



Howard County Citizens Association

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The Voice Of The People of Howard County

HCCA testimony before the Howard County Council: February 19, 2013

Re: CB6-2013, (ZRA 143)

HCCA continues to have issues with ZRA's, and especially this one coming in right before the start of comprehensive rezoning. If there are sweeping adjustments that are requested, then comprehensive is where they need to be made-or perhaps by requesting a variance. On the other hand, if the adjustment is an area that wasn't addressed by the initial zoning category, then submitting a ZRA is an appropriate way to handle the needed change. In this case, it is appropriate for a ZRA to allow a change to address how to deal with existing commercial units-it is in keeping with the original vision of TNC and the issue wasn't really addressed originally. However, other areas were addressed and it seems that the developer wants to change them for the whole zoning category just to make it easier for his development.

We have several concerns.

1. The term amusement facilities still has not been defined. This concern was noted in the Planning Board recommendation. As was noted in prior testimony, folks can have varying opinions as to what would constitute an amusement facility for them. It would be good to have an agreed upon definition now, before this use is added, so that there are no misunderstandings in the future.
2. We would ask that the height limit for structures remain at 55 ft. In DPZ's technical staff report for the Planning Board they didn't see the need for the increased height. We feel that the increased height would really stand out in that area-especially as the property is near the top of the hill and that this request to increase the height limit is not beneficial.
3. **SECTION 127.6:F.3.d** allows for the existing commercial properties to satisfy the commercial construction requirement. We are ok with that change in theory. However, there seems to be no provision that the existing commercial properties be renovated as was envisioned by the original zoning. We would ask that some requirement for the redevelopment of the existing commercial properties be inserted. Suggested language follows (our addition is **bolded**):
 - 1 d. The phasing of residential and commercial construction should be roughly
 - 2 proportional. No more than 50% of the residential units shall be constructed
 - 3 prior to commencing the proportional amount of commercial construction **or renovation.**
 - 4 **THIS REQUIREMENT MAY BE SATISFIED BY THE CONTINUING PRESENCE OF A**
 - 5 **PROPORTIONAL AMOUNT OF EXISTING COMMERCIAL DEVELOPMENT THAT IS**
 - 6 **INTENDED TO REMAIN AS PART OF THE DEVELOPMENT PROJECT, as long as all the**
existing commercial development undergoes renovation.
4. Finally, the developer requests to opt out of the MIHU units (In **SECTION 127.6:F.3.e**) if it is determined that the need for moderate income housing units in the surrounding neighborhood is reasonably satisfied. First, there are no criteria specified for how this would be done-how is need defined, what does "reasonably satisfied" mean. And secondly, we think that it is important that all new high density developments provide MIHU units as they are most likely to be built where there is public transportation and where it is walkable to needed facilities. We would ask that this poorly written modification to the MIHU provision be deleted and that the developer just be required to provide the MIHU units on site.

Cathy Hudson, President
Howard County Citizens Association