



COUNTY COUNCIL
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**PETITION TO AMEND THE
ZONING REGULATIONS OF
HOWARD COUNTY**

DPZ Office Use Only:

Case No. ZRA-105

Date Filed: _____

CR 4687 695

1. Zoning Regulation Amendment Request

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows: Amend Sections 118 (B-1 - Business:Local District) & 119 (B-2 - Business:General District) by adding a new subsection entitled "Additional Requirements -- Uses in No Planned Service Areas." The new subsection will require that any use on property located in the No Planned Service Area of the Howard County Water and Sewerage Master Plan shall conform to the provisions of Section 117.1 (BR - Business:Rural District). The elements of the BR regulations that would serve as limitations and control of B 1 and B 2 zoned parcels that currently exist in the No Planned Service Areas are (Continued on attached page)

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

2. Petitioner's Name Concerned Citizens of Western Howard County, Inc. ("CCWHC, Inc.")

Address P.O. Box 243, Lisbon, MD 21765

Phone No. (W) c/o Brenda Stewart, President (H) 410-442-2471

Email Address c/o Brenda Stewart, President -- drsjbstewart@aol.com

3. Counsel for Petitioner Katherine L. Taylor

Counsel's Address Katherine L. Taylor, P.A., 5850 Waterloo Road, Ste. 140, Columbia, MD 21045

Counsel's Phone No. 443-420-4075

Email Address ktaylor@taylorlegal.com

- 4.** Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed Howard County's General Plan espouses the preservation of the rural west, especially in areas that are No Planned Service Areas. There remain however, isolated areas of B-1 and B-2 zoning which, if developed in accordance with the B-1 and B-2 zoning districts, would create inconsistency between such development and the General Plan, as well as incompatibility between such uses and the surrounding land uses in the rural west. This amendment would reduce the inconsistency and incompatibility while still allowing business uses that serve the need of the rural residential and farming communities.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County _____
The Howard County General Plan espouses the preservation of the rural west (the area defined as that zoned RC or RR not served by Public utility services)and an area in which a significant number of agricultural preservation parcels have been established. Further the General Plan promotes the continuation and enhancement of the agricultural industry of the county which is concentrated in the rural west. The plan also addresses the limitation of (Continued on attached page)

[You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5"]

6. The Legislative Intent of the Zoning Regulations in Section 100.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.A. The proposed amendment will preserve and promote the health, safety and welfare of the community by, among other things: (1) allowing a significant portion of the County to remain "green" and agriculturally rich; (2) allowing for uses that are compatible with the surrounding area and thus promoting greater traffic safety and less air pollution caused by traffic and heavy commercial uses; (3) by limiting the need for private wastewater systems which discharge pollutants into the groundwater; (Continued on attached page)

[You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6."]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s) . _____

This section is addressed in the response to Section 6.

[You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7."]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? Yes.

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms. This amendment could affect more than 12 properties, as there appear to be more than 12 properties in the No Planned Service Areas, as well as more than 12 properties that are contiguous to RC zoned parcels, that are currently zoned B-1 or B-2. Properties currently in use will be able to qualify as nonconforming. Only newly proposed uses or significant changes to existing uses will have to comply with the amendments. As a practical matter, the properties currently zoned B-1 and B-2 in the No Planned area will likely be developed in accordance with the stricter amendments in any event. The general impact will be a lessening of the potential for incompatibility with the surrounding land uses, yet will still allow parcels to be used for commercial uses that are consistent with the uses in the general area.

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. The Council should consider the minimal impact of imposing certain limits on commercial development in the No Planned Service areas, compared with the negative impact (fiscal, environmental and traffic) of the addition of commercial development.

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

10. You must provide the full proposed text of the amendment(s) as a separate document entitled "Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.

11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.
9. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

Brenda Stewart, President, CCWHC, Inc.

Petitioner's name (Printed or typed)

Brenda Stewart
Petitioner's Signature

8/29/08
Date

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

[Signature]
Counsel for Petitioner's Signature

[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

FEE

The Petitioner agrees to pay all fees as follows:

Filing fee\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00*

The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.

