

Sayers, Margery

From: Baker, Kevin
Sent: Monday, April 18, 2022 8:51 PM
To: Sayers, Margery
Subject: FW: CB 27-2022 Testimony L Mahlin
Attachments: CB27-2022 Submitted Testimony Leila Mahlin.docx

Copy of testimony from tonight.

From: Leila Mahlin <samlmbm@gmail.com>
Sent: Monday, April 18, 2022 8:34 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Dyoungmann@howardcountymd.gov
Subject: CB 27-2022 Testimony L Mahlin

Attached please find my testimony regarding CB27-2022.

Please note, I am not against ARAH. I want us to have the best situation we can have for seniors, for the environment, for the land, and for our citizens.

Thank you,
Leila Mahlin

I am Leila Mahlin and live in Dalton neighborhood of Columbia, MD. I object to several aspects of CB27 2022.

Objections Include:

- Erroneous and persistent assumptions regarding ARAH housing need or demand
- Lack of Open Space Requirement for residential areas
- Omission of MIHU requirement, this is a critically important feature needed in Howard County to create community and to grow generational wealth. ALSO
- Process by which such extensive changes can be made to a ZRA after PB prior to submission to Council. Based on this PB hearing one can't assume that each of PB members understood what exactly was included and that it was specifically what they approved. Without a better documented process, it becomes easier for items to be added or deleted without the proper planning board examination.

I am going to focus attention on the first two that regard erroneous assumptions of ARAH and lack of open space.

To reiterate, there is no national data that supports the assumption that ARAH is the most desirable or best situation economically or socially for those over 55. **Much of the data that is relied upon is actually for those who are in CCRC not ARAH.** These two are not interchangeable options and the data for ARAH is not collected similarly and those communities can become more vulnerable. ARAH types of communities fail financially at a greater rate than other communities. This may occur as fees and assessments rise as income doesn't. I can provide more data on this.

Assumptions regarding ARAH and this CB and

At Planning Board Hearing the petitioner appeared to pass on the impression that:

- 1) There were only three housing units available for those older who want to downsize.
To my knowledge there is no discrimination or blockage in Howard County with those over 55 who want to move into different communities or housing situations. There are numerous rentals and places to buy that are likely "downsized" from where they currently live. Studies also show that many of the "ARAH downsized units" are actually larger than the size of their current dwelling unit.
- 2) There is a need to "age in place".
"Aging in place" seems most logically to refer to assessing a current living situation to see what changes can be made. These can range from very simple things like removing rugs, to changing the height of toilet seat to more extensive and expensive options like adding a stair-chair or ramp. These are usually much less expensive than buying a new home. It is interesting that moving to a new place is referred to as "Aging in Place".
- 3) Those who are older and staying in their own home are creating a "Log Jam" for those who may be younger and want to buy into the market.

The “Log Jam” seems to say that older people are messing it up for younger people in the County. We want them out of the way and segregated into “other” communities. Why does the county have homestead tax breaks and financial incentives for “Aging In Place” enhancements for seniors if we want them to move?

OPEN SPACE OMISSION

The lack of an open space requirement for this amendment is concerning. The argument that since this was going to be a crowded noisy business, and now will be a nice quiet senior community, so “no open space needed” does not align with the original conditional use regulations. The logic is also convoluted ... sort of like saying there was going to be a race-track on this land, but now it will be a connecting road. Since there was no speed limit on the race-track we want to let people can go as fast as they want on this connecting road.

The petitioning party stated that he didn’t want to “increase density”. As an example, an R-20 three acre lot with Age Restricted use would have 30 units, not the previous 12 under ARAH Conditional Use (if three acres were allowed in ARAH CU). This amendment will increase density.

Give the adjacent Age Restricted communities, the option to support open space in support of their new neighbors. They would jump at the chance to enhance safety, support the environment, reduce potential flooding, and reduce noise pollution. **It isn’t an either business, or no open space option.**

I am also opposed to slip in changes to the zoning regulations that may later be used as groundwork for decisions that may further erode environmental or special needs/vulnerable populations.

There is political and financial desire to bring in tax revenue. We have tough choices ahead, but ignoring the negative impacts of a slippery slope, that we may create, that diminishes future health and wealth of the County, is a mistake. Please revise the amendment.

TO: Howard County Council

FROM: Joan Lancos
6110 Covington Road
Columbia, MD 21044

RE: CB27-2022 (ZRA 200)

As a participant on the last three iterations of the General Plan Task Force, I have heard repeatedly about how the rising age of the population in Howard County creates the need for a range of housing stock for seniors. Over the years a variety of changes to the Zoning Code has recognized the growing need and offered solutions for increasing opportunities to provide such housing. Council Bill 27 provides one more opportunity.

The bill identifies very specific parameters under which Age Restricted Adult Housing could be provided in the B-1 zone. Allowing the Conditional Use under such limited possibilities is helpful in two ways. First, it clearly is intended to coordinate with already existing Age Restricted Adult Housing to provide for more cohesive uses within existing neighborhoods. Secondly, by not allowing it throughout all B-1 zoning, the county will not experience a potential loss of light commercial uses that are important to be located throughout the county to serve local communities.

