

CHAPTER 6

LAND USE, DEVELOPMENT AND ZONING

Existing Land Use

The Broadneck Peninsula contains about 16,100 acres. The largest land use in the area, based on the County's 1995 land use inventory, is single family housing, comprising 48% of the planning area or 7,800 acres. Government and institutional land use comprises 1,550 acres or about 9% of the Broadneck area. About 8% of the land within the planning area is used as agricultural, which amounts to 1,280 acres. Open Space and Natural Features land accounts for about 5% of the total land area, or 780 acres. Townhouses and apartments combined make up 2.6% of the land use, with 362 acres devoted to townhouses and 62 acres used for apartments.

Total commercial land use accounts for 224 acres, 1.3% of the total land use in the Broadneck Planning area, and includes retail uses such as Arnold Station, Cape St. Claire, and Bay Hills shopping centers. A small portion of the commercial land use (39 acres) is occupied by offices. Industrial land use accounts for 0.6%, (101 acres), of the total land use in the Broadneck planning area.

Recreation uses account for 1,070 acres, which is 6.6% of the land use in the planning area. Utility uses such as roads and other rights-of-way make up 664 acres or 4.1% of the total land use. About 2,200 acres are classified as vacant or undeveloped.

Land Use Goals:

Support the revitalization of local business:

- Encourage redevelopment in existing underutilized commercial locations on the Route 50 Corridor.
- Improve the view along Route 50 by landscaping, particularly at intersections, on medians and at commercial establishments along the service roads.
- Install signs with compatible designs announcing communities, approaching streets, and local business areas.
- Support and nurture community oriented businesses on the Broadneck.

Existing Zoning

Zoning is one of the primary tools used to regulate the use, intensity, preservation and development of land in the County. All land in the County is classified in one or more zoning classifications. These classifications fall into broader categories which include: agricultural, open space, residential, commercial, industrial, town center and maritime.

Low density residential zoning accounts for 43% of the land on the Broadneck Peninsula, with 4,694 acres zoned R1 (29%) and 2,205 acres zoned R2 (14%). The R1 and R2 zoning classifications permit single family homes on one acre and half acre lots. The R5 zoning classification permits 5 dwellings per acre and can include townhouses. Within the R5 zoning category, there are 3,386 acres, accounting for 21% of the land in the Broadneck planning area. About 1% of the land (166 acres) is zoned R15, a medium density multi-family zoning category. All of the residential zoning classifications allow some non-residential uses such as schools, parks and government uses. About 1,709 acres, or 11% of the land in the Broadneck Planning is zoned Open Space.

Land zoned for commercial use accounts for about 1.4% (220 acres) of all the land in the Broadneck planning area. Most of the commercially zoned property within the C1 and C2 classification is located on Ritchie Highway, and at the Graul's shopping plaza in Cape St. Claire, while most of the C3 and C4 zoned property is located at the Bay Hills Shopping Center, on Ritchie Highway and along Route 50.

Table 1. Commercial Zones by Acreage for the Broadneck Planning Area

Commercial Classification	Acreage	Percent of Commercial Zoning	Percent of Total Broadneck Zoning
C1: Neighborhood Business	45.74	20%	.28%
C2: Commercial Office Zone	12.6	6%	.08%
C3: General Retail	90.25	41%	.56%
C4: Highway Commercial	72.67	33%	.45%

Land zoned for industrial use in the Broadneck planning area comprises 82 acres (1%) and includes industrial parks and light industrial. Marinas constitute 44 acres of land in the planning area. About 28 acres are zoned MA1, the community marina designation, and 5 acres are zoned MA2, a commercial marina classification. About 4 acres are zoned MA3, a zone that primarily permits yacht clubs, and about 7 acres are designated as MB, a heavier marine commercial designation.

In April 1999, 84 applications were received for comprehensive zoning changes to the Broadneck Small Area Plan Draft Zoning Map. A list of these requests is located in Appendix B.

