

Introduced 01/05/09
Public hearing 01/21/09
Council action 02/02/09
Executive action 2/16/09
Effective date 4/9/09

County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # 1

BILL NO. 4 - 2009 (ZRA - 103)

**Introduced by: The Chair
at the request of Horse Farm, LLC and Deep Run Property Management, LLC**

AN ACT amending the Howard County Zoning Regulations to allow developments utilizing the PSC zoning district overlay to also utilize the provisions of the underlying zoning district; add the PSC zoning district to the list of overlay districts found in the overlay district definition; and generally relating to the PSC zoning district.

Introduced and read first time Jan 05, 2009. Ordered posted and hearing scheduled.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Jan 21, 2009 ~~and concluded on~~ 2009.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council

This Bill was read the third time Feb 02, 2009 and Passed ✓, Passed with amendments ✓, Failed .

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council
Stephen M. LeGrand

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of Feb, 2009 at 2:30 a.m. (P.M.)

By order Stephen M. LeGrand
Sheila M. Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on Feb 06, 2009.

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law. Strikeout 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 Number 112 "Overlay District", of Subsection A, of Section 103 "Definitions" is amended; and Subsection A "Purpose" of Section 127.1 "PSC (Planned Senior Community) District" is being reenacted without changes; and Subsection C "Uses Permitted as a Matter of Right" of Section 127.1 "PSC (Planned Senior Community) District" of the Howard County Zoning Regulations is hereby amended 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:
112. Overlay District: A district established to respond to special features or conditions of a land area, such as historic value, physical characteristics, location, or other circumstances. An overlay district supplements or provides an alternative to the regulations of the underlying zoning district. In these Zoning Regulations, only the DEO, Historic, SW, PSC and MXD Districts are overlay districts.

SECTION 127.1: PSC (Planned Senior Community) District

A. Purpose

A. Purpose

The Planned Senior Community District is established to permit the development of housing designed for older adults and elderly persons. This floating AND OVERLAY district provides opportunity for housing that meets the diverse needs of Howard County's growing senior population. Each Planned Senior Community District will provide independent living units for

seniors within either single-family or multi-family dwellings, and may also include assisted living or nursing care facilities. The communities developed within the PSC District will be characterized by careful site planning that allows them to be compatible with eastern Howard County's residential neighborhoods.

[[C Uses Permitted as a Matter of Right

1. Age-restricted adult housing
2. Assisted living facilities for residents 55 years of age or older.
3. Nursing homes]]

C. USES PERMITTED AS A MATTER OF RIGHT PRIOR TO THE FINAL APPROVAL OF ALL REQUIRED COMPREHENSIVE SKETCH PLANS AND/OR SITE DEVELOPMENT PLANS AND DEVELOPMENT CRITERIA BY THE PLANNING BOARD

1. USES ALLOWED IN THE UNDERLYING DISTRICT, PROVIDED ALL PROVISIONS OF THE UNDERLYING DISTRICT ARE USED.

D. ADDITIONAL USES PERMITTED AS A MATTER OF RIGHT SUBSEQUENT TO THE FINAL APPROVAL OF ALL REQUIRED COMPREHENSIVE SKETCH PLANS AND/OR SITE DEVELOPMENT PLANS AND DEVELOPMENT CRITERIA BY THE PLANNING BOARD

1. AGE-RESTRICTED ADULT HOUSING.
2. ASSISTED LIVING FACILITIES FOR RESIDENTS 55 YEARS OF AGE OR OLDER.
3. NURSING HOMES.

Section 2. And be it further enacted by the County Council of Howard County, Maryland, that the remainder of the Section 127.1 be renumbered accordingly.

Section 3. Be it further enacted by the County Council of Howard County, Maryland, that the provisions of this act shall become effective 61 days after enactment.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 6, 2009.


Stephen M. LeGendre, 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 _____, 2009.

Stephen M. LeGendre, 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 _____, 2009.

Stephen M. LeGendre, 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 _____, 2009.

Stephen M. LeGendre, 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 _____, 2009.

Stephen M. LeGendre, 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 _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

Amendment to Council Bill 4-2009

**BY: Greg Fox
Mary Kay Sigaty
Jennifer Terrasa**

**Legislative Day No: 2
Date: February 2, 2009**

Amendment No. 1

1 *(This amendment would clarify that the regulations established in the underlying zoning district*
2 *would apply if the property owner in a PSC decides to develop using the underlying zone).*

3
4
5 On page 2, in line 15, before the period, insert “, PROVIDED ALL PROVISIONS OF THE
6 UNDERLYING DISTRICT ARE USED”.

7

ACCEPTED Feb 02, 2009
FAILED _____
SIGNATURE Cybernetics