

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # _____

BILL NO. _____ – 2009 (ZRA – 113)

**Introduced by: The Chair
at the request of General Growth Properties**

AN ACT amending the Howard County Zoning Regulations to create a new Downtown Columbia revitalization process in the New Town District; defining new terms; establishing a new residential density for Downtown Columbia; establishing new land use percentages for open space in Downtown Columbia; establishing an affordable housing provision for Downtown Columbia revitalization; establishing new off-street parking requirements for Downtown Columbia revitalization; and generally relating to the New Town zoning district.

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

By order _____
Stephen M. LeGendre, 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 _____, 2009 and concluded on _____, 2009.

By order _____
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time _____, 2009 and Passed____, Passed with amendments____, Failed____.

By order _____
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2009 at _____ a.m./p.m.

By order _____
Stephen M. LeGendre, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 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.

1 **Section 1. *Be it enacted*** by the County Council of Howard County, Maryland, that subsection F
2 of Section 125 “NT (New Town) District”(as enacted by Council Bill 29-2009) of the Howard
3 County Zoning Regulations, is hereby renumbered to Subsection I.

4
5 **Section 2. *Be it further enacted*** by the County Council of Howard County, Maryland, that new
6 Numbers 38 through 60, of Subsection A, of Section 103 “Definitions” is hereby added; Section
7 125 “NT (New Town) District” is hereby amended; Subsection B “Layout and Location”, and
8 Subsection E. “Permitted Reductions in Off-Street Parking Requirements.” of Section 133 “Off-
9 Street Parking and Loading Facilities” of the Howard County Zoning Regulations, are hereby
10 amended to read as follows:

11 12 13 14 **Howard County Zoning Regulations**

15 16 **SECTION 103: Definitions**

- 17
18 38. DOWNTOWN ARTS, CULTURAL AND COMMUNITY USE: LAND AREAS, USES AND FACILITIES
19 ESTABLISHED FOR CULTURAL, CIVIC, RECREATION, EDUCATIONAL, ENVIRONMENTAL,
20 ENTERTAINMENT OR COMMUNITY USE OR BENEFIT, WHETHER OR NOT ENCLOSED AND WHETHER
21 PUBLICLY OR PRIVATELY OWNED OR OPERATED FOR PROFIT, INCLUDING, BUT NOT LIMITED TO,
22 LIBRARIES, FIRE STATIONS, SCHOOLS, MUSEUMS, GALLERIES, ARTISTIC WORK, AND TRANSIT
23 FACILITIES. EATING, SEATING AND GATHERING AREAS THAT ARE ACCESSORY TO THESE USES
24 ARE PERMITTED.
- 25
26 39. DOWNTOWN ARTS AND ENTERTAINMENT PARK: A CONTIGUOUS AREA INCLUDING A LARGE
27 OUTDOOR AMPHITHEATER WHICH MAY BE SURROUNDED BY A VARIETY OF SMALLER INDOOR OR
28 OUTDOOR ARTISTIC AND PERFORMANCE SPACES, MUSEUMS, GALLERIES AND SIMILAR CULTURAL
29 OR EDUCATIONAL USES IN A PARK-LIKE SETTING. ANCILLARY USES SUCH AS FOOD VENDORS,
30 GIFT SHOPS, SMALL RESTAURANTS AND SUPPORTING INFRASTRUCTURE SUCH AS UTILITIES,
31 PUBLIC AND PRIVATE ROADWAYS, MULTI-MODAL CIRCULATION SYSTEMS ADJACENT TO PUBLIC
32 AND PRIVATE ROADWAYS, SURFACE PARKING LOTS, PARKING STRUCTURES, AND UNDERGROUND

PARKING ARE ALSO PERMITTED.

40. DOWNTOWN CEPPA IMPLEMENTATION CHART: THE CHART AND ASSOCIATED TEXT AND FLEXIBILITY PROVISIONS CONTAINED IN THE DOWNTOWN COLUMBIA PLAN WHICH IDENTIFY THE PHASING FOR DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES.
41. DOWNTOWN COLUMBIA: THE FOLLOWING RECORDED FINAL DEVELOPMENT PLAN PHASES: PHASE 4, PHASE 4-A-5, PHASE 21, PHASE 47-A-7, PHASE 52, PHASE 62-A-1, PHASE 95, PHASE 101-A, PHASE 105, PHASE 111-A-1, PHASE 115, PHASE 121, PHASE 122-A, PHASE 139-A-3, PHASE 140-A-1, PHASE 192-A, PHASE 211, PHASE 217-A-1, PHASE 219, PHASE 234, AND THE AREA WITHIN THE DESCRIBED LIMITS INCLUDED IN EXHIBIT A OF THE APPENDIX IN THESE REGULATIONS.
42. DOWNTOWN COLUMBIA PLAN: THE GENERAL PLAN AMENDMENT FOR DOWNTOWN COLUMBIA AS APPROVED BY THE COUNTY COUNCIL ON (APPROVAL DATE).
43. DOWNTOWN COMMUNITY COMMONS: AMENITY SPACES SUCH AS PLAZAS, PROMENADES, GREENS, GARDENS, SQUARES AND OTHER PEDESTRIAN-ORIENTED AREAS, WHETHER PUBLICLY OR PRIVATELY OWNED, THAT ARE INTENDED FOR COMMUNITY INTERACTION AND MAY INCLUDE SPACES FOR SEATING, WALKING, EATING, GATHERING, FOUNTAINS, PUBLIC ART, WAY-FINDING SIGNAGE, KIOSKS, OR OTHER SIMILAR PUBLIC AMENITIES. DOWNTOWN COMMUNITY COMMONS CAN ALSO INCLUDE WALKWAYS THAT ARE DESIGNED TO ENHANCE AND BE AN INTEGRAL PART OF THE ADJACENT AMENITY SPACE, BUT SHALL NOT INCLUDE ANY DRIVE LANE FOR VEHICULAR TRAFFIC SUCH AS PRIVATE STREETS, ALLEYS AND PUBLIC ROADWAYS FOR AUTOMOTIVE USE. DOWNTOWN COMMUNITY COMMONS MUST BE GENERALLY ACCESSIBLE BY THE PUBLIC WITHOUT CHARGE. INCLUDED IN THIS CATEGORY ARE DOWNTOWN NEIGHBORHOOD SQUARES. DOWNTOWN COMMUNITY COMMONS MAY BE INTEGRATED INTO OR DEVELOPED AS A PART OF OTHER USES AND MAY INCLUDE UNDERGROUND PARKING, UTILITIES AND OTHER INFRASTRUCTURE SUPPORTING DOWNTOWN REVITALIZATION.
44. DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES (CEPPA): THE SPECIFIC FEASIBILITY STUDIES, IMPROVEMENT AND MANAGEMENT ORGANIZATIONS, ENVIRONMENTAL ENHANCEMENT PROGRAMS, AND PHYSICAL IMPROVEMENTS IDENTIFIED IN THE DOWNTOWN CEPPA IMPLEMENTATION CHART CONTAINED IN THE DOWNTOWN COLUMBIA PLAN.
45. DOWNTOWN ENVIRONMENTAL ENHANCEMENT: ENVIRONMENTAL RESTORATION OR

