

Office of the County Auditor

Auditor's Analysis

Council Bill No. 27-2022 (ZRA 200)

Introduced: April 4, 2022

Auditors: Lori Buchman and Owen Clark

Fiscal Impact:

Our Office cannot determine the fiscal impact of the proposed legislation because the likelihood that eligible sites in the B-1 (Business: Local) District would be developed as Age-Restricted Adult Housing (ARAH) is not known.

Additionally, the parcels that could be developed as ARAH units per this legislation are currently eligible to be developed as several existing uses. The fiscal impact of this legislation would be the difference between the County revenue proceeds from and the expenditures associated with the services provided to the development as an ARAH development versus any of the other uses as a “matter of right” or “conditional uses” as approved by the Hearing Authority.

Purpose:

This legislation is to amend the Conditional Use provisions of the Howard County Zoning Regulations to allow potential development of ARAH units in the B-1 District. Key components of the proposed legislation include:

- The parcel must be adjacent to an existing age-restricted adult housing development or housing for the elderly development.
- The parcel must be located within the planned service area for public water and sewer.
- The maximum parcel size cannot be more than three acres.
- Developments may include single-family detached, semi-detached, attached, and multi-family dwellings, excluding apartments.
- On-site community buildings or interior space requirements can be satisfied if the new development is incorporated into an existing adjacent development's homeowners' association that meets the additional space requirements for the new units.

Other Comments:

Per the Director of the Department of Planning and Zoning, this legislation would potentially impact three existing parcels in the B-1 District:

- 11074 Frederick Road
- 4872 and 4866 Montgomery Road, 4882 Montgomery Road, and 4900 Waterloo Road
- 6500 and 6510 Washington Boulevard

NOTE: Per the Administration, the owner of the parcel located at 11074 Frederick Road has submitted an Environmental Concept Plan (ECP) for a retail and office building. The parcel's Site Development Plan has not yet been submitted. At this point, it's not known if this site will move forward with the development noted in its ECP plan, or if the developer will pursue the development of ARAH units pending the passage of this legislation.

There could be additional parcels in the B-1 District in the future, provided they meet the conditions outlined in the Council Bill.

The Planning Board recommended that Zoning Regulation Amendment 200 be approved with amendments to specify that multi-family housing be included as a use in Section 131.0.N.1.a(7)(b) of the Howard County Zoning Regulations and that the criteria in Section 131.0.N.1.a(9-18) of the Howard County Zoning Regulations be incorporated into the zoning amendment.

The proposed legislation does not include Moderate-Income Housing Unit (MIHU) or minimum open space requirements; therefore, these requirements would not be applicable to Age-Restricted Adult Housing developed in the B-1 District.