

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

County Council Of Howard County, Maryland

2009 Legislative Session

Legislative Day No. 1

Bill No. 3-2009 (ZRA 104)

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

AN ACT amending the Howard County Zoning Regulations to amend certain definitions related to setbacks; to amend certain setbacks from amenity areas in the Corridor Employment Zoning Districts; to add certain setbacks from Route 1 in the Corridor Activity Center Zoning District; to amend certain setbacks from certain principal structures in the Transit Oriented Development; to require that certain developments include an amenity area; and generally related to the Howard County Zoning Regulations.

Introduced and read first time _____, 2009. 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 _____, 2009.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2009 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 _____, 2009 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2009

Ken Ulman, 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.

Section 1. Be It Enacted by the County Council of Howard County, Maryland, that paragraph (148) and paragraph (149) of subsection A of Section 103 “Definitions” are amended; items a and b of paragraph 2 of subsection E and subsection F, all of Section 127.2 “CE (Corridor Employment) District” are amended; item a of paragraph 2 of subsection E and paragraph 1 of subsection F, both of Section 127.4 “TOD (Transit Oriented Development) District” are amended; and item a of paragraph 4 of subsection D and paragraph 1 of subsection E, both of Section 127.5 “CAC (Corridor Activity Center)” are amended; all of the Howard County Zoning Regulations to read as follows:

Howard County Zoning Regulations

SECTION 103: Definitions

A. Except as provided for in Section 101 herein, terms used in these regulations shall have the definition provided in any standard dictionary, unless specifically defined below or in any other provision of these regulations:

148. Setback: The distance between a structure or use and a boundary such as a lot line, project boundary, right-of-way line, or zoning district boundary. A setback is measured as the shortest horizontal distance between the project boundary and the nearest point of the use, structure or projection thereof. Where these regulations require a minimum setback from a zoning district or right-of-way, and the property subject to the setback does not abut or adjoin the zoning district or right-of-way, the required setback is measured across the intervening properties. FOR LOTS THAT FRONT DIRECTLY ON A PUBLIC ROAD, THE SETBACK IS MEASURED FROM THE ULTIMATE RIGHT-OF-WAY OF THE PUBLIC ROAD AS DETERMINED BY THE HOWARD COUNTY DESIGN MANUAL VOLUME III, ROADS AND BRIDGES, OR THE STATE HIGHWAY ADMINISTRATION, HIGHWAY NEEDS INVENTORY.

149. Setback, Front: Extends across the full width of the lot, between the front public street right-of-way or front lot line and the nearest line of the structure or enclosed portion thereof:

- 1 a. For lots that front directly on a public street, the front setback is measured
2 from the ULTIMATE public street right-of-way providing access to the lot
3 and towards which the front of the house OR STRUCTURE is to be oriented.
4 THE ULTIMATE RIGHT-OF-WAY OF THE PUBLIC ROAD IS DETERMINED BY THE
5 HOWARD COUNTY DESIGN MANUAL OR THE STATE HIGHWAY
6 ADMINISTRATION, HIGHWAY NEEDS INVENTORY.
- 7 b. For pipestem lots and lots with no frontage on a public street, the front
8 setback is measured from the front lot line assigned when the lot is
9 recorded. The front lot line is the lot line towards which the front of the
10 house is to be oriented and shall be selected in order to provide the best
11 utilization of the lot and greatest privacy for the adjacent lots.

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13 **SECTION 127.2: CE (Corridor Employment) District**

14
15 **E. Bulk Regulations**

16 (Also see Section 128.A, Supplementary Bulk Regulations.)

17
18 2. Minimum setbacks for development complying with the Route 1 Manual
19 standards

20
21 The following minimum setback requirements apply to sites that comply fully
22 with the CE zoning regulations and the Route 1 Manual's requirements:

23
24 a. From External Public Street Right-Of-Way:

25 (1) All structures and uses, except those listed in (2) AND (3).....20 feet

26 (2) Parking, loading docks, outdoor storage, dumpsters and fencing used
27 to enclose or screen these uses40 feet

28 (3) AMENITY AREAS..... 0 FEET

29
30 b. From Internal Public Street Right-Of-Way:

31 (1) All structures and uses, except those listed in [(2) and (3)] (2),

32 (3) AND (4) 10 feet

- 1 (2) Parking, except truck parking 20 feet
- 2 (3) Truck parking, loading docks, outdoor storage areas, dumpsters,
- 3 and fencing used to enclose or screen these uses 40 feet
- 4 (4) AMENITY AREAS..... 0 FEET
- 5

6 F. Amenity Area

7 CE developments of 5 acres or more with any uses other than manufacturing shall
8 include [[a landscaped, outdoor]] AN amenity area [[such as a plaza, courtyard, or
9 garden, designed to comply with the Route 1 Manual]].

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

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13 E. Bulk Regulations

14 (Also see Section 128.A, Supplementary Bulk Regulations.)

15 2. Minimum setbacks for development complying with the Route 1 Manual

16

17 The following minimum setback requirements apply to sites that comply fully
18 with the Manual's requirements:

19

20 a. Minimum setbacks from public street right-of-way

21 (1) From arterial

22 (a) Principal structures.....20 feet

23 (b) All other structures and uses30 feet

24 (2) From other public street right-of-way

25 (a) Principal structures..... [[0]] 10 feet

26 (b) All other structures and uses30 feet

27

28 F. Requirements for TOD Development

29 1. Amenity Area

30 TOD developments shall include [[a landscaped, outdoor]] AN amenity area [[such
31 as a plaza, courtyard, or garden, designed to comply with the Route 1 Manual]].

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(Also see Section 128.A, Supplementary Bulk Regulations.)

- ## E. Requirements for CAC Development

- Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.