

# The Office of Planning and Zoning (OPZ) Summary of Planning Advisory Board (PAB) Oral and Written Testimony

## Region 4 PAB Draft Plan and PAB Draft Comprehensive Zoning Map

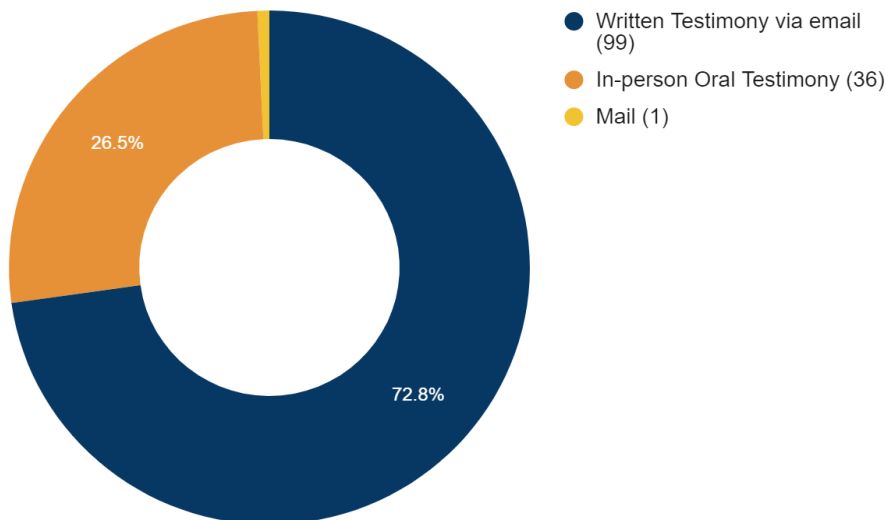
### 1. Overview

The Planning Advisory Board (PAB) met on October 24, 2023, for a presentation from the Anne Arundel County Office of Planning and Zoning (OPZ) on the PAB draft of the Region 4 Plan and Comprehensive Zoning Map. Written testimony was accepted through October 31, 2023; one week after the PAB briefing and hearing.

The following are links to the [PAB Draft of the Region 4 Plan](#), the [PAB draft of the Comprehensive Zoning Map](#), and [Recommended Consistency Change Table](#) and the [Recommended Comprehensive Zoning Change Table](#) which provide references to specific recommended zoning changes or sections of the draft plan. Everything is also available through the Region 4 hubsite.

#### 1a. Method of Engagement

The Office of Planning and Zoning (OPZ) received a total of 136 public comments in Region 4 via written testimony sent by email/mail as well as in-person oral testimony at the PAB meeting.



### 2. Summary of comments

The comments can be grouped into four main categories. Nearly all of them were concerning zoning and of those, a majority were in regards to zoning changes for specific maritime properties. There were a couple of public comments pertaining to OS Zoning and the Region 4

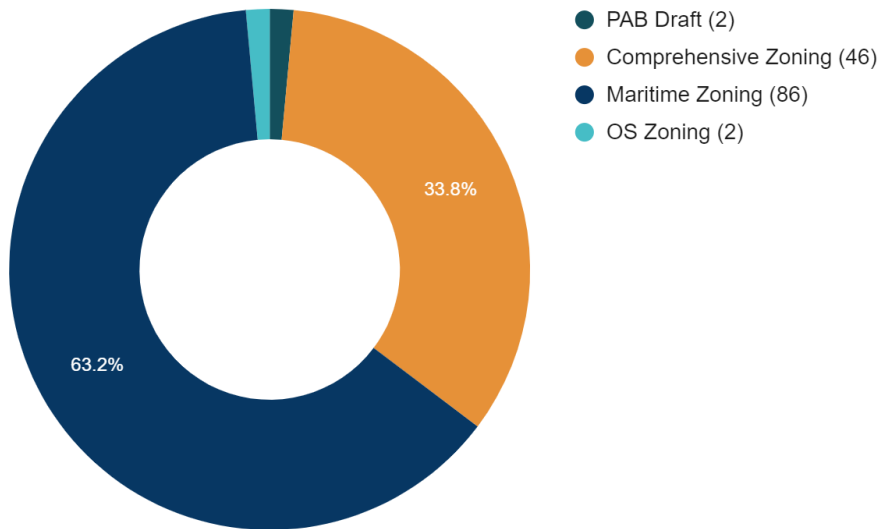
# Summary of Planning Advisory Board (PAB) Oral and Written Testimony

