

Introduced 4/3/17
Public hearing 4/19/17
Council action 5/1/17
Executive action 5/15/17
Effective date 7/5/17

County Council of Howard County, Maryland

2017 Legislative Session

Legislative day # 6

BILL NO. 32 – 2017 (ZRA – 172)

Introduced by: The Chairperson at the request of Stephen Ferrandi, Maryland Land Advisors

AN ACT amending the Howard County Zoning Regulations to make certain Neighborhood Preservation sending parcels eligible for a Conditional Use for Historic Building Uses; and generally relating to Historic Building Uses.

Introduced and read first time April 3, 2017. Ordered posted and hearing scheduled.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on April 19, 2017.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on May 1, 2017 and Passed , Passed with amendments _____, Failed _____.

By order Jessica Feldmark
Jessica Feldmark, Administrator

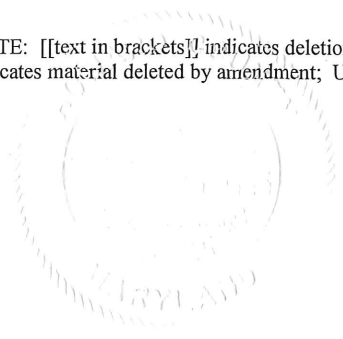
Sealed with the County Seal and presented to the County Executive for approval this 3rd day of May, 2017 at 1 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive May 5, 2017

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.



1 **Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard**
2 **County Zoning Regulations are hereby amended as follows:**

3
4 *By Amending*

5
6 *Section 103.0: "Definitions"*

7 *Letter N.*

8
9 *Section 128.0: "Supplementary Zoning District Regulations"*

10 *Subsection K. "Neighborhood Preservation Density Exchange Option"*

11 *Number 1.;*

12 *Number 2. "Neighborhood Preservation Parcel Easement Requirements"*

13 *Letters b. and d.*

14 *Number 4. "Additional Requirements"*

15 *Letter a. "Sending Parcels"*

16
17
18 **Howard County Zoning Regulations**

19
20 **SECTION 103.0: DEFINITIONS**

21 **N.**

22
23 Neighborhood Preservation Parcel: A residential infill parcel in the R-20, R-12, or R-ED
24 Districts that existed on September 9, 2008 and is designated as a sending parcel on a
25 Revision Plat or a Final Plat or easement. A Neighborhood Preservation Parcel shall be
26 encumbered by a Neighborhood Preservation Parcel Easement, and is either improved with a
27 Swimming Pool, Community OR AN HISTORIC STRUCTURE as defined in Section 103.0
28 or an existing dwelling unit, or if unimproved, must be owned and maintained by a
29 Homeowners Association or dedicated to the Howard County Department of Recreation and
30 Parks as provided in Section 128.0.K. Any new structures placed on an improved site shall not
31 be larger than 50 percent of the building footprint of the principal structure existing at the time
32 the Neighborhood Preservation Easement is recorded, except as provided in Section 128.0.K.

33
34 **SECTION 128.0: SUPPLEMENTARY ZONING DISTRICT REGULATIONS**

35 **K. Neighborhood Preservation Density Exchange Option**

- 36 1. In the R-ED, R-20, R-12 and R-SC Districts, a parcel that qualifies under the
37 criteria for neighborhood infill development as defined in Section 16.108.(b) of

1 the Subdivision and Land Development Regulations or a parcel principally
2 used for a Swimming Pool, Community OR AN HISTORIC STRUCTURE, as
3 defined in the Zoning Regulations and is eligible to be developed for additional
4 residential lots, may be a sending parcel for the Neighborhood Preservation
5 Density Exchange Option within the same planning district or within a two-
6 mile radius regardless of the planning district. However, sending parcels that
7 contain a historic structure, as provided in Subsection 1.b below, may
8 exchange density with a receiving parcel in any planning district.

9 2. Neighborhood Preservation Parcel Easement Requirements

10 b. A Neighborhood Preservation Parcel Easement improved with an existing
11 dwelling unit, A STRUCTURE USED FOR AN HISTORIC BUILDING USES
12 CONDITIONAL USE, or a Swimming Pool, Community shall not have any new
13 structures placed on the site that are larger than 50% of the building
14 footprint of the structure existing at the time the neighborhood preservation
15 easement is recorded. However, if the average footprint size of the nearest six
16 dwellings is greater than the footprint of an existing building, the Director may
17 approve a footprint that does not exceed this average.

18 d. The easement shall run with the land, shall be in full force and effect in
19 perpetuity, and shall describe and identify the following:

20 (3) A prohibition on future use or development of the parcel for uses
21 incompatible with the Neighborhood Preservation Parcel Easement.
22 Only principal or accessory residential uses, HISTORIC BUILDING
23 USES CONDITIONAL USES, or principal or accessory Swimming
24 Pool, Community uses are permitted in accordance with the Zoning
25 Regulation.

26 4. Additional Requirements

27 a. Sending Parcels

28 (3) ON PARCELS IMPROVED WITH A STRUCTURE USED FOR AN
29 HISTORIC BUILDING USES CONDITIONAL USE, ONE
30 DEVELOPMENT RIGHT SHALL BE RETAINED ON THE SENDING

1 PARCEL TO ALLOW FOR THE OPERATION OF THE CONDITIONAL
2 USE.

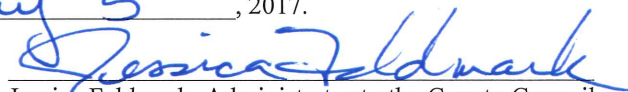
3
4 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act*
5 *shall become effective 61 days after its enactment.*

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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

May 5, 2017.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2017.

Jessica Feldmark, Administrator to the County Council