For DPZ office use only:

Hearing Fee \$ 695.00

Receipt No. ~~695~~ 4687

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

Revised:5/08

T:\Shared\Public Service and Zoning\Applications\County Council\ZRA Application Draft

Response to Section 1 (Continued from Page 1 of Petition)

Section 117.1 Paragraphs A, B, C, D, E.i, E.3, F, H and I, which set forth the purpose of the limitations, the Criteria for allowing uses, the uses permitted, and other regulations regarding the uses. Paragraphs G and H would not be included as underlying zoning already exists. (See Proposed Text Alternative #1)

Alternatively, the parcels which are subject to this amendment could be delineated as those parcels that are contiguous to parcels zoned RC **and** that are located within the No Planned Service Area of the Howard County Water and Sewerage Master Plan. (See Proposed Text Alternative #2)

Response to Section 5 (Continued from Page 2 of Petition)

commercial development in the rural west, specifically identifying only five locations that could support expanded commercial growth that would be limited to development at a scale that would serve the needs of the local community. In addition, the Zoning regulations call for development in the RC zone to encourage agricultural activities, preserve natural features and rural landscapes, allowing only low density residential development. The regulations further mandate that commercial use allowed in RC areas should relate to agricultural uses and provide local serving retail and services.

Thus wherever local isolated spots of B 1 and B 2 zoning exist in RC zoned areas, it is imperative that to met the goals of the General plan and the intent of the Zoning regulations that additional controls be placed on parcels that are designated B 1 or B 2 but are in the midst of the RC zoned Rural West. These amendments provide additional control over the development and use of B 1 and B 2 zoned properties in the RC zoned area of the Rural West, by applying the criteria and limitation on uses as prescribed in the BR (Business Rural) District. The application of BR criteria is most fitting since this section of the zoning regulations was enacted for just such a purpose i.e. allowing for commercial development in the rural areas of the county that would be compatible with the goals of the General Plan and consistent with the surrounding RC development.

Response to Section 6 (Continued from Page 2 of Petition)

(4) by providing a more healthy environment and significant opportunities for Howard County citizens, and especially its youth, to enjoy and take part in agricultural and conservation activities; (5) by limiting the amount of infrastructure changes that would be required to accommodate such uses and allowing the resources of the County to be used for other important goals, such as improving the infrastructure in other areas already designated for business and commercial uses.

With regard to the other statements of intent set forth in Section 100, this amendment will promote those purposes: (1) by preventing overcrowding of the land; (2) by conserving the value of agricultural and residential land in the No Planned Service Areas; (3) by promoting the beneficial relationship between the uses of land and the road systems by preventing the need for further road widening and improvements to accommodate commercial uses; (3) by preserving the aesthetic and environmental qualities of the many acres of agricultural land located in the rural west.

Petitioner's Proposed Text – Alternative #1

SECTION 118: B-1 (Business: Local) District

A. Purpose

The B-1 District is established to provide areas of local business that can directly serve the general public with retail sales and services.

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.H
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.
18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.

28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
30. Lawn and garden sheds and equipment sales, maintenance and repair.
31. Liquor stores.
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32. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
33. Motor vehicle parts or tire stores, without installation facilities.
34. Museums and libraries.
35. Nonprofit clubs, lodges, community halls.
36. Offices, professional and business.
37. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
38. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
39. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87)
Effective 1/10/08]
40. Religious activities, structures used primarily for.
41. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
42. Restaurants, carryout, including incidental delivery service.
43. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
44. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
45. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.D.4.
46. Schools, private academic, including colleges and universities.
47. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.
48. Specialty stores.
49. Swimming pools, commercial or community.
50. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

51. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of section 128.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet
2. The following minimum structure and use setback requirements shall be observed:
 - a. From public street right-of-way30 feet
Except for parking uses10 feet
 - b. From a residential district other than a public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-1 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums
2. Communication Towers (Commercial)
3. Fast Food Restaurants
4. Historic Building Uses: Apartments
5. Kennels
6. Utility Uses, Public

F. ADDITIONAL REQUIREMENTS – USES IN NO PLANNED SERVICE AREA

ANY PROPERTY LOCATED IN THE NO PLANNED SERVICE AREA OF THE HOWARD COUNTY WATER AND SEWERAGE MASTER PLAN SHALL BE USED OR DEVELOPED IN CONFORMANCE WITH ALL THE PROVISIONS AND REQUIREMENTS OF SECTION 117.1 (BR – BUSINESS: RURAL DISTRICT), EXCEPT AS FOLLOWS:

1. THE PROVISIONS OF SECTION 117.1.G. AND H. SHALL NOT APPLY

SECTION 119: B-2 (Business: General) District

A. Purpose

The B-2 District is established to provide for commercial sales and services that directly serve the general public.

