LAND DESIGN & DEVELOPMENT,	*	**BEFORE THE**
PETITIONER	*	**PLANNING BOARD OF**
ZRA 111	*	**HOWARD COUNTY, MARYLAND**

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MOTION: ***To recommend denial of ZRA 111 in accordance with the Department of Planning and Zoning recommendation.***

ACTION: ***Recommended Denial; Vote 4 to 0.***

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On October 23, 2008, the Planning Board of Howard County, Maryland, considered the petition of Land Design & Development for an amendment to the Zoning Regulations to amend Section 128.L.3. concerning Density Exchange for Neighborhood Preservation Parcels to add a new provision whereby residential development rights derived from Neighborhood Preservation Sending Parcels may be received as bonus density for Conditional Use Age-restricted Adult Housing developments, and to amend Section 131.N.1.a.(3) concerning the maximum density in Conditional Use Age-restricted Adult Housing developments to add a new provision whereby except in the RR and RC districts, an Age-restricted Adult Housing development may be developed as a receiving parcel in association with Neighborhood Preservation Parcel Sending Parcels at a bonus of up to 30% more dwelling units than would be achieved based on the Section 131.N.1.a.(3) density chart.

The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation, and the comments of reviewing agencies, were presented to the Board for its consideration. The Department of Planning and Zoning recommended denial of the petition based on findings that the current density bonuses for Age-restricted Adult Housing are appropriate, and should not be further increased.

The Petitioner was represented by Sang Oh. Mr. Oh stated that the result of the Neighborhood Preservation Parcel amendments in ZRA 95 were that there are owners of many properties that would like to send density, but there are few owners who have an interest in, or are eligible for receiving any density. He explained that the Petitioner believes another viable option for receiving density is in Age-restricted Adult Housing developments.

Grace Kobofchik testified that the League of Women Voters opposes ZRA 111, because it would apply to too many potential zoning districts, and that it could increase densities to too great a level in established neighborhoods. She noted that petitioner had the opportunity to request an increase in density for this purpose during the hearing process for ZRA 95 which was recently enacted. As such, the potential increase in density for this type of conditional use in combination with ZRA 95 could mean a 40% increase in density for a receiving parcel. She concluded that it would be more prudent to allow the Neighborhood

Preservation Parcel amendments of ZRA 95 to operate for a while before making any major changes like this.

Joan Lancos stated that the petition did not make sense since age-restricted housing already receives a 10% density bonus. Ms. Lancos also noted that an increased density for this conditional use would only move a density problem from one district to another.

Bridget Mugane testified that the Howard County Citizens Association opposes ZRA 111 and agrees with the Department of Planning and Zoning recommendation for denial. She said that the current density limits allowable for Age-restricted Adult Housing developments are sufficient.

The Board members unanimously agreed that there was insufficient time or information to evaluate or judge whether this type of regulation was needed to ensure full implementation or success of ZRA 95. Petitioner's proposal did not present any compelling reasons to justify the significant increase in density for a conditional use category that already receives a density bonus. Accordingly, and for the reasons clearly stated in the Technical Staff Report, the Board fully support's DPZ's recommendation of denial.

Mr. Yelder made the motion to recommend denial of the petition in accordance with the Department of Planning and Zoning recommendation of denial. Mr. Rosenbaum seconded the motion. The motion passed by a vote of 4 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 26th day of January, 2009 recommends that ZRA 111, as described above, be **DENIED**.

HOWARD COUNTY PLANNING BOARD

David Grabowski, Chairman

Gary Rosenbaum, Vice-Chair

ABSENT

Linda A. Dombrowski

Tammy J. Citara

Paul Yelder

ATTEST:

Marsha S. McLaughlin, Executive Secretary