

Date: February 17, 2036
Subject: **HCCA Testimony – CB 14 ZRA-214**
Position: Opposed

My name is Alan Schneider. I am approved to testify for Howard County Citizens Association (HCCA). I live in Clarksville, Maryland. My council representative is David Yungmann, District 5.

HCCA does not oppose building apartments. However, building apartments on one parcel which would re-regulate numerous land use regulations throughout the county requires a process different than CB approval of a ZRA application. Creating a new Conditional Use category that applies to the seven zones proposed by the ZRA Applicant, or the five zones recommended by the Planning Board, requires a more comprehensive review, analysis and approval process. Examples of a more comprehensive analysis are the overdue Comprehensive Zoning, and the Clarion planning/development/zoning regulation assessment 10 years ago. (See details below.)

Determinative are the “Related Documents”, including the ZRA 214 Application, the ZRA 214 Technical Staff Report, and the Planning Board Recommendations, referenced below. For example, in the Planning Board recommendation “DPZ staff indicated that there would have to be an in-depth analysis to verify if there were any impacted parcels with those districts.” p.2, lines 31-32. Also, a Board inquiry regarding including a 20% MIHU requirement was not included as an amendment to Petitioner’s proposed new “Conditional Uses and Permissible Zoning Districts”.

In summary, it is outside the scope of required good planning for a “one off” approval for a single parcel that would enact a new Conditional Use category with different rules in five or more other county land use zones, as described in Attachment C of the TSR.

It fits planning standards to include Petitioner’s zoning changes in the long delayed and overdue Comprehensive Zoning process. The ZRA under consideration affects multiple properties and land use zones without a comprehensive hearing process. Petitioner asserts that the Conditional Use process is satisfactory. However, deference to a Conditional Use hearing on the 57 or more other affected parcels would be detrimental to communities, developers and the county. The Conditional Use process is more time consuming for developers, the county, and limits community input. It limits testimony by restricting testimony and by using standing rules to exclude testimony from individuals living more than 200 feet or yards away. Approval of this CB14-ZRA could result in 57 Conditional Use hearings before the Board of Appeals. That possibility is not included in the Fiscal Analysis.

Significant Impacts are unknown. The actual number of affected parcels could be greater than the 57 identified in the TSR. The scope and breadth are lacking without more information which would be included in countywide input in the overdue Comprehensive Rezoning process. Also consider that there may be a lack of compliance with State law.

- a. The TSR identifies 57 affected parcels throughout Howard County. There could be more.

- i. The Applicant did not identify the number of parcels, other than to minimize the number by stating in its application that “Petitioner does not have the resources available to indicate whether this would affect more than 12 parcels, but believe the number of parcels would be small in number.” Page 2, paragraph 4 of the Application.
 - b. See Attachment B from the TSR identifying “Number of eligible parcels: 57.
 - i. Attachment B also identifies various locations throughout Howard County.
 - c. See Attachment A from the Technical Staff Report which identifies the location and vicinity of the Applicant’s parcel.
2. Petitioner’s Application conflicts with Howard County’s process for Comprehensive Zoning at 10 year intervals, and State law requirements for 10 year Comprehensive Zoning intervals.
 - a. Petitioner’s application proposes changes to 7 land use zones.
 - b. Petitioner’s application proposes a new zoning subcategory, “Age-Restricted Adult Apartments, Commercial Transition”. This is a new category which should be reviewed and enacted in accordance with the County’s comprehensive procedures.
 - c. The County’s last Comprehensive Procedure is documented in CB32-2013, which is more than 10 years ago. I understand that Comprehensive Zoning was postponed until this year. Please take action to initiate Comprehensive Zoning.
 - d. Applicant’s request should be included in Comprehensive Zoning; it impacts many county land use zones, and creates a new category which could be claimed by ZRA proponents that approval of this ZRA is binding precedent in additional zones.
3. There is no reason and no need to approve Petitioner’s ZRA ahead of Comprehensive Zoning because:
 - i. Petitioner’s Representative Tom Coale stated that “the purpose of the ZRA is to utilize the site for future ARAH apartment housing”. (emphasis supplied) Planning Board Recommendation, p.2 lines 1-2.
 - ii. DPZ confirmed that “there aren’t any proposed plans under review currently”. ID p.3, line 11.
4. Maryland law requires county comprehensive plans to incorporate **Maryland’s Twelve Visions of Smart Growth**, which focus on sustainability, environmental protection, and concentrated development. (Maryland Department of Planning.)
 - a. The 10 year Comprehensive Plan is a long-range policy document that guides future growth, development and resource protection. (Maryland Department of Planning.)
 - b. The Comprehensive Plan must align with local goals and state goals.
 - c. Comprehensive evaluation would include water, sewage, watersheds, transportation, hospital capacity, community services, and location of increased population density.
 - d. The DPZ Technical Staff Report’s conclusion is fundamentally incomplete in concluding that the ZRA is “supported by policies in HoCo by Design”. It is fundamentally incomplete because it does not evaluate alignment with more than one or two of the policies in HoCo by Design.
 - e. Petitioner’s ZRA application proposes changes to seven zones and creates a new category immediately before Comprehensive Zoning should begin. New categories are part of Comprehensive Zoning.