## Region 4

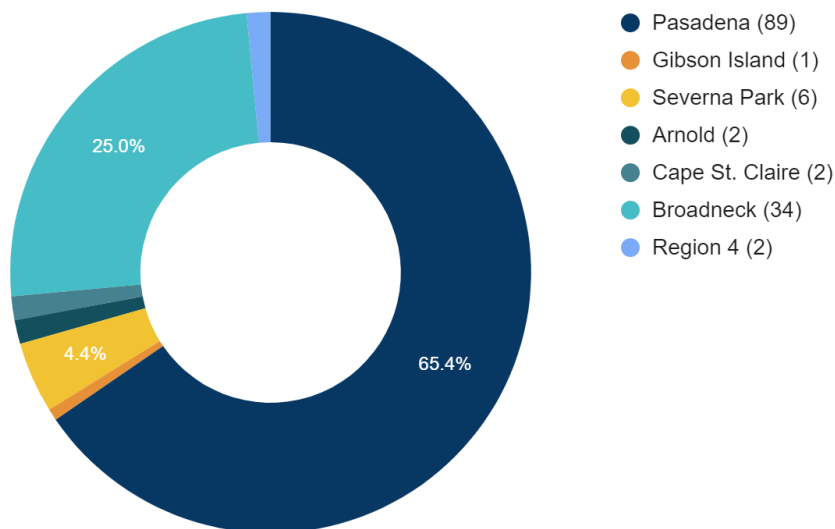
PAB Draft Plan. The remaining were all about various zoning changes. For the purpose of this summary, the primary topics are:

- Maritime Zoning
- Comprehensive Zoning
- Open Space (OS) Zoning
- PAB Draft Plan

Below is a breakdown of the public comments we received for each topic.



The PAB received comments concerning properties throughout Region 4. Below is the breakdown of comments by community.



# Summary of Planning Advisory Board (PAB) Oral and Written Testimony

## Region 4

### 2a. Maritime Zoning

The PAB received 86 comments concerning maritime properties. The comments were almost entirely regarding 1637 Orchard Beach Road and 1132 Pasadena Yacht Yard Road.

#### **CZ-R4-BDN-017 • 1637 Orchard Beach Road • Change Request • MA2 recommendation**

The owners of this property submitted an application requesting MA2 zoning. The property is currently zoned R1 and OS but is operating as a marina with an existing non-conforming use. MA2 will permit the owners to make needed improvements and repairs including the replacement of a derelict dwelling and the addition of restrooms and a management office. The staff recommendation is MA2 which is consistent with the existing use of the property.

#### Oral Testimony

There were seven speakers. All but one of the speakers were in opposition to the proposed MA2 change. Those who spoke were residents and neighbors in the area. One of the primary concerns is that Orchard Beach Road is a narrow residential street without sidewalks and having a commercial marina there would significantly increase traffic. This would pose a safety risk for both vehicles and pedestrians. One resident provided the PAB with documents to support the opposition. Another commented that other commercial marinas in similar residential communities have issues with people speeding and creating unsafe conditions.

Public comments also cited concerns such as:

- Environmental degradation
- Incompatibility with the neighborhood
- Decreased property value of neighboring properties
- The removal of trees without proper permits

Additionally, the PAB heard testimony from a representative of the owners at the end of the evening. The representative noted that MA2 zoning fits best with this use and operating through a non-conforming use makes it difficult to secure financing to maintain the facility. The applicant asked the PAB to support the OPZ recommendation for MA2.

#### Written Testimony

There were 11 public comments submitted in writing, six of which were submitted by people who also provided oral testimony at the PAB hearing on October 24, 2023. All except one of the comments were opposed to the MA2 change. Many wanted to restate their opposition and points made during the meeting. Comments noted the following reasons:

- Incompatibility with the residential character of the neighborhood
- Insufficient road infrastructure

The testimony supporting the request was submitted on behalf of the applicant. A few written comments refuted oral testimony made by the property owner's representative. Others argue

## Summary of Planning Advisory Board (PAB) Oral and Written Testimony

### *Region 4*

that the size of the property is not at least an acre in size and therefore cannot be developed as an MA2 property. The representative for the property owner provided written testimony urging support for the MA2 recommendation.

**CZ-R4-PAS-002** • 1132 Pasadena Yacht Yard Road • Change Request • MA2 recommendation

The owners of this property submitted an application requesting MC zoning. The property is currently zoned R5 operating as a marina with an existing non-conforming use approved in 1989. The application notes that the property's current status causes hardship when dealing with lending, investors, and regulators. MC would be consistent with the planned land use and existing use of the property.

