



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

November 5, 2020

## TECHNICAL STAFF REPORT

*Planning Board Meeting of November 19, 2020*

**Case No./Petitioner: ZRA-196 – Kimberly Kepnes**

**Request:** Amend Section 114.2.B. to allow Country Inns, Personal Service Establishments and Specialty Stores as a matter of right in the Historic: Office (HO) zoning district.

### I. BACKGROUND AND HISTORY OF EXISTING ZONING REGULATIONS

In 1982, Zoning Board case ZB-762 created Section 126.0 which established three new zoning districts (Residential: Village Housing, Historic: Office, Historic: Commercial) to safeguard the heritage of Historic Ellicott City by preserving elements of its cultural, social, economic, political and architectural history; stabilize and improve property values; foster civic beauty; strengthen the local economy; and/or promote the use and preservation of the area. Attachment A shows the location of these zoning districts.

The Residential: Village Housing (R-VH) District was established to permit infill development compatible with the historic lot patterns within a Historic District. This district is intended to encourage the use and redevelopment of residential enclaves consistent with the character of existing development.

The Historic Office (HO) District was established to permit a mix of offices and residences with supporting cultural and commercial uses to encourage new development and reuse of existing buildings consistent with the existing character of the area.

The Historic Commercial (HC) District was established to permit and encourage a diverse but compatible and complementary mix of commercial, office, cultural and residential activities. This district is intended to encourage development of a pedestrian environment consistent with the overall development concept for the Historic District.

#### Historic Office Zoning District Amendments

The HO zoning district is in two areas of Historic Ellicott City, north and south of Main Street. The northern area consists of the court house, a museum, law offices, medical offices, and a few residences. Most of the buildings were originally constructed for residential purposes and are relatively small; however, are no longer used for residential purposes. Attachment B shows the current land uses in the northern HO zoning district. The southern section contains a religious facility/school and a 3.44-acre property consisting of apartments/townhomes.

In 1995, ZRA-1 (CB 55-1995) added *antennas accessory to a principle use on a lot* as a matter of right, amended the maximum height limitations and removed the reference to commercial communication stations and towers from the special exception category.

In 1996, ZRA-5 (CB 19-1996) added *conference centers and bed and breakfast inn* and *volunteer fire departments* as a matter of right.

In 2001, ZRA-30 (CB 11-2001) added public utilities as a Conditional Use.

In 2013, HO was among several zoning districts from which the Country Inn Conditional Use was removed during the Comprehensive Zoning process; however, Country Inns were permitted by right in B-1, B-2, CAC, CE, HC, M-1, M-2, PEC, PGCC, POR, TOD, and TNC and as a Conditional Use in RC, R-ED, RR, R-SC, R-VH, R-12, and R-20.

The following definitions apply to this amendment and are included in the Howard County Zoning Regulations:

Country Inn: A historic building in which one or more of the following services is offered: lodging for transient guests on a daily, weekly or similar short-term basis; a standard restaurant as defined in these Zoning Regulations; a banquet facility or catering service; or meeting rooms. A Country Inn may include related accessory uses such as:

- a. Antique shop, gift shop, Christmas shop, book, candle, card and similar specialty shops;
- b. Bakery, provided such use is limited to the retail sale from the premises of goods baked on the premises only;
- c. Arts and crafts exhibits and sale of products;
- d. Sale of packaged or canned food products special to the establishment;
- e. Museums and cultural exhibits;
- f. Recreational uses for the sole use of overnight guests or guests attending meetings or catered events at the inn;
- g. Any other uses similar to the foregoing and any use normally and customarily incidental to a Country Inn.

For the purpose of this definition, no boarding house, fast food restaurant, dormitory, fraternity or sorority house shall be considered a Country Inn.

Personal Service Use: A commercial establishment in which the principal occupation is the repair, care, maintenance, styling, fashioning, or customizing of personal attributes that are a physical component of a person, or personal properties that are worn or carried about the person. Personal Service establishment uses include such uses as barber shops, hair salons, nail salons, health spas, self-service laundromats, shoe cleaning or repair shops, and similar uses.

Specialty Store: A retail business that principally offers a specific type or category of merchandise for sale or rental. Examples include but are not limited to stores specializing in art supplies, bicycles, books, cards, electronics, fabrics, flowers, gifts, hobbies, house wares, jewelry, luggage, musical instruments, news publications, optical goods, pets, photographic supplies, radios and televisions, sewing machines, sporting goods, stationary, or works of art.