5. Howard County hired Clarion for an extensive, and not yet implemented, zoning review. Information is available at the County web site: <https://www.howardcountymd.gov/planning-zoning/development-regulation-assessment>.

“The Department of Planning and Zoning retained Clarion Associates, a national land use firm, to assess the current zoning and land development regulations. The Assessment focused on public outreach with citizens and stakeholders to discuss strengths and weaknesses of the current land development regulations and recommendations for improvement.

“The process began in 2016, during which nearly 500 residents and stakeholders participated in more than 40 meetings to discuss what should be improved in the existing regulations. This outreach and an online survey resulted in more than 700 comments. The Assessment, all comments, a synopsis of comments, and survey results are linked below.

6. Petitioner’s Application exaggerates beneficial results, and lacks comparative evaluation.
 - a. In response to questions at the Planning Board hearing on November 20th, Tom Coale disagreed with increasing MIHU’s to 20%. Planning Board, Page 2, lines 6-7. .
 - b. Tom Coale states that “this ZRA will assist” housing for the growing number of elderly in Howard County. However, no analysis is provided, such as requirements or incentives for smaller housing units, requirements for a higher percentage of ADA compliance, incorporation of improved building standards to protect against more frequent severe weather events, assistance with ownership financing, or other specific benefits.
 - c. Approval does not remedy a “housing shortage” if there is no proposed plan.
 - d. There are no incentives for lower cost housing.
 - e. Approval does not remedy infrastructure issues if there are no criteria for DPZ approval based on evaluation of alternative locations, and evaluating density, water, sewer, transportation, roads, watershed, community input, and community services.
7. What would more likely help? Howard County Council could do better in updating laws benefitting residents and builders.
 - a. Standardize and reduce permitting and inspection requirements.
 - b. Update building standards in consideration of changing weather and aging.
 - i. Require ADA compliance so it does not cost aging adults \$\$\$ remodeling.
 - ii. Incentivize building smaller units.
 - iii. Incentivize industrial agriculture; building with new agricultural products.
 - iv. Approve pre-built structures reducing costs and numerous inspections.
 - c. Clarify where increased density is permitted to eliminate uncertainty and costly disputes between developers and communities.
 - d. Give weight to community input. Enable community input from professionals who help achieve the promised goal of “enhancement of life in Howard County”.
 - e. Give community input the weigh that is equal to professionals who are paid for a one sided position.
 - f. Remove limiting testimony to only adjacent properties. Remove restrictions on standing for individuals to testify. This would conform with federal rules enabling more testimony on protecting the environment.
 - g. Enable more public participation earlier in the DPZ evaluation process and infrastructure requirements.

8. Problem. The identity of the ZRA Petitioner is procedurally defective.
 - a. Page 1 of the Zoning Regulation Amendment Petition identifies the Petitioner as Woo Yong Jung “Sole Owner”.
 - b. The second line to the Petition states “Trading as Yale Presbyterian Church, Inc.”
 - c. No names are listed of any officers or owners of Yale Presbyterian Church, Inc. Unknown is the true Petitioner. Is the Church the Petitioner, or is the Petitioner Woo Yong Jung the “Sole Owner”?
 - d. The church is “not affiliated with a National, Regional, or Geographic grouping or organizations.” <https://www.orgcouncil.com/ein522209335>. The relationship is unknown.
9. If the Petitioner is “Yale Presbyterian Church, Inc.” then other officers and owners of the Corporation should be identified. The ZRA is defective if all have not signed affidavits “as to contributions to candidates and business engagements with elected officials.”
 - a. The required Affidavit attached to the Petition is signed by Woo Yong Jung as “Senior Pastor of Yale Presbyterian Church, Inc.”
 - b. It is unclear whether Woo Yong Jung is the Petitioner as “sole owner” or whether it is the incorporated church.
10. Financial Impact: What is the potential financial impact of CB14 (ZRA-214) on all 8 acre properties owned by any entity that is adjacent to “commercial property”. The financial impact on Howard County resources has not been analyzed if there are numerous additional Conditional Use Board of Appeals hearings.
11. Zoning Change: What county body is authorized under the Charter and Code to create a new “Age Restricted Adult Housing Apartments, Commercial Transition” zone. Is any 8 acre property adjacent to any commercial property affected by enactment of CB14 (ZRA-214)
12. Editorial correction to the November 20, 2025 Planning Board Recommendation. Is it Mr. or Ms. Taylor on page 1, lines 21 and 23?

Conclusion: Approval of CB14 (ZRA 214) is fundamentally unsupportable. The Petitioner’s ZRA request bypasses the applicable zoning process.

There is no emergency. It is too early. It is a proposal that should be included in Comprehensive Zoning and not independently granted in a ZRA. It should not be approved ahead of a comprehensive review of many interrelated land use planning issues as required by state law.

Respectfully,

s/Alan Schneider,
HCCA Board Member

My state representatives are Delegates Chao Wu and Natalie Zieglar and Senator Katie Hester.

HCCA’s mission is to bring people together. Its mission statement is on its website. <https://howardcountyhcca.org/> HCCA’s application for joining or renewing HCCA membership is on its website.