

ZONING DIGEST

Council bills would put two land uses on hold

Two contentious zoning uses could be put on pause as a result of legislation under consideration by the Howard County Council this month.

Council members have filed separate bills to hold off awarding the Business Rural Crossroads zoning designation and the conditional use for two-family dwellings until any possible repercussions can be studied, after hearing concerns from constituents.

The Business Rural Crossroads, or BRX, designation was created during the 2013 comprehensive zoning process as a floating zone to allow limited commercial development within the Dayton and Highland rural crossroads areas. Businesses allowed under the designation — which includes restaurants, small grocery stores, offices, liquor stores, boutiques and banks — would be required to match the traditional architecture of their surroundings. To receive the designation, prospective developers would need to apply to the Zoning Board for approval.

In Highland, residents have appealed to the council not to allow BRX zoning, pointing to several empty commercial spaces already available in the area. Some

120 people attended a meeting in June with the community's two representatives on the council — Greg Fox, a Fulton Republican, and Mary Kay Sigaty, a Columbia Democrat — to ask them to reconsider the designation.

Greater Highland Community Association President Susan Scheidt wrote a letter to council members last month reiterating the request.

"Highland is already surrounded by nearby prime new commercial property now serving our community, and additional commercial property is under construction," Scheidt wrote, citing a new Walgreens in Clarksville and a CVS in Maple Lawn. "So, where is the demand for all of this new commercial space?"

Scheidt also argued that BRX zoning could triple the commercial property available in Highland, which has a population of about 1,000.

"Good new commercial development projects can be welcomed and supported by Highland under the traditional zoning



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process in the future without BRX," she wrote.

In response, Sigaty and Fox are co-sponsoring a bill that would temporarily prohibit applications for proposed rezoning to the BRX and BR zoning districts. Language in the legislation argues that the designation "could lead to development incompatible with surrounding residential uses" that could be a "threat to the public health, safety and welfare" and should be reviewed by the county's

Department of Planning and Zoning.

Councilman Jon Weinstein, an Ellicott City Democrat, is proposing a similar measure for the two-family dwellings conditional use after hearing concerns from constituents in the Dunloggin and St. Johns Lane communities.

Under current zoning law, land owners can request approval to split a single-family home into two apartments in suburban residential neighborhoods. An application for a two-family use in Ellicott City's Dunloggin neighborhood has stirred fears that, if approved, it could ruin the character of the community, with

its single-family homes and narrow streets.

"In an established community, sometimes doing a conversion like this can have an impact," Weinstein said.

The Department of Planning and Zoning has recommended the two-family conditional use be approved on the Dunloggin property, a half-acre lot with a two-story house at 4033 St. Johns Lane. In a staff analysis, planning officials wrote that adding a second family to the house "is not anticipated to create impacts or adverse effects," and would open up the possibility of more affordable housing for the area. The request is currently being considered by Howard County's Hearing Examiner.

Weinstein said he hopes DPZ will review all of the county's conditional uses and reconsider whether they are still necessary or could have negative effects on Howard County communities.

If passed, both bills would give planning officials a year to review the zoning designations and report back to the council; if no action is taken, they will automatically expire. The council's next voting session is on Jan. 4.