



June 24, 2021

### TECHNICAL STAFF REPORT

*Planning Board Meeting of July 8, 2021*

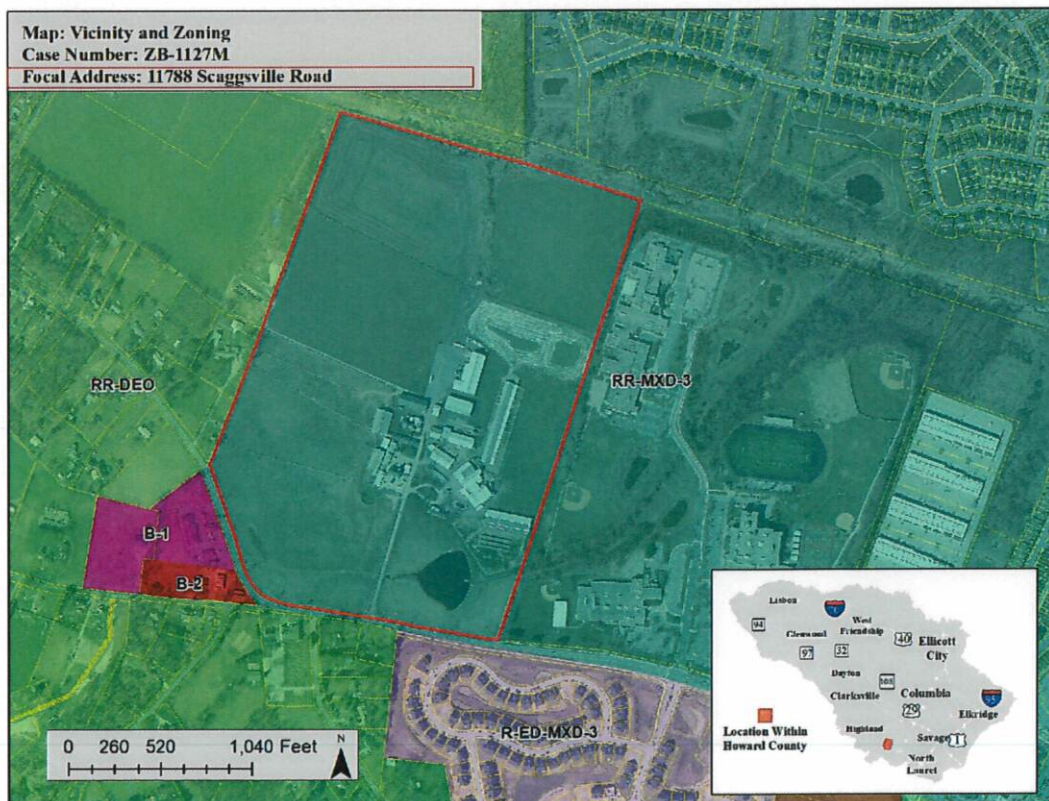
**Case No./Petitioner:** ZB 1127M – G & R Maple Lawn, LLC

**Request:** To amend the Maple Lawn Farms Preliminary Development Plan as follows:

1. Increase the maximum overall residential density from 2.2 dwelling units per gross acre to 3.0 and the maximum density for Single Family Detached areas from 2.8 dwelling units per gross acre to 4.3;
2. Change the land use designation of the Maple Lawn West District from Single Family Detached to Other Residential;
3. Increase the permitted dwellings units on the Maple Lawn West District to 157 single family detached dwellings, 148 single family attached dwellings, and 200 apartment dwellings; and
4. Adjust the number of dwellings/acres in each land use category and decrease the square footage allowed in retail centers from 181,590 to 181,380.

**Location:** 11788 Scaggsville Road; Tax Map 41, Parcel 330 (“the Property”)

**Area of Site:** 109.6 acres                      **Current Zoning:** RR-MXD-3



**I. DESCRIPTION OF PROPOSAL**

The Petitioner proposes to amend the Maple Lawn Preliminary Development Plan (approved through ZB995M and amended through ZB1039M) to add 125 single family detached dwellings, 148 single family attached dwellings, and 200 apartment dwellings to the final phase (Maple Lawn West), which is currently approved for 32 single family detached dwellings. As shown in the petitioner’s phasing plan (Exhibit 4), the dwellings will be constructed in phases as follows:

- Phase 1 (2026) - 32 single family detached dwellings
- Phase 2 (2027) - 200 apartment dwellings
- Phase 3 (2028) - 37 single family detached dwellings / 61 single family attached dwellings
- Phase 4 (2029) - 22 single family detached dwellings / 71 single family attached dwellings
- Phase 5 (2030) - 66 single family detached dwellings / 16 single family attached dwellings

Vehicular access for Phase 1 is proposed through the Maple Lawn Garden District to the north via an extension of Federal Street. Access for the remaining phases is proposed via an access road that connects with MD-216 in Phase 2.

