



Marsha S. McLaughlin, Director

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February 13, 2008

TECHNICAL STAFF REPORT

*Petition Accepted on January 30, 2008
Planning Board Meeting of February 28, 2008
County Council Hearing to be scheduled*

Case No./Petitioner: ZRA-96 – Marsha S. McLaughlin, Director, Department of Planning and Zoning

Request: Amendments to Section 108.D of the R-20 District Bulk Regulations and to amend Section 109.D. of the R-12 District regulations establishing new special bulk requirements for density and for minimum lot size applicable to Neighborhood Infill Subdivisions and Neighborhood Infill Resubdivisions, which are new subdivision and resubdivision requirements for infill development concurrently being added to the Subdivision and Land Development Regulations.

Department of Planning and Zoning Recommendation:

APPROVAL

I. DESCRIPTION OF PROPOSAL

- The Department of Planning and Zoning has prepared a significant amendment proposal to the Subdivision and Land Development Regulations in order to establish much needed requirements that would be applicable to subdivision and resubdivision infill development of ten or fewer lots within R-20 and R-12 District neighborhoods.
- In association with that more complex proposal, it is also necessary to add two minor amendments to the bulk regulation sections of the R-20 and R-12 Districts, in order to establish the density requirements for such neighborhood infill developments to be based on net acres, and to set the minimum lot sizes. Unlike standard subdivisions, these lots would not be eligible for a reduced lot size based on the provision of additional open space.
- The subsections proposed to be added and the amendment text is as follows (CAPITALS indicates text to be added):
 1. R-20 District - § 108.D.5.
 5. SPECIAL REQUIREMENTS FOR NEIGHBORHOOD INFILL SUBDIVISIONS OR RESUBDIVISIONS:
 - A. DENSITY..... 2 DWELLING UNITS PER NET ACRE
 - B. MINIMUM LOT SIZE..... 20,000 SQUARE FEET

I. DESCRIPTION OF PROPOSAL (continued)

2. R-12 District - § 109.D.5.

5. SPECIAL REQUIREMENTS FOR NEIGHBORHOOD INFILL SUBDIVISIONS OR RESUBDIVISIONS:

A. DENSITY..... 3 DWELLING UNITS PER NET ACRE

B. MINIMUM LOT SIZE..... 12,000 SQUARE FEET

II. EXISTING REGULATIONS

- The existing regulations for both the R-20 and R-12 Districts do not have maximum density requirements for any type of subdivision or resubdivision. There are minimum lot sizes for both districts, but the regulations have long allowed reductions in the baseline minimum lot size if certain percentages of additional open space is provided, or as often is the case for smaller subdivisions the open space requirement is met with a fee in-lieu of an actual provision of land.
- In most other zoning districts, development potential is based on net acreage, after floodplains and steep slopes are deducted. Using this approach for neighborhood infill development will ensure that development potential better reflects environmental constraints.
- A principal goal of managing infill development in established single-family detached residential neighborhoods is to preserve the overall character of the neighborhood to the greatest extent possible. The proposed Zoning Regulation amendments, in association with the other proposed changes to the Subdivision and Land Development Regulations, will better ensure that the number of lots in an infill development, and the size of those lots, will be compatible with the surrounding neighborhood.

III. BACKGROUND INFORMATION

A. Scope of Proposed Amendments

- The amendments would only apply to properties in the R-20 and R-12 Districts that would meet the definition for "Neighborhood Infill" being proposed as part of the proposed amendments to the Subdivision and Land Development Regulations, and are able to be subdivided or resubdivided.

This would mean that the subdivision or resubdivision of the property would have to involve ten or fewer lots, the property would have to be within or surrounded by recorded subdivisions, and these recorded subdivisions would have to be of lots 20,000 square feet or greater in the R-20 District, or 12,000 square feet or greater in the R-12 District that are improved with existing single-family detached dwellings.

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III. BACKGROUND INFORMATION (continued)

B. Agency Comments

■ The following agencies had no objections to the proposal:

- 1. Department of Recreation & Parks
- 2. Department of Inspections, Licenses and Permits

No comments were received to date from the following agencies:

- 1. Bureau of Environmental Health
- 2. Department of Fire and Rescue Services

IV. EVALUATIONS AND CONCLUSIONS

A. Relation to the General Plan

■ The proposed amendments are in full harmony with the Community Conservation and Enhancement Policy No. 5.7 to "Ensure infill development will be compatible with existing neighborhoods."

In conjunction with the related proposed amendments to the Subdivision and Land Development Regulations, these two amendments to the Zoning Regulations accomplish the Relationship to Adjacent Neighborhoods goal by amending the regulations for the purpose of achieving this compatibility.

B. Relation to the Zoning Regulations

■ The amendments further the Legislative Intent of the Zoning Regulations to "...protect the character, the social and economic stability of all parts of the County; to guide the orderly growth and development of the County, and to protect and conserve the value of land and structures appropriate to the various land use classes established by the General Plan for Howard County...".

V. RECOMMENDATION APPROVAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-96 be APPROVED.


2/13/08

 Marsha S. McLaughlin, Director Date

MM/JRL/jrl

NOTE: The file on this case is available for review at the Public Service Counter in the Department of Planning and Zoning.