## II. DESCRIPTION AND EVALUATION OF PROPOSAL

This section contains the Department of Planning and Zoning (DPZ) technical evaluation of ZRA-196. The Petitioner's proposed amendment text is attached as Exhibit A, Petitioner's Proposed Text. DPZ's proposed amendment text is attached as Exhibit B.

The Petitioner contends that Historic Ellicott City has been devastated by two major floods and the COVID-19 pandemic, which have shuttered numerous businesses and reduced the number of commercial properties available to support a growing economic district. The Petitioner further

asserts that allowing Country Inns, Personal Services, and Specialty Stores in HO will encourage the reuse of existing buildings and attract businesses, visitors, and residents to the Historic District.

**Sec. 114.2.B**

This section identifies the uses permitted as a matter of right in the HO zoning district. The Petitioner proposes to add Country Inns, Personal Services, and Specialty Stores.

The HO District was established “to permit a mix of offices and residences with supporting cultural and commercial uses which will encourage new development and reuse of existing buildings consistent with the existing character of the area”. The addition of the proposed commercial uses will encourage the reuse and restoration of existing buildings by allowing a wider range of businesses/tenants that support the office/residential character of the area. The Personal Service Establishments and Specialty Stores will provide services to area residents and the Country Inn will attract visitors for events and overnight accommodations, which will provide customers for area businesses.

Personal Service Establishments and Specialty Stores are generally compatible with other uses permitted in the HO zoning district. These uses have similar hours of operation and intensity as other types of service uses currently permitted in HO, such as service agencies, banks, and professional/business offices.

The Country Inn land use includes lodging, assembly, and restaurant land uses in historic buildings. While HO allows assembly and lodging uses such as conference centers and bed and breakfast inns, restaurants are currently not permitted. Based on the definition of Country Inn, this use would only be permitted in historic buildings. Since the existing historic buildings in HO are primarily two-story residences, this use is unlikely to generate large scale operations that may have adverse impacts on adjacent residential properties.

DPZ concurs that flexibility is needed to attract and retain businesses in Historic Ellicott City due to impacts from previous flooding and the current COVID-19 pandemic. To mitigate further devastation from flooding, commercial buildings on Main Street need to be removed to improve conveyance during major storm events. The HO zoned area north of Main Street is a viable option to add commercial uses, as it 30 to 50 feet higher in elevation than Main Street and is adjacent to a large public parking lot that can accommodate visitors/customers more conveniently than Main Street.

Relocating or establishing businesses in areas not prone to flooding is consistent with the legislative intent of the Zoning Regulations which were “enacted for the purpose of preserving and promoting the health, safety and welfare of the community”.

Additionally, allowing the Country Inn Use in HO encourages the protection of historic resources and adaptive reuse of historic buildings. This is consistent with the intent of the Zoning Regulations, as stated in Section 100.A.7, to ensure “that all development and land uses protect or enhance the natural, environmental, historic, architectural and other landscape resources of the County, especially highly fragile and environmentally important features such as floodplains, wetlands or steep slopes”.

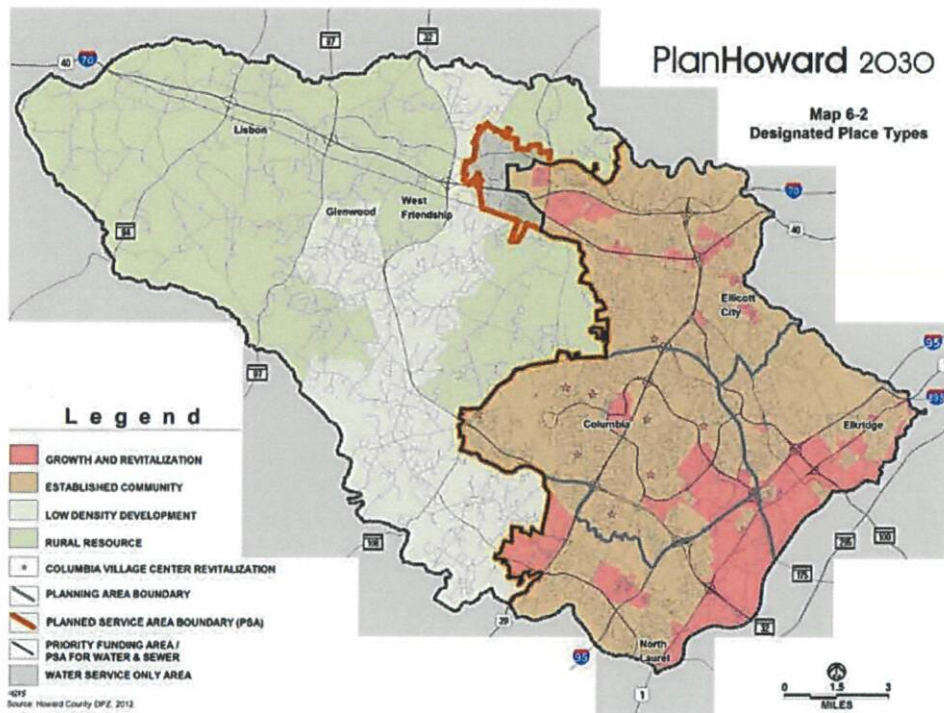
Since the Petitioner’s proposal does not list uses in alphabetical order, DPZ is proposing a modified amendment that lists the by-right uses in alphabetical order.

