

Introduced 4/3/17  
Public hearing 4/19/17  
Council action 6/5/17 (6/16/17)  
Executive action \_\_\_\_\_  
Effective date 8/16/17

## County Council of Howard County, Maryland

2017 Legislative Session

Legislative day # 6

**BILL NO. 31 – 2017 (ZRA – 171)**

**Introduced by:** The Chairperson at the request of Olenka Stasyshyn

**AN ACT** amending the Howard County Zoning Regulations Conditional Use section to add a new Instructional School use to the R-20 Zoning District; and generally relating to Instructional Schools.

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.

Tabled 5/1/17

By order

Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on June 5, 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 6<sup>th</sup> day of June, 2017 at 4 a.m./p.m.

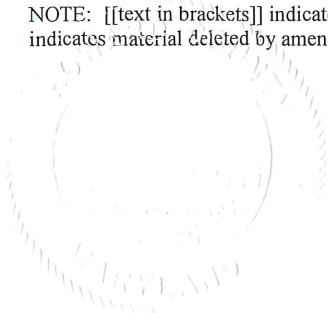
By order

Jessica Feldmark  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2017

\_\_\_\_\_  
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 Adding*

5  
6 *Section 131.0: "Conditional Uses"*

7 *Subsection O. "New Conditional Use Categories"*

8 *Number 3. "School, Instructional"*

9  
10  
11 **Howard County Zoning Regulations**

12  
13 **SECTION 131.0: - Conditional Uses**

14  
15 **O. New Conditional Use Categories**

16 Completely new Conditional Use categories established after the effective date of the current  
17 Zoning Regulations are listed below along with the zoning districts in which the Conditional  
18 Use category is permitted and the specific criteria required for approval.

19  
20 **3. SCHOOL, INSTRUCTIONAL**

21 A CONDITIONAL USE MAY BE GRANTED IN THE R-20 DISTRICT FOR SCHOOLS PROVIDING  
22 INSTRUCTION IN MUSIC, DANCE, MARTIAL ARTS, YOGA, AND MEDITATION PRACTICE,  
23 PROVIDED THAT:

24 A. ~~THE PARCEL ADJOINS A NON-RESIDENTIAL ZONING DISTRICT IS WITHIN 500 FEET OF THE~~  
25 CENTER POINT OF THE INTERSECTION OF TWO ARTERIAL ROADS.

26 ~~B. THE PROPOSED STRUCTURE DOES NOT EXCEED 5,000 SQUARE FEET.~~

27 B. THE STRUCTURE FOR WHICH THE CONDITIONAL USE IS PROPOSED SHALL NOT EXCEED  
28 4,000 SQUARE FEET. THIS CONDITIONAL USE MAY ONLY BE GRANTED FOR A DWELLING  
29 EXISTING AT THE TIME OF THE APPLICATION FOR THE CONDITIONAL USE.

30 C. PARKING AREAS SHALL BE LOCATED AND LANDSCAPED TO MINIMIZE THEIR VISIBILITY  
31 FROM ADJACENT RESIDENTIAL PROPERTIES. ALL PARKING FOR THE INSTRUCTIONAL  
32 SCHOOL MUST BE PROVIDED ON-SITE.

1 D. REASONABLE STANDARDS FOR HOURS OF OPERATION SHALL BE PROPOSED BY THE  
2 PETITIONER AND ESTABLISHED BY THE HEARING AUTHORITY FOR EACH USE. ALL  
3 ACTIVITY RELATED TO THE INSTRUCTIONAL SCHOOL MUST CEASE BY 9:00 PM.

4 E. THE DESIGN OF PROPOSED STRUCTURES OR ADDITIONS TO EXISTING STRUCTURES SHALL  
5 BE GENERALLY COMPATIBLE IN SCALE AND CHARACTER WITH RESIDENTIAL ~~AND~~  
6 ~~COMMERCIAL~~ PROPERTIES IN THE VICINITY OF THE SITE, AS DEMONSTRATED BY  
7 ARCHITECTURAL ELEVATIONS OR RENDERINGS SUBMITTED WITH THE PETITION.

8 F. AT LEAST ONE PERSON INVOLVED IN THE INSTRUCTIONAL SCHOOL OPERATION SHALL  
9 RESIDE IN THE STRUCTURE.

10 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that the*  
11 *publisher of the Howard County Zoning Regulations is authorized hereby to amend the*  
12 *Conditional Uses and Permissible Zoning Districts chart attached to Section 131 of the*  
13 *Zoning Regulations in order to reflect the substantive changes made by this Act.*

14  
15 *Section 3. Be it further enacted by the County Council of Howard County, Maryland, that*  
16 *this Act shall become effective 61 days after its enactment.*

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21

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on \_\_\_\_\_, 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 June 16, 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

Amendment 1 to Council Bill 31-2017

BY: Calvin Ball  
Jon Weinstein

Legislative Day No: 9  
Date: 6/5/17

Amendment No. 1

1 (This amendment would add criteria for approval of an Instructional School conditional use,  
2 including limitations on the size of the structure, hours of operation, and locations for which  
3 the conditional use may be approved. It also requires that someone involved in the operation  
4 of the Instructional School live at the proposed site.)  
5  
6

7 On page 1, in line 24, strike "ADJOINS A NON-RESIDENTIAL ZONING DISTRICT" and  
8 substitute "IS WITHIN 500 FEET OF THE CENTER POINT OF THE INTERSECTION OF TWO ARTERIAL  
9 ROADS".  
10

11 On page 1, strike line 25, and substitute:  
12 "B. THE STRUCTURE FOR WHICH THE CONDITIONAL USE IS PROPOSED SHALL NOT  
13 EXCEED 4,000 SQUARE FEET. THIS CONDITIONAL USE MAY ONLY BE GRANTED  
14 FOR A DWELLING EXISTING AT THE TIME OF THE APPLICATION FOR THE  
15 CONDITIONAL USE.".  
16

17 On page 1, in line 27, after the period insert "ALL PARKING FOR THE INSTRUCTIONAL  
18 SCHOOL MUST BE PROVIDED ON-SITE.".  
19

20 On page 1, in line 29, after the period insert "ALL ACTIVITY RELATED TO THE  
21 INSTRUCTIONAL SCHOOL MUST CEASE BY 9:00 PM.".  
22

23 On page 1, in lines 31 and 32, beginning at the end of line 31, strike "AND  
24 COMMERCIAL".  
25

26 On page 1, immediately following line 33, insert the following:  
27

28 "F. AT LEAST ONE PERSON INVOLVED IN THE INSTRUCTIONAL SCHOOL OPERATION  
29 SHALL RESIDE IN THE STRUCTURE.".

ADOPTED 6/5/17  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Adrenal

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By order \_\_\_\_\_  
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By order \_\_\_\_\_  
Jessica Feldmark, Administrator

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Allan H. Kittleman, County Executive

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