

Introduced 6/3/2013
 Public Hearing 6/10; 6/12, 6/17,
 Council Action 7/25/2013 6/24
 Executive Action 8/16/2013 7/15
 Effective Date 10/6/2013 7/16

County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 8

Bill No. 32 -2013

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

AN ACT adopting the 2013 Comprehensive Zoning Plan of Howard County in order to adopt the Howard County Zoning Maps and amend the Howard County Zoning Regulations, which include requirements related to zoning districts, permitted uses, accessory uses, temporary uses, nonconforming uses, conditional uses, design standards, density, lot size, building height limits, setbacks, parking, and supplementary regulations; and generally relating to zoning and land use in Howard County.

Introduced and read first time June 3, 2013. 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 June 6, 12, 17, 24, 2013, and July 15, 16.

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

Tabled 7/1/2013
 This Bill was read the third time on 7/26/2013 2013 and Passed , Passed with amendments ✓, Failed .

Read on 7/25/2013; passed at 12:32 am 7/24/13

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

Sealed with the County Seal and presented to the County Executive for approval this 2 day of August, 2013 at 2:00 pm a.m./p.m.

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

Approved/Vetoed by the County Executive August 6, 2013

Ken Hoffman
 Ken Hoffman, 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 **WHEREAS**, Section 16.203 of the Howard County Code authorizes the County to
2 exercise zoning authority of the County on a comprehensive basis through the enactment of a
3 comprehensive zoning plan, including both zoning district boundaries and zoning regulations,
4 which include requirements related to zoning districts, permitted uses, accessory uses, temporary
5 uses, nonconforming uses, conditional uses, design standards, density, lot size, building height
6 limits, setbacks, parking, and supplementary regulations, as well as other requirements regarding
7 land use in the County as provided in the zoning regulations; and
8

9 **WHEREAS**, in the Spring 2012, the Department of Planning and Zoning began the
10 process of preparing a comprehensive zoning plan and, as part of that process, conducted
11 numerous public meetings and worked with landowners, citizens, county and state agencies, the
12 Planning Board, the County Executive, and the County Council to prepare proposed zoning
13 maps and zoning regulations; and
14

15 **WHEREAS**, prior to preparing its proposed 2013 Comprehensive Zoning Plan, the
16 Department of Planning and Zoning gave the public 60 days notice as required by law of its
17 intent to compile a comprehensive zoning plan, and that requests for zoning map and zoning
18 regulations amendments would be considered for inclusion in the Comprehensive Zoning Plan
19 until December 14, 2012; and
20

21 **WHEREAS**, the Department of Planning and Zoning submitted its Comprehensive
22 Zoning Plan petition and made initial recommendations concerning it to the Planning Board; and
23

24 **WHEREAS**, the Planning Board held public hearings on the proposed 2013
25 Comprehensive Zoning Plan and made recommendations to the County Council on the Plan; and
26

27 **WHEREAS**, the County Executive has transmitted to the County Council the final
28 recommendations of the Department of Planning and Zoning and the Planning Board and
29 requests that the Council approve the proposed Zoning Maps and Zoning Regulations attached
30 to this Act as the 2013 Comprehensive Zoning Plan; and

1 WHEREAS, the County Council held several public hearings on the proposed 2013
2 Comprehensive Zoning Plan, and considered various amendments to both the proposed Zoning
3 Map and Zoning Regulations.

4
5 **NOW, THEREFORE,**

6
7 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that in order to*
8 *promote the health, safety, and general welfare of Howard County in accordance with its*
9 *authority under Title 16 of the Howard County Code, the zoning maps prepared by the*
10 *Department of Planning and Zoning, as amended, and attached to this Act are:*

- 11 1. *Incorporated into and made a part of this Act; and*
12 2. *Approved and adopted as the Comprehensive Zoning Maps for Howard County.*

13
14 ~~*Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that*~~
15 ~~*the comprehensive zoning of all properties which are not changed on the zoning maps attached*~~
16 ~~*to this Act shall continue to be the same zoning as existed for those properties on the day this Act*~~
17 ~~*was enacted.*~~

18 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,*
19 *that if the Comprehensive Zoning Maps attached to this Act do not change the zoning*
20 *classification for a property, the property shall continue to have the same zoning classification*
21 *as existed for that property on July 24, 2013.*