### III. GENERAL PLAN

ZRA-196 is generally in harmony with *PlanHoward 2030* goals and policies as outlined below.

#### Targeted Growth and Revitalization Areas

*PlanHoward 2030*, identifies the majority of the HO District is designated as a Targeted Growth and Revitalization area.



Targeted Growth and Revitalization areas are defined as “areas where current policies, zoning, and other regulations, as well as policies suggested in *PlanHoward 2030*, seek to focus most future County growth.” (p. 74). In addition to the Old Ellicott City area, other the Target Growth and Revitalization areas include: Columbia’s Village Centers, Downtown Columbia, parts of the Route 1 Corridor, Maple Lawn, Turf Valley, and areas along Route 40. The areas are defined on Map 6-2 on page 69 in *PlanHoward 2030* (see map on left).

#### Plan Policies

Implementing action b. of Policy 4.1 on page 41 of Plan Howard 2030 seeks to “strengthen historic preservation programs and laws both to prevent demolition and incentivize restoration and adaptive reuse.” This ZRA would expand the permitted uses by right in a historic district, which encourages restoration and adaptive reuse of historic buildings while maintaining the character of the district.

Policy 6.4 on page 80 of *PlanHoward 2030* recommends “that the County continue to capture future job and business growth opportunities.” Implementing Action b. to Policy 6.4 on page 80

states to “Update zoning and other regulations to address the evolving commercial and industrial markets and development trends.” This petition will expand the uses in the HO District and compliment the services that Main Street businesses currently provide while being consistent with the existing character of the area.

**Ellicott City Watershed Master Plan (Draft for Council Adoption)**

Most of the HO District is located in the “Courthouse Area” of the Draft Ellicott City Watershed Master Plan. The Draft, presented to the public in July of 2020 and to the Planning Board at its October 15, 2020 public hearing, does not specifically address uses in the Courthouse Area, however, it does support vibrant uses that will compliment Main Street businesses. The Draft on page 224 states,

“The County currently has not yet determined preferred uses for the reuse of the historic courthouse, jailhouse or the parking areas, however, any reuse planning should be done so comprehensively and consider the courthouse property’s context with Main Street and the economic importance of Main Street. Stakeholders have indicated a variety of preferences for the property during early outreach in the master plan process. While the desired uses varied, there was a general desire for uses that would bring new customers to businesses along Main Street and support— rather than compete with—these businesses.”

The proposed ZRA is consistent with this statement, as a Country Inn would attract visitors for events and overnight accommodations, providing customers for area businesses, including those on Main Street.

The County Council is scheduled to review the Ellicott City Watershed Master Plan for adoption in late 2020.

**IV. RECOMMENDATION**

For the reasons noted above, the Department of Planning and Zoning recommends that the ZRA-196 be **APPROVED WITH MODIFICATIONS**, as described above and drafted in Exhibit B.

Approved by:

 11-5-20  
Amy Gowan, Director Date

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**Exhibit A**

**Petitioner's Proposed Text**

**Section 114.2**

**B. Uses Permitted as a Matter of Right**

1. Single-family attached dwelling units.
2. Single-family detached dwelling units.
3. Apartment units, only in existing historic structures.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
5. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
7. Conference centers and bed and breakfast inns.
8. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses
9. Convents and monasteries used for residential purposes.
10. Funeral homes and mortuaries.
11. Government structures, facilities and uses, including public schools and colleges.
12. Museums and libraries.
13. Nonprofit clubs, lodges and community halls.
14. Offices, professional and business.
15. Religious facilities, structures, and land used primarily for religious activities.
16. Service agencies.
17. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
18. Schools, commercial.
19. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
20. Volunteer fire departments.
21. COUNTRY INN
22. PERSONAL SERVICE ESTABLISHMENTS
23. SPECIALTY STORES

**How The Text Would Appear If Adopted As Proposed**

**Section 114.2**

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21. Country Inn
22. Personal Service Establishments
23. Specialty Stores