1 ENHANCEMENT OF AN AREA WITHIN DOWNTOWN COLUMBIA COMPRISED OF AT LEAST ONE
2 CONTIGUOUS ACRE INCLUDING SUCH THINGS AS FOREST RESTORATION AND ENHANCEMENT,
3 REFORESTATION AND AFFORESTATION, WETLAND ENHANCEMENT, AND STREAM RESTORATION
4 ACTIVITIES.

5
6 46. DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA: AN AREA WITHIN DOWNTOWN
7 COLUMBIA MEETING THE DEFINITION IN THE HOWARD COUNTY LAND DEVELOPMENT
8 REGULATIONS OF EITHER A FLOODPLAIN, STEEP SLOPE, STREAM OR WETLAND BUFFERS.

9
10 47. DOWNTOWN MAXIMUM BUILDING HEIGHT PLAN: THE PLAN WHICH GRAPHICALLY REPRESENTS
11 THE MAXIMUM BUILDING HEIGHT REQUIREMENTS FOR ALL DOWNTOWN REVITALIZATION, AS
12 DEPICTED IN THE DOWNTOWN COLUMBIA PLAN.

13
14 48. DOWNTOWN MIXED-USE: A LAND-USE DESIGNATION THAT PERMITS ANY USE OR COMBINATION
15 OF USES PERMITTED UNDER SECTION 125.A.9.B. INCLUDING SUPPORTING INFRASTRUCTURE,
16 SUCH AS UTILITIES, PUBLIC AND PRIVATE ROADWAYS, MULTI-MODAL CIRCULATION SYSTEMS
17 ADJACENT TO PUBLIC AND PRIVATE ROADWAYS, SURFACE PARKING LOTS, PARKING STRUCTURES,
18 AND UNDERGROUND PARKING.

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20 49. DOWNTOWN NEIGHBORHOOD CONCEPT PLAN: A CONCEPT PLAN SHOWING AN INDIVIDUAL
21 NEIGHBORHOOD IDENTIFIED IN THE DOWNTOWN COLUMBIA PLAN THAT DEPICTS A GENERAL
22 LAYOUT FOR PROPOSED PUBLIC AND PRIVATE STREETS, BLOCK SIZES AND CONFIGURATIONS,
23 MAXIMUM BUILDING HEIGHTS AND PROPOSED DOWNTOWN COMMUNITY COMMONS.

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25 50. DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES: URBAN DESIGN GUIDELINES FOR AN
26 INDIVIDUAL NEIGHBORHOOD IDENTIFIED IN THE DOWNTOWN COLUMBIA PLAN.

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28 51. DOWNTOWN NEIGHBORHOOD SQUARE: AN OUTDOOR AMENITY SPACE COMPRISED OF NOT LESS
29 THAN 25,000 CONTIGUOUS SQUARE FEET, EXCLUSIVE OF BIKE PATHS AND REQUIRED SIDEWALKS
30 THAT MIGHT BE LOCATED ALONG ITS PERIMETER. A DOWNTOWN NEIGHBORHOOD SQUARE MAY
31 BE COVERED OR PARTIALLY COVERED.

32
33 52. DOWNTOWN NET NEW: AS APPLICABLE, THE NUMBER OF DWELLINGS, HOTEL AND MOTEL
34 ROOMS, AND THE AMOUNT OF GROSS FLOOR AREA OF COMMERCIAL OFFICE AND COMMERCIAL
35 RETAIL USES THAT ARE PERMITTED UNDER THE DOWNTOWN REVITALIZATION APPROVAL
36 PROCESS AFTER (EFFECTIVE DATE) IN EXCESS OF THE NUMBER OF DWELLINGS, HOTEL AND

MOTEL ROOMS, AND GROSS FLOOR AREA OF COMMERCIAL OFFICE AND COMMERCIAL RETAIL
USES THAT ARE SHOWN ON A SITE DEVELOPMENT PLAN FOR PROPERTY LOCATED WITHIN
DOWNTOWN COLUMBIA THAT WAS APPROVED PRIOR TO [EFFECTIVE DATE].

