

Minutes of the Affordable Housing Council (AHC)
Tuesday, January 9, 2018
2:30 pm to 4:15 pm
Citizen Service Division Building – Main Conference Room
401 Sagner Ave.
Frederick, MD

Call to Order: Secretary Mark Long called the meeting to order at 3:30PM.

AHC Members Present: Mark Long, Sec; Angie Liddiard; Diane Bill; Jay Mason; Malcolm Furgol; Marva Younger; and Mary Ellen Mitchell.

Public Officials/Staff Liaisons Present: Monica Grant, Director CSD; Jessica Fitzwater, County Council; Robin Inskeep, FC-Finance Department; Milton Bailey, Director of DHCD; and Sarah Nelson, DHCD.

Council Members Absent: Bruce Zavos, Chair; Kimberly Ashkenazi, Vice Chair; Jason Wiley; Kandy Joseph-Alexander; and Shirley McDonald.

Guests Present: Kellye Murphy, Frederick County Bank; Hugh Gordon, IHA; Kia Hagen, Envision Frederick County.

COMMENCEMENT of MEETING

Approval of Minutes: Minutes for the November 14th meeting were approved with technical amendments.

Agenda: was approved as presented.

Announcements: None.

Regular Business:

3:35: 2017 Accessory Dwelling Unit (ADU) Legislation Discussion: The ADU legislation crafted by County Council President Bud Otis and Mark Lancaster was the principle topic of discussion. After a technical discussion of the proposed Bill, it was determined the AHC would provide a letter and comment on certain Exhibit provisions as follows:

Exhibit 1

§ 1-19-8.212. LIMITED ACCESSORY APARTMENTS IN THE RC, A, R1, R3, R5, R8, R12, R16, VC, AND MX DISTRICTS.

The following provisions shall apply to limited accessory apartments in the RC, A, R1, R3, R5, R8, R12, R16, VC, and MX districts.

(A) Only 1 limited accessory apartment may be created on a lot.

(B) A limited accessory apartment shall be allowed only in single-family dwellings or in an accessory structure on a single-family lot.

AHC

Recommends striking this language so that the building of ADU's can be on any lot that qualifies and not be limited to single family homes lots.

(C) The owner of the property must reside in the principal dwelling or in the accessory apartment. If resident ownership ceases then the use of the limited accessory apartment shall cease.

AHC

Recommends broadening the language to include property owner's designated representative for circumstances where the property owner is not in residence. (EX; Long term care placement, snow birds, job relocation, or during the settling of the estate.)

(D) There must be at least 2 total [additional off-street] parking spaces provided for the single family residence and the limited accessory apartment. On-street parking may be utilized to meet this requirement.

(E) If the limited accessory apartment is to be located in an accessory structure, the limited accessory apartment shall not exceed 800 square feet in size and must comply with setback requirements for principal structures. An accessory apartment greater than 800 square feet to be located in an accessory structure, shall be reviewed as a special exception (see also § 1-19-8.240 and § 1-19-8.321).

[(F) In the event a separate building entrance is utilized, it shall be to the side or rear of the structure, so as to maintain the appearance of a single-family residence.]

(E [(G)] The application for limited accessory apartment approval shall include the name and address of each person owning property adjacent to the subject property. The Zoning Administrator shall notify all adjacent property owners whether separated by streets, railroads, or other rights-of-way of the application for accessory apartment approval. The Zoning Administrator shall approve or deny the application for a limited accessory apartment not less than 30 days after notification of adjacent property owners.

(G [(H)] The renting of rooms under § 1-19-8.240 will not be permitted in conjunction with a limited accessory apartment.

AHC

Suggests that clarity is needed for this section in regards to length of rental of ADU. (EX; avoiding Air B& B temporary rental in which the entire ADU is rented, not just a room within the ADU).

[(I) The owner shall file an annual report with the Zoning Administrator verifying that conditions remain the same under which the limited accessory apartment was granted.]

(H [J]) If the ownership of the lot changes, the subsequent owner must reapply for approval.

AHC

Recommends striking this line.

(I [K]) If the Zoning Administrator determines that the limited accessory apartment is not in compliance with the above provisions as well as all safety, health, and environmental standards, approval may be revoked pursuant to § 1-19-2.210.