Insert Existing Zoning Map

Existing Land Use

Insert proposed land use map

Principles that Guided the Small Area Plan

Informed by extensive public comment and following extended deliberation and debate, the Broadneck Small Area Plan makes numerous recommendations regarding land use and development.

The planning process involved an examination of all of the land uses on the Broadneck Peninsula. Many of the residential land use recommendations proposed by the Plan more accurately reflect the actual density. The Plan strives to avoid the spot zoning of isolated commercial uses along Ritchie Highway that may encourage more strip centers. The Plan strongly supports maintaining the residential character of College Parkway.

In a few cases the Plan recommends a change from residential to commercial land use where it has been determined that the change does not encourage further expansions of the commercial zone or a change in character of the neighborhood. Certain principles were used to help guide the Plan in making these recommendations. They include the following:

- Maintain balanced land uses and zoning that emphasizes green space and maintains or increases housing values.
- Encourage clustering of housing in new developments and maintenance of forested buffers.
- Require new developments to have public areas, dedicated open space, and active recreational facilities.
- Retain existing rural and low density land use and zoning designations for currently undeveloped areas without planned sewer service, such as St. Margaret's.
- Apply smart growth principles to vacant parcels of land and utilize parcels with infrastructure while preserving forested buffers, stream beds, and other environmentally sensitive areas.
- Land Use designations should strive for balance between land use categories that promote development in such a way that land value is maintained or enhanced with an emphasis on the preservations of trees and greenspace.

Recommended Changes for Residential Properties

The Plan's recommendations regarding land use designations are graphically represented on the Proposed Land Use Map (Map 3).

It should be noted that the R2 (2 dwellings per acre) zoning district is compatible with both the *low* and the *low medium* residential land use categories. The plan goals and recommendations are as follows:

Goal: Recognize and correct the GDP Land Use Map to reflect the actual density of those residential communities that are already built at a particular density.

Recommendations: Areas of St. Margaret's, like Amberly or Browns Woods, that are built to a *low residential* density (1 to 2 houses per acre) should not have the *rural* land use designation. The reason for this correction is not to encourage new development, but rather to acknowledge existing density and to permit homeowners more flexibility in meeting setback and other performance standards for minor alterations and additions, such as decks and garages, without the need for variances.

Goal: Reconcile undeveloped residential land use to 'smart growth' standards; public water and sewer availability, growth projections and concerns with preserving forested areas, protecting stream beds, and respecting other environmentally significant areas.

Recommendations: There already exists sufficient R5 development in the Broadneck area, and that projected growth can be achieved with the low residential designation. Thus, significant parcels of undeveloped land on the Broadneck should not exceed the low residential designation unless such a designation is incompatible with the character of the surrounding neighborhoods. Where topography and other factors, such as infrastructure, limit the development of land the preferred designation is rural.

Other Recommendations:

1. South of Jones Station Road, near the intersection with Bay Dale Drive (known as the Cobun property): change from a mix of Low-Medium Residential and Rural land use to Low Residential land use classification with a recommended zoning change to R2.
2. South side of College Parkway near Jones Station Road. Change the land use designation of the Chesapeake Future Care Nursing Home from Government/Institutional to low residential.

3. South side of College Parkway at Bay Dale Drive, and the vacant land that is on the east and west sides of Bay Dale Drive: On the east side retain Low Residential land use designation. On the west side change the land use designation from Low Medium Residential to Low Residential.
4. On Cape St. Claire Road across from Cape Saint Claire Park, extend the commercial land use to include the Texaco Station, located on the north side of Graul's shopping center.
5. South side of Broadneck Road east of 192 (includes parcels 142, 323, 372, and 379 on tax map 40). Change the land use designation from rural to low residential and provide that any residential development be required to maintain current forested property.

Residential Properties where Change was Not Recommended:

The Plan evaluated a number of residential properties within the planning area and concluded that there should be no change in their residential land use designation.