**Exhibit B**

**DPZ's Proposed Text**

**Section 114.2**

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8. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses
9. Convents and monasteries used for residential purposes.
10. COUNTRY INN
- [[10.]]11. Funeral homes and mortuaries.
- [[11.]]12. Government structures, facilities and uses, including public schools and colleges.
- [[12.]]13. Museums and libraries.
- [[13.]]14. Nonprofit clubs, lodges and community halls.
- [[14.]]15. Offices, professional and business.
16. PERSONAL SERVICE ESTABLISHMENTS
- [[15.]]17. Religious facilities, structures, and land used primarily for religious activities.
- [[16.]]18. Service agencies.
- [[17.]]19. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- [[18.]]20. Schools, commercial.
21. SPECIALTY STORES
- [[19.]]22. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
- [[20.]]23. Volunteer fire departments.



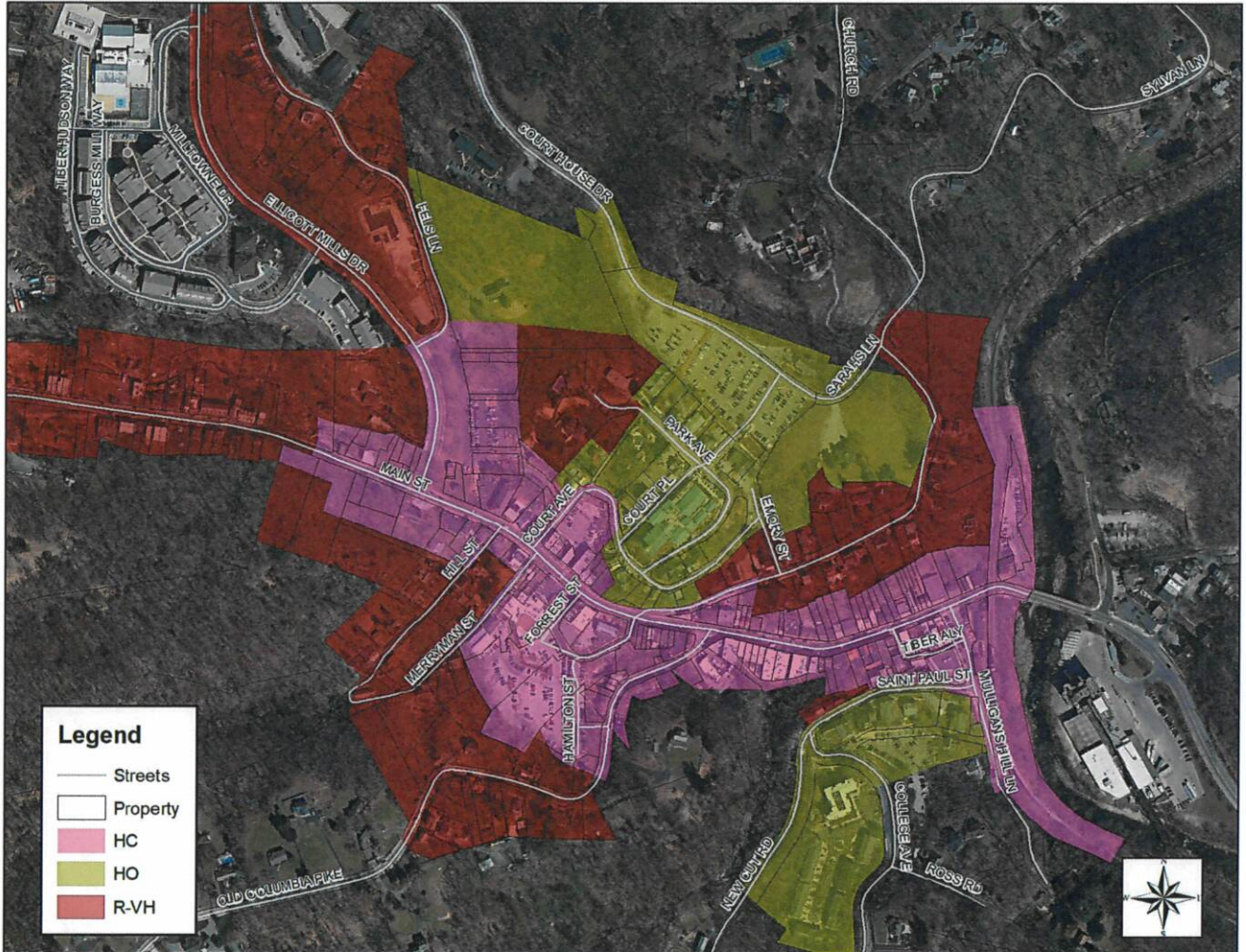
**How The Text Would Appear If Adopted As Proposed**