(J) Impact fees shall be waived for dwelling units that qualify under this section.

AHC

Supports eliminating impact fees.

Exhibit 2

§ 1-19-8.321. ACCESSORY APARTMENTS GREATER THAN 800 SQUARE FEET TO BE LOCATED IN AN ACCESSORY STRUCTURE.

The following provisions shall apply to all accessory apartments greater than 800 square feet to be located in an accessory structure in the RC, A, R1, R3, R5, R8, R12, R16, VC, and MX districts.

(A) Only 1 accessory apartment may be created on a lot.

(B) Accessory apartments shall be allowed only in single-family dwellings or in an accessory structure on a single-family lot.

AHC

Recommends striking this language so that the building of ADU's can be on any lot that qualifies and not be limited to single family homes lots.

(C) The owner of the property must reside in the principal dwelling or in the accessory apartment. If resident ownership ceases then the use of the accessory apartment shall cease.

AHC

Recommends broadening the language to include property owner's designated representative for circumstances where the property owner is not in residence. (EX; Long term care placement, snow birds, job relocation, or during the settling of the estate.)

(D) There must be at least 2 [additional off-street] total parking spaces provided for the single family residence and the accessory apartment. On-street parking may be utilized to meet this requirement.

(E) The maximum size of an accessory structure in which an accessory apartment may be located shall comply with § 1-19-8.240.

[(F) In the event a separate building entrance is utilized, it shall be to the side or rear of the structure, so as to maintain the appearance of a single-family residence.]

[E [G]] The renting of rooms under § 1-19-8.240 will not be permitted in conjunction with accessory apartments.

AHC

Suggests that clarity is needed for this section in regards to length of rental of ADU. (EX; avoiding Air B& B temporary rental in which the entire ADU is rented, not just a room within the ADU).

[(H) The owner shall file an annual report with the Zoning Administrator verifying that conditions under which the special exception was granted remain the same.]

[G [I]] If the ownership of the lot changes, the subsequent owner must reapply for approval.

AHC

Recommends striking this line.

[H [J]] Due to the nature of this use, site plan approval can be granted by the Zoning Administrator in lieu of the Planning Commission.

AHC

Recommends the addition of the language from the previous page: The application for limited accessory apartment approval shall include the name and address of each person owning property adjacent to the subject property. The Zoning Administrator shall notify all adjacent property owners whether separated by streets, railroads, or other rights-of-way of the application for accessory apartment approval. The Zoning Administrator shall approve or deny the application for a limited accessory apartment not less than 30 days after notification of adjacent property owners.

[I [K]] An accessory apartment meeting the provisions of § 1-19-8.212 shall be considered a permitted accessory use and therefore not subject to this section.

[(J) Impact fees shall be waived for dwelling units that qualify under this section.]

AHC

Supports eliminating impact fees.

After the Bill's discussion, it was further decided that either Chairman Zavos, Secretary Mark Long and/or Mary Ellen Mitchell would craft a letter and present the AHC's views at the Council Hearing.

2:30PM to 3:30PM — Committee concerned with Types of Housing Needed. Marva Younger reported on behalf of herself and the following committee members: Kandy Alexander, Malcolm Furgol, and Shirley McDonald.

Discussion Summary:

Frederick County does not have adequate housing for a growing population.

Need: Single Family detached, duplexes, garden apartments, high-rise apartments, rooming houses, cottages, bungalows, ADUs, tiny homes and co-housing (SROs/separate sleeping but shared common areas/kitchens/dining etc.)

Solutions: County and City to provide vacant lots, underutilized and tax delinquent properties.

Action Planning: Greater public education concerning affordable housing and Public Housing.

4:00PM to 4:15PM — Vote on Vacant-at-Large Seat:

The Board voted unanimously to advance to the County Executive the nomination of Kellee Murphy to fill the current at-large vacancy. This seat, formerly held by Angela Brinkley-Morris has a vacancy term that expires on June 30, 2018.

Adjournment:

The meeting was adjourned at approximately 4:15 PM.

February 13, 2018 Meeting:

The next regularly scheduled meeting will be on February 13, the second Tuesday of the month, and will be held in the Main Conference room at 401 Sagner Ave., Frederick.