#### Oral Testimony

In opposition to MA2 - There were four speakers in favor of MC zoning. The speakers included two owners, a representative, and a consultant. It was mentioned that during the last comprehensive zoning, OPZ recommended MC. MC zoning would make lending and operations easier and any concerns from community members will be addressed through the development review process. The owners spoke of the significant infrastructure investments they have made so far and they intend for PYY to be a high-quality, full-service marina. They are requesting MC to modernize the facility, which employs 15 and serves over 300 people. The only maritime zoning district with a full-service marina is MC zoning, while MA2 zoning is inappropriate for PYY's existing uses. They would be the only full-service marina zoned in the area that is MA2 and not MC.

In favor of MA2 - There were six speakers in favor of MA2 and against the owner's request for MC. Those who spoke were residents of the area. One testimony was on behalf of the Patapsco Boating and Social Association Inc. Another was representing the Rockview Beach / Riviera Isles Improvement Association. A common sentiment was that MC allows uses that are not compatible with the residential character of the area e.g. boatels. More intensive uses would create more traffic and noise, block water views, and threaten the peace and character of the neighborhood. Additionally, although the residents recognize MA2 as the best option, it allows bars and restaurants which is not ideal. Residents urge the County to review the maritime classifications and revise or develop a zoning that would be more fitting for a neighborhood location.

#### Written Testimony

There were a total of 57 written testimonies. Nine were submitted by people who provided oral testimony at the PAB hearing on October 24, 2023. Two were on behalf of the Rockview Beach / Riviera Isles Improvement Association. The owners, a PYY consultant, and the daughter of

## Summary of Planning Advisory Board (PAB) Oral and Written Testimony

### *Region 4*

one of the owners also submitted written comments. The remaining majority were sent by individual residents who live in the vicinity of PYY Marina.

In opposition to MA2 and in favor of MC - Comments reiterated points in support of MC zoning, noting that MC was recommended for the property in the past and that the marina has operated as a full-service marina since 1949. They also noted that no other marina in the area offers the comprehensive service they do and MC would allow them to continue operating as full service, improve services, and do so without having to continually apply for special exceptions.

In favor of MA2 and in opposition to MC - Many residents strongly oppose the MC zoning request for the marina property, citing that the permitted heavy uses under MC zoning are out-of-character with the residential area on Rock Creek. Stated examples of undesired heavy uses include multi-level watercraft racks/boatels. The operation of boatels adds a significant amount of noise. Overall, permitting more intensive uses would cause negative visual and environmental impacts, increase traffic and noise, and disrupt the peace of the community. Some other concerns mentioned are:

- Insufficient infrastructure to support increased vehicle traffic
- Increased boat traffic on a narrow waterway
- Light pollution

Residents support MA2 zoning as a compromise but suggest adding a further amendment to make the zoning category more "neighborhood-appropriate" by limiting uses such as bars, restaurants, and banquet halls.

### **CZ-R4-BDN-007 • 2116 Bay Front Terrace • Change Request • MA2 recommendation**

One testimony was submitted on behalf of the applicant. The applicant is revising their request for MB designation, stating that the MB zoning allows many unneeded uses and that the MA2 designation is more consistent with the property's existing operations and surrounding neighborhood.

### **2b. Zoning**

The PAB received an additional 46 zoning comments not related to maritime uses or OS zoning. These comments were either about zoning change requests or consistency changes.

#### Zoning Change Requests

There were 21 comments concerning zoning change requests for 15 different properties. Four of the written comments were submitted by individuals who testified at the PAB hearing. A list of the properties is shown below.