**Section 114.2**

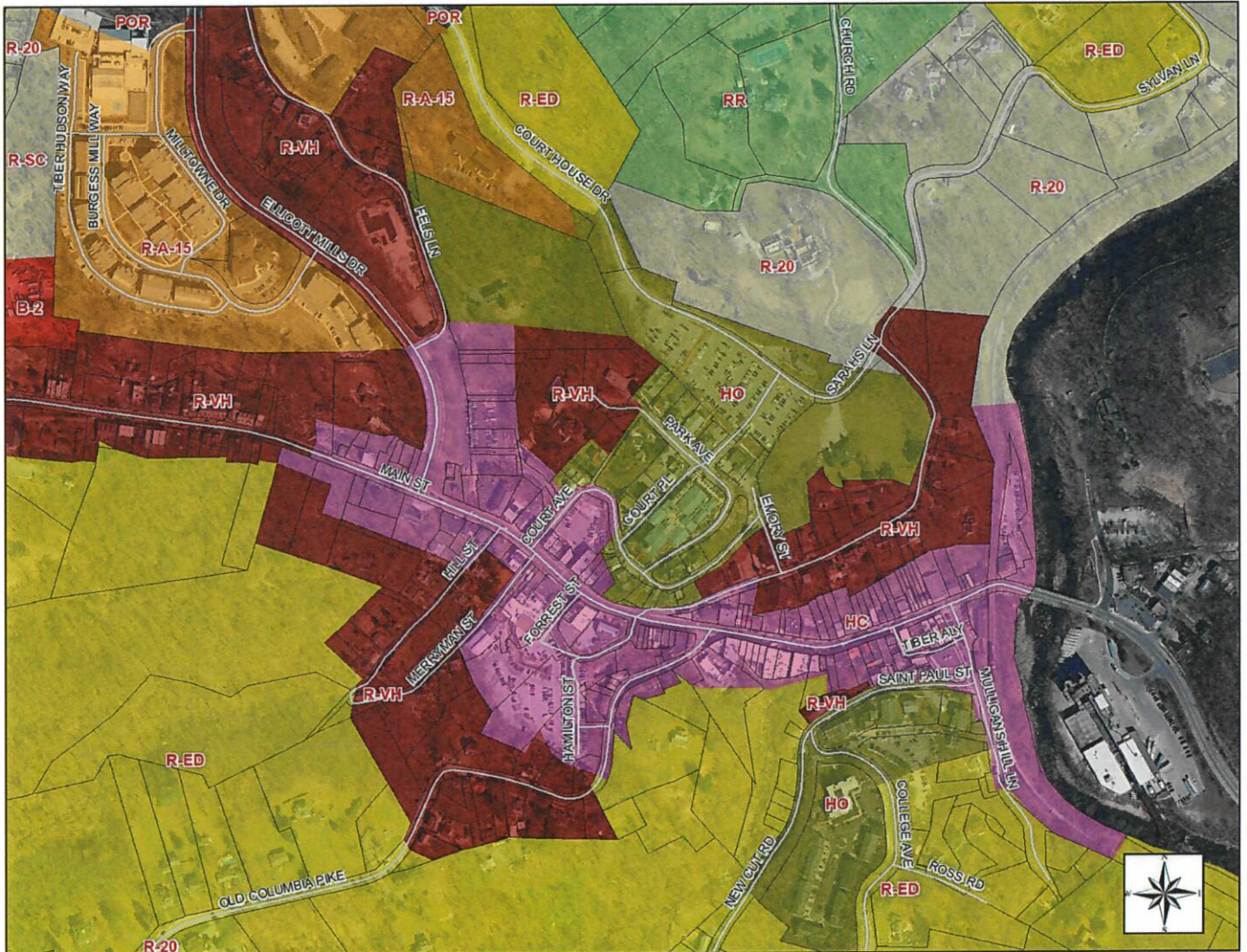
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23. Volunteer fire departments.