In its Recommendation of ZRA 200, the Planning Board made two suggestions that (1) multifamily housing be included and (2) that certain Sections of the existing B-1 requirements be included as part of these proposed changes.

I encourage you to approve CB27-2022 including the Planning Board recommendations which would allow this limited opportunity to provide for a needed housing option in the county.

4.18.22

Sayers, Margery

From: Neal Vanderlipp <nrv@xcal-sol.com>
Sent: Monday, April 18, 2022 7:02 PM
To: CouncilMail
Subject: CB27-2022

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

To the Council Members,

This is my written testimony related to CB27-2022. I reside at 9310 Old Line Dr., Columbia, MD 21045.

I have two areas of concern:

(1) Open space and Moderate Income Housing Units are not included in the bill.

The DPZ TSR for ZRA200 noted on page five paragraph two that the standards for ARAH in Howard County Zoning Regulations Sections 131.0.N.1.A8-A18 were not included in ZRA200. The TSR also states that it is "unclear why these standards would be inapplicable" to ARAH in ZRA200.

At the Planning Board hearing the petitioner totally discounted the importance of open space for B-1 ARAH residents. The Planning Board eventually made a formal recommendation approving ZRA200 provided that the requirements A9-A18 be included in the Council bill, but not requirement A8.

So when what began as ZRA200 was edited and submitted as a Council bill by the petitioner, the ARAH standards for Open Space and Moderate Income Housing Units were not included. While the DPZ TSR noted the absence of Sections A8-18, only A9-A15 and A18 made it into the Council bill. That means that the A8 requirement for open space was not included as well as A16 for Moderate Income Housing Units. Section A17 was also not included, though that requirement is somewhat obscure, related to grandfathering senior units created before the ARAH law change in 2001.

At the Planning Board hearing the petitioner discounted the need for open space. Open space is an important part of the lifestyle for the seniors clustered in ARAH communities. It should not be eliminated. With the three acre limit and the 10 units per acre density, potentially 30 units could be built in a B-1 ARAH parcel. In other districts, the minimum number of ARAH units in a parcel is 20 units, yet open space is still required. Such an inconsistent implementation of open space would be very unfair to the B-1 ARAH seniors compared to seniors in other ARAH districts.

Here is the specific Moderate Income Housing Unit omitted code from "Howard County Zoning Regulations", Section 131.0 Conditional Uses, N.1.a.16 :

"(16) At least 10% of the dwelling units in the RC, RR, R-ED, R-20, R-12 and R-SC Districts, and at least 15% in the R-SA-8, R-H-ED, R-A-15 and R-APT Districts, shall be Moderate Income Housing Units."

This code needs to be adapted include an appropriate standard for B-1.

The Planning Board was wise to include A16 for the Moderate Income Housing Units. Affordability of senior housing is a big issue for seniors on fixed incomes. Just as with the elimination of open space in B-1 ARAH developments, eliminating Moderate Income Housing Units is also very unfair to seniors seeking housing.

At the very least, the petitioner should be made to explain why the standards for ARAH Open Space and Moderate Income Housing Unit are not included in CB27-2022.

(2) The process allows untracked editing of a ZRA as it is converted to a Council bill.

My last concern is about the process by which the text of CB27-2022 transformed from ZRA200 into a council bill. The text of CB27-2022 is significantly different from ZRA200 which CB27-2022 in fact references in the title. The zoning code of CB27-2022 is much longer including changes in order. *Below are my detailed comparison notes on the differences. For ZRA200 the DPZ issued a TSR dated 2-17-2022 and the PB issued a recommendation with amendments dated 3-22-2022. The Petitioner's changes were mostly based on those reviews, though important sections included in the reviews were not included in CB27-2022.

Section 16.208 "Zoning Regulation Text" allows a ZRA to be edited after DPZ TSR and Planning Board review when converting the ZRA into a Council bill:

"(1) The County Council shall introduce a bill proposing the adoption of the text amendment as submitted by the petitioner or as amended pursuant to the technical staff report of the Department of Planning and Zoning, or recommendations of the Planning Board or the County Council."

In the process of converting ZRA200 into CB27-2022, the complexity of the untracked changes made it difficult to compare the original ZRA200 text to CB27-2022. The capital letters/strikeout syntax is used ZRA submission to indicate how the ZRA changes County code text. The same syntax is used after a bill is introduced for amendments. What is needed is the same syntax to indicate what changes are made to a ZRA after DPZ and Planning Board review. Otherwise, the elimination of a single comma, or addition/deletion of a single word can negate and completely change the meaning of a bill.

Additionally, the lack of change tracking in the ZRA to Council bill conversion makes it harder to understand how the petitioner has interpreted the Planning Board's recommendations. I hope that in the future the Council will correct this potential problem.