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic and recreation facilities, including:
 - a. Bowling alleys, billiard parlors, skating rinks, dance halls and similar uses.
 - b. Miniature golf courses and golf driving ranges.
 - c. Community and commercial swimming pools.
 - d. Athletic fields, tennis clubs, athletic centers, health clubs and similar uses.
8. Auction facilities.
9. Bakeries.
10. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.

34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
37. Firewood sales.
38. Flea markets, indoor.
39. Food stores.
40. Funeral homes.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales.
56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Offices, professional and business.
62. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
63. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
64. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87) Effective 1/10/08]
65. Pizza delivery service and other services for off-site delivery of prepared food.
66. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
67. Recycling collection facilities.
68. Religious activities, structures used primarily for.
69. Rental centers which rent a variety of goods including equipment and tools.
70. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
71. Restaurants, carryout.
72. Restaurants, fast food.
73. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
74. Retail greenhouses, garden centers and nurseries.
75. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of

Section 128.D.4.

76. Schools, commercial, including driving schools, business schools, trade schools, art schools and other commercially operated schools.

77. Schools, private academic, including colleges and universities.

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78. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.

79. Specialty stores.

80. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.

81. Taxidermies.

82. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

83. Volunteer fire departments.

84. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.

3. Retail sale of propane on the site of a principal retail business.

4. Snowball stands, subject to the requirements of section 128.D.5.

5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet

2. The following minimum structure and use setback requirements shall be observed:

a. From public street right-of-way30 feet

Except for parking uses10 feet

Except for the display of for-sale passenger cars, pick-up trucks,
and passenger vans from the right-of-way of a local road10 feet

b. From residential districts other than public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-2 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums

2. Communication Towers (Commercial)

3. Contractor Storage Facility

4. Gasoline, Fuel Oil and Liquified Petroleum, Bulk Storage of

5. Gasoline Service Stations

6. Historic Building Uses: Apartments

7. School Bus, Boat or Recreational Vehicle Storage Facilities

8. Utility Uses, Public

9. Wrecked Vehicle Storage (Temporary)

F. ADDITIONAL REQUIREMENTS – USES IN NO PLANNED SERVICE AREA

ANY PROPERTY LOCATED IN THE NO PLANNED SERVICE AREA OF THE HOWARD COUNTY WATER AND SEWERAGE MASTER PLAN SHALL BE USED OR DEVELOPED IN CONFORMANCE WITH ALL THE PROVISIONS AND REQUIREMENTS OF SECTION 117.1 (BR – BUSINESS; RURAL DISTRICT), EXCEPT AS FOLLOWS:

1. THE PROVISIONS OF SECTION 117.1.G. AND H. SHALL NOT APPLY

Petitioner's Proposed Text – Alternative #2

SECTION 118: B-1 (Business: Local) District

A. Purpose

The B-1 District is established to provide areas of local business that can directly serve the general public with retail sales and services.

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.H
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.
18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.

28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
 29. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
 30. Lawn and garden sheds and equipment sales, maintenance and repair.
 31. Liquor stores.
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32. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
 33. Motor vehicle parts or tire stores, without installation facilities.
 34. Museums and libraries.
 35. Nonprofit clubs, lodges, community halls.
 36. Offices, professional and business.
 37. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
 38. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
 39. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87)
Effective 1/10/08]
 40. Religious activities, structures used primarily for.
 41. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
 42. Restaurants, carryout, including incidental delivery service.
 43. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
 44. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
 45. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.D.4.
 46. Schools, private academic, including colleges and universities.
 47. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.
 48. Specialty stores.
 49. Swimming pools, commercial or community.
 50. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

51. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of section 128.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet
2. The following minimum structure and use setback requirements shall be observed:
 - a. From public street right-of-way30 feet
Except for parking uses10 feet
 - b. From a residential district other than a public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-1 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums
2. Communication Towers (Commercial)
3. Fast Food Restaurants
4. Historic Building Uses: Apartments
5. Kennels
6. Utility Uses, Public

