



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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TECHNICAL STAFF REPORT

*Petition Accepted on August 29, 2008
Planning Board Meeting of October 16, 2008
County Council Hearing to be scheduled*

Case No./Petitioner: ZRA - 106 - James R. Buch Jr. and Frances M. Buch

Request: Zoning Regulation Amendment to Section 127.5 (CAC: Corridor Activity Center District) to add a provision to permit apartment and single-family attached uses within a Route 1 Corridor development project of less than two acres if the property is adjacent to CAC zoned property.

Department of Planning and Zoning Recommendation:

DENIAL

I. DESCRIPTION OF PROPOSAL

- **The proposal is for one amendment to Section 127.5 of the Zoning Regulations. The proposal would allow residential development which is currently permitted only within projects of at least two gross acres to be allowed on parcels of less than two acres provided they adjoin a larger CAC-CLI District.**

The Petitioner requests the amendment citing the lack of development potential under the current Zoning Regulations for several existing parcels in the CAC-CLI District of less than two acres that have not been or will not be assembled as part of a larger development. The Petitioner states that is impossible to comply with the commercial component requirements of the CAC-CLI District for these parcels due to their small sizes.

- **The complete proposed amendment text is attached to this Technical Staff Report as Attachment A (CAPITALS indicates text to be added; [[brackets indicate text to be deleted]]).**

II. EXISTING REGULATIONS

- **In the current CAC regulations, apartment and single-family attached dwellings are permitted only within a Route 1 Corridor development project with at least two gross acres of CAC-zoned land.**

III. BACKGROUND INFORMATION

A. Scope of Proposed Amendments

- **The proposed amendment is applicable only to the CAC District.**

IV. EVALUATIONS AND CONCLUSIONS

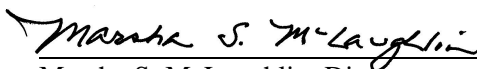
- The proposal has broad implications and the potential to affect an unknown number of parcels in areas such as North Laurel and Elkridge as they become developed. There are many small parcels in the CAC District which have not yet been assembled as part of a larger development. Under the proposal, the owner of any parcel of less than two acres which is adjacent to, yet not consolidated into a redevelopment project would be granted the ability to do residential development at a density of up to 25 dwelling units per net acre. The resultant infill development at this density has the potential to create undesirable, fragmented development patterns. For undeveloped small parcels, the proposal could actually provide an incentive for property owners to choose not to be part of a consolidated development. This is contrary to the goals of the CAC District and the Route 1 Manual. The intention of granting residential density of 25 units per net acre is to provide an incentive and motivation for the consolidation of parcels in the CAC District. It is DPZ's position that the proposal does not fulfill redevelopment goals for the Route 1 Corridor. Additionally, DPZ does not concur with the Petitioner's contention that smaller parcels would be impossible to develop with currently permitted commercial uses. Parcels of less than two acres could be appropriately developed with permitted service and retail uses.

Implications for CAC parcels that are small and not part of an assemblage for a vicinal CAC development cannot easily be determined. To do so requires further research and evaluation. If appropriate, DPZ would propose a future ZRA after research and evaluation.

V. RECOMMENDATION

DENIAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-106, as noted above, be **DENIED**.

 10/02/08
Marsha S. McLaughlin, Director Date

ATTACHMENT A

Petitioner Proposed Text

(CAPITALS indicates text to be added; [[brackets indicate text to be deleted]].)

SECTION 127.5 CAC (Corridor Activity Center) District

B. Uses Permitted as a Matter of Right

17. Dwellings, apartment and single-family attached, only within a Route 1 Corridor development project with at least 2 gross acres of CAC-zoned land OR LESS THAN 2 ACRES IF THE PROPERTY IS ADJACENT TO A CAC-ZONED PROPERTY.