The Petitioner is proposing to change the land use designation on the Preliminary Development Plan for Maple Lawn West from Single Family Detached to Other Residential to allow single family attached dwellings and apartments. The additional 473 dwellings units will increase the maximum overall residential density from 2.2 dwelling units per gross acre to 3.0 and the maximum single family detached density from 2.8 dwelling units per gross acre to 4.3. The acreage of each land use category and the number of dwellings are proposed to be amended as follows:

Land Use	Current Acres	Proposed Acres	Current %	Proposed %
Single Family – Detached	192.6	161.6	31.8	26.7
Other Residential	73.6	99.7	12.2	16.5
Employment	122	122	20.2	20.2
Open Space	217.1	221.3	35.8	36.6
Total	605.3	604.6	100	100

Residential Land Use	Current Units	Proposed Units	Current %	Proposed %
Single Family – Detached	507	663	37.8	36.5
Single Family Attached	623	766	46.5	42.3
Apartments	210	384	15.7	21.2
Total	1,340	1,813	100	100

The Petitioner is also proposing a reduction of the total acreage from 605.3 to 604.6 resulting from a recent boundary survey. This correction also results in a reduction of the permitted square footage of retail centers, which is based on 300 s.f. per gross acre, from 181,590 square feet to 181,380.

**II. ZONING HISTORY**

- A. The properties that comprise the Maple Lawn Preliminary Development Plan were zoned R-40 in the 1961 Comprehensive Zoning Plan. The properties were rezoned to R (Rural) during 1977 Comprehensive Zoning Plan, which remained until the 2004 Comprehensive Zoning Plan when the properties were rezoned to the current RR-MXD-3.

**B. Subject Site – Case History**

1. Case No. ZB995M  
Petitioner: G&R Maple Lawn  
Request: Preliminary Development Plan for 507.9 acres consisting of 485 SFD, 395 SFA, 236 apartments, and a maximum of 1,175,460 square feet of employment including 152,370 square feet in retail centers.  
Action: Granted, December 29, 2000
  
2. Case No. ZB1039M  
Petitioner: G&R Maple Lawn  
Request: To amend the PDP to:
  1. Increase the total land area by 97.4 acres to 605.3 acre by adding two properties. The 97.4 acres consists of 19 acres of residential, 44.1 acres of employment, and 34.3 acres of open space;
  2. Increase the number of permitted dwellings from 1,116 to 1,340 (485 SFD, 619 SFA, and 236 apartments)
  3. Increase the square footage of employment from 1,175,460 to 1,860,012 including an increase of 29,220 square feet of retail and 655,332 square feet of office.Action: Granted, March 20, 2006

**III. BACKGROUND INFORMATION**

**A. Site Description**

The 109.6-acre property is currently used as an agricultural operation and consists of a house, several barns, and multiple accessory buildings. The Property rises from an elevation of 410 feet along the north property to 470 feet along the west property line. A pond and wetland area are located in the southeast corner.

**B. Vicinal Properties**

Direction	Zoning	Land Use
North	RR-DEO/RR-MXD-3	Single-Family Residential
South	RR-DEO/RR-MXD-3	Single-Family Residential / Church
East	RR-MXD-3	Public Schools
West	RR-DEO/B-1/B-2	Single-Family Residential/ Farm / Commercial

**C. Roads**

MD-216 consists of two lanes within a variable width right-of-way and the speed limit is 35 mph. Federal Street is a two-lane local street and the speed limit is 25 mph.

The Annual Average Daily Traffic (AADT) on MD-216 was 24,761 in 2019. Traffic Count data is not available for Federal Street.

**D. Water and Sewer Service**

The Property is in the Planned Service Area for water and sewer, but is not located in the Metropolitan District.

The Property will be served by public water and sewer.

**E. General Plan**

The Property is designated Growth and Revitalization on the Designated Place Types Map of PlanHoward 2030.

MD-216 is a Minor Arterial.

**F. Subdivision Review Committee**

As required by Section 127.D.4. of the Zoning Regulations, the Preliminary Development Plan and Criteria were evaluated by the various agencies comprising the Subdivision Review Committee ("SRC").

The comments of SRC agencies are attached.

**IV. EVALUATIONS AND CONCLUSIONS**

**A. Details of the Mixed Use Development and evaluation based on the Section 127.0.C, requirements for Mixed Use Developments**

**1. All Mixed Use Developments are required to be served by public water and public sewer.**

The Property is in the Planned Service Area and will be served by public water and sewer.

**2. Minimum Area of Preliminary Development Plan**

**a. The first Preliminary Development Plan approved for an MXD District must encompass at least 40% of the area of all contiguous MXD-zoned parcels or at least 25 acres, whichever is greater. Subsequent Preliminary Development Plans by a different petitioner for the same MXD District must encompass at least 25 acres. A petition to amend the plan for an existing Mixed Use Development may add areas of any size to the Mixed Use Development.**

This section does not apply, since the Petitioner is not proposing to add areas to the Preliminary Development Plan.

**b. Where there are two or more contiguous MXD-zoned lots or parcels under single ownership, the Preliminary Development Plan shall include the petitioner's entire contiguous acreage.**

The boundary of the PDP is not changing from what was approved in ZB1039M and includes all contiguous properties owned by the Petitioner.

**3. Proportions of Uses**

- a. The Mixed Use Development shall provide the following minimum proportions of land uses:**

<i>Land Use</i>	<b>Minimum % of Gross Area of Mixed Use Development</b>
Open Space	35%
Residential	20%
Employment	15%

The proposed land use proportions are as follows:

<i>Land Use</i>	<b>Minimum % of Gross Area of Mixed Use Development</b>
Open Space	36.6%
Residential	43.2%
Employment	20.2%

- b. Areas of a Mixed Use Development in which residential and employment uses are mixed within a single site or building may be used to satisfy the minimum percentage requirements, based on the projected proportions of building area (e.g., if 30% of the floor area of buildings will be devoted to residential use, then 30% of the site acreage shall be applied to residential land use acreage.)**

This criterion does not apply, since no residential and employment uses are mixed within a single site or building.

