

Introduced 11.04.2024
Public hearing 11.18.2024
Council action 12.02.2024
Executive action 12.05.2024
Effective date 2.04.2025

County Council of Howard County, Maryland

2024 Legislative Session

Legislative day # 12

BILL NO. 63 – 2024 (ZRA – 209)

Introduced by:
The Chair at the request of
The Weinman Company

SHORT TITLE: To allow Self Storage, Indoor as a permitted use, allow for the reduction of retail square footage, and allow for residential uses in the CAC zoning district.

AN ACT amending the Howard County Zoning Regulations to allow Self Storage, Indoor as a permitted use in the Corridor Activity Center (CAC) zoning district; to allow for the reduction of first floor retail space in the CAC zoning district; to allow for certain residential uses in the CAC zoning district; and generally relating to the CAC zoning district.

Introduced and read first time Nov 4, 2024. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, 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 Nov 18, 2024.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Dec 2, 2024 and Passed , Passed with amendments _____, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3 day of December, 2024 at 5:00 a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive Dec 5, 2024

Calvin Ball
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 Adding:*

5 *Section 127.5: "CAC (Corridor Activity Center) District"*

6 *Subsection B: "Uses Permitted as a Matter of Right"*

7 *Number 42: "Self-Storage, Indoor"; and*

8
9 *By Amending:*

10 *Section 127.5: "CAC (Corridor Activity Center) District"*

11 *Subsection E: "Requirements for CAC Development"*

12 *Number 2: "Requirements for Nonresidential Uses"; and*

13 *Number 3: "Requirements for Residential Uses".*

14
15 **HOWARD COUNTY ZONING REGULATIONS**

16
17 **SECTION 127.5: CAC (Corridor Activity Center) District**

18
19 **B. Uses Permitted as a Matter of Right**

20 42. SELF-STORAGE, INDOOR, PROVIDED THAT THIS USE IS INCORPORATED INTO A MIXED-
21 USE DEVELOPMENT THAT INCLUDES RETAIL AND RESIDENTIAL USES.

22
23 **E. Requirements for CAC Development**

24 **2. Requirements for Nonresidential Uses**

25
26 a. On a lot adjoining the Route 1 right-of-way, for the buildings closest to Route 1:

- 27
28 (1) At least 50% of the first floor of the building must be designed for retail or
29 service uses. Service uses include personal service, service agency, restaurants,
30 and similar uses serving the public. THIS REQUIREMENT MAY BE REDUCED TO
31 NO LESS THAN 20% AT THE DISCRETION OF THE DEPARTMENT OF PLANNING AND

1 ZONING BASED ON A DEMONSTRATION OF PROPOSED OR EXISTING RETAIL OR
2 SERVICE USES ON ADJOINING PROPERTIES.

- 3 (2) The first floor of the building facade facing Route 1 must include storefronts
4 and primary entrances for the first floor retail and service uses.
5 (3) The first floor facade shall be designed to provide pedestrian interest along
6 Route 1 in accordance with the Route 1 Manual.
7

8 3. Requirements for Residential Uses

- 9 a. Residences are permitted only within Route 1 Corridor development projects
10 encompassing at least two gross acres of CAC-zoned land or less than 2 gross
11 acres if: (1) the subject property is contiguous along at least 75% of its
12 perimeter to a CAC development that has received final approval of a Sketch
13 Plan or Site Development Plan; (2) no additional CAC-zoned land directly
14 adjoins the subject property; and (3) the development of the subject property
15 shall be compatible with the land use, site planning and architectural
16 character of the contiguous CAC development.
- 17 b. The first floor of buildings adjoining the right-of-way of Route 1 shall not
18 include residential [[uses]] UNITS in the building space closest to the right-of-
19 way of Route 1, with the exception that if the Director of the Department of
20 Planning and Zoning finds that the building and streetscape design are in
21 compliance with Chapter 5 of the Route 1 Manual concerning building
22 design, particularly the sections concerning mass and articulation and door
23 and window openings, such units may be approved in a development site that
24 has 1,000 feet or greater frontage on the Route 1 right-of-way and is:
- 25 (1) 20 acres or greater and residences occupy no more than 50% of the
26 Route 1 frontage, or
- 27 (2) 5 acres or greater and within 2,000 feet of a MARC Station.
- 28 Residences may occupy other portions of the first floor space.

