

Introduced 1/6/2014
Public Hearing 1/22/2014
Council Action 2/3/2014
Executive Action 2/5/2014
Effective Date 4/7/2014

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 1

Bill No. 1-2014 (ZRA 147)

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Howard County Zoning Regulations to amend the Purpose Statement of the TOD District; to provide that the district may allow for certain uses; to allow certain industrial uses, subject to certain criteria; and generally relating to the Howard County Zoning Regulations.

Introduced and read first time January 6, 2014. Ordered posted and hearing scheduled.

By order Sheila M. Tolliver
Sheila M. Tolliver, 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 January 22, 2014.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

This Bill was read the third time on January 3, 2014 and Passed , Passed with amendments , Failed .

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of February, 2014 at 2:00 a.m. (p.m.)

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive February 5, 2014

Ken Ulman
Ken Ulman, 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
2 *Howard County Zoning Regulations are amended as follows:*

- 3 1. *By amending*
4 *Subsection A, Purpose*
5 *Section 127.4: TOD (Transit Oriented Development) District*
6
7 2. *By amending*
8 *Subsection B, Uses Permitted as a Matter of Right*
9 *Section 127.4: TOD (Transit Oriented Development) District*
10
11 3. *By amending*
12 *Subsection E, Bulk Regulations*
13 *Section 127.4: TOD (Transit Oriented Development) District*
14

15 **Howard County Zoning Regulations.**

16 **Section 127.4 TOD (Transit Oriented Development) District**

17
18 **A. Purpose**

19 The TOD District provides for the development and redevelopment of key
20 parcels of land within 3,500 feet of a MARC Station. The TOD District is
21 intended to encourage the development of multi-use center combining
22 office and high-density residential development that are located and
23 designed for safe and convenient pedestrian access by commuters using
24 the MARC Trains and other public transit links. For sites of AT least 50
25 acres, well-designed multi-use centers combining office, high-density
26 residential development with a diversity of dwelling unit types, and retail
27 uses are encouraged. The requirements of this district, in conjunction with
28 the Route 1 Manual and the vehicular and pedestrian improvements that
29 connect internally and with surrounding development, will result in
30 development that makes use of the commuting potential of the MARC

1 system, creates attractive employment or multi-use centers, and provides
2 for safe and convenient pedestrian travel.

3
4 Many parcels in the TOD District were developed before this district was
5 created. It is not the intent of these requirements to disallow the continued
6 use of sites developed prior to the TOD District. ADDITIONALLY, BECAUSE
7 TOD DEVELOPMENTS ARE MOST EFFECTIVE WHEN COMPREHENSIVELY
8 PLANNED FOR LARGER PARCELS OF LAND SURROUNDING A MARC STATION,
9 IT IS NEITHER THE INTENT OF THESE REQUIREMENTS TO ENCOURAGE
10 SMALLER, PIECEMEAL TOD DEVELOPMENTS NOR DISALLOW THE
11 BENEFICIAL USE OF UNDEVELOPED TOD DISTRICT PARCELS DURING THE
12 PERIOD OF TIME PRIOR TO A LARGER TOD DEVELOPMENT BEING
13 ASSEMBLED. The intent of this district will be achieved by bringing sites
14 into compliance with these requirements and the standards of the Route 1
15 Manual as a MIX OF RESIDENTIAL AND NONRESIDENTIAL uses are
16 redeveloped or expanded. CERTAIN LIGHT INDUSTRIAL USES OR LOWER
17 DENSITY RESIDENTIAL UNITS MAY ALSO BE APPROPRIATE WITHIN THE MIX
18 OF TOD ~~NONRESIDENTIAL~~ USES IF PROPERLY LOCATED SO AS TO NOT
19 OVERLY REDUCE THE AVAILABLE LAND AREA FOR THE MORE DENSE MIX OF
20 USES AT THE CORE OF THE TOD DEVELOPMENT, CLOSER TO THE MARC
21 STATION. ~~TO PROVIDE FOR REDUCED DENSITY ON PROJECTS LOCATED~~
22 ~~WITHIN THE TOD LIMITS BUT FAR FROM THE MARC STATION TO ALLOW~~
23 ~~LOWER DENSITY RESIDENTIAL DEVELOPMENT.~~

24
25 **B. Uses Permitted as a Matter of Right**

- 26
27 9. DWELLINGS, SINGLE-FAMILY ATTACHED, WITHIN A TOD
28 DEVELOPMENT PROJECT GREATER THAN 3 ACRES AND
29 ENCOMPASSING LESS THAN 50 ACRES THAT IS ENTIRELY LOCATED
30 MORE THAN 2,500 FEET FROM A MARC STATION, PROVIDED THAT
31 THE MINIMUM DENSITY SHALL NOT APPLY AND THAT SUCH

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DWELLINGS SHALL NOT OCCUPY MORE THAN 40% OF THE GROSS DEVELOPMENT AREA OF SUCH A PROJECT.