- c. The first Mixed Use Development approved within an MXD District shall include at least one focal point which shall have an integrated mix of land uses. The focal points may include land uses such as office and/or residential buildings, retail stores and services, civic or public uses, open space, including features such as plazas, squares, or other useable landscaped areas. Subsequent Mixed Use Developments within the same MXD District are not required to have a focal point, however, the land-use mix for all MXD Developments must cumulatively meet the requirements of Section 127.0.C.3.a.**

The focal point, a retail center, is located in the Midtown District and was approved on the original PDP in ZB995M. As shown above, the land use mix complies with Section 127.0.C.3.a.

- d. The Preliminary Development Plan for a Mixed Use Development shall include a staging plan establishing the timing or sequence of development. The staging plan shall establish the earliest reasonable time frame for the recordation of subdivision plats for a proportionate mix of land uses. Staging should take into consideration: extension of**

**water and sewer service; efficient use of road network capacity; and the market for residential and employment uses.**

The Petitioner submitted a staging plan (Exhibit 4) depicting construction of the development between 2026 and 2030 as shown below:

- Phase 1 (2026) - 32 SFD
- Phase 2 (2027) - 200 apartment dwellings
- Phase 3 (2028) - 37 SFD / 61 SFA
- Phase 4 (2029) - 22 SFD / 71 SFA
- Phase 5 (2030) - 66 SFD / 16 SFA

The Department of Public Works (DPW) reviewed the proposal and indicated that the two water pumping station associated with this project have adequate capacity until 2045 and that developer provided water pipelines for conveyance will be adequate to support additional capacity demand. Water storage capacity is also adequate to meet the demands at the Fulton water tank.

DPW also evaluated sewage (wastewater) capacity and noted that while the Hammond Branch Interceptor has adequate capacity to 2040, the collector sewer that services that Branch must be evaluated to determine if unused capacity exists to accommodate the sewage flow from the project site(s).

Finally, the project is part of the Little Patuxent Water Reclamation Plant (LPWRP) service area. The LPWRP has capacity for 29 million gallons per day (MGD) is currently projected to increase to 23.9 MGD by the Year 2045 for the existing PSA. The additional of these 505 units will increase those project flows to 24.1 MGD. DPW notes that MDE requires the County to begin reporting and managing the wastewater treatment capacity in the LPWRP service when flows reach 23.2. (see comments attached for additional information).

Phase one includes 32 single family detached dwellings that will be developed in the northern portion of the site. Access to these homes will be provided through the extension of Federal Street within Maple Lawn Garden District across the Hammond Branch. Phase two includes two apartment buildings with 200 units. The Development Engineering Division reviewed the proposal and commented "The 200 units along with the 32 single family homes will generate approximately 1000 average daily trips (ADT), which requires a second means of public access. Phase two includes the construction of the boulevard access and traffic circle within MD 216 at Lime Kiln Road. These road improvements to MD 216 should occur prior to occupancy of the apartment buildings so that a second public access is available for emergency access."

MDOT SHA reviewed the PDP/Traffic Study and does not object to the Maple Lawn West conceptual development proposal which changes access and road configuration on MD 216. As design moves forward, MDOT SHA requests the developer update the TIS based on the attached comments and provide additional studies/plans which correspond with the phased approach of development. Ultimately, MDOT SHA will issue an access permit(s) to

construct any and all necessary improvements within MDOT SHA and those improvements may or may not match what is currently shown on the current conceptual development proposal.

The proposal is for residential land uses only. All approved employment land use area has been constructed; therefore, an evaluation of the staging of commercial vs. residential development is not applicable.

**The staging plan shall allow no more than 50% of the acreage designated for residential land use to be recorded prior to commencing plat recordation for employment areas. After plats have been recorded for half of the designated residential acreage, each succeeding stage of development must make substantial progress toward recording the approved mix of land uses.**

This criterion does not apply, since the development does not include employment areas and the entire approved employment area has been constructed.

- e. **Recorded open space parcels must always constitute at least 35% of the total recorded land within a Mixed Use Development. At least 10% of the gross open space shall be usable for active recreation facilities. Active recreation facility includes but is not limited to ball fields, indoor sports facilities, play meadows, tot lots, and pedestrian, biking pathway system.**

The land area of recorded open space parcels will increase from 217.1 acres to 221.0 acres and increase from 35.8% to 36.6% of the development. The petition indicates that at least 10% of the gross open space acreage will be useable for active recreation facilities including a pool complex, community parks, and indoor recreation center, and tennis/pickleball courts.

#### 4. Permitted Uses

The Petitioner is proposing single family detached, single family attached, apartments, and open space which are permitted uses in the MXD-3 zoning district.

#### 5. Accessory Uses

**Unless different accessory uses are indicated in the Preliminary Development Criteria, accessory uses shall be as follows.**

- a. **The accessory use provisions of Section 109.0 (the R-12 District) shall be applicable to all residential uses in the MXD-3 and MXD-6 Districts.**

The Petition indicates that the accessory use provisions of Section 109.0 will apply to the residential uses.

- b. The accessory use provisions of Section 115.0 (the POR District) and Section 122.0 (the M-1 District) shall be applicable to all employment uses in the MXD-3 and MXD-6 Districts.**

The Petition indicates that the accessory use provisions of Section 115.0 will continue to apply to employment uses.

