

Introduced 1-4-21  
Public hearing 2-16-21  
Council action 3-1-21  
Executive action 3-2-21  
Effective date 5-2-21

### County Council of Howard County, Maryland

2021 Legislative Session

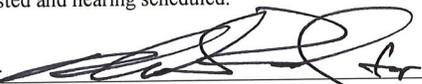
Legislative day # 1

#### BILL NO. 8 - 2021 (ZRA - 193)

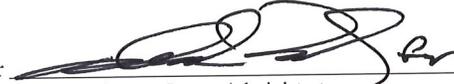
**Introduced by:** The Chair  
at the request of  
Blue Stream, LLC

**AN ACT** amending the Howard County Zoning Regulations to allow all CAC (Corridor Activity Center) zoned properties to reduce the required commercial square footage below 20 square feet per dwelling unit if the Department of Planning and Zoning finds based on a market study submitted by the developer that the reduction is necessary for the financial viability of the project; and generally relating to the CAC zoning district.

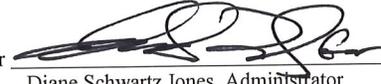
Introduced and read first time January 4, 2021. Ordered posted and hearing scheduled.

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 February 16, 2021.

By order   
Diane Schwartz Jones, Administrator

This Bill was read the third time on March 1, 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 2<sup>nd</sup> day of March, 2021 at 12:15 a.m. (p.m.)

By order   
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive March 2, 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 127.5: “CAC (Corridor Activity Center) District”*

6 *Subsection E. “Requirements for CAC Development”*

7 *Number 3. “Requirements for Residential Uses”*

8 *Letter d.*

9  
10 **HOWARD COUNTY ZONING REGULATIONS**

11  
12 **SECTION 127.5: CAC (Corridor Activity Center) District**

13  
14 **E. Requirements for CAC Development**

15  
16 **3. Requirements for Residential Use**

17 d. ~~[[For parcels that have 800 units or more, the]]~~ THE Department of Planning and  
18 Zoning shall permit a reduction in the commercial space requirement ~~[[to not less than 20~~  
19 ~~square feet per dwelling unit]]~~ provided that a fee of ~~[[50 dollars]]~~ 25 DOLLARS, or as  
20 specified in the fee schedule, for each square foot of the total reduction in commercial  
21 space below the baseline 70 square feet per dwelling unit amount is paid into a fund  
22 administered by the Howard County Economic Development Authority to promote  
23 commercial development in appropriate locations of the US Route 1 corridor, as allowed  
24 under Section 26.106 of the Howard County Code.

25  
26 ~~[[However, for CAC developments with no frontage on US Route 1 and which adjoin a~~  
27 ~~development of 800 units or more, this fee may be reduced to 25 dollars, or as specified~~  
28 ~~in the fee schedule, for each square foot of the total reduction in commercial space below~~  
29 ~~the baseline 70 square feet per dwelling unit.]]~~including a full reduction of the commercial  
30 space requirement if the Department of Planning and Zoning finds based on a market study  
31 submitted by the developer that the reduction is necessary for the financial viability of the  
32 project.]]

1 IF A FEE IS PAID TO REDUCE THE COMMERCIAL SPACE REQUIREMENT BELOW THE MINIMUM  
2 OTHERWISE REQUIRED, AN ADDITIONAL INCREASE OF RESIDENTIAL DENSITY SHALL NOT BE  
3 PERMITTED. INSTEAD, THE UNUSED COMMERCIAL SPACE SQUARE FOOTAGE SHALL BE USED AS  
4 OPEN SPACE OR AN AMENITY AREA AS DESCRIBED IN SECTION 127.5 E.1 AND SHALL BE IN  
5 ADDITION TO OPEN SPACE AND AMENITY AREA REQUIREMENTS DESCRIBED IN SECTION 127.5 E.1A  
6 AND B AND SHALL BE EQUAL TO AT LEAST THE MINIMUM SQUARE FOOTAGE OF COMMERCIAL  
7 SPACE REQUIRED THAT IS BEING REDUCED BY PAYING A FEE IN CAC DEVELOPMENTS. THE NEW  
8 OPEN SPACE OR AMENITY AREA SQUARE FOOTAGE THAT REPLACES THE COMMERCIAL  
9 REQUIREMENT CAN BE LOCATED ANYWHERE ON SITE OF THE DEVELOPMENT.

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

12  
13  
14

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2021 Legislative Session

Legislative day # 1

**BILL NO. 8 – 2021 (ZRA – 193)**

**Introduced by:** The Chair  
at the request of  
Blue Stream, LLC

**AN ACT** amending the Howard County Zoning Regulations to allow all CAC (Corridor Activity Center) zoned properties to reduce the required commercial square footage below 20 square feet per dwelling unit if the Department of Planning and Zoning finds based on a market study submitted by the developer that the reduction is necessary for the financial viability of the project; and generally relating to the CAC 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.