53. DOWNTOWN OPEN SPACE PRESERVATION PLAN: A PLAN INCLUDED IN THE DOWNTOWN
COLUMBIA PLAN DELINEATING ALL LAND IN DOWNTOWN COLUMBIA DESIGNATED AS OPEN
SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE) THAT IS
REQUIRED TO RETAIN ITS EXISTING CHARACTER AS: DOWNTOWN ENVIRONMENTALLY SENSITIVE
LAND; DOWNTOWN PARKLAND; DOWNTOWN COMMUNITY COMMONS; OR A DOWNTOWN ARTS
AND ENTERTAINMENT PARK, AS SPECIFIED IN SECTION 125.A.9.H.

54. DOWNTOWN PARKLAND: AN AREA GENERALLY ACCESSIBLE BY THE PUBLIC WITHOUT CHARGE
FOR ACTIVE AND/OR PASSIVE RECREATION PURPOSES WHICH CONSISTS PRIMARILY OF
VEGETATED AREAS WITH A NATURAL CHARACTER, MORE FORMAL LAWNS, GARDENS AND
WALKS, PEDESTRIAN CONNECTIONS, MINOR ACTIVE STRUCTURED RECREATION USES SUCH AS
URBAN PLAYGROUNDS, PUBLIC ART, FOUNTAINS AND MINIMAL STRUCTURES SUCH AS CAFES AND
OUTDOOR DINING AREAS, GAZEBOS, PAVILIONS, OUTDOOR STAGES, AND KIOSKS.

55. DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM: A PLAN AND ASSOCIATED
TEXT INCLUDED IN THE DOWNTOWN COLUMBIA PLAN DEPICTING EXISTING AND PROPOSED
PRIMARY AMENITY AND NATURAL SPACES IN DOWNTOWN COLUMBIA.

56. DOWNTOWN PUBLIC ART: ORIGINAL OUTDOOR ARTWORK WHICH IS ACCESSIBLE TO THE PUBLIC.

57. DOWNTOWN REVITALIZATION: A FORM OF DEVELOPMENT REQUIRED IN DOWNTOWN COLUMBIA
AFTER (EFFECTIVE DATE) IN COMPLIANCE WITH THE APPLICABLE PROVISIONS OF SECTION 125
THAT MUST BE CONSISTENT WITH THE RECOMMENDATIONS OF THE DOWNTOWN COLUMBIA
PLAN.

58. DOWNTOWN REVITALIZATION PHASING PLAN: A PHASING PLAN INCLUDED IN THE DOWNTOWN
COLUMBIA PLAN IDENTIFYING ADDITIONAL DEVELOPMENT RIGHTS BY PHASE FOR DOWNTOWN
REVITALIZATION.

59. DOWNTOWN SIGNATURE BUILDING: AN EXISTING OR PROPOSED STRUCTURE WHICH REQUIRES
PREMIERE ATTENTION TO ITS ARCHITECTURAL DESIGN BECAUSE OF ITS CULTURAL SIGNIFICANCE
OR PROMINENT LOCATION IN RELATIONSHIP TO THE PUBLIC REALM, SUCH AS ITS POSITION ON A

1 STREET OR OPEN SPACE, OR AS THE TERMINUS OF A VISTA.

2
3 60. DOWNTOWN-WIDE DESIGN GUIDELINES: GENERAL URBAN DESIGN GUIDELINES FOR DOWNTOWN
4 REVITALIZATION ADOPTED BY THE HOWARD COUNTY COUNCIL.
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6
7

8 **SECTION 125: NT (New Town) Districts**

9 10 A. Definitions, Requirements and Restrictions Applicable to NT Districts

11 1. As used herein, the term “New Town” means an unincorporated city, town or village
12 which:

13 a. Is designated and planned as an economically and culturally self-sufficient
14 community with a population of at least 20,000 inhabitants; and

15 b. Is so designed and planned as to meet all of the requirements specified in this Section
16 125.

17 2. As used herein, the terms “New Town District,” “NT District” or “the District” means the
18 land zoned for the erection of a New Town under the provisions of this Section 125.

19 3. No NT District shall be created except by the procedure set forth herein. Each NT District
20 must contain a total area of at least 2,500 contiguous acres. Lands which are divided by
21 streets, roads, ways, highways, transmission pipes, lines or conduits, or rights-of-way (in
22 fee or by easement) owned by third parties shall be deemed to be contiguous for purposes
23 of this Section 125. No NT District shall be established except upon land the beneficial
24 title to which is in the person, firm or corporation executing the petition referred to in
25 Section 125 thereof. The tenant under a lease having a term of not less than 75 years shall
26 be deemed to be the holder of the beneficial title to the land covered by the lease for the
27 purpose of this Section 125.

28 4. No NT District shall have a greater overall [[population]] RESIDENTIAL density than that
29 produced by the TOTAL COMBINED number of dwellings permitted [[herein.]] IN THIS

SECTION 125.A.4 AND IN SECTION 125.A.9. The maximum number of dwellings permitted [[within an NT District]] UNDER THE DOWNTOWN REVITALIZATION APPROVAL PROCESS IS ESTABLISHED IN SECTION 125.A.9. THE MAXIMUM NUMBER OF DWELLINGS PERMITTED THAT ARE NOT SUBJECT TO THE DOWNTOWN REVITALIZATION APPROVAL PROCESS IS ESTABLISHED BY THIS SECTION AND shall be calculated by multiplying the total number of acres within the [[entire]] NT District [[(without excluding any areas regardless of their use) by the average number of dwellings per acre permitted with the NT District as specified in the “Final Development Plan,” as hereinafter defined; provided, however, that in no event shall the number of dwellings per acre permitted in any NT District exceed two and one half. Within each NT District the following additional density]] BY TWO AND ONE-HALF. FOR DEVELOPMENT THAT IS NOT SUBJECT TO THE DOWNTOWN REVITALIZATION APPROVAL PROCESS, THE FOLLOWING DEVELOPMENT restrictions shall apply:

- a. In areas designated “single family -- low density” on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by two.
- b. In areas designated “single family -- medium density” on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by four.
- c. In areas designated “Apartments” on the Final Development Plan the maximum number of apartments permitted shall relate to the overall total number of apartments in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by 15.