**6. Residential Density**

- a. The number of dwelling units permitted in MXD-3 shall be limited to 3.0 dwelling units per gross acre.**

The total acreage of land in the Maple Lawn Preliminary Development Plan is 604.6 acres. The Petitioner is proposing to increase the number of dwelling units from 1,340 to 1,813, which will increase the residential density from 2.2 dwelling units per gross acre to 3.0.

- b. Moderate Income Housing Units**

**At least 10% of the dwellings in each MXD development shall be Moderate Income Housing Units.**

The Petitioner will allocate 10% of the dwelling units as Moderate Income Housing Units.

- c. The number of apartment dwelling units allowed by a Preliminary Development Plan for a Mixed Use Development in an MXD-3 District shall be limited to no more than 30% of the total number of dwelling units allowed in the development.**

The proposed amendment increases the number of apartment dwellings to 384, which is 21.2% of the total 1,813 dwellings.

**7. Requirements for Employment Uses**

The Petitioner is not proposing changes to the requirements related to Employment Uses, except for the minor adjustment to the retail center square footage resulting from a recent boundary survey; therefore, this section does not apply.

- 8. Open space lots designated for public uses which require a building or buildings to accommodate the principal use shall constitute a maximum of 30% of the gross acreage of open space within the Mixed Use Development.**

The Petitioner is not proposing open space lots designated for public uses which require a building or buildings to accommodate the principal use; therefore, this criterion does not apply.



**9. Bulk Regulations**

**Requirements regarding setbacks, lot coverage, lot sizes, building heights and all other bulk regulations for the MXD District not established in this section shall be established by the Planning Board through approval of a Comprehensive Sketch Plan and Development Criteria, in addition to any requirements imposed by the Zoning Board in the Preliminary Development Plan and Preliminary Development Criteria.**

The Petitioner agrees to comply with this requirement.

**10. Other Requirements**

**The provisions of Section 128.0 (Supplementary Zoning District Regulations) and Section 133.0 (Off Street Parking and Loading Facilities) shall apply in the MXD-3 and MXD-6 Districts unless different requirements are specifically approved in the Comprehensive Sketch Plan and Development Criteria.**

The Petitioner indicates that the provisions of Sec. 128.0 and Sec. 133.0 will apply.

**B. Evaluation of the Petition Concerning Section 127.D.7, Criteria for Approval of Preliminary Development Plan**

**a. The plan and criteria will foster orderly growth, integration of uses, and development consistent with the purposes of the MXD District.**

The proposal is consistent with the MXD District's purpose to permit flexible and efficient use of large parcels that have a unified design and are characterized by availability of public facilities, including access to collector or arterial highways.

The Property is 109.6 acres and is proposed for 505 dwelling units, which equates to 4.6 dwellings per acre and is an efficient utilization of the land. The Property will have a unified design by incorporating Traditional Neighborhood Development concepts consisting of a diverse mix of housing, small pedestrian scaled blocks, an expansive open space network with passive and active recreation facilities. Additionally, as approved in the original Preliminary Development Plan, the development will connect to the overall Maple Lawn Development via Federal Street through the Maple Lawn Garden District. Furthermore, as identified in Section A, the proposal does not exceed the allowed residential density and complies with required land use mix.

The Property has access to MD-216, a Minor Arterial. The Petitioner proposes a phased development, as shown in Exhibit 4, with construction occurring from 2026 to 2030. The development will be required to comply with the Adequate Public Facilities Ordinance (APFO), which tests for school and road capacity, at the site development plan stage for each phase.

- b. The Mixed Use Development will be phased to conform to the phasing of road improvements that are needed to serve the proposed development, including improvements to road links, intersections and interchanges for both State and County roads.**

Phase one includes 32 single family detached dwellings that will be developed in the northern portion of the site. Access to these homes will be provided through the extension of Federal Street within Maple Lawn Garden District across the Hammond Branch. Phase two includes two apartment buildings with 200 units. The Development Engineering Division reviewed the proposal and commented “The 200 units along with the 32 single family homes will generate approximately 1000 average daily trips (ADT), which requires a second means of public access. Phase two includes the construction of the boulevard access and traffic circle within MD-216 at Lime Kiln Road. These road improvements to MD 216 should occur prior to occupancy of the apartment buildings so that a second public access is available for emergency access.”

MDOT SHA reviewed the PDP/Traffic Study and does not object to the Maple Lawn West conceptual development proposal which changes access and road configuration on MD-216. As design moves forward, MDOT SHA requests the developer update the TIS based on the attached comments and provide additional studies/plans which correspond with the phased approach of development. Ultimately, MDOT SHA will issue an access permit(s) to construct any and all necessary improvements within MDOT SHA and those improvements may or may not match what is currently shown on the current conceptual development proposal.

- c. The staging plan establishes the earliest reasonable time frame for development of the focal point and recordation of subdivision plats for a proportionate mix of land uses in accordance with Section 127.0.C.3.d.**

The focal point was provided in original Preliminary Development Plan and is not required in subsequent amendments.

As noted in Section A, the proposal only includes residential land uses; therefore, an analysis for a proportionate mix of commercial/residential does not apply.

- d. The plan and criteria are consistent with all applicable environmental policies and requirements.**

As approved on the original Preliminary Development Plan, an extension of Federal Street into the development crosses a stream, wetlands, associated buffers, and floodplain. Additionally, an access road connecting to MD-216 is shown impacting a wetland and associated buffer on the southern portion of the Property. Grading, removal of vegetation cover/trees, and paving are not permitted in these environmentally sensitive areas. Any disturbance in these areas must conform to Sections 16.115 and 16.116 of the Subdivision and Land Development Regulations and will be evaluated in further detail at the plan submission state.

