Lori Graf

***This form can be submitted electronically via email to
councilmail@howardcountymd.gov no later than 2 hours prior to the start of the
Public Hearing.***

November 15, 2021

Re: OPPOSITION TO CB 87 – Amending Howard County Zoning Regulations

Dear Counsel Chair Walsh and Members of the Howard County Council:

The Howard County Chapter of the Maryland Building Industry Association (MBIA) writes in opposition to Council Bill 87-21 which would reduce the maximum number of housing units per net acre in R-ED and residential areas.

This legislation would change the allowable density in R-ED and R-20 zoning districts from 4-5 to 3-4. MBIA views this change as increasing the cost of senior housing. While it is somewhat difficult to achieve the densities currently allowed because of changes to forest conservation and storm water management requirements, the density in the current zoning should be maintained to allow developers flexibility to create diverse senior housing opportunities. Additionally, this bill would impose a restriction requiring that 25% of the dwelling units have 1,600 square feet of maximum living space above grade. While the intent of this change is intended to provide more affordable units in a senior housing community, that is a misconception. The most expensive construction on a per square foot basis is a one story home. The biggest component of the retail price of a home is the land cost. The difference in cost between a 1,600 sq ft on story home and a 2,000 sq ft home with some 2 story elements is approximately \$25,000 - \$30,000. The land cost is the same. A 1,600 square foot home is often already offered by builders and they are only chosen by a small portion of purchasers (generally less than 10%). Putting this restriction in place doesn't allow the purchaser to make their own choice as to the size of home they want. MBIA doesn't believe this is desirable from a consumer perspective. MBIA agrees that the community building minimum square footage requirements are modest. We think a change to 25 square feet per unit is appropriate, but the Net Floor Area definition is unnecessary and confusing.

Additionally, this bill appears to be targeting a specific development at Kerger Pond. The bill seems to be an attempt to punish the development for achieving the allowable density. Creating new requirements for developments to specifically punish a developer that legally achieved the maximum density set by this council is an inappropriate and unconscionable use of county legislation.

For these reasons, MBIA respectfully requests the Council vote against Council Bill 87-2021. Thank you for your attention to this vital issue and your continued support of the local home building industry. If you have any questions about these comments and would like to discuss MBIA's position further, please do not hesitate to contact me at iambruso@marylandbuilders.org or (202) 815-4445.

Best regards,

Isaac Ambruso, Director of Legislative and Regulatory Affairs

Cc: Counsel Chair Elizabeth Walsh
Vice-Chair Opel Jones
Councilmember Deb Jung
County Executive Calvin Ball
Councilman David Yungmann

Sayers, Margery

From: Dave Clader <daveclader@gmail.com>
Sent: Monday, November 15, 2021 9:40 AM
To: CouncilMail
Cc: Ball, Calvin
Subject: Vote yes on Council Bill 87 - 2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Brian David Clader
5399 Dunteachin Dr.
Ellicott City, MD 21043

Sayers, Margery

From: Kevin Fearn <fearn09@gmail.com>
Sent: Monday, November 15, 2021 8:35 AM
To: CouncilMail
Cc: Ball, Calvin
Subject: Vote Yes on CB 87-2021 (ZRA 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

1. Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
1. Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
1. Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Nicole & Kevin Fearn

Sent from [Mail](#) for Windows

Sayers, Margery

From: Kelly Green <green0923@gmail.com>
Sent: Wednesday, November 17, 2021 8:23 AM
To: CouncilMail
Cc: Ball, Calvin
Subject: Support for Council Bill 87 - 2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

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- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
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- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
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- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.
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My husband and I have family members that are aging in their homes and it has required substantial investment in making their homes user-friendly for them as they age. A tall, expensive order, in my opinion. Our family members have endured multiple falls and subsequent hospital stays, situations we probably could have avoided with better planning for senior-friendly housing.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. Nor do their family members. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Kelly Green
5332 Sunny Field Court
Ellicott City, MD 21043

Sayers, Margery

From: Sharon Fowler <fowler0965@gmail.com>
Sent: Tuesday, November 16, 2021 5:49 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: Re: Council Bill CB87/ ZRA 198

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I saw the results of last night's meeting and the developers have no idea what seniors want. Did they survey county residents? I've been a Howard County resident for 46 years and I'm 75 years old. I didn't receive a survey about what kind of housing I would prefer in my old age.