22
23 *Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland,*
24 *that, upon passage of this Act, the Director of the Department of Planning and Zoning shall*
25 *prepare the Official Zoning Maps for the County on a scale of 1 inch equals 600 feet.*

26
27 *Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland, that*
28 *the Zoning Regulations of Howard County prepared by the Department of Planning and Zoning,*
29 *as amended and attached to this Act are:*

- 30 1. *Incorporated into and made a part of this Act; and*

1 2. *Approved and adopted as the Comprehensive Zoning Regulations of Howard*
2 *County.*

3
4 ***Section 5. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
5 *the Department of Planning and Zoning is hereby authorized to make nonsubstantive corrections*
6 *to codification, style, capitalization, punctuation, grammar, outlining, cross references, and*
7 *spelling of any part of the Zoning Regulations of Howard County, as amended by this Act and*
8 *may publish this Act by adding or amending covers, title pages and a table of contents to*
9 *improve readability.*

10
11 ***Section 6. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
12 *the County Council Conform the conditional use chart and the summary of map amendments*
13 *adopted as part of this legislation to the changes adopted by amendment to CB 32-2013.*

14
15 ***Section 7. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
16 *the Department of Planning and Zoning is hereby authorized to make necessary adjustments to*
17 *the Conditional Use charts to reflect changes to the Zoning Regulations, as amended by this Act.*

18
19 ***Section 68. And Be it Further Enacted by the County Council of Howard County, Maryland,***
20 *that in the event of any conflict between the Comprehensive Zoning Maps and the Map*
21 *Amendments summary chart approved by this Act, the Zoning Maps shall control.*

22
23 ***Section 679. And Be It Further Enacted by the County Council of Howard County, Maryland,***
24 *that this Act shall become effective 61 days after its enactment.*

Amendment 65 to Council Bill No. 32 -2013

BY: Chairperson at the request
of the County Executive

Legislative Day No. 10
Date: July 25, 2013

Amendment No. 65

(This amendment revises the language providing that a property retains its existing zoning if the zoning is not changed by the Zoning Maps attached to the bill, and provides that if there is an inconsistency between any summary chart and a map, that the map shall control. This amendment also clarifies DPZ's authority to make nonsubstantive amendments to outlining and cross references.)

1 On page 2, strike in their entirety lines 14 through 17, inclusive, and substitute:

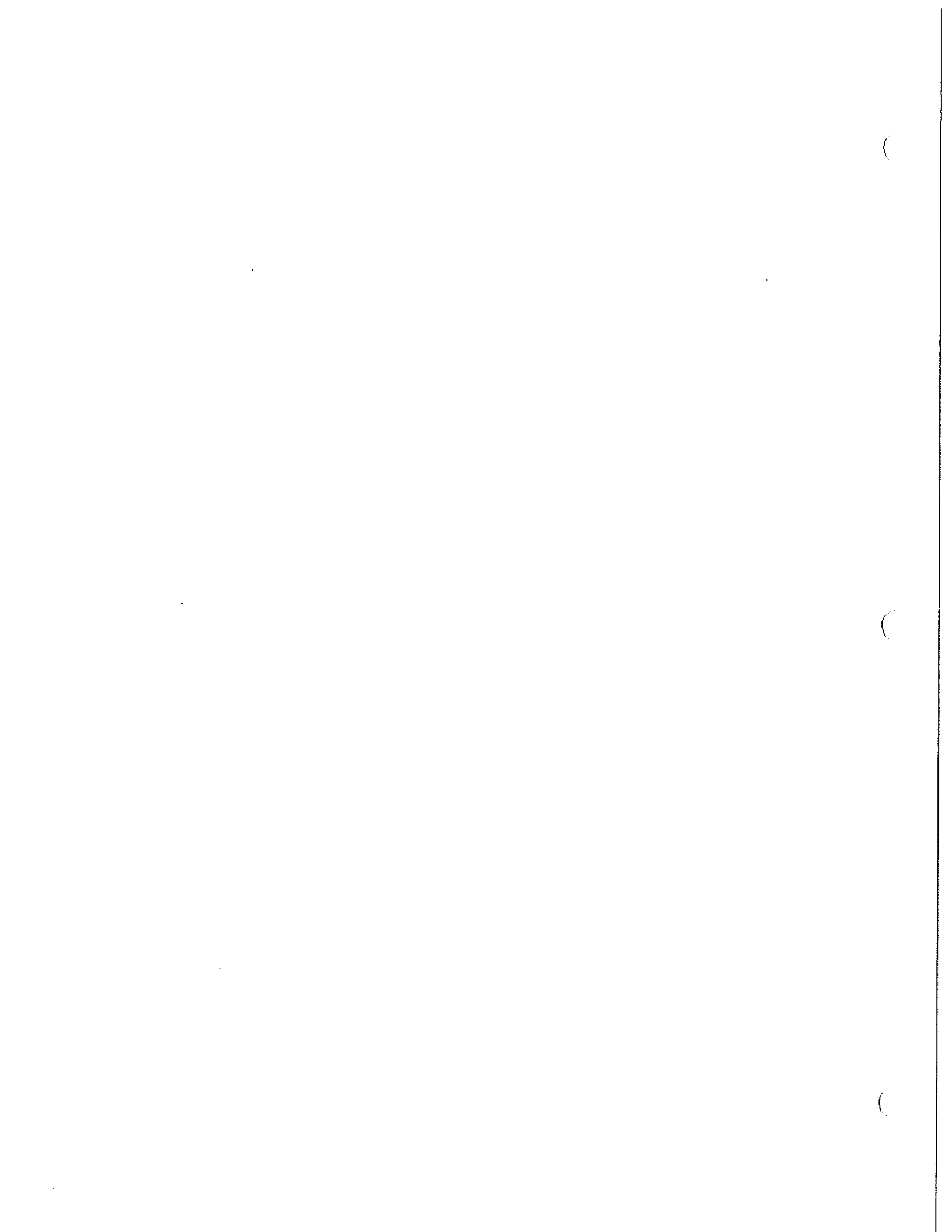
2 "Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,
3 that if the Comprehensive Zoning Maps attached to this Act do not change the zoning
4 classification for a property, the property shall continue to have the same zoning classification
5 as existed for that property on July 24, 2013."