If the Petitioner’s request is approved, the Department encourages flexibility to allow for appropriate placement of the crossing and access road to balance safety with

minimizing impacts to sensitive environmental features. This evaluation will be done at the SDP stage.

- e. The minimum area, proportions of uses and the density or intensity of development will be consistent with the requirements of Section 127.0.C.**

As noted above in the evaluation of Section 127.0.C., the minimum area, proportions of uses and the density or intensity of development are consistent with the requirements in Sec. 127.0.C.

- f. The relative proportions of residential, employment, and open space uses will be appropriate to the area surrounding the MXD District.**

The proposed development consists of residential and open space uses, which are appropriate to the surrounding properties. The property to the east contains three public schools, the properties to the north consist of single family detached dwellings, a farm and single family detached dwellings are to the west, and a place of worship and single family detached homes are to the south.

The Petitioner is providing a transition in land uses by proposing single family attached dwellings in the center of the site and single family detached dwellings along the perimeter adjacent to existing single-family detached dwellings. The apartment building will be adjacent to the public school property. Additionally, open space area is provided along adjacent properties and MD-216 to serve as buffer and an additional transition.

- g. If required, the development will include at least one integrated focal point of sufficient size and variety of land uses to be a distinct focus for the community. A focal point is required only for the first Preliminary Development Plan within an MXD District.**

The focal point was provided in the first Preliminary Development Plan; therefore, this criterion does not apply.

- h. The location of land designated for retail centers is appropriate for retail and personal service uses which will serve the local neighborhood or community.**

The Petitioner is not proposing retail uses. The existing retail centers were approved through the first and second Preliminary Development Plans and built out.

- i. The development will provide a mix of housing types.**

The Petitioner is proposing a mix of housing consisting of 125 single family detached, 148 single family attached, and 200 apartments. Additionally, 10% of the dwelling units will be Moderate Income Housing Units.

- j. When feasible, public transit facilities and routes will be integrated into the development.**

Public transit facilities were approved through prior Preliminary Development Plans in the Midtown, Hillside, and Business Districts. The Petitioner is not proposing

public transit facilities or routes within the Maple Lawn West development. The Office of Transportation reviewed the petition and provided comments along with recommendations for plan revisions that are attached.

- k. The intensity and scale of land use, as determined by proposed densities, F.A.R. limits and other requirements, will be appropriate in relation to the environmental constraints of the site and the character of existing and planned development in the vicinity of the site.**

The environmental constraints consist of a pond and small wetland areas on the north and south portions of the Property. These areas will be protected and preserved within a large open space area, except for the proposed vehicular access connection to MD-216, which was contemplated in the original Preliminary Development Plan. These preserved areas will help protect these environmental features by providing a more substantial buffer than what is required in the Subdivision and Land Development Regulations.

The property to the east contains three public schools, the properties to the north consist of single family detached dwellings, a farm and single family detached dwellings are to the west, and a place of worship and single family detached homes are to the south.

The Petitioner is providing a transition in land uses by proposing single family attached dwellings in the center of the site and single family detached dwellings along the perimeter adjacent to existing single-family detached dwellings. While the overall density of the Property will be 4.6 dwelling units per acre, 200 of the dwelling units will be in apartment buildings located on a 5 acre site adjacent to the public school property. The remaining 104.6 acres will contain 305 dwelling units at a density of 2.91, which is below the 3-acre maximum in MXD. Additionally, open space area is provided along adjacent properties and MD-216 to serve as an additional transition.

- l. The development will be compatible with existing and planned vicinal land uses. One or more of the following methods may be used to ensure an appropriate relationship between the Mixed Use Development and surrounding land:**

- (1) Protection and enhancement of a natural feature on the boundary of the Mixed Use Development, such as a forest, wooded stream valley or grade change, to provide a natural edge to the Mixed Use Development.**

The environmental constraints on the boundary of the Property consist of a stream and wetland area along the north property line and small wetland areas on the south portions of the Property. These areas will be protected and preserved within a large open space area, except for the internal road which was contemplated in the original Preliminary Development Plan. The preserved areas will help protect these environmental features by providing a more substantial buffer than what is required in the Subdivision and Land Development Regulations.

- (2) Creation of open space to provide a transition or a connection between the Mixed-Use Development and adjacent land uses, including off-site open space areas.**

The proposed open space network connects to existing open space areas along the north property line, extends along the east property line, and abuts an open space area on the public-school site in the southeast corner of the Property.

- (3) Use of an existing or planned major road on the edge of the Mixed-Use Development as a separation between different uses.**

MD-216, a Minor Arterial, is located on the southern edge of the Property and separates the proposed developed from single family dwellings to the south.

- (4) Establishment of landscape design concepts applicable to the edges of the MXD District where specified types of land uses abut. Such standards may include the use of vegetation, berms, walls or fences.**

The current PDP requires a 50-foot open space buffer from residential communities. An open space network, consisting of vegetation, is provided along the edge of the proposed development.

- (5) Establishment of setback requirements, accompanied by landscape design standards, along the edges of the Mixed-Use Development where different land uses will meet.**

The Petitioner is not proposing new setback requirements or landscape design standards. Therefore, the requirements established on the current PDP will apply to the proposed development.