There is a senior community in Frederick County called Crestwood Village that would be ideal for seniors and affordable. I would consider moving there, but all my family is here. I might add that it is very hard to get into this community because of the demand. Like I said, I am 75, and recently widowed, the size of these homes would be perfect for me.

Please take the time to look at this community, online or in person, it's worth it.

Please support Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
- Requiring at least 25% of the homes to be smaller, single story homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.

Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the

buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote "Yes" for the bill. Thank you for your consideration.

Sincerely,

Sharon Fowler
7906 James Ave.
Ellicott City, MD 21043

Sayers, Margery

From: Michelle Lee <mhong3@gmail.com>
Sent: Tuesday, November 16, 2021 3:26 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: Support for Council Bill 87 - 2021 (ZRA - 198)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member,

I wanted to share my recent struggles with finding appropriate housing for my aging parents. Based on last night's meeting, the building industry claims that seniors do not want single story homes. This is absolute bullshit. We had to sell my parent's split level home a few years ago because going up and down the stairs was a hazard for my aging parents. My mother fell down the stairs numerous times to get to the front door, and had to be rushed to the hospital several times in one year.

It just wasn't safe for them to be in a multi story home, and sadly, we had to sell the house, my childhood home, and move them into a more appropriate living situation. We eventually found an apartment in a senior complex that has several amenities that cater to an older community (nearby golf course and driving range, community events organized by the staff, a lounge room, exercise facility, etc).

I can not fathom why the building industry thinks that multi story homes would be appropriate for seniors! It's a safety hazard for those with limited mobility. If the goal is truly to have seniors "age in place" as Howard County claims, then multi story homes are not logical as seniors would only need to move AGAIN when they are not able to get around as easily. Either build single story homes, or build larger high density housing with single floor condo units (this is what my grandmother-in-law has).

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

The bill amends the zoning regulations for age-restricted housing developments by:

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- Reducing the maximum number of homes allowed per net acre in R-ED & R-20 districts by 1.
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- Requiring at least 25% of the homes to be smaller, single story

- homes (1,600 sq. ft. maximum of living space above grade) for empty-nesters who want to downsize to smaller, more affordable homes, seniors who want to age in place, and seniors with disabilities.
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- Increasing the minimum size of community buildings from 20 to 30 sq. ft. of net floor area per home.
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Home buyers age 55 and older who are planning to stay in their homes do not want a home with stairs. They want all their living spaces on a single-level. This bill will ensure that this type of home is available to seniors who want to live in age-restricted housing developments.

Age-restricted housing developments are typically dense rows of large townhouses that are 3,500 sq. ft. They are not compatible with established neighborhoods of single-family detached homes in R-ED and R-20 districts. The bill will make the developments fit in with the surrounding communities in these districts.

Under the current zoning regulations, community buildings can safely accommodate less than half the residents of age-restricted housing developments. The bill will increase the maximum occupancy of the buildings to accommodate an average of 2 residents per home at largely attended events like community game nights and parties.

The bill will benefit seniors who want to live in age-restricted housing developments and make them a better addition to existing neighborhoods.

Please vote “Yes” for the bill. Thank you for your consideration.

Sincerely,
Michelle Lee

Sayers, Margery

From: Frances O'Connor <chettyoak@yahoo.com>
Sent: Tuesday, November 16, 2021 2:40 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: True Senior Housing -- Vote YES on CB 87-2021/ ZRA 198

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am writing to express my continued support for CB-87/ ZRA 198.

During last night's session the building industry came out in full force to testify against CB-87/ ZRA 198.

- Some of these individuals testified that seniors don't want single-story living. This is simply not true. Numerous focus groups during Plan Howard 2030 indicated a strong desire for single-level living in "true" senior communities with green spaces and amenities. Do the 55+ large townhomes sell? Yes. All housing types are in high demand in Howard County. Would single story smaller homes that allowed seniors to age in place also sell? YES!!! Please reference real estate agent Tudy Adler's testimony during the September planning board meeting when she laments the challenges of finding these homes for her many clients who would prefer to stay in Howard County. This type of home represents a true missing middle option in Howard County. Many seniors, and their families who will often later become caretakers, do not want stairs.