**Attachment A-1: HC, HO, R-VH Districts only**



**Attachment A-2: HC, HO, R-VH Districts and Surrounding Zoning Districts**



**Attachment B – Land Use Map**





**PETITION TO AMEND THE  
ZONING REGULATIONS OF  
HOWARD COUNTY**

DPZ Office Use Only:

Case No. ZRA-196

Date Filed: 8/5/20

RECEIVED  
AUG 5 2020

**1. Zoning Regulation Amendment Request**

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows: \_\_\_\_\_

Applicant proposes to add Country Inn, Personal Service Establishments and Specialty Stores to the uses allowable by right under the zoning regulations for properties in the Historic Office (HO) zoning district.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

**2. Petitioner's Name** Kimberly Kepnes

Address 3585 Church Road, Ellicott City MD 21043

Phone No. (W) 443-250-4241 (H) \_\_\_\_\_

Email Address kimberly.kepnes@monumentsothebysrealty.com

**3. Counsel for Petitioner** \_\_\_\_\_

Counsel's Address \_\_\_\_\_

Counsel's Phone No. \_\_\_\_\_

Email Address \_\_\_\_\_

**4. Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed** \_\_\_\_\_

Two devastating floods in the Historic District of Ellicott City have resulted in many shuttered businesses and a reduced number of commercial properties available to support a growing economic district. The proposed amendment not only supports growth but also provides an opportunity to expand the usefulness of Historic Office (HO) properties which will support revitalization in Ellicott City.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County \_\_\_\_\_

See attached Response to Section 5

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[You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5"]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community."

Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A. \_\_\_\_\_

Approval of the amendments supports the Legislative intent of the zoning regulations. The additional zoning uses protect the character and the social and economic stability of all parts of the community and supports land uses which protect, preserve, and enhance the natural, environmental, historic, architectural, and other landscape resources.

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[You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6."]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s) . \_\_\_\_\_

See attached Response to Section 7

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[You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7."]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more

than one property, yes or no? Yes

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

Main Street Historic Commercial (HC) uses have been naturally working their way to the Historic Office (HO) district for years. Personal Service Establishments and public and private events for arts, comedy and entertainment are visible today. Legitimizing visible and expanding consistent uses in HO is an appropriate action to support both economic districts. Definition of Country Inn, Personal Service Establishments and Specialty Store is provided as a supplement to this application.

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. \_\_\_\_\_

The HO district previously allowed Country Inn as a use permitted, but through oversight or mistake it was deleted

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

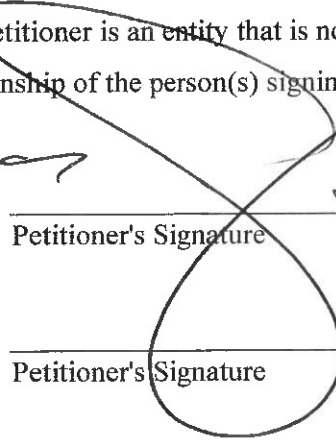
10. You must provide the full proposed text of the amendment(s) as a separate document entitled

“Petitioner’s Proposed Text” that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[ Double Bold Brackets ]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

**After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the “Petitioner’s Proposed Text” to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.**

- 11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.
- 12. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

Kimberly Kepnes  
Petitioner’s name (Printed or typed)

  
Petitioner's Signature      Date July 27, 2020

\_\_\_\_\_  
Petitioner’s name (Printed or typed)

\_\_\_\_\_  
Petitioner's Signature      Date

\_\_\_\_\_  
Petitioner’s name (Printed or typed)

\_\_\_\_\_  
Petitioner's Signature      Date

\_\_\_\_\_  
Counsel for Petitioner’s Signature  
[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

**FEE**



The Petitioner agrees to pay all fees as follows:

Filing fee .....\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00\*

\* The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.

**APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.**

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**For DPZ office use only:**

Hearing Fee \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_

**PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION**

**County Website: [www.howardcountymd.gov](http://www.howardcountymd.gov)**

Revised: 07/12  
T:\Shared\Public Service and Zoning\Applications\County Council\ZRA Application

**INSTRUCTIONS TO THE APPLICANT/PARTY OF RECORD**

- As required by State Law, applicants are required to complete the AFFIDAVIT AS TO CONTRIBUTION that is attached, and if you have made a contribution as described in the Affidavit, please complete the DISCLOSURE OF CONTRIBUTION that is attached.
- If you are an applicant, Party of Record (i.e., supporter/protestant) or a family member and have made a contribution as described in the Affidavit, you must complete the DISCLOSURE OF CONTRIBUTION that is attached.
- Filed affidavits and disclosures will be available for review by the public in the office of the Administrative assistant to the Zoning Board during normal business hours.
- Additional forms may be obtained from the Administrative Assistant to the Zoning Board at (410-313-2395) or from the Department of Planning and Zoning.
- Completed form may be mailed to the Administrative Assistant to the Zoning Board at 3430 Courthouse Drive, Ellicott City, MD 21043.
- Pursuant to State Law, violations shall be reported to the Howard County Ethics Commission.