1. Retain low residential designation for the undeveloped land between the Amoco gas station and the College Village Retail center and the vacant land south of the Oxbow Restaurant (approximately 1 acre) east of Route 2 (Ritchie Highway), and south of Jones Station Road.
2. Retain low residential designation for the *Arnold Pet Station* and the land between Arnold Pet Station and Severn Commercial Center on the west side of Route 2 near The Big Vanilla.
3. Retain low residential designation for the *Chesapeake Medical Center* on the west side of Route 2, between the Providence Center and Joyce Lane.
4. Retain low residential for the *Palmer* property on the west side of Route 2 at Joyce Lane and the *Arundel Farms Nursery* and *Meritor Academy* on the east side of Route 2 at Joyce Lane.
5. Retain low residential designation for approximately one to two acres on the east side of Route 2, near the Post Office.
6. Retain rural designation for the vacant lot on the south side of the road, west of McDonald's on the Whitehall service road, east of St. Margaret's interchange.
7. Retain low residential designation for the *Landmark Cos. Site* (former gas station) on Log Inn Road.

8. Retain low residential for the vacant land on the south side of College Parkway and the east side Bay Dale Road.
9. Retain low residential designation for the *Broadneck Nursery* on the south side of College Parkway.
10. Retain low residential designation for *O'Loughlin's Restaurant* on Shore Acres Road.
11. Retain low residential designation for the *Lonergan Property*, (Chesapeake Charters) located on Broadneck Road.
12. Retain low residential designation for the *Deep Creek Restaurant and Marina* located on Deep Creek Avenue.
13. Retain rural designation for *Cantler's Riverside Inn*, located on Forest Beach Road.
14. Retain low residential designation for the residential parcels south of Sandy Point Park, between Yorktown Road and Log Inn Road.
15. Retain low residential designation for the residential parcels north of St. Margaret's Road, between Baltimore Annapolis Boulevard and Brown's Woods Road.
16. Retain low residential designation for the *Pettebone Farm*, located on the west side of Bay Head Road.
17. Retain rural designation for the area west of Harmony Acres in St. Margaret's.

Recommended Changes for Commercial and Industrial Properties

The Plan's recommendations regarding land use designations are graphically represented on the Proposed Land Use Map (Map 3). Based on a broad range of considerations including results from the public forums and comments at the SAP meetings, the Small Area Plan recognizes a need for some small scale businesses to provide close-in services to residents on the Broadneck. Thus, the Plan supports recognizing some existing commercial uses that are built to a scale where they are unlikely to revert to a residential use and has recommended some vacant land to be designated with a commercial land use. Specific commercial and industrial land use recommendations are listed below.

Goal: Have the land use designations accurately recognize current existing commercial uses in commercial zones for which no change in zoning is proposed.

Recommendation: A number of properties, particularly along US 50, are covered by a ‘broad brush’ residential land use designation on the 1997 GDP Land Use Map, but operate as, and are zoned for commercial use. The Small Area Plan recommends that the maps be revised to accurately represent the commercial uses.

Goal: Preserve the character and nature of existing residential areas, recommending changes from residential to commercial land use only where the new land use designation will not change the character of the neighborhood.

Recommendation: There are a number of uses in residential zones in the Broadneck that are ‘commercial’ in nature. These include veterinary offices, churches, schools, nurseries, and medical clinics, which fall under the classification of conditional uses or special exceptions. The Committee recommends that these uses continue to be permitted in residential areas where they are compatible with the surrounding neighborhood. Conditional uses and special exceptions do not devalue the residential areas, or change the character of the residential areas in which they exist. They do not require a change in zoning or land use to continue to function. There is a concern that if such a change were to occur, it could open the door to many uses that might be incompatible with the surrounding residential uses.

Specific Recommendations:

1. Change from low residential to Light Industrial designation to reflect the existing W2 zoning and use for the small light industrial complex located on the east side of B&A Blvd., near the intersection with Old County Road.
2. Change the Rite Aid, Fire Station and small vacant lot just north of Fishpaws on the west side of Route 2, south of Jones Station Road from Medium Residential and low residential to commercial land use.
3. Change the Amoco and College Village Center, small retail building and Oxbow Restaurant located on the east side of Route 2, south of Jones Station Road from low residential to commercial land use.
4. Change the Big Vanilla Property located on the east side of Route 2 from Low-Medium Residential to commercial with a recommendation for C2 zoning.
5. Change the Severn commercial Center located on the west side of Route 2 near The Big Vanilla from low residential to Industrial land use with a recommended change in zoning to W2.