6
7 On page 3, in line 4, insert:

8 "Section 6. And Be it Further Enacted by the County Council of Howard County, Maryland,
9 that in the event of any conflict between the Comprehensive Zoning Maps and the Map
10 Amendments summary chart approved by this Act, the Zoning Maps shall control."

11
12 On page 3, in line 1, after "grammar," insert "outlining, cross references,".

13
14 On page 3, in line 5, strike "6" and substitute "7".



Amendment ⁶⁶ to Council Bill No. 32-2013

BY: The Chair

Legislative Day No: 10

Date: July 25, 2013

Amendment No. 66

(This amendment would permit the Department of Planning and Zoning to make necessary adjustments to the Conditional Use chart).

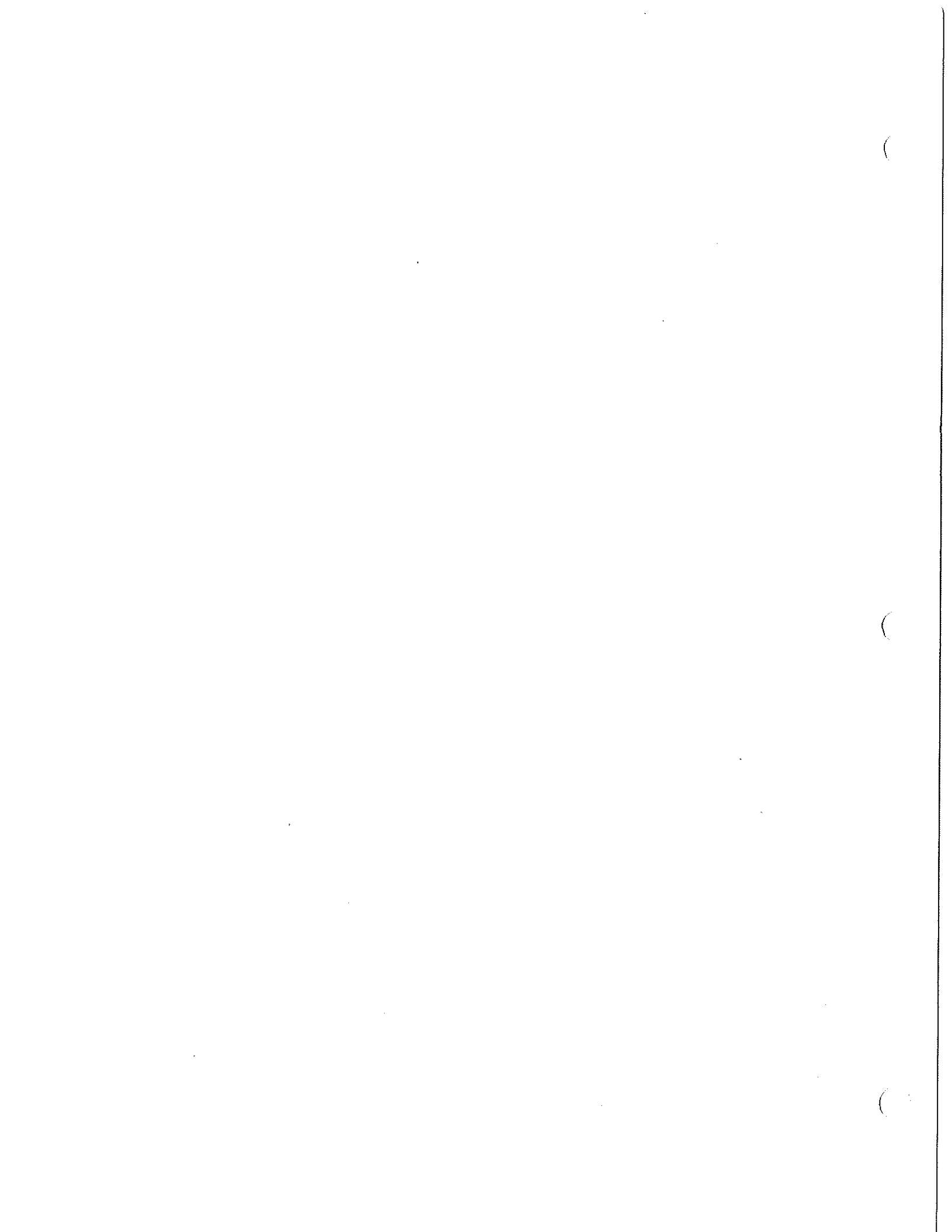
On page 3, immediately following line 4, insert the following:

“Section 6. And Be It Further Enacted by the County Council of Howard County, Maryland, that the County Council Conform the conditional use chart and the summary of map amendments adopted as part of this legislation to the changes adopted by amendment to CB 32-2013.”

“Section 7. And Be It Further Enacted by the County Council of Howard County, Maryland, that the Department of Planning and Zoning is hereby authorized to make necessary adjustments to the Conditional Use charts to reflect changes to the Zoning Regulations, as amended by this Act.”

Renumber the remainder of the section accordingly.

ADOPTED 7/25/2013
FAILED _____
SIGNATURE Shadi Jallou



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

County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No.

Bill No. 32 -2013

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Introduced and read first time _____, 2013. Ordered posted and hearing scheduled.