5. The use of land within NT Districts shall be limited to those uses specified in the “Final Development Plan,” provided, however, that:

- a. No uses permitted only in the R-MH or M-2 Districts under these Regulations may be permitted in an NT District; and

b. Attached or semi-detached dwellings may be erected only in areas designated “DOWNTOWN REVITALIZATION,” OR “apartments” ON [[the]] A Final Development Plan[[], and]]. WITHIN AREAS DESIGNATED “DOWNTOWN REVITALIZATION” SUCH UNITS SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 125.A.9. WITHIN AREAS DESIGNATED “APARTMENTS” SUCH UNITS MUST BE PROVIDED:

(1) In groups having no more than 10 dwellings attached to one another if attached on the sides, or 16 dwellings if attached back to back; and

(2) In such numbers so as not to exceed 10 dwellings for each acre of such use, calculated by multiplying the number of acres so designated by 10; and

(3) In such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted as part of the Final Development Plan.

6. Except for accessory uses as hereinafter provided, no structure within an NT District shall be:

a. Erected except in accordance with the Final Development Plan, or

b. Used for any purpose other than the use designated for it on the Final Development Plan.

7. Except as otherwise provided in the Final Development Plan, the following restrictions shall be applicable to NT Districts:

a. Access shall be provided from every use site to a public street or to a system of common streets and ways connecting with the public street system.

b. The off-street parking requirements of Section 133 of these Regulations shall be applicable.

c. The accessory use provisions of Section 110 shall be applicable to all residential uses within the NT District.

- d. The provisions of Section 128 (Supplementary Zoning District Regulations) shall apply to the NT District except for those provisions which specifically exclude the NT District.

Subject to any additional specific permitted uses of land which may be designated on an approved Final Development Plan pursuant to Section 125.C.3.d of these Regulations, if an approved Final Development Plan designates POR, B-1, B-2, SC or M-1 District uses or any combination thereof for a specific area, then the general permitted uses for such area shall be those uses permitted as a matter of right in those districts. However, the bulk regulations for those districts regulating the location of structures, height limitations, setback provisions, minimum lot sizes, and coverage requirements shall not apply inasmuch as the controls therefore shall be included in the Final Development Plan approved by the Planning Board as provided under [[Section 125.C of]] these Regulations.

- [[
8. Each New Town District must provide each of the following uses in the following proportions:

	(1) Minimum Percentage of Total Area of the District	(2) Maximum Percentage of Total Area of the District
Open Space Uses	36%	N/A
Single Family – Low Density	10%	N/A
Single Family – Medium Density	20%	N/A
Apartments	N/A	13%
Commercial (POR, B-1, B-2 and SC uses)	2%	10%
Industrial Uses (M-1 uses)	10%	20%
Other uses presently permitted in any zoning district other than those permitted only in R- MH or M-2 Districts	N/A	15%
Note: N/A means Not Applicable		

Each New Town District must also provide adequate public transportation facilities and public water and sewer systems in the areas shown on the Final Development Plan. As used in this Section the term "open space uses" is defined as being those uses which do

1 not involve any extensive coverage of land with structures, as, for example, all lands
2 devoted to raising of crops, agricultural uses, parks, playing fields, golf courses and any
3 other outdoor recreational uses (whether any such uses be publicly owned or privately
4 owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and
5 all lands devoted to public or community uses. Open land designated for residential uses
6 shall be considered qualified as "open space use" only if it is held for the common use of
7 the public or persons residing in the particular locality within the community, and if it is
8 larger than two acres in size. For the purpose of meeting the 36 percent requirement
9 imposed above:

- 10
- 11 a. The term "open space uses" shall not include parking lots, streets, rights-of-way,
12 amusement parks, golf driving ranges which are not ancillary to a golf course, or
13 drive-in movies.
- 14
- 15 b. All lands approved and credited as open space use on the Final Development
16 Plan of the NT District shall be conclusively presumed to satisfy the
17 requirements of this Section.
- 18

- 19 9. Anything in other Sections of these regulations to the contrary notwithstanding, there
20 shall be no restrictions upon the use of, or on the erection of structures on, land within an
21 NT District, other than such as are provided in the various subsections of this Section or
22 in such other Sections of these regulations as are expressly stated to be applicable by the
23 various provisions of this Section. Nothing herein shall render inapplicable any
24 regulation of the County relating to construction requirements and/or subdivision
25 approval to the extent that any of the same are not inconsistent with the provisions of this
26 Section.]]

