



Progressive Democrats of Howard County Testimony in Opposition to CB50-2021

The Progressive Democrats of Howard County (PDHC) oppose the proposed CB50-2021, which would extend the deadline by 2 years for the Public Service Area Expansion in Western Howard County to be approved by the Zoning Board to accommodate the proposed Erickson Living Project. There are many reasons why CB-50 should not be passed, based on both the merits of the Erickson Living Project alone, and also the flawed Zoning Board approval process.

The PSA Expansion request comes at a very crucial time: during the development of the 2040 General Plan in Howard County. We fear that making such a significant change to the General Plan (e.g. extending public water and sewer infrastructure to the West) this late in the game could potentially have detrimental effects on other aspects of the General Plan, as it was not created with this PSA Expansion to the West and its impacts accounted for. Additionally, creating this infrastructure in the Western region of the County may set a precedent for further development in that area, which would further throw off the projections of the General Plan. Even if the PSA expansion was used solely for the Erickson Living community, it is the County paying the millions of dollars for the infrastructure expansion, while the return on that investment would be seen only by the private developer in terms of large profits for the relatively-expensive (requiring \$200-300k+ in down payments from seniors who want to move in) community, but not by the taxpayers paying for this expansion. Similarly, it is the County, not Erickson Living, who will have to foot the bill for any other unforeseen costs associated with expanding the infrastructure to that part of the County for the proposed 1,400+ unit community. Taxpayer dollars should be used for the public good, not solely to fund private developer pet projects for private profit.

CB59-2018, which CB50-2021 would amend, set the original deadline of 3 years for Erickson Living to gain the necessary approval by the Howard County Zoning Board to have the land for their project re-zoned as a CEF, and have still not received that approval yet, with the

deadline just around the corner. We believe that 3 years was more than enough time for Erickson Living to try to have their project approved, and that if they fail to meet that originally-imposed deadline, the deadline should not be amended or extended. We understand the stated concerns of the unforeseen events of COVID-19 having added unfairly to the approval process timeline, but as CB50-2021 also notes, even despite in-person meeting restrictions due to COVID-19, several virtual and “well-attended” public hearings have still taken place regarding the Rezoning Petition in question, so we don’t view COVID-19 as an acceptable excuse to give Erickson Living special treatment and to extend the deadline.

Even if the CEF rezoning had been applied for in the proper timeline, we do not believe that this Erickson Living Project should qualify for CEF rezoning. The primary justification for the CEF rezoning classification is a proposed road expansion project that would accompany the creation of the retirement community, which would supposedly reduce traffic congestion in the area, which would serve as the theoretical enhancement to the community. However, this assumption that the expansion would reduce traffic congestion is based on a flawed study that fails to account for the increased traffic that would result from the creation of a new retirement community with 1,400+ units. Additionally, the County Executive did not allow the county officials who reviewed this traffic study on the county’s behalf to be questioned about the methodology at public hearings.

Aside from the flawed logic justifying the CEF rezoning classification, the land which the PSA expansion is proposed for is also not safe to build on, and is also backed up against an agricultural preserve. The proposed Erickson Living project would also not be affordable to many seniors in Howard County, and does not meet the stated needs of what seniors surveyed in Howard County said they wanted to see in terms of retiring. According to a report carried out by the Howard County Department of Citizen Services called "**Planning for the Growth of the Older Adult Population in Howard County**", senior citizens in Howard County are more likely to have a household income below the median income level for the County of \$107,821 (figure from 2012), which would make it tough for many of them to afford the pricey down payments (to the tune of several hundred thousands of dollars) and high monthly fees it would cost to live in the Erickson Community. The median income as of 2020 is \$121,329. In that same report, seniors also said their highest priorities for retiring were to retire at home, and to have access to quality transportation - building a separate retirement community in rural Western Howard County provides neither of these things. With a rapidly increasing retirement-age community, clearly Howard County does need more senior housing options, but this specific project does not seem to be the best way to provide that based on the high cost and inconvenient location.

Besides the merits of the Erickson Living Project, having this map amendment approved by the Zoning Board, rather than the County Council, does not seem to be the proper procedure

in the first place. According to Section 202(g) of the Howard County Charter, which defines the powers of the County Council regarding Planning and Zoning, “Any amendment, restatement or revision to the Howard County General Plan, the Howard County Zoning Regulations or Howard County Zoning Maps, other than a reclassification map amendment established under the "change and mistake" principle set out by the Maryland Court of Appeals, is declared to be a legislative act and may be passed only by the Howard County Council by original bill in accordance with the legislative procedure set forth in Section 209 of the Howard County Charter. Such an act shall be subject to executive veto and may be petitioned to referendum by the people of the county pursuant to Section 211 of the Charter.” Considering the underlying zoning case that CB50-2021 describes is an attempt to “amend the zoning maps of Howard County”, shouldn’t it then be considered a legislative act that needs approval from the Howard County Council, rather than the Zoning Board? We would also be remiss to not mention the obvious conflict of interest there is in the fact that Erickson Living has donated thousands of dollars to the County Executive, who essentially controls the development process as the most powerful branch of government in the county and has served as a roadblock to simple oversight by the zoning board when he prevented witnesses from appearing to answer questions related to the project.

For all of the reasons above, we urge a vote against CB50-2021.