- (6) Control of the size of buildings along the edges of the Mixed-Use development through limits on building height, F.A.R. or other requirements.**

The Petitioner is not proposing new building size limitations. Therefore, the requirements established on the current PDP will apply to the proposed development.

- (7) Provision of a transition in land uses such that uses on the edge of the Mixed Use Development are similar to adjacent land uses outside the development.**

The property to the east contains three public schools, the properties to the north consist of single family detached dwellings, a farm and single family detached dwellings are to the west, and a place of worship and single family detached homes are to the south.

The Petitioner is providing a transition in land uses by proposing single family attached dwellings in the center of the site and single family detached dwellings along the perimeter where there are adjacent single-family detached dwellings.

The apartment building will be adjacent to the public school property. Additionally, open space area provided between the development and adjacent properties as an additional transition.

**m. The proposed major open space network will accomplish the following:**

- (1) Connect, wherever possible, to existing and planned open space adjoining the development.**

The proposed open space network abuts existing open space areas along the north property line, extends along the east property line, and abuts an open space area on the public school site in the southeast corner of the Property.

- (2) Protect major environmental features such as large forest stands or stream valleys; and**

The open space network preserves a significant area adjacent to the stream/wetland area north of the Property as well as the pond/wetlands areas on the southern portion of the Property. These preserved areas will help protect these environmental features by providing a more substantial buffer than what is required in the Subdivision and Land Development Regulations.

- (3) Provide adequate useable land in appropriate locations for parks or recreational facilities. The determination of compliance with this criterion shall be based on a finding that at least 10% of the gross open space shall be usable for active recreation facilities. Active recreation facility includes but is not limited to ball fields, indoor sports facilities, play meadows, tot lots, and pedestrian, biking pathway system.**

The Petition states that the open space areas will contain a pool complex, an indoor community recreational facility, community parks, and tennis or pickle ball courts. Compliance with the 10% minimum active recreation requirement will be reviewed at the site development plan stage.

- (4) Provide appropriate sites for needed public facilities such as schools and libraries.**

Howard County Public School System was the only County agency that provided comments about a potential need for public facilities- see HCPSS comments attached.

**n. The proposed development will provide housing and jobs within pedestrian access of each other.**

The proposed 505 dwelling units are less than one mile from the Maple Lawn Employment area, which can be accessed by a sidewalk on MD-216. Office of Transportation provided comments including suggestions for enhanced pedestrian connectivity.

**C. Relation to the General Plan**

The proposal is in harmony with the following *PlanHoward 2030* policies that encourage mixed-use, planned communities in the County's Targeted Growth Areas that provide a variety of housing options in walkable and connected neighborhoods, which are supported by adjacent retail, office and neighborhood schools.

The entire Maple Lawn community is located in the County's PSA boundary and is served by public water and sewer service. Implementing Action e to Policy 6.1 envisions the compact development that would be permitted by the proposed amendment by reducing "competition for land resources by promoting more compact development in appropriate targeted growth and revitalization areas." The County's growth policies support this PDP amendment for housing intensification in Maple Lawn as it directs higher density, compact housing to a Targeted Growth and Revitalization area.

Furthermore, all the land within the County's PSA is within the County's designated growth boundary and priority funding area (page 63). Policy 6.5 highlights the policy of planning "well designed, and complete communities and Implementing Action b states "designate appropriate additional areas within the County's Priority Funding Area for well-designed, compact development in order to accommodate future job and housing growth" (page 81). The proposal to continue to develop this portion of Maple Lawn in the same traditional neighborhood design as the rest of Maple Lawn supports *PlanHoward2030's* targeted growth policies.

The proposed development will be designed with a series of interconnected roads with open spaces and community facilities. The proposed development will also connect to the existing Maple Lawn Garden District via Federal Street, making Maple Lawn one cohesive community. Implementing Action d supports compact development and states "[E]ncourage compact development with adequate green spaces and connectivity within and between developments which provides residents with a high quality of life and allows residents to take advantage of the benefits of the compact development" (page 81). The petition to amend the PDP to provide additional compact housing that is connected to the rest of the Maple Lawn development is supported by Policy 6.5 in *PlanHoward 2030*.

In terms of housing, the variety of housing options are outlined in the proposed amendment and include a mix of single family detached homes, single family attached homes, multifamily units (apartments) and MIHUs. Policy 9.2 supports the expansion of "full spectrum housing for residents at diverse income levels and life stages, and for individuals with disabilities, by encouraging high quality, mixed income, multigenerational, well designed, and sustainable communities" (page 129). Implementation Action a supports a range of affordable housing options and states: "[C]ontinue to expand current options for full spectrum, affordable housing through affordable housing requirements". The petitioner is offering to construct ten percent of the units on the Subject Property as MIHUs. Furthermore, Implementation Action b

envisions diverse rental housing opportunities and supports working with developers to “provide increased full spectrum rental choice for all incomes, ages and abilities throughout Howard County, especially in areas designated for increased density and revitalization” (page 129). The proposed diverse residential types will result in a variety of lot sizes, housing types, and income diversity that furthers the original intention of the MXD-3 district and current General Plan.

**D. Fiscal Impact Analysis**

As required by Section 127.D.4 of the Zoning Regulations, the Department of Planning and Zoning conducted a fiscal impact analysis of the proposed tax revenue of the development to the cost to the County for providing public services and infrastructure. The analysis concluded that during the five-year construction phase of the 505 residential units, total average annual net revenues amount to more than \$3 million per year. This is due in large part to the one-time revenues collected at time of building permit. These one-time revenues include the road and school excise taxes and the transfer tax. Once the 5-year construction period of the 505 residential units is complete, annual net revenue amount to about \$1 million per year. For the total 20-year analysis timeframe, average annual net revenues amount to close to \$1.5 million. See attached Fiscal Impact of Maple Lawn Expansion Statement for additional information.