- 27
- 28
- 29 8. A. EACH NEW TOWN DISTRICT MUST PROVIDE EACH OF THE FOLLOWING USES IN
30 THE FOLLOWING PROPORTIONS:

	(1) MINIMUM PERCENTAGE OF TOTAL AREA OF THE DISTRICT	(2) MAXIMUM PERCENTAGE OF TOTAL AREA OF THE DISTRICT
OPEN SPACE USES	36%	N/A
SINGLE FAMILY – LOW DENSITY	10%	N/A
SINGLE FAMILY – MEDIUM DENSITY	20%	N/A
APARTMENTS	N/A	13%
COMMERCIAL (POR B-1, B-2 AND SC USES)	2%	10%
INDUSTRIAL USES (M-1 USES)	10%	20%
OTHER USES PRESENTLY PERMITTED IN ANY ZONING DISTRICT OTHER THAN THOSE PERMITTED ONLY IN R-MH OR M-2 DISTRICTS	N/A	15%
	NOTE: N/A MEANS NOT APPLICABLE	

- 1 B. EXCEPT AS PROVIDED IN SECTION 125.A.8.C. BELOW, THE LAND USE
2 PERCENTAGES IN SECTION 125.A.8.A. DO NOT APPLY TO DOWNTOWN
3 REVITALIZATION.
- 4
- 5 C. UPON RECORDATION OF A FINAL DEVELOPMENT PLAN WITHIN DOWNTOWN
6 COLUMBIA, ENVIRONMENTALLY SENSITIVE LAND AREAS THAT ARE DESIGNATED
7 “OPEN SPACE” ON THE FINAL DEVELOPMENT PLAN WILL BE CREDITED TOWARDS
8 THE MINIMUM PERCENTAGE OF OPEN SPACE USES IN SECTION 125.A.8.A. ABOVE.
- 9 D. EACH NEW TOWN DISTRICT MUST ALSO PROVIDE ADEQUATE PUBLIC
10 TRANSPORTATION FACILITIES AND PUBLIC WATER AND SEWER SYSTEMS IN THE
11 AREAS SHOWN ON THE FINAL DEVELOPMENT PLAN.
- 12 E. AS USED IN THIS SECTION THE TERM “OPEN SPACE USES” IS DEFINED AS BEING
13 THOSE USES WHICH DO NOT INVOLVE ANY EXTENSIVE COVERAGE OF LAND WITH
14 STRUCTURES, AS, FOR EXAMPLE, ALL LANDS DEVOTED TO RAISING OF CROPS,
15 AGRICULTURAL USES, PARKS, PLAYING FIELDS, GOLF COURSES AND ANY OTHER
16 OUTDOOR RECREATIONAL USES (WHETHER ANY SUCH USES BE PUBLICLY OWNED
17 OR PRIVATELY OWNED OR OPERATED FOR PROFIT), AS WELL AS ALL LANDS

1 COVERED BY LAKES, RIVERS OR STREAMS, AND ALL LANDS DEVOTED TO PUBLIC
2 OR COMMUNITY USES. OPEN LAND DESIGNATED FOR RESIDENTIAL USES SHALL
3 BE CONSIDERED QUALIFIED AS "OPEN SPACE USE" ONLY IF IT IS HELD FOR THE
4 COMMON USE OF THE PUBLIC OR PERSONS RESIDING IN THE PARTICULAR
5 LOCALITY WITHIN THE COMMUNITY, AND IF IT IS LARGER THAN TWO ACRES IN
6 SIZE. FOR THE PURPOSE OF MEETING THE 36 PERCENT REQUIREMENT IMPOSED
7 ABOVE:

8
9 (1) THE TERM "OPEN SPACE USES" SHALL NOT INCLUDE PARKING LOTS,
10 STREETS, RIGHTS-OF-WAY, AMUSEMENT PARKS, GOLF DRIVING RANGES
11 WHICH ARE NOT ANCILLARY TO A GOLF COURSE, OR DRIVE-IN MOVIES.

12 (2) ALL LANDS APPROVED AND CREDITED AS OPEN SPACE USE ON THE FINAL
13 DEVELOPMENT PLAN OF THE NT DISTRICT SHALL BE CONCLUSIVELY
14 PRESUMED TO SATISFY THE REQUIREMENTS OF THIS SECTION.

15 9. DOWNTOWN REVITALIZATION.

16 a. APPLICABILITY. TO IMPLEMENT THE RECOMMENDATIONS OF THE DOWNTOWN
17 COLUMBIA PLAN, NEW DEVELOPMENT OR REDEVELOPMENT OF ANY PROPERTY
18 LOCATED WITHIN DOWNTOWN COLUMBIA THAT OCCURS PURSUANT TO A FINAL
19 DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT APPROVED
20 AFTER (EFFECTIVE DATE) MUST COMPLY WITH ALL PROVISIONS APPLICABLE TO
21 DOWNTOWN REVITALIZATION. DOWNTOWN REVITALIZATION SHALL REQUIRE
22 APPROVAL OF: (I). A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT
23 PLAN AMENDMENT, AND (II). A SITE DEVELOPMENT PLAN.

24 b. USES. THE FOLLOWING USES ARE PERMITTED UNDER THE DOWNTOWN
25 REVITALIZATION APPROVAL PROCESS: ALL USES PERMITTED IN THE POR, B-1,
26 B-2 AND SC ZONING DISTRICTS, DOWNTOWN ARTS, CULTURAL AND COMMUNITY
27 USES AND DWELLINGS. STRUCTURES MAY BE DEVELOPED WITH INDIVIDUAL OR
28 MULTIPLE USES. SECTION 125.A.8.A. DOES NOT APPLY TO DOWNTOWN
29 REVITALIZATION.

30 c. DEVELOPMENT LEVELS. THE FOLLOWING MAXIMUM DEVELOPMENT LEVEL
31 LIMITS APPLY TO DOWNTOWN COLUMBIA FOR DOWNTOWN REVITALIZATION,

EXCEPT AS QUALIFIED BY SECTIONS 125.A.9.F.(1), (2) AND (3).