F. ADDITIONAL REQUIREMENTS – USES IN NO PLANNED SERVICE AREA AND CONTIGUOUS TO RC ZONED PARCEL

ANY PROPERTY LOCATED IN THE NO PLANNED SERVICE AREA OF THE HOWARD COUNTY WATER AND SEWERAGE MASTER PLAN AND CONTIGUOUS TO A PARCEL LOCATED IN THE RC (RURAL CONSERVATION) DISTRICT SHALL BE USED OR DEVELOPED IN CONFORMANCE WITH ALL THE PROVISIONS AND REQUIREMENTS OF SECTION 117.1 (BR – BUSINESS: RURAL DISTRICT), EXCEPT AS FOLLOWS:

1. THE PROVISIONS OF SECTION 117.1.G. AND H. SHALL NOT APPLY.

SECTION 119: B-2 (Business: General) District

A. Purpose

The B-2 District is established to provide for commercial sales and services that directly serve the general public.

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic and recreation facilities, including:
 - a. Bowling alleys, billiard parlors, skating rinks, dance halls and similar uses.
 - b. Miniature golf courses and golf driving ranges.
 - c. Community and commercial swimming pools.
 - d. Athletic fields, tennis clubs, athletic centers, health clubs and similar uses.
8. Auction facilities.
9. Bakeries.
10. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.

34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
37. Firewood sales.
38. Flea markets, indoor.
39. Food stores.
40. Funeral homes.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales.
56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Offices, professional and business.
62. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
63. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
64. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87) Effective 1/10/08]
65. Pizza delivery service and other services for off-site delivery of prepared food.
66. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
67. Recycling collection facilities.
68. Religious activities, structures used primarily for.
69. Rental centers which rent a variety of goods including equipment and tools.
70. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
71. Restaurants, carryout.
72. Restaurants, fast food.
73. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
74. Retail greenhouses, garden centers and nurseries.
75. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of

Section 128.D.4.

76. Schools, commercial, including driving schools, business schools, trade schools, art schools and other commercially operated schools.

77. Schools, private academic, including colleges and universities.

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78. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.

79. Specialty stores.

80. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.

81. Taxidermies.

82. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

83. Volunteer fire departments.

84. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.

3. Retail sale of propane on the site of a principal retail business.

4. Snowball stands, subject to the requirements of section 128.D.5.

5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet

2. The following minimum structure and use setback requirements shall be observed:

a. From public street right-of-way30 feet

Except for parking uses10 feet

Except for the display of for-sale passenger cars, pick-up trucks,
and passenger vans from the right-of-way of a local road10 feet

b. From residential districts other than public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-2 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums

2. Communication Towers (Commercial)

3. Contractor Storage Facility

4. Gasoline, Fuel Oil and Liquified Petroleum, Bulk Storage of

5. Gasoline Service Stations

6. Historic Building Uses: Apartments

7. School Bus, Boat or Recreational Vehicle Storage Facilities

8. Utility Uses, Public

9. Wrecked Vehicle Storage (Temporary)

F. ADDITIONAL REQUIREMENTS – USES IN NO PLANNED SERVICE AREA AND CONTIGUOUS TO RC ZONED PARCEL

ANY PROPERTY LOCATED IN THE NO PLANNED SERVICE AREA OF THE HOWARD COUNTY WATER AND SEWERAGE MASTER PLAN AND CONTIGUOUS TO A PARCEL LOCATED IN THE RC (RURAL CONSERVATION) DISTRICT SHALL BE USED OR DEVELOPED IN CONFORMANCE WITH ALL THE PROVISIONS AND REQUIREMENTS OF SECTION 117.1 (BR – BUSINESS: RURAL DISTRICT), EXCEPT AS FOLLOWS:

2. THE PROVISIONS OF SECTION 117.1.G. AND H. SHALL NOT APPLY

Petitioner's Proposed Text – Alternative #1 – If Adopted as Proposed

SECTION 118: B-1 (Business: Local) District

A. Purpose

The B-1 District is established to provide areas of local business that can directly serve the general public with retail sales and services.

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.H
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.
18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.