Best regards,

Neal Vanderlipp

*Comparison of CB27-2022 to ZRA200:

The "County code" section numbers referred to below are from "Howard County Zoning Regulations", Section 131.0 Conditional Uses, N.1.a. .

cb27 Sections #1-3: Same as ZRA200 #1-3

cb27 Section #4: Absent from ZRA200. It is an appropriate statement.

cb27 Section #5: Same as ZRA200 #4

cb27 Section #6: same as ZRA200 #5 with the additional text in the beginning:

"UNLESS OTHERWISE SPECIFIED IN THE PROVISIONS IN SUBSECTION C,"

cb27 Section #7: Same as ZRA200 #6 with the additional text from County code section #10 in the beginning:

"AT LEAST ONE ON-SITE COMMUNITY BUILDING OR INTERIOR

1. COMMUNITY SPACE SHALL BE PROVIDED THAT CONTAINS A
2. MINIMUM OF:

a. 20 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT, FOR THE FIRST 99 UNITS WITH A MINIMUM AREA OF 500 SQUARE FEET; AND

b. 10 SQUARE FEET OF FLOOR AREA PER DWELLING UNIT FOR EACH ADDITIONAL UNIT ABOVE 99"

cb27 Section #8: Same as County code section #9

cb27 Section #9: Same as County code section #11

cb27 Section #10: Same as County code section #12

cb27 Section #11: Same as County code section #13

cb27 Section #12: Same as County code section #14

cb27 Section #13: Same as County code section #15

cb27 Section #14: Same as County code section #18

Sayers, Margery

From: Knight, Karen
Sent: Monday, April 18, 2022 11:18 AM
To: Sayers, Margery
Subject: FW: CB27-2022

FYI

*Karen Knight ~ Special Assistant to David Jungmann
Howard County Council, District 5
3430 Court House Drive
Ellicott City, MD 21043*

From: Crl Zrvas <zervascarol@gmail.com>
Sent: Sunday, April 17, 2022 11:10 PM
To: Knight, Karen <kknight@howardcountymd.gov>
Subject: CB27-2022

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

Hello, Karen.

Please forward this email as my testimony in favor of CB27-2022.

It is a tightly crafted bill which would serve 50+ communities in a number of ways, to name only a couple: 1) by helping to secure the privacy of quieter and, in some ways, more vulnerable neighborhoods; and 2) by adding to the store of housing available to seniors in Howard County.

Thank you.

Carol Zervas
(301) 924-2336



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

I, Terri Savage, have been duly authorized by
(name of individual)

Terra Maria Homeowners Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB2-2022. CB27-2022 to express the organization's
(bill or resolution number)

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

Printed Name: Terri Y Savage

Signature: Terri Youngblood Savage Digitally signed by Terri Youngblood Savage
Date: 2022.04.18 17:09:34 -04'00'

Date: 4/18/2022

Organization: Terra Maria HOA

Organization Address: Ellicott City MD 20142

Ellicott City MD 20142

Number of Members: _____

Name of Chair/President: Terri Savage

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.



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

Angela Liuzzo

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

Ellicott Meadows Condominium Association Board _____ to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB27-2022 _____ to express the organization's
(bill or resolution number)

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

Printed Name: Angela Liuzzo _____

Signature: Angela P. Liuzzo _____

Date: 4/18/2022 _____

Organization: Ellicott Meadows Condominium Association Board _____

Organization Address: 3010 Homeland Way, Ellicott City Md 21042 _____

3010 Homeland Way, Ellicott City Md 21042 _____

Number of Members: 156 _____

Name of Chair/President: Woody Woods 443-472-1040 _____

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

I, Angela Liuzzo, have been duly authorized by
(name of individual)

Ellicott Meadows Condominium Association 2 Board to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB27-2022 to express the organization's
(bill or resolution number)

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

Printed Name: Angela Liuzzo

Signature: *Angela P. Liuzzo*

Date: 4/18/2022

Organization: Ellicott Meadows Condominium Association 2 Board

Organization Address: 3010 Homeland Way, Ellicott City Md 21042

3010 Homeland Way, Ellicott City Md 21042

Number of Members: 8

Name of Chair/President: Karen Riggio 410-916-0852

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

I, Angela Liuzzo, have been duly authorized by
(name of individual)

Ellicott Meadows Community Association Board to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 27-2022 to express the organization's
(bill or resolution number)

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

Printed Name: Angela Liuzzo

Signature: *Angela P. Liuzzo*

Date: 4/18/2022

Organization: Ellicott Meadows Community Association Board

Organization Address: 3010 Homeland Way, Ellicott City, Md 21042

3010 Homeland Way, Ellicott City, Md 21042

Number of Members: 164

Name of Chair/President: Marlene Zendell

*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.*



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

I, Steve Miller, have been duly authorized by
(name of individual)

Howard County Association of Realtors to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB27-2022 to express the organization's
(bill or resolution number)

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

Printed Name: Steve Miller

Signature: 
6E9036A3CB8F44D...

Date: 4/18/22

Organization: Howard County Association of Realtors

Organization Address: 8600 Snowden River Pkwy Suite 104, Columbia, MD, 21045

8600 Snowden River Pkwy Suite 104, Columbia, MD, 21045

Number of Members: 2200+

Name of Chair/President: Sara Anderson

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.