- 14. INDUSTRIAL USES, LIGHT, PROVIDED THAT: THE PROPERTY IS AT LEAST 30 ACRES OR GREATER AND FRONTS ON AND HAS DIRECT ACCESS TO AN ARTERIAL OR COLLECTOR HIGHWAY; ADJOINS OTHER PROPERTIES DEVELOPED WITH EXISTING LIGHT INDUSTRIAL USES; THE LIGHT INDUSTRIAL USE IS PRINCIPALLY CONDUCTED WITHIN A BUILDING WITH A MAXIMUM BUILDING HEIGHT OF 50 FEET; THE PROPOSED INDUSTRIAL DEVELOPMENT DOES NOT INCLUDE A PROPOSAL FOR ANY DWELLING UNITS WITHIN THE SAME PROJECT; AND, THE LIGHT INDUSTRIAL DEVELOPMENT IS AT THE PERIPHERY OF THE TOD DISTRICT, WELL SEPARATED FROM THE MARC STATION.

{Renumber categories accordingly}

E. Bulk Regulations

- 1. [[Minimum]] EXCEPT AS PROVIDED IN SECTION 127.4.B, MINIMUM residential density is 20 units per net acre of residential development.

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that the Director of the Department of Planning and Zoning is authorized to publish this Act, to correct obvious errors in section references, numbers and references to existing law, capitalization, spelling, grammar, headings and similar matters.

Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.

Amendment 1 to Council Bill No. 1-2014

BY: Chairperson at the request
of the County Executive

Legislative Day No. 2
Date: February 3, 2014

Amendment No. 1

(This amendment clarifies when lower density residential units may be appropriate and clarifies when industrial uses are allowed.)

- 1 On page 2, in line 16, after “USES” insert “OR LOWER DENSITY RESIDENTIAL UNITS”.
- 2
- 3 On page 2, in line 17, strike “NONRESIDENTIAL”.
- 4
- 5 On page 2, in line 20, strike beginning with the second “TO” down through and including
- 6 “DEVELOPMENT.” in line 22.
- 7
- 8 On page 3, in line 8, after “PROPOSED” insert “INDUSTRIAL”.
- 9
- 10 On page 3, in line 9, after “UNITS” insert “WITHIN THE SAME PROJECT”.

ADOPTED 2/3/2014
FAIL D
SIGNATURE Shirley Sullivan

Amendment to Council Bill 1-2014

BY: Jennifer Terrasa

Legislative Day No: 2
Date: February 3, 2014

Amendment No. 2

1 (This amendment specifies a minimum parcel size of at least 30 acres for Light Industrial Uses in
2 the TOD zoning districts).
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6 On page 3, in line 4, after "PROPERTY", insert "IS AT LEAST 30 ACRES OR GREATER AND".
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ADOPTED 2/3/2014
FAILED _____
SIGNATURE Shanta Johnson

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

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By order _____
Sheila M. Tolliver, 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 _____, 2014.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2014 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2014 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2014

Ken Ulman, County Executive

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8 Subsection B, Uses Permitted as a Matter of Right
9 Section 127.4: TOD (Transit Oriented Development) District
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12 Subsection E, Bulk Regulations
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15 **Howard County Zoning Regulations.**
16 **Section 127.4 TOD (Transit Oriented Development) District**

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20 CLOSER TO THE MARC STATION. TO PROVIDE FOR REDUCED DENSITY ON
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1 DWELLINGS SHALL NOT OCCUPY MORE THAN 40% OF THE GROSS
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5 ON AND HAS DIRECT ACCESS TO AN ARTERIAL OR COLLECTOR
6 HIGHWAY; ADJOINS OTHER PROPERTIES DEVELOPED WITH EXISTING
7 LIGHT INDUSTRIAL USES; THE LIGHT INDUSTRIAL USE IS PRINCIPALLY
8 CONDUCTED WITHIN A BUILDING; THE PROPOSED DEVELOPMENT
9 DOES NOT INCLUDE A PROPOSAL FOR ANY DWELLING UNITS; AND,
10 THE LIGHT INDUSTRIAL DEVELOPMENT IS AT THE PERIPHERY OF THE
11 TOD DISTRICT, WELL SEPARATED FROM THE MARC STATION.

12
13 {Renummer categories accordingly}

14
15 **E. Bulk Regulations**

16 1. [[Minimum]] EXCEPT AS PROVIDED IN SECTION 127.4.B, MINIMUM
17 residential density is 20 units per net acre of residential
18 development.

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20 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
21 *Maryland that the Director of the Department of Planning and Zoning is authorized to*
22 *publish this Act, to correct obvious errors in section references, numbers and references*
23 *to existing law, capitalization, spelling, grammar, headings and similar matters.*

24
25 *Section 3. And Be It Further Enacted by the County Council of Howard County,*
26 *Maryland, that this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 5, 2014.

Sheila M. Tolliver
Sheila M. Tolliver, 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 _____, 2014.

Sheila M. Tolliver, 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 _____, 2014.

Sheila M. Tolliver, 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 _____, 2014.

Sheila M. Tolliver, 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 _____, 2014.

Sheila M. Tolliver, 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 _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