PETITIONER: Kimberly Kepnes

**AFFIDAVIT AS TO CONTRIBUTION**

**As required by the Annotated Code of Maryland  
State Government Article, Sections 15-848-15-850**

I, Kimberly Kepnes, the applicant in the above zoning matter

X, HAVE \_\_\_\_\_ HAVE NOT

made any contribution or contributions having a cumulative value of \$500 or more to the treasurer of a candidate or the treasurer of a political committee during the 48-month period before application in or during the pendency of the above referenced zoning matter.

I understand that any contribution made after the filing of this Affidavit and before final disposition of the application by the County Council shall be disclosed within five (5) business days of the contribution.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Printed Name: Kimberly Kepnes

Signature: 

Date: July 21, 2020



PETITIONER: Kimberly Kepnes

**DISCLOSURE OF CONTRIBUTION**

**As required by the Annotated Code of Maryland  
State Government Article, Sections 15-848-15-850**

This Disclosure shall be filed by an Applicant upon application or by a Party of Record within 2 weeks after entering a proceeding, if the Applicant or Party of Record or a family member, as defined in Section 15-849 of the State Government Article, has made any contribution or contributions having a cumulative value of \$500 or more to the treasurer of a candidate of the treasurer of a political committee during the 48-month period before the application was file or during the pendency of the application.

Any person who knowingly and willfully violates Sections 15-848-15-850 of the State Government Article is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

APPLICANT OR  
PARTY OF RECORD: Kimberly Kepnes

RECIPIENTS OF CONTRIBUTIONS:

<u>Name</u>	<u>Date of Contribution</u>	<u>Amount</u>
<u>Liz Walsh (via Act Blue)</u>	<u>4/4/2018-1/14/2019</u>	<u>\$750</u>
<u>Liz Walsh</u>	<u>7/10/2018</u>	<u>350</u>
<u>Liz Walsh</u>	<u>10/20/2018</u>	<u>100</u>
<u>Liz Walsh</u>	<u>5/2018</u>	<u>250</u>

I understand that any contribution made after the filing of this Disclosure and before final disposition of the application by the County Council shall be disclosed with five (5) business days of the contribution.

Printed Name: Kimberly Kepnes

Signature: \_\_\_\_\_

Date: July 27, 2020

ZRA Application to Add Country Inn, Specialty Store and Personal Service Establishments to HO Zoning District

Petitioner: Kimberly Kepnes

Response to Section 5:

5. Provide a detailed justification statement demonstrating how the proposed amendment will be in harmony with the General Plan.

Beginning with the General Plan 2000, the County has embraced the need to renovate or redevelop certain corridors and community centers. This approach provides opportunities for encouraging revitalization of underutilized commercial areas and stimulating economic growth that also strengthens older communities. The current general plan for Howard County supports the review, amendment, and evolution of existing regulatory structures as development patterns in the County evolve and as needed to better meet goals for established communities, targeted growth, and revitalization. Additionally, the General Plan promotes the importance of the redevelopment and renovation of existing commercial centers and the need to identify ways to preserve the existing character of established neighborhoods while accommodation continuing growth.

The proposed amendments support redevelopment efforts in the Historic District of Ellicott City. Two devastating floods have had a significant social and economic impact in the Historic District with multiple commercial buildings forever lost to commercial use. Confidence has also waned. Approval of the amendments support recovery by extending the Country Inn, Specialty Store and Personal Services Establishment uses allowed in the connected and adjacent HC district to the HO district which supports a recovering Ellicott City and revitalizes the underutilized HO district with consistent and compliment uses.

ZRA Application to Add Country Inn, Specialty Store and Personal Service Establishments to HO Zoning District

Petitioner: Kimberly Kepnes

Response to Section 7:

7. Unless your response to Section 6 above addresses this issue, please provide an explanation of the public benefits to be gained by adoption of the proposed amendment.

In addition to the impact of the two devastating floods of 2016 and 2018, from which the commercial Historic District has yet to recover, the COVID-19 crisis has caused and threatens additional and severe economic blows. Approval of the amendments will support efforts to strengthen existing recovery efforts as follows:

1. Approval of the amendments will allow existing buildings in the HO zoning district the ability to support uses which attract business, visitors, and residents to the Historic District today.
2. Approval of the amendments will support revitalization of historic district buildings, some of which have already gone dark and may remain so in our post COVID office environment.
3. Approval of the amendments is an action with an immediate benefit which triggers economic growth.