  
\_\_\_\_\_  
Amy Gowen, Director

6/24/21  
\_\_\_\_\_  
Date





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**From:** Geoff Goins, Chief, Division Zoning Administration and Public Service, DPZ

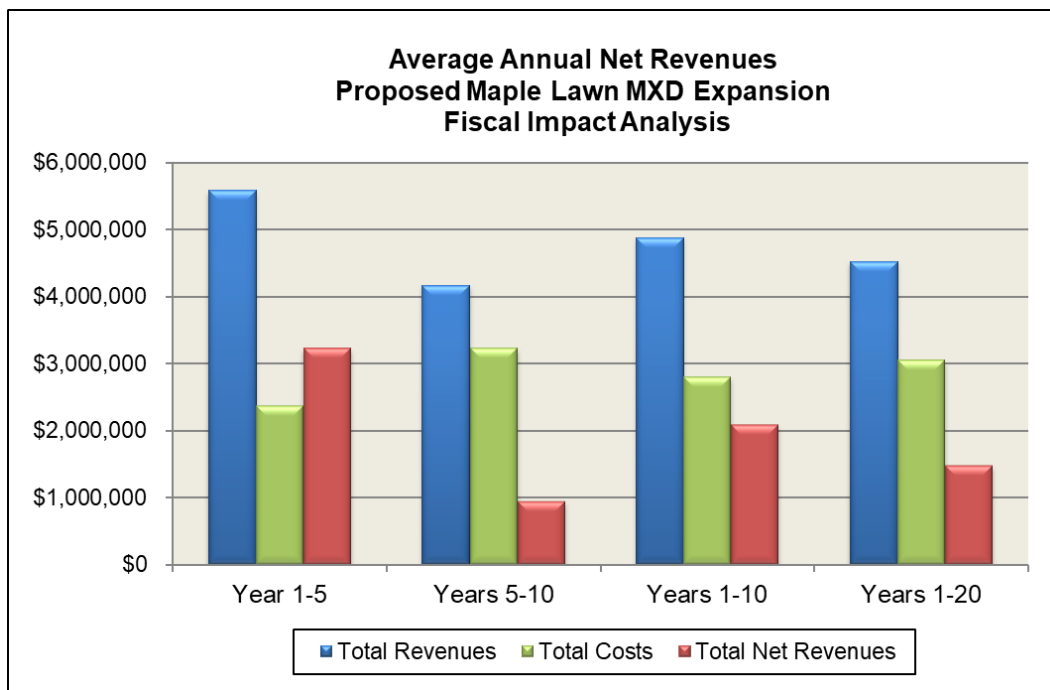
**To:** Jeff Bronow, Chief, Division of Research, DPZ

**Date:** May 24, 2021

**Subject:** Fiscal Impact Analysis for Maple Lawn MXD Zoning Amendment (ZB-1127M)

A fiscal impact analysis was conducted for the proposed expansion to Maple Lawn in southeast Howard County. The area of expansion will include a total of 505 residential units—157 single family detached units, 148 townhomes, and 200 rental apartments. DPZ recently updated its fiscal model based on the current adopted County budget and demographic values for use in the general plan update, *HoCo By Design*. All cost and revenue and level of service assumptions used in the fiscal model are described in this [report](#). This updated model was used for this analysis of the Maple Lawn expansion proposal as outlined in the applicant petition for ZB-1127M.

All operating and capital costs and revenues were determined for the 505 new residential units in the proposed Maple Lawn expansion. As indicated in the zoning petition, these units will be built over a five-year period. The fiscal results below show the costs and revenues during this five-year construction phase and for the following 15 years. The chart and table below summarize the 20-year fiscal results.



Howard County General Fund Net Revenues  
HOCO By Design Fiscal Impact Analysis

YEAR ==>	1	2	3	4	5	6	7	8	9	10	11
	Five Year Development Phase										
<b>OPERATING</b>											
Operating Revenues	486,786	1,670,982	2,590,166	3,392,805	4,313,061	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815
Operating Costs	288,914	862,887	1,494,969	2,045,135	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288
<b>Net Operating Revenues</b>	<b>197,873</b>	<b>808,095</b>	<b>1,095,197</b>	<b>1,347,669</b>	<b>1,605,773</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>
<b>CAPITAL</b>											
<b>Revenues</b>											
Transfer Tax (1)	243,017	16,201	618,603	597,540	677,968	131,475	131,475	131,475	131,475	131,475	131,475
Road Excise Tax	230,728	468,704	527,543	462,137	544,273	0	0	0	0	0	0
School Excise Tax	1,146,000	2,328,000	2,620,245	2,295,383	2,703,345	0	0	0	0	0	0
<b>Total Capital Revenues</b>	<b>1,619,745</b>	<b>2,812,905</b>	<b>3,766,391</b>	<b>3,355,060</b>	<b>3,925,586</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>
<b>Costs</b>											
HCPSS Debt Service and PayGo	394,003	477,924	819,692	725,196	1,019,117	211,690	211,690	211,690	211,690	211,690	211,690
Comm College & Library Debt Service	4,492	22,336	34,596	45,909	57,026	57,026	57,026	57,026	57,026	57,026	57,026
Road Capital and PayGo	77,716	87,060	96,403	105,746	115,089	124,433	133,776	143,119	152,463	161,806	171,149
Other County Debt Service	8,917	44,346	68,686	91,147	113,220	113,220	113,220	113,220	113,220	113,220	113,220
<b>Total Capital Costs</b>	<b>485,128</b>	<b>631,665</b>	<b>1,019,377</b>	<b>967,998</b>	<b>1,304,452</b>	<b>506,368</b>	<b>515,711</b>	<b>525,054</b>	<b>534,397</b>	<b>543,741</b>	<b>553,084</b>
<b>Net Capital Revenues</b>	<b>1,134,617</b>	<b>2,181,240</b>	<b>2,747,014</b>	<b>2,387,062</b>	<b>2,621,134</b>	<b>(374,893)</b>	<b>(384,236)</b>	<b>(393,579)</b>	<b>(402,922)</b>	<b>(412,266)</b>	<b>(421,609)</b>
<b>TOTAL NET REVENUES</b>	<b>1,332,489</b>	<b>2,989,336</b>	<b>3,842,211</b>	<b>3,734,731</b>	<b>4,226,908</b>	<b>957,635</b>	<b>948,291</b>	<b>938,948</b>	<b>929,605</b>	<b>920,261</b>	<b>910,918</b>

