

1 MARSHA S. MCLAUGHLIN, DIRECTOR, * BEFORE THE
2 DEPARTMENT OF PLANNING * PLANNING BOARD OF
3 AND ZONING, PETITIONER * HOWARD COUNTY, MARYLAND
4 ZRA 150 *

5 * * * * *

6 MOTION: *To recommend approval of ZRA 150 with modifications.*

7 ACTION: *Recommended approval; Vote 3 to 0.*

8 * * * * *

9 On April 17, 2014, the Planning Board of Howard County, Maryland, considered the petition of
10 Marsha S. McLaughlin, Director, Department of Planning and Zoning for an amendment to the Zoning
11 Regulations to amend Sections 127.0.C.6 and 127.0.D of the Zoning Regulations for the MXD District to
12 revise certain criteria in conjunction with the provision of age-restricted adult housing units in the MXD-6
13 (Mixed Use) District.

14 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,
15 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department
16 of Planning and Zoning recommended approval of the petition based on findings that the proposed
17 amendments are in harmony with the General Plan policies.

18 Ms. McLaughlin explained that the petition would only be applicable to the Cherry Tree MXD
19 development. She said the owners of that development had submitted a Zoning Board case which would have
20 rezoned a portion of the site to POR in a configuration that would have “cut a hole” in the MXD
21 development. She said that it was ultimately determined that processing a ZRA would be the most efficient
22 way to accomplish the goal of the prior Zoning Board case without having to rezone part of the site.

23 In its deliberations on ZRA 150, one Board member said he did not like using the “fig leaf” of senior
24 housing in order to achieve the desired apartment density. This Board member stated that apartments
25 and increased density do belong in the MXD District, but apartments for working people are truly
26 needed instead of more senior housing. This Board member’s opinion is that the Zoning Regulations
27 should be examined to explore options to allow increased density in MXD without having to utilize
28 the age-restricted adult housing (ARAH) option.

29 Another Board member concurred, but questioned whether moderate income housing units
30 (MIHU) could be used in the bonus density calculation instead of ARAH in order to provide more
31 work force housing.

32 Ms. McLaughlin interjected that in this case, the ARAH development is selling very well so
33 this is definitely the desired housing type for this development; however, a higher MIHU

1 requirement could possibly be initiated with an increased density option.

2 Another Board member said that a problem with designating senior housing in general, is that
3 it can be viewed as permitting a type of discrimination which would otherwise not be permitted;
4 however, he does not have any issues with the proposal because of its limited scope; but there is
5 need for affordable work force housing options.

6 A citizen, Elizabeth Reardon offered commentary that from her viewpoint as a grandparent
7 and former realtor, age-restricted units can be easy to build but are not always easy to resell and that
8 she is aware of difficulties in being able to resell units in survivorship situations. She said that
9 difficulties also occur when an emergency family situation arises which requires an ARAH resident
10 to care for a family member or grandchild of an age or for a length of time that is prohibited in these
11 developments.

12 Mr. Santos made the motion to recommend approval of the petition with the recommendation that the
13 Zoning Regulations be examined to explore options to allow increased density in MXD without
14 utilizing the ARAH bonus density option. Mr. Engelke seconded the motion. The motion passed by a vote
15 of 3 to 0.

16 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 24th day of
17 April, 2014, recommends that ZRA 150, as described above, be APPROVED.

18
19 HOWARD COUNTY PLANNING BOARD

20 Josh Tzucker / PB
21 Joshua Tzucker, Chair

22 Bill Santos
23 Bill Santos

24 ABSENT
25 Jacqueline Easley

26 Phil Engelke / PB
27 Phil Engelke

28
29 ATTEST:

30
31 Marsha S. McLaughlin
32 Marsha S. McLaughlin, Executive Secretary