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12 **SECTION 127.5: CAC (Corridor Activity Center) District**

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16 **3. Requirements for Residential Use**

17 d. For parcels that have 800 units or more, the Department of Planning and Zoning  
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22 Howard County Economic Development Authority to promote commercial development  
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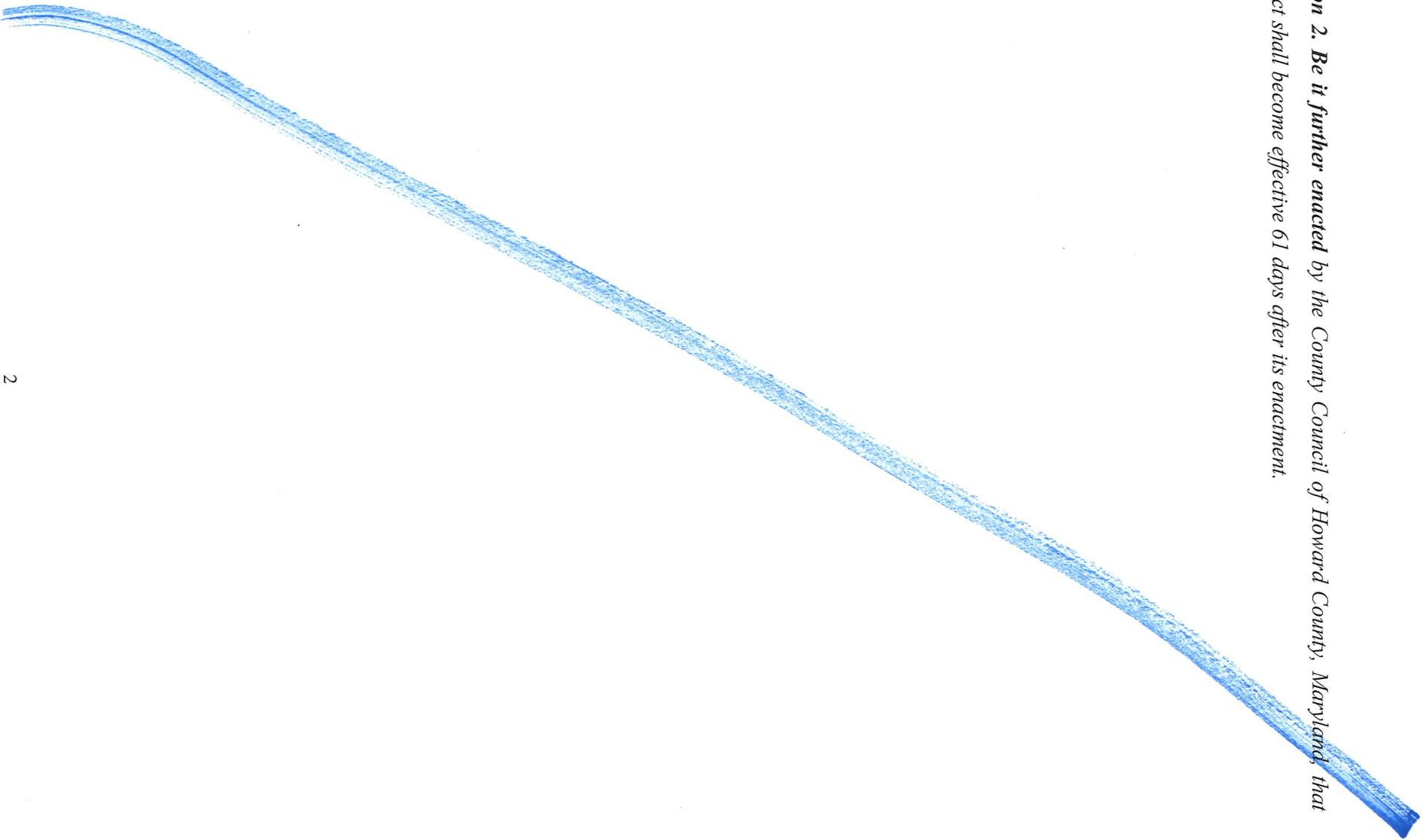
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29 below the baseline 70 square feet per dwelling unit. [[including a full reduction of the  
30 commercial space requirement if the Department of Planning and Zoning finds based on  
31 a market study submitted by the developer that the reduction is necessary for the  
32 financial viability of the project.]]

33

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

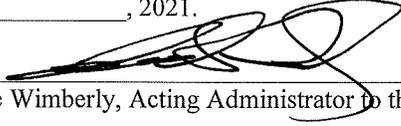
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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on March 2, 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