28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
30. Lawn and garden sheds and equipment sales, maintenance and repair.
31. Liquor stores.
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32. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
33. Motor vehicle parts or tire stores, without installation facilities.
34. Museums and libraries.
35. Nonprofit clubs, lodges, community halls.
36. Offices, professional and business.
37. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
38. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
39. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87)
Effective 1/10/08]
40. Religious activities, structures used primarily for.
41. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
42. Restaurants, carryout, including incidental delivery service.
43. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
44. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
45. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.D.4.
46. Schools, private academic, including colleges and universities.
47. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.
48. Specialty stores.
49. Swimming pools, commercial or community.
50. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

51. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of section 128.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet
2. The following minimum structure and use setback requirements shall be observed:
 - a. From public street right-of-way30 feet
Except for parking uses10 feet
 - b. From a residential district other than a public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-1 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums
2. Communication Towers (Commercial)
3. Fast Food Restaurants
4. Historic Building Uses: Apartments
5. Kennels
6. Utility Uses, Public

F. Additional Requirements – Uses In No Planned Service Area

Any property located in the No Planned Service Area Of The Howard County Water And Sewerage Master Plan shall be used or developed in conformance with all the provisions and requirements of section 117.1 (BR – Business: Rural District), except as follows:

1. The provisions of section 117.1.G. and H. shall not apply

SECTION 119: B-2 (Business: General) District

A. Purpose

The B-2 District is established to provide for commercial sales and services that directly serve the general public.

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic and recreation facilities, including:
 - a. Bowling alleys, billiard parlors, skating rinks, dance halls and similar uses.
 - b. Miniature golf courses and golf driving ranges.
 - c. Community and commercial swimming pools.
 - d. Athletic fields, tennis clubs, athletic centers, health clubs and similar uses.
8. Auction facilities.
9. Bakeries.
10. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.

34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
37. Firewood sales.
38. Flea markets, indoor.
39. Food stores.
40. Funeral homes.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales.
56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Offices, professional and business.
62. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
63. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
64. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87) Effective 1/10/08]
65. Pizza delivery service and other services for off-site delivery of prepared food.
66. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
67. Recycling collection facilities.
68. Religious activities, structures used primarily for.
69. Rental centers which rent a variety of goods including equipment and tools.
70. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
71. Restaurants, carryout.
72. Restaurants, fast food.
73. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
74. Retail greenhouses, garden centers and nurseries.
75. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of

Section 128.D.4.

76. Schools, commercial, including driving schools, business schools, trade schools, art schools and other commercially operated schools.

77. Schools, private academic, including colleges and universities.

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78. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.

79. Specialty stores.

80. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.

81. Taxidermies.

82. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

83. Volunteer fire departments.

84. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.

3. Retail sale of propane on the site of a principal retail business.

4. Snowball stands, subject to the requirements of section 128.D.5.

5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet

2. The following minimum structure and use setback requirements shall be observed:

a. From public street right-of-way30 feet

Except for parking uses10 feet

Except for the display of for-sale passenger cars, pick-up trucks,
and passenger vans from the right-of-way of a local road10 feet

b. From residential districts other than public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-2 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums

2. Communication Towers (Commercial)

3. Contractor Storage Facility

4. Gasoline, Fuel Oil and Liquified Petroleum, Bulk Storage of

5. Gasoline Service Stations

6. Historic Building Uses: Apartments

7. School Bus, Boat or Recreational Vehicle Storage Facilities

8. Utility Uses, Public

9. Wrecked Vehicle Storage (Temporary)

F. Additional Requirements – Uses In No Planned Service Area

Any property located in the No Planned Service Area of the Howard County Water and Sewerage Master Plan shall be used or developed in conformance with all the provisions and requirements of section 117.1 (BR – Business: Rural District), except as follows:

1. The provisions of section 117.1.G. and H. shall not apply.

Petitioner's Proposed Text – Alternative #2 – If Adopted as Proposed

SECTION 118: B-1 (Business: Local) District

A. Purpose

The B-1 District is established to provide areas of local business that can directly serve the general public with retail sales and services.

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.H
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.
18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.