## Summary of Planning Advisory Board (PAB) Oral and Written Testimony

### Region 4

Comments Regarding Zoning Change Requests					
Comp Zoning Number(s)	Property Address	Written, Oral, or Both	OPZ Rec.	Support or Oppose OPZ Rec.	Public Comment
CZ-R4-ARN-004	491 College Pkwy	Written	R5	Support	Supports R5 designation
CZ-R4-ARN-501	1352 Shirleyville Rd	Written	*RLD	n/a	New owner request for R1 or R5
CZ-R4-BDN-002	457 Broadneck Rd	Written	RLD	Oppose	Requesting R5, R2, or back to R1 at min (zoning before RLD)
CZ-R4-BDN-015	161 Ferguson Rd	Both	RLD	Oppose	Urging PAB to reconsider the application for C4
CZ-R4-BDN-218	1462 Shot Town Rd	Both	*Split: RLD and R5	n/a	New owner request for R1 or R5 for portion of property to the west of Shot Town Rd.
CZ-R4-BDN-501	1401 and 1403 Shot Town Rd	Written	*RLD	n/a	New owner request for R2 (zoning before RLD)
CZ-R4-BDN-502	1450 and 1460 Shot Town Rd	Written	*RLD	n/a	New owner request for R1 or R5
CZ-R4-BDN-503	1475 Shot Town Rd	Both	*R5	n/a	New owner request for R1 or R5
CZ-R4-BDN-504	439 Broadneck Rd	Written	RLD	n/a	New owner request for R1 or R5
CZ-R4-PAS-011	4471 Mountain Rd	Written	*Split C1/R1	n/a	Requesting all C3 to be consistent with the uses of surrounding properties.
CZ-R4-PAS-030	97 Ritchie Hwy	Written	SB	Oppose	Requesting C3 or R22
CZ-R4-PAS-032	129 Ritchie Hwy	Both	C3	Support	Supports C3 and urges PAB to do the same
CZ-R4-PAS-404	8020 Ritchie Hwy	Written	R2	Oppose	Requesting C4
CZ-R4-PAS-503	21 & 25 Ritchie Hwy	Written	*C4	n/a	New owner request for C4 for entire property
CZ-R4-SVP-008	849 Baltimore Annapolis Blvd	Written	R5	Oppose	Requesting SB which was supported by the SAC

\* New recommendations made during the PAB process.

## Summary of Planning Advisory Board (PAB) Oral and Written Testimony

### Region 4

A common theme throughout the testimonies for the following properties is that the parcels were previously zoned for higher density. Owners expressed concern that their properties have been downzoned over time affecting the value of the land and their ability to develop it. Some hope to have their zoning reverted to a previous classification at the very least.

- CZ-R4-ARN-501 - 1352 Shirleyville Rd
- CZ-R4-BDN-002 - 457 Broadneck Rd
- CZ-R4-BDN-218 - 1462 Shot Town Road
- CZ-R4-BDN-501 - 1401 and 1403 Shot Town Rd
- CZ-R4-BDN-502 - 1450 and 1460 Shot Town Rd
- CZ-R4-BDN-503 - 1475 Shot Town Rd
- CZ-R4-BDN-504 - 439 Broadneck Rd

### **CZ-R4-PAS-011** • 4471 Mountain Rd • Change Request • Split C1/R1

The applicant requested C3 zoning instead of the adopted R1 zoning. The PAB received six written testimonies supporting the commercial land use for this property. The respondents all noted that they presumed the property was already commercial due to the commercial character of that area.

### Consistency Changes

There were four submissions concerning proposed consistency changes. Owners conveyed concerns about what the change will do to their property value or how it will impact their business. Below is a list of these changes.

Comments Regarding Consistency Changes					
Comp Zoning Number(s)	Property Address	Written, Oral, or Both	OPZ Rec.	Support or Oppose OPZ Rec.	Public Comment
CZ-R4-PAS-1659	8265 & 8271 Baltimore Annapolis Blvd	Written	C4	Support	Supports C4 designation for entire property
CZ-R4-SVP-1075	509 Ritchie Hwy	Written	MXD-C	Oppose	Requesting to retain adopted zoning of C3
CZ-R4-SVP-1475	137 Truck House Rd	Both	R2	Oppose	Requesting to retain adopted zoning of R5
n/a	1504 Stacey Lane	Both	R5	Oppose	Requesting to retain adopted split zoning of R5 and C1

# Summary of Planning Advisory Board (PAB) Oral and Written Testimony

## Region 4

### 2c. Open Space Zoning

The PAB received two comments regarding OS zoning. Both were in support of the changes to their respective properties.

Comments Regarding OS Zoning					
Comp Zoning Number(s)	Property Address	Written, Oral, or Both	OPZ Rec.	Support or Oppose OPZ Rec.	Public Comment
CZ-R4-ARN-211	1222 Fenwick Garth	Written	OS	Support	Supports retaining OS zoning
CZ-R4-PAS-217	580 Lake Shore Dr.	Written	OS	Support	Supports retaining OS zoning

### 2d. PAB Draft Plan

There were two comments concerning the PAB draft of the Region 4 plan. One was submitted by Ms. Ann Fligsten, Chair of the Region 4 SAC. On behalf of the SAC, she provided a letter of support for the Region 4 Plan and the Comprehensive Zoning recommendations. The second submission mentioned inequities, the risks of sea level rise, and the lack of stormwater infrastructure in historically black neighborhoods.