



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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TECHNICAL STAFF REPORT

*Petition Accepted on March 17, 2015
Planning Board Meeting of May 7, 2015
County Council Hearing to be scheduled*

Case No./Petitioner: ZRA - 157 – Demirel Plaza, LLC

Request: To amend Section 117.3: OT (Office Transition) of the Zoning Regulations to add personal service establishments as uses permitted as a matter of right in the OT (Office Transition) Zoning District.

Department of Planning and Zoning Recommendation:

APPROVAL

I. DESCRIPTION OF PROPOSAL

- The Petitioner proposes one amendment to the Zoning Regulations. The proposal would amend Section 117.3.C. of the Zoning Regulations, which outlines uses permitted as a matter of right in the OT (Office Transition) Zoning District.
- The amendment would add personal service establishments to the list of uses permitted as a matter of right in Section 117.3.C. of the Zoning Regulations.
- The Petitioner's complete proposed amendment text is attached to this Technical Staff Report as Attachment A (Petitioner's Proposed Text).
- The Department of Planning and Zoning's complete proposed amendment text is attached to this Technical Staff Report as Attachment B (Department of Planning and Zoning's Proposed Text).

II. EXISTING AND PROPOSED REGULATIONS

- The current Howard County Zoning Regulations do not include personal service establishments as a use permitted as a matter of right in Section 117.3.C. of the Zoning Regulations.
- A new subsection, Section 117.3.C.7., would be added in order to address the permissibility of personal service establishments as uses permitted as a matter of right in the OT (Office Transition) Zoning District.

III. BACKGROUND INFORMATION

A. Scope of Proposed Amendments

The proposed amendment could apply to any property within the County which is zoned OT (Office Transition).

B. Agency Comments

Comments from all applicable agencies have not yet been received. Any substantive comments received from these agencies before the Planning Board Public Hearing will be forwarded to the Planning Board members before the hearing date.

IV. EVALUATIONS AND CONCLUSIONS

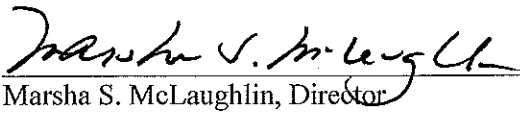
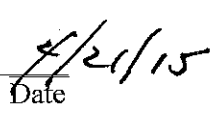
- The amendment would support Plan HOWARD 2030 (General Plan) Policy 5.1, which suggests that we “identify, develop, implement and refine a comprehensive program to foster a diversified economy and encourage innovation and entrepreneurship.” The proposed amendment will afford property owners in the OT zoning district the opportunity to conduct business under an additional commercial use. This expansion of commercial uses permitted as a matter of right in the OT zoning district would encourage entrepreneurship and afford entrepreneurs the opportunity to grow their businesses as suggested by Policy 5.1 of Plan HOWARD 2030 (General Plan).
- The proposed amendment allows personal service establishments, which are generally considered low impact uses, in OT zoning districts. It makes sense to permit personal service establishments as a matter of right in the OT zoning district since personal service establishments are typically small businesses that are patronized by local customers, and can easily integrate into existing nearby residential communities. This ease of integration, coupled with the generally low impact nature of the use, helps to aid in the transition between residentially zoned areas and nearby retail/employment areas.
- The Petitioner’s proposed text for Section 117.3.C.7. gives examples of certain types of personal service establishments that would be permitted as a matter of right in the OT zoning district. However, “Personal Service Use” is already defined in the Zoning Regulations as, “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.” Because personal service establishment uses are already outlined under this definition, the Department of Planning and Zoning is proposing text that permits personal service establishments, and gives no examples. This allows the personal service establishment use to remain consistent throughout the Zoning Regulations.
- The Petitioner’s proposed text fails to address how the amendment would fulfill to the purpose of the OT zoning district as it currently exists. The Department of Planning and Zoning proposes that Section 117.3.A. of the Zoning Regulations also be amended, as shown in Attachment B, to include personal service establishments as part of the purpose of the OT zoning district.

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V. RECOMMENDATION

APPROVAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-157 be **APPROVED**.

 
Marsha S. McLaughlin, Director Date

NOTE: The file is available for public review at the Department of Planning and Zoning Public Information Counter.

ZRA 151 – Attachment A

Petitioner's Proposed Text

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

Section 117.3: - OT (Office Transition) District

C. Uses Permitted as a Matter of Right

7. PERSONAL SERVICE ESTABLISHMENTS SUCH AS BARBER SHOPS, BEAUTY SHOPS, OPTICIAN, PHOTOGRAPHERS, TAILORS

ZRA 151 – Attachment B

Department of Planning and Zoning's Proposed Text

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

Section 117.3: - OT (Office Transition) District

A. Purpose

The OT District is established to allow low-impact office AND PERSONAL SERVICE uses adjacent to areas of residential zoning. The OT District is a floating district that will provide a transition along the edges of residential areas impacted by nearby retail/employment areas or arterial highways carrying high volumes of traffic. The standards of this district should result in small-scale office buildings AND PERSONAL SERVICE ESTABLISHMENTS on attractively-designed sites that are compatible with neighboring residential uses.

C. Uses Permitted as a Matter of Right

7. PERSONAL SERVICE ESTABLISHMENTS