

Introduced January 4, 2021
Public hearing January 19, 2021
Council action February 3, 2021
Executive action February 4, 2021
Effective date April 6, 2021

County Council of Howard County, Maryland

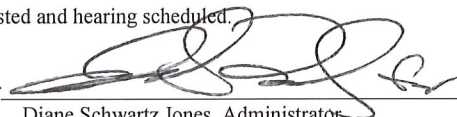
2021 Legislative Session

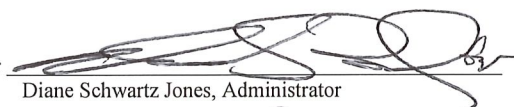
Legislative day # 1

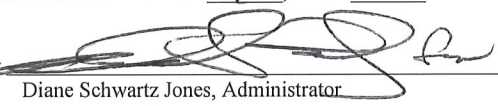
BILL NO. 7 - 2021 (ZRA - 192)

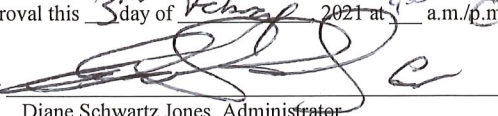
Introduced by: The Chair
at the request of
Annapolis Junction Town Center, LLC


AN ACT amending the Howard County Zoning Regulations to allow structures within 750 feet of a MARC station platform to exceed 100 feet in height up to a maximum of 180 feet in height under certain circumstances; requiring that certain moderate income housing units be developed on the site of a TOD development; prohibiting a developer from providing Moderate Income Housing Units at a different location or paying fees-in-lieu of to the Department of Housing and Community Development for certain moderate income housing units; and generally relating to the Transit Oriented Development (TOD) Zoning District.

Introduced and read first time January 4, 2021. Ordered posted and hearing scheduled.
By order 
Diane Schwartz Jones, 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 19, 2021.
By order 
Diane Schwartz Jones, Administrator

This Bill was read the third time on February 3 2021 and Passed , Passed with amendments X, Failed .
By order 
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of February 2021 at 4³⁰ a.m. (P.M.)
By order 
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive February 4, 2021

Calvin Ball, 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 hereby amended as follows:

3

4 *By Amending:*

5 *Section 127.4: "TOD (Transit Oriented Development) District"*

6 *Subsection E. "Bulk Regulations"*

7 *Number 2. "Maximum Building Height"*

8 *Letter b.*

9 *By Amending:*

10 *Section 127.4: "TOD (Transit Oriented Development) District"*

11 *Subsection F. "Requirements for TOD Development"*

12 *Number 2. "Area Requirements for Residential Uses"*

13 *Letter c.*

14

HOWARD COUNTY ZONING REGULATIONS

15

SECTION 127.4: TOD (Transit Oriented Development) District

16 **E. Bulk Regulations**

17

18 2. Maximum building height

19

20 a. Structure with minimum setback from a public street right-of-way 60 feet

21 b. Structure with an additional 1 foot of setback from a public street right-of- way for
22 the portion of the structure over 60 feet for every 2 feet of additional height 100
23 feet

24

25 HOWEVER, STRUCTURES WITHIN 750 FEET OF A MARC STATION PLATFORM MAY EXCEED 100
26 FEET IN HEIGHT IF THE PORTION OF THE STRUCTURE OVER 60 FEET IS SETBACK 1 ADDITIONAL
27 FOOT FROM:

28

29 (1) A PUBLIC STREET RIGHT-OF-WAY; AND

30 (2) A TOD ZONING DISTRICT BOUNDARY

1 FOR EVERY 2 FEET OF ADDITIONAL HEIGHT UP TO A MAXIMUM OF 180 FEET IN HEIGHT,
2 PROVIDED HOWEVER, THAT NO PORTION OF ANY STRUCTURE WITH A HEIGHT IN EXCESS OF 100
3 FEET SHALL BE WITHIN 750 FEET OF A RESIDENTIAL ZONING DISTRICT, EXCLUDING RESIDENTIAL
4 AREAS WITHIN THE TOD ZONING DISTRICT BOUNDARY

5 **F. Requirements for TOD Development**

6 2. Area Requirements for Residential Uses”

7 a. Residences are permitted only within a development project encompassing
8 at least 3 gross acres of TOD-zoned land.