28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
30. Lawn and garden sheds and equipment sales, maintenance and repair.
31. Liquor stores.
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32. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
33. Motor vehicle parts or tire stores, without installation facilities.
34. Museums and libraries.
35. Nonprofit clubs, lodges, community halls.
36. Offices, professional and business.
37. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
38. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
39. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87)
Effective 1/10/08]
40. Religious activities, structures used primarily for.
41. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
42. Restaurants, carryout, including incidental delivery service.
43. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
44. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
45. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.D.4.
46. Schools, private academic, including colleges and universities.
47. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.
48. Specialty stores.
49. Swimming pools, commercial or community.
50. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

51. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of section 128.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet
2. The following minimum structure and use setback requirements shall be observed:
 - a. From public street right-of-way30 feet
Except for parking uses10 feet
 - b. From a residential district other than a public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-1 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums
2. Communication Towers (Commercial)
3. Fast Food Restaurants
4. Historic Building Uses: Apartments
5. Kennels
6. Utility Uses, Public

F. Additional Requirements – Uses In No Planned Service Area And Contiguous To RC Zoned Parcel

Any property located in the No Planned Service Area of the Howard County Water and Sewerage Master Plan and contiguous to a parcel located in the RC (Rural Conservation) district shall be used or developed in conformance with all the provisions and requirements of section 117.1 (BR – Business: Rural District), except as follows:

1. The provisions of section 117.1.G. and H. shall not apply.

SECTION 119: B-2 (Business: General) District

A. Purpose

The B-2 District is established to provide for commercial sales and services that directly serve the general public.

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic and recreation facilities, including:
 - a. Bowling alleys, billiard parlors, skating rinks, dance halls and similar uses.
 - b. Miniature golf courses and golf driving ranges.
 - c. Community and commercial swimming pools.
 - d. Athletic fields, tennis clubs, athletic centers, health clubs and similar uses.
8. Auction facilities.
9. Bakeries.
10. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.D.3.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.E.2. and 128.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.

34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
37. Firewood sales.
38. Flea markets, indoor.
39. Food stores.
40. Funeral homes.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales.
56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Offices, professional and business.
62. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
63. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
64. Pet grooming establishments and daycare, completely enclosed. [Council Bill 70-2007 (ZRA-87) Effective 1/10/08]
65. Pizza delivery service and other services for off-site delivery of prepared food.
66. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
67. Recycling collection facilities.
68. Religious activities, structures used primarily for.
69. Rental centers which rent a variety of goods including equipment and tools.
70. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
71. Restaurants, carryout.
72. Restaurants, fast food.
73. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
74. Retail greenhouses, garden centers and nurseries.
75. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of

Section 128.D.4.

76. Schools, commercial, including driving schools, business schools, trade schools, art schools and other commercially operated schools.

77. Schools, private academic, including colleges and universities.

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78. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies, mailing services.

79. Specialty stores.

80. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.

81. Taxidermies.

82. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.

83. Volunteer fire departments.

84. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.E.2 and 128.E.3.

3. Retail sale of propane on the site of a principal retail business.

4. Snowball stands, subject to the requirements of section 128.D.5.

5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

D. Bulk Regulations

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

1. Maximum height40 feet

2. The following minimum structure and use setback requirements shall be observed:

a. From public street right-of-way30 feet

Except for parking uses10 feet

Except for the display of for-sale passenger cars, pick-up trucks,
and passenger vans from the right-of-way of a local road10 feet

b. From residential districts other than public street right-of-way30 feet

E. Conditional Uses

The following are conditional uses in the B-2 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1. Cemeteries and Mausoleums

2. Communication Towers (Commercial)

3. Contractor Storage Facility

4. Gasoline, Fuel Oil and Liquified Petroleum, Bulk Storage of

5. Gasoline Service Stations

6. Historic Building Uses: Apartments

7. School Bus, Boat or Recreational Vehicle Storage Facilities

8. Utility Uses, Public

9. Wrecked Vehicle Storage (Temporary)

F. Additional Requirements – Uses In No Planned Service Area And Contiguous To RC Zoned Parcel

Any property located in the No Planned Service Area of the Howard County Water and Sewerage Master Plan and contiguous to a parcel located in the RC (Rural Conservation) district shall be used or developed in conformance with all the provisions and requirements of section 117.1 (BR – Business: Rural District), except as follows:

1. The provisions of section 117.1.G. and H. shall not apply.