(1) THE MAXIMUM NUMBER OF DOWNTOWN NET NEW DWELLINGS PERMITTED IS 5,500 DWELLINGS. THE NUMBER OF DWELLINGS PERMITTED UNDER THE DOWNTOWN REVITALIZATION APPROVAL PROCESS, UP TO A MAXIMUM 5,500 DOWNTOWN NET NEW DWELLINGS, SHALL BE IN ADDITION TO THE OVERALL RESIDENTIAL DENSITY ESTABLISHED BY SECTION 125.A.4.

(2) THE MAXIMUM AMOUNT OF DOWNTOWN NET NEW COMMERCIAL OFFICE DEVELOPMENT PERMITTED IS 4,300,000 SQUARE FEET OF GROSS FLOOR AREA.

(3) THE MAXIMUM NUMBER OF DOWNTOWN NET NEW HOTEL AND MOTEL ROOMS PERMITTED IS 640 ROOMS.

(4) THE MAXIMUM AMOUNT OF DOWNTOWN NET NEW COMMERCIAL RETAIL DEVELOPMENT PERMITTED IS 1,250,000 SQUARE FEET OF GROSS FLOOR AREA.

(5) THE MAXIMUM DEVELOPMENT LEVELS PERMITTED ABOVE FOR DOWNTOWN REVITALIZATION SHALL BE IN ADDITION TO THE NUMBER OF DWELLINGS AND GROSS FLOOR AREA OF NONRESIDENTIAL USES SHOWN ON A SITE DEVELOPMENT PLAN APPROVED PRIOR TO (EFFECTIVE DATE).

d. DOWNTOWN COMMUNITY COMMONS. DOWNTOWN COMMUNITY COMMONS SHALL BE LOCATED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DOWNTOWN COLUMBIA PLAN AND SECTION 125.A.9.H. EACH NEIGHBORHOOD IDENTIFIED ON A DOWNTOWN NEIGHBORHOOD CONCEPT PLAN AND THE APPLICABLE FINAL DEVELOPMENT PLAN SHALL INCLUDE A DOWNTOWN NEIGHBORHOOD SQUARE IN ADDITION TO OTHER APPROPRIATE DOWNTOWN COMMUNITY COMMONS RECOMMENDED IN THE DOWNTOWN COLUMBIA PLAN AND AS DETERMINED BY THE PLANNING BOARD. LAND ON WHICH DOWNTOWN COMMUNITY COMMONS IS PROPOSED MUST BE DESIGNATED ON THE FINAL DEVELOPMENT PLAN, AND THE FEE SIMPLE OWNER OF THE LAND MUST SIGN THE FINAL DEVELOPMENT PLAN. DOWNTOWN COMMUNITY COMMONS MAY BE

1 LOCATED WITHIN AREAS DESIGNATED OPEN SPACE USE UNDER A PREVIOUSLY
2 APPROVED FINAL DEVELOPMENT PLAN.

3 e. OFF-STREET PARKING. OFF-STREET PARKING AND LOADING FACILITIES WITHIN
4 DOWNTOWN COLUMBIA MUST BE PROVIDED IN ACCORDANCE WITH THE
5 PROVISIONS FOR DOWNTOWN REVITALIZATION IN SECTION 133.E.3.

6 f. PREVIOUSLY DEVELOPED PROPERTIES.

7 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THESE REGULATIONS,
8 ANY PREVIOUSLY DEVELOPED PROPERTY THAT IS THE SUBJECT OF A
9 FINAL DEVELOPMENT PLAN APPROVED ON OR BEFORE (EFFECTIVE
10 DATE) THAT AUTHORIZED DEVELOPMENT IN EXCESS OF THE FLOOR AREA
11 OF IMPROVEMENTS THAT EXISTED ON THE PROPERTY ON (EFFECTIVE
12 DATE) MAY CONTINUE TO BE DEVELOPED AND USED IN ACCORDANCE
13 WITH THE TERMS AND REQUIREMENTS ON THE APPROVED FINAL
14 DEVELOPMENT PLAN, SUBJECT TO THE APPROVAL OF A SITE
15 DEVELOPMENT PLAN PURSUANT TO SECTION 125.H. BUILDINGS AND
16 OTHER IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED UNDER
17 THIS PROVISION SHALL NOT BE DEEMED NONCONFORMING OR
18 NONCOMPLYING AND MAY BE CONSTRUCTED, USED, MAINTAINED AND
19 REPAIRED IN ACCORDANCE WITH THE TERMS AND REQUIREMENTS OF
20 THE EXISTING FINAL DEVELOPMENT PLAN.

21 (2) DEMOLITION OF EXISTING IMPROVEMENTS THAT ARE LOCATED WITHIN
22 DOWNTOWN COLUMBIA THAT OCCURS AFTER [EFFECTIVE DATE] SHALL
23 RESULT IN THE CREATION OF A DEMOLITION DEVELOPMENT CREDIT
24 EQUAL TO THE NUMBER OF DWELLINGS AND GROSS FLOOR AREA
25 DEVOTED TO NONRESIDENTIAL USES THAT WERE DEMOLISHED. A
26 DEMOLITION DEVELOPMENT CREDIT: (I) MAY BE USED ANYWHERE
27 WITHIN DOWNTOWN COLUMBIA; AND (II) SHALL NOT BE LIMITED BY OR
28 COUNTED AGAINST RECOMMENDED DEVELOPMENT LEVELS IN THE
29 DOWNTOWN COLUMBIA PLAN OR THE MAXIMUM LEVEL OF
30 DEVELOPMENT PERMITTED BY SECTION 125.A.9.C.