- There was also testimony about the loss of incentive to build senior homes. However, this proposed legislation does nothing to change the current APFO exemptions, which is often the driving incentive.

- If a big concern is the clause reducing the number of units/supply, I ask the council to consider removing that clause or only keeping it for properties of less than 10 acres where it is more critical to build developments congruous with surrounding neighborhoods. However, please keep the two remaining clauses (advocating for a portion of the homes to be 1600 sqft single floor living, and enlarging the community centers). This will allow developers the flexibility in design to maintain the number of units, while ensuring that what gets built actually serves seniors who want to age in place and build community.

-Regarding the community buildings... if developments are not going to be required to build centers that can accommodate a critical mass of residents, then what is the point in having them at all? I urge the council to visit the community centers at some of the smaller senior developments to understand just how small of a space this can be and how much that limits the opportunities to safely use it.

Finally, I ask the Council to think about what the age-restricted housing zoning regulations are meant to accomplish. It is not just solely about allowing developers to build the most profitable designs. There must be a balance in creating housing options that serve the needs of the entire senior community.

The zoning was meant to allow seniors looking to downsize opportunities to age in place. 3,500 square foot, multilevel townhomes do not allow for that.

Thank you for your time and attention to this important matter.

Frances Keenan
Autumn Field Court, Ellicott City

On Saturday, November 13, 2021, 11:35:04 AM EST, Frances O'Connor <chettyoak@yahoo.com> wrote:

Dear Elected Officials,

I am writing to urge your support for Council Bill 87 - 2021 (ZRA - 198). Howard County needs a greater variety of appropriate and affordable living options for seniors who want to age-in-place.

Right now, the current zoning for age restricted housing in R-ED & R-20 favors building large (3,000 sq ft), multi-level townhomes. While these homes might be a stepping stone for families with a member 55+, they are NOT appealing to a large portion of seniors who want single floor living and the ability to age in place. Currently, there are not enough options in Howard County for seniors who want smaller homes without stairs.

I participated in several focus groups and community discussions related to Plan Howard 2030. Time and time again I heard seniors lament the lack of smaller, single floor homes available for seniors. The phrase "true senior housing" was used several times -- referring to the need for homes without stairs, ADA compliant, and a focus on community building/amenities and aging in place. Seniors in these focus groups also referenced not being able to afford the 3-5 bedroom large townhomes that are being offered.

CB87 - 2001 (ZRA 198) does a nice job of ensuring that the 55+ age-restricted communities in R-ED & R-20 offer a variety of housing options for seniors -- a true need in the county.

Critics of ZRA 198 have suggested that fewer property owners will sell to developers looking to build 55+ communities if ZRA 198 is passed. However, I would remind the council that a huge incentive for developing these communities is that the developments do not have to pass the schools capacity tests. Therefore, the quicker timeline will still be a significant motivator to both sellers and buyers.

Additionally, there is concern that ZRA 198 could decrease the quantity of senior housing available. I urge the council to dig into this and consider 1) the extent to which 55+ communities have been built to maximum allowed density (I believe it is primarily only on the much smaller parcels of land, which are those that are often the most incongruous with surrounding neighborhoods and receive the most community push back) and 2) the trade-off between absolute # of 55+ homes vs. the quality of the homes and the populations they are actually serving.

Finally, yesterday I started writing this testimony. It would have been my grandmother's 94th birthday. She passed away peacefully in her single floor home of nearly thirty years -- something she made clear was important to her. My father and his siblings took great comfort that she was able to stay in her home until her death. I contrast that with the experience of a good friend's grandmother who passed away during the same time frame. She had to move several times in her last 10 years -- the stairs and design of the living spaces were not appropriate for a senior with a walker, and the cost of upkeep for her larger home was no longer feasible. It was emotionally heart wrenching for her and her family.

If the council cares about providing true senior housing options for individuals who can age-in-place, you will support CB 87-2021/ ZRA 198.

Thank you for your time and consideration,

Frances Keenan
Autumn Field Court
District 1