6. Change approximately 2.5 acres of the left hand side of the adjoining lot located to the north of the existing 84 Lumber and Storage business from low residential to commercial, with a recommended change in zoning to C4, providing that any development of the site be accompanied by ample landscaping to provide an appropriate buffer zone between the commercial site and the adjoining residential property.
7. Expand the commercial land use to fully cover the existing commercial zoning and use for the Annapolis Terrace Motel and Restaurant, Recreation World, Chesapeake Sports and Teco Electric located on the south side of Route 50 and Route 2.
8. Change Annapolis Motor Cars, Exxon, Wawa, Annapolis Volvo and J.H. Business Center located on Busch's Frontage Road along Route 50 from rural to commercial land use.
9. Change the vacant (1 acre) lot between Whitehall Service Road and Route 50, east of St. Margaret's interchange from rural to commercial designation.
10. Expand the adjacent commercial land use designation to include the existing commercial zoning and use for the Sunoco and vacant site (former gas station) on Skidmore Drive along Route 50, east of Whitehall Road.
11. Expand the existing commercial land use designation and zoning to cover fully the existing commercial development for the 7-Eleven site on College Parkway east.
12. Expand the existing commercial designation and zoning to cover fully the existing commercial development for the Cape Saint Claire Shopping Center and adjacent service station on Cape St. Claire Road.
13. Change the College Parkway Office Center and College Parkway Professional Center located on College Parkway at Bellerive/Pennington, on the north side of the Parkway from Low-Medium Residential to Commercial designation with a recommendation for C2 zoning. This recommendation is only intended for the existing developed property.
14. Change the Brown's Woods Market located on Brown's Woods Road and St. Margaret's Road from rural to Commercial land use to reflect the existing use and zoning.
15. Designate the commercial areas along Route 50, on the north and south sides, as Commercial Revitalization areas.
16. Change the 3.2 acre property located at the southwest corner of the intersection of Bay Dale Drive and Old Mill Bottom Road, known as 36 Old Mill Bottom Road, from a

Low-Medium Residential to a Commercial designation, with a recommended change in zoning to SBD and provide that any development be required to maintain the forested buffer along any adjoining residential properties.

Marinas

1. Provide a marine land use designation for all properties in maritime zoning districts.
2. The Diamondides property (also known as the Severn Inn and Mariner's Wharf) is located on the Severn River near the eastern end of the Naval Academy Bridge. The Plan recommends adoption of legislation that would permit a small inn as a conditional or special exception use in the MA2 zoning district. The Plan also supports the creation of a park (or extension of Jonas Greene Park) on this property.
3. The county zoning code should be amended to include "water charter operations" as one of the permitted uses within the MA2 zone.
4. Change the land use for the strip of land that is owned by the Cape St. Claire Improvement Association and that is contiguous to the existing MA1 zoned land along Deep Creek from Low Residential to a Maritime designation with a recommended change in zoning to MA1.

Reuse of Public Properties

1. David Taylor Naval Station

The Plan supports re-use of approximately 40 acres of the David Taylor Naval Station property. The land use designation should be government-institutional and the zoning of the property should remain R1, since government re-use facilities are permitted in an R1 zone. Further, as this property affords excellent opportunity for public water access which is sorely needed in the Broadneck area, the Plan emphasizes a high priority should be placed on planning for the provision of public access to the water in the development of the David Taylor property.

2. Nike Site

The Plan supports the development of the Nike site on Bay Head Road as a park, including athletic fields and community facilities and as a station on the Broadneck hiker-biker trail. The Nike site located on Bayhead Road should be designated Natural Features, as shown on Map 3, but should have its zoning classification designated as Open Space.