1 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland, that
2 in the list of “Uses Permitted as a Matter of Right” in Section 127.5.B, those uses
3 numbered 42-45 are renumbered to 43-46.

4 **Section 3. Be it further enacted** by the County Council of Howard County, Maryland, that
5 this Act shall become effective 61 days after its enactment.

Amendment 1 to Council Bill No. 63-2024

BY: Liz Walsh

Legislative Day: 13

Date: December 2, 2024

Amendment No. 1

(This Amendment strikes "SELF-STORAGE, INDOOR" as a permitted use in the CAC (Corridor Activity Center) District)

1 On the title page, in line 1 of the short title, strike:

2

3 "To allow Self Storage, Indoor as a permitted use,".

4 On the title page, in line 1 of the short title, strike "allow" and substitute "Allow".

5

6 On the title page, in lines 1 and 2 of the title, strike the following:

7

8 "to allow Self Storage, Indoor as a permitted use in the Corridor Activity (CAC) zoning district;"

9

10 On Page 1, strike line 4-7, in their entirety.

11

12 On page 1, strike lines 19-21, in their entirety.

13

14 On Page 3, strike lines 1 through 3 in their entirety.

15

16 On page 3 in line 4, strike "3" and substitute "2":

17

18

I certify that this a true copy of

AI CB 63-2024

passed on December 2, 2024

Michelle Hernandez

Council Administrator

FAILED

Amendment 2 to Council Bill No. 63-2024

BY: Liz Walsh

Legislative Day: 13
Date: December 2, 2024

Amendment No. 2

(This amendment amends the Open Space requirement in the CAC zoning district to:

- 1. Require a 15-foot yard for townhomes; and*
- 2. Increase the Open Space requirement to 30% for parcels larger than 20 acres and 25% for parcels less than 20 acres.)*

1 On the title page, in line 2 of the short title, after the comma, insert "increase the open space
2 requirement".

3
4 On the title page, in line 3 of the title, after the semicolon, insert "increase the open space
5 requirement".

6
7 On page 1, immediately following line 11, insert the following:
8 "1. "Amenity Area"".

9
10 On page 1, immediately following line 23 insert the following:
11 "1. Amenity Area

12 CAC developments shall include an amenity area or areas. No amenity area shall be
13 smaller than 0.25 acre. The amenity area shall include seating and trees
14 proportional to the size of the amenity area. Amenity areas shall be connected by
15 pedestrian and bicycle improvements that link with existing and future connections
16 to surrounding developments. In accordance with Section 16.121 (B) of the Code,
17 at the discretion of the County, all or a portion of the open space area shall be
18 dedicated and deeded without charge to Howard County for recreation or for public
19 use, including but not limited to, community centers and libraries along Route 1.

I certify that this a true copy of

A2 CB63-2024
passed on December 2, 2024
Michelle Hooper
Council Administrator

FAILED

1 a. For CAC Developments 20 acres or larger, provide ~~[[20%]]30%~~ of the net
2 acreage as open space of which at least 50% must be designed as an amenity
3 area open to the public. Provide well-designed recreational areas for both
4 children's and adults' activities. Provide ~~[[on]]AN~~ amenity area that is designated
5 as a civic gathering place large enough to accommodate such activities as
6 community picnics, concerts, fairs and similar events.

7 b. For CAC Developments less than 20 acres, provide ~~[[10%]]25%~~ of the net
8 acreage as open space which must be designed as an amenity area open to the
9 public.