ZRA Application to Add Country Inn, Specialty Store and Personal Service Establishments to HO Zoning District

Petitioner: Kimberly Kepnes

Supplemental Documentation

Definitions: Country Inn, Personal Service Establishment and Specialty Store  
Zoning Regulations Section 103: Definitions

Country Inn: An historic building in which one or more of the following services is offered: lodging for transient guests on a daily, weekly or similar short term basis; a standard restaurant as defined in these Zoning Regulations; a banquet facility or catering service; or meeting rooms. A country inn may include related accessory uses such as:

- a. Antique shop, gift shop, Christmas shop, book, candle, card and similar specialty shops;
- b. Bakery, provided such use is limited to the retail sale from the premises of goods baked on the premises only;
- c. Arts and crafts exhibits and sale of products;
- d. Sale of packaged or canned food products special to the establishment;
- e. Museums and cultural exhibits;
- f. Recreational uses for the sole use of overnight guests or guests attending meetings or catered events at the inn;
- g. Any other uses similar to the foregoing and any use normally and customarily incidental to a country inn.

For the purpose of this definition, no boarding house, fast food restaurant, dormitory, fraternity or sorority house shall be considered a country inn.

Personal Service Use: A commercial establishment in which the principal occupation is the repair, care, maintenance, styling, fashioning, or customizing of personal attributes that are a physical component of a person, or personal properties that are worn or carried about the person. Personal service establishment uses include such uses as barber shops, hair salons, nail salons, health spas, self-service laundromats, shoe cleaning or repair shops, and similar uses.

Specialty Store: A retail business that principally offers a specific type or category of merchandise for sale or rental. Examples include but are not limited to stores specializing in art supplies, bicycles, books, cards, electronics, fabrics, flowers, gifts, hobbies, house wares, jewelry, luggage, musical instruments, news publications, optical goods, pets, photographic supplies, radios and televisions, sewing machines, sporting goods, stationary, or works of art.



PETITIONER PROPOSED TEXT (IN CAPS AND BOLD FACE TYPE)

SECTION 114.2: - HO (Historic: Office) District

A. Purpose

The Historic Office District is established to permit a mix of offices and residences with supporting cultural and commercial uses which will encourage new development and reuse of existing structures consistent with the existing character of the area.

B. Uses Permitted as a Matter of Right

1. Single-family attached dwelling units.
2. Single-family detached dwelling units.
3. Apartment units, only in existing historic structures.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
5. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
7. Conference centers and bed and breakfast inns.
8. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
9. Convents and monasteries used for residential purposes.
10. Funeral homes and mortuaries.
11. Government structures, facilities and uses, including public schools and colleges.
12. Museums and libraries.
13. Nonprofit clubs, lodges and community halls.
14. Offices, professional and business.
15. Religious facilities, structures, and land used primarily for religious activities.
16. Service agencies.
17. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
18. Schools, commercial.
19. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
20. Volunteer fire departments.
21. **COUNTRY INN**
22. **PERSONAL SERVICE ESTABLISHMENT**
22. **SPECIALTY STORES**

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Community meeting houses, commercial establishments for receptions and parties.
3. Antennas accessory to a principal use on the lot.
4. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
5. Accessory Solar Collectors.

D. Bulk Regulations

(Also see Section 128.0.A, Supplementary Bulk Regulations.)

1. The following maximum limitations shall apply:
  - a. Height
    - (1) Principal structure ..... 40 feet
    - (2) Accessory structures ..... 15 feet
    - (3) Except spires, belfries, chimneys, flag poles, monuments, observation towers, steeples, antennas, outdoor athletic structures ..... 45 feet
  - b. Floor area ratio ..... 3 to 1
  - c. Density ..... 15 dwelling units per net acre
  - d. Cornices and eaves may project not more than three feet beyond the face of the structure.
  - e. A bay window, oriel, vestibule or balcony may project not more than four feet beyond the face of the structure.
2. The following minimum requirements shall be observed:
  - a. Lot size for single-family detached ..... 6,000 sq. ft.
  - b. A lot area of 2,000 square feet per dwelling unit shall be required for new single-family attached structures or for additions or extensions to existing residential structures which result in the creation of additional dwelling units.
  - c. New structures erected shall be required to provide a front yard equal in depth to the front yard of the main part of the nearest structure on the same side of the street.

E. Other Provisions

The minimum off-street parking requirements for specific uses contained in Section 133.0.D of these Regulations shall not be applicable in the Historic Office District, but reasonable and appropriate off-street parking requirements shall be determined by the Department of Planning and Zoning, which shall consider comments from other County agencies regarding the parking needs of the proposed use and the availability of parking in the area of the use. Off-street parking spaces serving any structures or land uses in existence at the time of adoption of these Regulations shall not in the future be reduced.

F. Conditional Uses

Conditional Uses in the HO District are subject to the detailed requirements for Conditional Uses given in Section 131.0. For the list of permitted Conditional Uses, refer to the chart in Section 131.0.