31 (3) ANY EXISTING STRUCTURE OR IMPROVEMENT THAT IS LOCATED WITHIN

1 DOWNTOWN COLUMBIA THAT IS DESTROYED BY FIRE, FLOOD OR OTHER
2 CALAMITY MAY BE RESTORED TO THE SAME SIZE AND DIMENSIONS IN
3 THE SAME LOCATION AS THE DESTROYED STRUCTURE IN ACCORDANCE
4 WITH THE PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN, PROVIDED
5 THAT A BUILDING PERMIT IS ISSUED WITHIN TWO (2) YEARS FROM THE
6 DATE SUCH STRUCTURE WAS DESTROYED AND RECONSTRUCTION BEGINS
7 WITHIN SIX (6) MONTHS AFTER ISSUANCE OF THE BUILDING PERMIT. THE
8 PLANNING BOARD MAY APPROVE AN EXTENSION FOR GOOD CAUSE
9 SHOWN UP TO A MAXIMUM TWO ADDITIONAL YEARS TO OBTAIN A
10 BUILDING PERMIT AND BEGIN CONSTRUCTION. STRUCTURES AND
11 IMPROVEMENTS CONSTRUCTED UNDER THIS SECTION 125.A.9.F(3)
12 SHALL NOT BE LIMITED BY OR COUNTED AGAINST DEVELOPMENT LEVELS
13 IN THE DOWNTOWN COLUMBIA PLAN OR THE MAXIMUM DOWNTOWN
14 NET NEW LEVEL OF DEVELOPMENT PERMITTED BY SECTION 125.A.9.C.

15 G. ADDITIONAL REQUIREMENTS

16 (1) THE MAXIMUM BUILDING HEIGHT PERMITTED FOR DOWNTOWN
17 REVITALIZATION SHALL BE CONSISTENT WITH THE BUILDING HEIGHT
18 SHOWN ON THE DOWNTOWN MAXIMUM BUILDING HEIGHT PLAN AND
19 SHALL NOT EXCEED TWENTY STORIES.

20 (2) ANY DOWNTOWN REVITALIZATION DEVELOPMENT SHALL INCLUDE A
21 SPECIFIC PROGRAM FOR PROVIDING DOWNTOWN PUBLIC ART, WHICH IS
22 FUNDED BY THE DEVELOPER BASED ON THE FOLLOWING SCHEDULE:

23 (A) RESIDENTIAL CONSTRUCTION: THREE HUNDRED TWENTY-FIVE
24 DOLLARS (\$325.00) PER DOWNTOWN NET NEW DWELLING UNIT.

25 (B) COMMERCIAL CONSTRUCTION: TWENTY-FIVE CENTS (\$.25) PER
26 SQUARE FOOT OF DOWNTOWN NET NEW GROSS FLOOR AREA.

27 (C) THE FOLLOWING CONSTRUCTION PROJECTS ARE NOT SUBJECT TO
28 THE REQUIREMENTS OF THIS SECTION:

29 1. CONSTRUCTION OF MODERATE INCOME HOUSING UNITS.

2. CONSTRUCTION OF PLACES OF WORSHIP AND THEIR ACCESSORY USES.
3. RENOVATIONS TO EXISTING OR CONSTRUCTION OF NEW CULTURAL FACILITIES WHICH INCLUDE FACILITIES LOCATED WITHIN A DOWNTOWN ARTS AND ENTERTAINMENT PARK, DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES, AND DOWNTOWN COMMUNITY COMMONS.
4. PARKING STRUCTURES.
5. RENOVATIONS TO EXISTING BUILDINGS OR STRUCTURES REQUIRED BY GOVERNMENT MANDATED CODE COMPLIANCE CONSTRUCTION PROJECTS, SUCH AS PROJECTS EXCLUSIVELY DESIGNED FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (“ADA”), THE MARYLAND ACCESSIBILITY CODE, THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) LIFE SAFETY CODE, AND/OR FIRE SPRINKLER RETROFITS.

(D) THE DOWNTOWN PUBLIC ART PROGRAM REQUIRED BY THIS SECTION MAY PROVIDE FOR (I) THE INSTALLATION OF DOWNTOWN PUBLIC ART IN PUBLICLY ACCESSIBLE LOCATIONS IN DOWNTOWN COLUMBIA; (II) A MONETARY DONATION TO THE COLUMBIA TOWN CENTER PARTNERSHIP RECOMMENDED BY THE DOWNTOWN COLUMBIA PLAN FOR THE PURPOSE OF PROVIDING AND COORDINATING THE PROVISION OF DOWNTOWN PUBLIC ART; OR (III) A COMBINATION OF THE ABOVE. DOWNTOWN PUBLIC ART MAY BE PROVIDED BY COMBINING THE DOWNTOWN PUBLIC ART EXPENDITURE REQUIREMENTS OF TWO OR MORE DOWNTOWN REVITALIZATION PROJECTS.

(E) THE DOWNTOWN PUBLIC ART EXPENDITURE REQUIRED BY THIS SECTION SHALL BE ADJUSTED ANNUALLY TO REFLECT THE INCREASE OR DECREASE IN THE BUILDER’S COST INDEX (BCI)

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H. OPEN SPACE PRESERVATION AND ENHANCEMENT

(1) FOR THE PURPOSE OF ENHANCING, PRESERVING, CONSERVING AND
INCREASING OPEN SPACE FOR ENJOYMENT BY THE PUBLIC, ALL LAND
DESIGNATED AS CREDITED OPEN SPACE ON A FINAL DEVELOPMENT
PLAN RECORDED PRIOR TO (EFFECTIVE DATE) AND DEPICTED ON THE
DOWNTOWN OPEN SPACE PRESERVATION PLAN SHALL, EXCEPT AS
PROVIDED WITHIN THIS SECTION, RETAIN ITS CHARACTER AS ONE OF
THE FOLLOWING FOUR LAND TYPES, AS DEPICTED ON THE DOWNTOWN
OPEN SPACE PRESERVATION PLAN:

(A) DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA.