10 c. SINGLE-FAMILY ATTACHED UNITS SHALL HAVE A USABLE OUTDOOR SPACE EQUAL
11 TO A 15-FOOT DEEP YARD. ALTERNATIVELY, THE AMENITY AREA OPEN SPACE
12 REQUIREMENT IN SECTION 127.5.E.1 ABOVE SHALL BE INCREASED BY 300
13 SQUARE FEET PER UNIT.”.

14
15
16

Amendment 3 to Council Bill No. 63-2024

BY: Liz Walsh

Legislative Day: 13
Date: December 2, 2024

Amendment No. 3

(This Amendment strikes the proposed retail reduction.)

1 On the title page, in the first and second lines of the short title, strike the following:

2 “, allow for reduction of retail square footage,”

3

4 On the title page, in lines 3 and 4 of the title, strike the following:

5 “to allow for the reduction of first floor retail space in the CAC zoning district;”.

6

7 On page 1, strike line 12 in its entirety.

8

9 On pages 1 and 2, strike beginning with “THIS” in line 30 through the period in line 2.

10

11

12

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A3 CB63-2024

passed on December 2, 2024

Nichole Horrold

Council Administrator

FAILED

Amendment **4** to Council Bill No. 63-2024

BY: Liz Walsh

Legislative Day: 13
Date: December 2, 2024

Amendment No. **4**

(This Amendment expands the definition of "Self-storage, indoor as a permitted use in the CAC (Corridor Activity Center) District)

- 1 On page 1, in line 21, after the period, insert the following:
- 2 SELF-STORAGE, INDOOR SHALL NOT BE A PRINCIPAL STRUCTURE OF THE DEVELOPMENT, BUT
- 3 RATHER OF LOW VISIBILITY, SIZED TO SERVICE ONLY THE LOCAL COMMUNITY AND
- 4 NEIGHBORHOOD, AND INTEGRATED INTO THE PROJECT'S ARCHITECTURAL AND SITE DESIGN. SELF-
- 5 STORAGE, INDOOR FACILITIES SHALL NOT FRONT AN ARTERIAL OR MAJOR COLLECTOR PUBLIC
- 6 RIGHT OF WAY, INCLUDING ROUTE 1."

7
8
9

I certify that this a true copy of
A 4 CB 63-2024
passed on December 2, 2024
Michele Haessler
Council Administrator

FAILED

Amendment 5 to Council Bill No. 63-2024

BY: Liz Walsh

Legislative Day: 13
Date: December 2, 2024

Amendment No. 5

(This amendment amends the MIHU requirement to require that the MIHUs are built on site.)

1 On the title page, in line 2 of the short title, after the comma, insert “require that Moderate
2 Income Housing Units are built on site.”.

3
4 On the title page, in line 3 of the title, after the semicolon, insert “to require that Moderate
5 Income Housing Units are built on site.”.

6
7 On page 2, in line 30, insert the following:

8 “f. Moderate Income Housing

9 (1) At least 15% of the dwelling units shall be Moderate Income Housing Units,
10 except that

11 (2) At least 25% of the dwelling units shall be Moderate Income Housing Units if
12 the CAC Development requires closing of a mobile home park existing on the
13 property when CAC rezoning occurs.

14 (3) ALL REQUIRED MODERATE INCOME DWELLING UNITS SHALL BE DEVELOPED ON
15 THE CAC SITE. THE DEVELOPER SHALL NOT PROVIDE THE MODERATE INCOME
16 HOUSING UNITS AT A DIFFERENT LOCATION OR PAY A FEE-IN-LIEU TO THE
17 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE MODERATE
18 INCOME HOUSING UNITS REQUIRED UNDER THIS SUBSECTION.”.

19

I certify that this a true copy of

A5 CB 63-2024

passed on December 2, 2024

FAILED

Michelle Hesse

Council Administrator

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on December 5, 2024.

Michelle Harrod
Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, Administrator to the County Council