

Introduced 6-7-2021  
 Public Hearing 7-21-2021  
 Council Action \_\_\_\_\_  
 Executive Action \_\_\_\_\_  
 Effective Date \_\_\_\_\_

**County Council of Howard County, Maryland**

2021 Legislative Session

Legislative Day No. 10

**Bill No. 51 -2021 (ZRA 194)**

Introduced by: The Chairperson

AN ACT to permit motor vehicle fueling facilities in the PGCC Multi-use Subdistrict subject to Planning Board approval and under specified conditions; and generally relating to the Howard County Zoning Regulations.

Introduced and read first time June 7, 2021. Ordered posted and hearing scheduled.  
 By order Michelle Harrod  
 Theodore Wimberly, 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 July 21, 2021.  
 By order Michelle Harrod  
 Theodore Wimberly, Administrator

This Bill was read the third time on \_\_\_\_\_, 2021 and Passed \_\_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.  
 By order \_\_\_\_\_  
 Theodore Wimberly, 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 \_\_\_\_\_  
 Theodore Wimberly, 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.

7-28-2021 - Not eligible for Final Action  
 Expired August 16, 2021  
 Michelle Harrod 8/16/2021

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

3 *By amending:*

4 *Section 126.0. - PGCC (Planned Golf Course Community) District*

5

6

**Howard County Zoning Regulations.**

7

**Section 126.0 - PGCC (Planned Golf Course Community) District**

8

9

**Section 126.0. - PGCC (Planned Golf Course Community) District**

10

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

11

**2. Multi-use Subdistrict**

12

The following uses shall be permitted only in the Multi-use Subdistrict.

13

a. Ambulatory health care facilities.

14

b. Animal hospitals completely enclosed.

15

c. Antique shops, art galleries and craft shops.

16

d. Banks, savings and loan associations, investment companies, credit unions,  
17 brokers, and similar financial institutions.

18

e. Bicycle repair shops.

19

f. Blueprinting, printing, duplicating or engraving services limited to 2000  
20 square feet of net floor area.

21

g. Catering establishments and banquet facilities.

22

h. Child day care centers.

23

i. Clothing and apparel stores with goods for sale or rent.

24

J. Convenience stores.

25

k. Day treatment and care facilities.

26

l. Drug and cosmetic stores.

27

m. Executive golf training and recreation centers.

28

n. Farmers markets and farm produce stands.

29

o. Food stores, not to exceed a gross floor area of 55,000 square feet,  
30 including a bakery, provided all goods baked on the premises shall be  
31 sold retail from the premises.

- 1 p. Funeral homes and mortuaries.
- 2 q. Health clubs, tennis clubs, athletic centers, commercial or community swimming  
3 pools.
- 4 r. Hotels, motels, conference centers and country inns.
- 5 s. Kennels, enclosed.
- 6 t. Laundry and dry cleaning establishments without delivery services.
- 7 u. Liquor stores.
- 8 v. MOTOR VEHICLE FUELING FACILITIES, SUBJECT TO THE REQUIREMENTS OF  
9 SUBSECTION.E.8 OF THIS SECTION.
- 10 [[v.]] w. Museums, art galleries and libraries.
- 11 [[w.]] x. Nonprofit clubs, lodges and community halls.
- 12 [[x.]] y. Nursing homes, group care facilities, housing for elderly or handicapped,  
13 children's homes and similar institutions, and their related and supporting  
14 facilities.
- 15 [[y.]] z. Offices, professional and business.
- 16 [[z.]] aa. Personal service. establishments
- 17 [[aa.]] bb. Pet grooming establishments.
- 18 [[bb.]] cc. Private parks, swimming pools, playgrounds, athletic fields, tennis courts,  
19 basketball courts, and similar private, noncommercial recreational facilities.
- 20 [[cc.]] dd. Repair of electronic equipment, radios, televisions, computers, clocks, watches,  
21 jewelry and similar items.
- 22 [[dd.]] ee. Restaurants, carryout.
- 23 [[ee.]] ff. Restaurants, standard, and beverage establishments, including those serving beer,  
24 wine and liquor.
- 25 [[ff.]] gg. Schools, private academic, including colleges and universities.
- 26 [[gg.]] hh. Service agencies.
- 27 [[hh.]] ii. Specialty stores.

28 **E Other Provisions**

29 8. NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS SECTION, IF THE CRITERIA IN A  
30 RECORDED FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT IDENTIFIES  
31 A MOTOR VEHICLE FUELING FACILITY AS A SPECIFIC PERMITTED USE, A NEWLY PROPOSED MOTOR  
32 VEHICLE FUELING FACILITY IS PERMITTED ONLY UPON APPROVAL BY THE PLANNING BOARD

1 AFTER A PUBLIC HEARING WHERE THE PETITIONER ESTABLISHES THAT THE GENERAL STANDARDS  
2 AND SPECIFIC CRITERIA IN SECTION 131.0 THAT ARE APPLICABLE TO A CONDITIONAL USE FOR A  
3 MOTOR VEHICLE FUELING FACILITY ARE MET. TO THE EXTENT THERE IS ANY CONFLICT BETWEEN  
4 THE CRITERIA IN THE RECORDED FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
5 AMENDMENT AND THE GENERAL STANDARDS AND SPECIFIC CRITERIA FOR A CONDITIONAL USE  
6 FOR A MOTOR VEHICLE FUELING FACILITY IN SECTION 131.0, THE MORE RESTRICTIVE PROVISION  
7 SHALL APPLY.

8  
9 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall*  
10 *become effective 61 days after its enactment.*



**HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Stu Kohn, have been duly authorized by  
*(name of individual)*

Howard County Citizens Association, HCCA to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB51-2021 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Stu Kohn

Signature: \_\_\_\_\_

Date: 19 July 2021

Organization: HCCA

Organization Address: HCCA

P.O. Box 89 Ellicott City MD 21041

Number of Members: 500

Name of Chair/President: Stu Kohn

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*

**Office of the County Auditor**  
**Auditor's Analysis**

**Council Bill No. 51-2021**

Introduced: June 7, 2021  
Auditor: Michael A. Martin

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Fiscal Impact:

Our Office is unable to determine the fiscal impact of this legislation because the scope of the commercial development for the motor vehicle fueling facility that may result is not yet known.

Per the proposed legislation, a public hearing in front of the Planning Board would be required to fulfill Section 126.0(E)(8) of the Zoning Regulation, which would result in additional costs to the County. According to the Department of Planning and Zoning (DPZ), the cost of such hearings in front of the Planning Board is contingent upon the duration of the meetings, which cannot be approximated at this time.

Purpose:

This legislation would allow for motor vehicle fueling facilities in the County's Planned Golf Course Communities (PGCC) following approval from the Planning Board. The petitioner of this zoning amendment, Harris Teeter, LLC, is seeking to construct a gas station in the Turf Valley Resort neighborhood.

Please see **Attachment D** of the Technical Staff Report for details on the possible location of this gas station.

Other Comments:

This legislation only impacts PGCC and would not have any impact on other zoning areas of the County.

According to DPZ, no plans for the proposed gas station in Turf Valley have been provided.

Both the Planning Board and the DPZ Technical Staff Report recommended the Council approve this legislation (Zoning Regulation Amendment 194).

**Attachment D**