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 _____, 2013.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2013 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 _____, 2013 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2013

Ken Ulman, County Executive

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24 **WHEREAS**, the Planning Board held public hearings on the proposed 2013
25 Comprehensive Zoning Plan and made recommendations to the County Council on the Plan; and
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28 recommendations of the Department of Planning and Zoning and the Planning Board and
29 requests that the Council approve the proposed Zoning Maps and Zoning Regulations attached
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21 *prepare the Official Zoning Maps for the County on a scale of 1 inch equals 600 feet.*

22
23 *Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland, that*
24 *the Zoning Regulations of Howard County prepared by the Department of Planning and Zoning,*
25 *as amended and attached to this Act are:*

- 26 1. *Incorporated into and made a part of this Act; and*
- 27 2. *Approved and adopted as the Comprehensive Zoning Regulations of Howard*
28 *County.*

29
30 *Section 5. And Be It Further Enacted by the County Council of Howard County, Maryland, that*
31 *the Department of Planning and Zoning is hereby authorized to make nonsubstantive corrections*

1 *to codification, style, capitalization, punctuation, grammar, and spelling of any part of the*
2 *Zoning Regulations of Howard County, as amended by this Act and may publish this Act by*
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5 ***Section 6. And Be It Further Enacted by the County Council of Howard County, Maryland,***
6 ***that this Act shall become effective 61 days after its enactment.***