(1) Includes Transfer Tax revenues for School Land Acquisition & Construction, Park Construction & Development, Housing & Community Development. Does not include portion for the Agricultural Land Preservation Fund.

Howard County General Fund Net R  
HOCO By Design Fiscal Impact Anal

YEAR ==>	12	13	14	15	16	17	18	19	20	Average Year 1-5	Average Years 5-10	Average Years 1-10	Average Years 1-20
<b>OPERATING</b>													
Operating Revenues	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	4,039,815	2,490,760	4,039,815	3,265,288	3,652,551
Operating Costs	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	2,707,288	1,479,839	2,707,288	2,093,563	2,400,426
<b>Net Operating Revenues</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,332,527</b>	<b>1,010,921</b>	<b>1,332,527</b>	<b>1,171,724</b>	<b>1,252,126</b>
<b>CAPITAL</b>													
<b>Revenues</b>													
Transfer Tax (1)	131,475	131,475	131,475	131,475	131,475	131,475	131,475	131,475	131,475	430,666	131,475	281,070	206,273
Road Excise Tax	0	0	0	0	0	0	0	0	0	446,677	0	223,339	111,669
School Excise Tax	0	0	0	0	0	0	0	0	0	2,218,595	0	1,109,297	554,649
<b>Total Capital Revenues</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>131,475</b>	<b>3,095,937</b>	<b>131,475</b>	<b>1,613,706</b>	<b>872,591</b>
<b>Costs</b>													
HCPSS Debt Service and PayGo	211,690	211,690	211,690	211,690	211,690	211,690	211,690	211,690	211,690	687,186	211,690	449,438	330,564
Comm College & Library Debt Service	57,026	57,026	57,026	57,026	57,026	57,026	57,026	57,026	57,026	32,871	57,026	44,949	50,987
Road Capital and PayGo	180,492	189,836	199,179	208,522	217,866	227,209	236,552	245,895	255,239	96,403	143,119	119,761	166,477
Other County Debt Service	113,220	113,220	113,220	113,220	113,220	113,220	113,220	113,220	113,220	65,263	113,220	89,241	101,231
<b>Total Capital Costs</b>	<b>562,427</b>	<b>571,771</b>	<b>581,114</b>	<b>590,457</b>	<b>599,800</b>	<b>609,144</b>	<b>618,487</b>	<b>627,830</b>	<b>637,174</b>	<b>881,724</b>	<b>525,054</b>	<b>703,389</b>	<b>649,259</b>
<b>Net Capital Revenues</b>	<b>(430,952)</b>	<b>(440,296)</b>	<b>(449,639)</b>	<b>(458,982)</b>	<b>(468,325)</b>	<b>(477,669)</b>	<b>(487,012)</b>	<b>(496,355)</b>	<b>(505,699)</b>	<b>2,214,213</b>	<b>(393,579)</b>	<b>910,317</b>	<b>223,332</b>
<b>TOTAL NET REVENUES</b>	<b>901,575</b>	<b>892,232</b>	<b>882,888</b>	<b>873,545</b>	<b>864,202</b>	<b>854,858</b>	<b>845,515</b>	<b>836,172</b>	<b>826,829</b>	<b>3,225,135</b>	<b>938,948</b>	<b>2,082,041</b>	<b>1,475,457</b>

(1) Includes Transfer Tax revenues for School Land Acquisition & Construction, Park Construction & Development, Housing & Community Development. Does not include portion for the Agricultural Land Preservation Fund.

During the five-year construction phase of the 505 residential units, total average annual net revenues amount to more than \$3 million per year. This is due in large part to the one-time revenues collected at time of building permit. These one-time revenues include the road and school excise taxes and the transfer tax. Once the 5-year construction period of the 505 residential units is complete, annual net revenue amount to about \$1 million per year. For the total 20-year analysis timeframe, average annual net revenues amount to close to \$1.5 million.

These positive net revenues are consistent with the fiscal impact studies conducted for the original Maple Lawn development as well as other fiscal impact analyses conducted for new growth in Howard County. As indicated in these other studies, new residential development generates more revenues than expenditures for a variety of reasons. A helpful document that explains why this is so is found [here](#).