

INTER-OFFICE MEMORANDUM PRINCE GEORGE'S COUNTY, MARYLAND

ZONING HEARING EXAMINER'S OFFICE

April 25, 2025

TO: Rana Hightower, Director
Planning, Housing, and Economic Development Committee

FROM: Maurene McNeil
Chief Zoning Hearing Examiner

RE: CB-26-2025

The purpose clause for the above-referenced legislation requires “a parking or site plan” for “senior-serving developments located in transit-oriented zones” and mandates that the “parking or site plan ... include a parking demand study” based on the “necessary elements” set forth within the bill. As drafted, the bill raises the following concerns.

First, the purpose clause states that the bill will affect transit-oriented zones. However, it only impacts two such zones. It would be more clarifying to add “certain” prior to “transit-oriented zones” on page 1, line 4 of the bill.

Second, the purpose clause uses a very broad and undefined category of uses – senior-serving developments – that are to be impacted by the bill. Since the language on page 2 of the bill appears to only require the preparation of a parking plan and parking demand study for household living uses for older persons that meet the requirements of Title 42 U.S.C. Section 3607 (b)(2)(B) it would be better to delete “senior-serving developments” and insert “household living uses for older persons that meet the requirements of Federal law.”¹

¹ Household Living Uses are described in Section 27-2400 (d)(1) as follows:

(1) Household Living Uses

The Household Living Uses category includes use types that provide for the residential occupancy of a dwelling unit by a single family. Tenancy is generally arranged on a month-to-month or longer basis. Use types include but are not limited to: single-family detached dwellings; two-family dwellings; three-family dwellings; multifamily dwellings; townhouse dwellings, live-work dwellings; artist residential studios; and mobile homes. This use category does not include residential use types that generally involve some level of managed personal

Third, the Federal law clearly defines “housing for older persons” as solely occupied by one age group, or 80 percent occupied by another, so it is unnecessary, and may be confusing, to add “primarily” on page 2, line 16.

Fourth, the new language on page 2 will require a parking demand study for these uses developed in the RTO and LTO Zones. The purpose clause noted that this study will be based on “necessary elements”, but the new language merely requires that the study demonstrates that sufficient parking spaces will be provided on-site for the unique transportation needs of older persons.” Who will determine the unique transportation needs of older persons? If these are set out in the Code or a guideline, they should be referenced. If these are left to the differing determinations of the reviewer, said determinations may be subject to legal challenge. If there are no Code/guidelines in place for senior housing, the law should simply state that X number of parking spaces shall be provided for each dwelling, or that the same number of parking spaces required in X zone for similar uses shall be provided.

Thank you for the opportunity to comment. Please contact me if you have any questions.

care for a larger number of residents (e.g., [assisted living facilities](#) or [boarding](#) houses), which are categorized in the Group Living Uses category.