9 b. No more than 50% of the developable acreage, excluding road right-of-way
10 and open space, shall be devoted to residential buildings and parking. For
11 parcels that are 5 acres or less, no more than 50% of the developable acreage,
12 excluding road-right-of-ways, open space, and structured parking, shall be
13 devoted to residential buildings and surface parking lots.

14 c. Moderate Income Housing Units

15 At least 15% of the dwelling units shall be Moderate Income Housing Units
16 AND SHALL BE DEVELOPED ON THE SITE. THE DEVELOPER SHALL NOT PROVIDE
17 THE MODERATE INCOME HOUSING UNITS AT A DIFFERENT LOCATION OR PAY A
18 FEE-IN-LIEU TO THE DEPARTMENT FOR THE MODERATE INCOME HOUSING
19 UNITS REQUIRED UNDER THIS SUBSECTION.”.

20
21 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this*
22 *Act shall become effective 61 days after its enactment.*

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2021 Legislative Session

Legislative day # 1

BILL NO. 7 – 2021 (ZRA – 192)

Introduced by: The Chair
at the request of
Annapolis Junction Town Center, LLC

AN ACT amending the Howard County Zoning Regulations to allow structures within 750 feet of a MARC station platform to exceed 100 feet in height up to a maximum of 180 feet in height under certain circumstances; and generally relating to the Transit Oriented Development (TOD) Zoning District.

Introduced and read first time _____, 2021. Ordered posted and hearing scheduled.

By order _____
Diane Schwartz Jones, 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 _____, 2021.

By order _____
Diane Schwartz Jones, Administrator

This Bill was read the third time on _____, 2021 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2021 at ___ a.m./p.m.

By order _____
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive _____, 2021

Calvin Ball, 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 hereby amended as follows:

3
4 By Amending:

5 Section 127.4: "TOD (Transit Oriented Development) District"

6 Subsection E. "Bulk Regulations"

7 Number 2. "Maximum Building Height"

8 Letter b.

9
10 **HOWARD COUNTY ZONING REGULATIONS**

11 **SECTION 127.4: TOD (Transit Oriented Development) District**

12 **E. Bulk Regulations**

13
14 2. Maximum building height

15
16 a. Structure with minimum setback from a public street right-of-way 60 feet

17 b. Structure with an additional 1 foot of setback from a public street right-of- way for the
18 portion of the structure over 60 feet for every 2 feet of additional height 100 feet

19
20 HOWEVER, STRUCTURES WITHIN 750 FEET OF A MARC STATION PLATFORM MAY EXCEED 100
21 FEET IN HEIGHT IF THE PORTION OF THE STRUCTURE OVER 60 FEET IS SETBACK 1 ADDITIONAL
22 FOOT FROM:

23
24 (1) A PUBLIC STREET RIGHT-OF-WAY; AND

25 (2) A TOD ZONING DISTRICT BOUNDARY

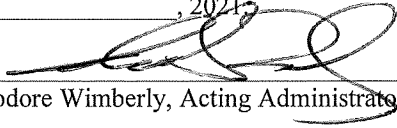
26
27 FOR EVERY 2 FEET OF ADDITIONAL HEIGHT UP TO A MAXIMUM OF 180 FEET IN HEIGHT.

28
29 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland, that this
30 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 4, 2021.


Theodore Wimberly, Acting 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 _____, 2021.

Theodore Wimberly, Acting 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 _____, 2021.

Theodore Wimberly, Acting 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 _____, 2021.

Theodore Wimberly, Acting 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 _____, 2021.

Theodore Wimberly, Acting 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 _____, 2021.

Theodore Wimberly, Acting Administrator to the County Council