(B) DOWNTOWN PARKLAND.

(C) DOWNTOWN COMMUNITY COMMONS.

(D) DOWNTOWN ARTS AND ENTERTAINMENT PARK.

(2) CONSTRUCTION OF IMPROVEMENTS THAT ARE INCLUDED WITHIN ONE OF
THE FOUR ABOVE LAND TYPE DEFINITIONS IN SECTION 103.A IS DEEMED
TO BE CONSISTENT WITH AND DOES NOT CHANGE THE CHARACTER OF
THE LAND TYPE AS DESIGNATED ON THE DOWNTOWN OPEN SPACE
PRESERVATION PLAN.

(3) THERE SHALL BE NO NET LOSS OF EXISTING DOWNTOWN COMMUNITY
COMMONS AS DEPICTED ON THE DOWNTOWN OPEN SPACE
PRESERVATION PLAN AND NEW DOWNTOWN COMMUNITY COMMONS
SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING
REQUIREMENTS:

(A) A MINIMUM OF 5 PERCENT OF THE LAND LOCATED WITHIN
DOWNTOWN COLUMBIA THAT HAS NOT PREVIOUSLY BEEN
DESIGNATED AS EITHER (I) OPEN SPACE OR (II) PUBLIC RIGHT OF

1 WAY AS SHOWN ON THE DOWNTOWN OPEN SPACE
2 PRESERVATION PLAN SHALL BE PROVIDED AS NEW DOWNTOWN
3 COMMUNITY COMMONS LAND.

4 (B) LAND COUNTED TOWARD THE MINIMUM REQUIREMENT FOR NEW
5 DOWNTOWN COMMUNITY COMMONS LAND SHALL NOT INCLUDE
6 ANY ENVIRONMENTALLY SENSITIVE LAND OR LAND DESIGNATED
7 AS CREDITED OPEN SPACE ON A RECORDED FINAL
8 DEVELOPMENT PLAN FOR THE PURPOSE OF FULFILLING THE 36
9 PERCENT MINIMUM OPEN SPACE REQUIREMENT IN THE NT
10 DISTRICT.

11 (C) NEW DOWNTOWN COMMUNITY COMMONS SHALL BE OF A
12 CHARACTER AND LOCATION THAT IS GENERALLY CONSISTENT
13 WITH THE AMENITY SPACES SHOWN ON THE DOWNTOWN
14 PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM.

15 (D) AT LEAST ONE DOWNTOWN COMMUNITY COMMONS THAT MEETS
16 THE DEFINITION OF DOWNTOWN NEIGHBORHOOD SQUARE IN
17 SECTION 103.A. AND ALL THE PROVISIONS OF THIS SECTION
18 SHALL BE DEEDED TO HOWARD COUNTY FOR PUBLIC LAND AS
19 DESCRIBED IN THE DOWNTOWN COLUMBIA PLAN; AND

20 (E) THE BOUNDARIES OF ALL EXISTING AND NEW DOWNTOWN
21 COMMUNITY COMMONS SHALL BE DELINEATED ON THE
22 PROPOSED FINAL DEVELOPMENT PLAN WITH THE TOTAL LAND
23 AREA OF EACH.

24 (4) EXCEPT AS PROVIDED BELOW, THERE SHALL BE NO NET LOSS IN THE
25 TOTAL AREA OF EXISTING DOWNTOWN PARKLAND AS DEPICTED ON THE
26 DOWNTOWN OPEN SPACE PRESERVATION PLAN AND ONLY DOWNTOWN
27 PARKLAND USES ARE PERMITTED:

28 (A) IN EXCHANGE FOR THE USE OF DOWNTOWN PARKLAND FOR ANY
29 OTHER USE, INCLUDING OTHER OPEN SPACE USES, EACH ACRE OF
30 DOWNTOWN PARKLAND OR PORTION THEREOF BEING

DEVELOPED MUST BE REPLACED WITH ONE ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND, OR SHALL REQUIRE THE DOWNTOWN ENVIRONMENTAL ENHANCEMENT OF EITHER:

(I) ONE-HALF ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND; OR

(II) TWO ACRES OF NON-DOWNTOWN PARKLAND THAT IS DESIGNATED OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE).

(B) ANY AREA NEWLY DESIGNATED AS DOWNTOWN PARKLAND IN EXCHANGE FOR EXISTING DOWNTOWN PARKLAND MUST CONSIST OF AT LEAST ONE CONTIGUOUS ACRE.

(C) DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA RECORDED AFTER (EFFECTIVE DATE) MAY NOT BE EXCHANGED TO REPLACE DOWNTOWN PARKLAND.

(5) LAND DESIGNATED AS OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE) ON WHICH A PUBLIC FACILITY SUCH AS A LIBRARY OR FIRE STATION HAS BEEN CONSTRUCTED MAY BE DESIGNATED AS DOWNTOWN MIXED-USE ON AN AMENDED FINAL DEVELOPMENT PLAN, BUT MAY ONLY BE REDEVELOPED AFTER A REPLACEMENT PUBLIC FACILITY IS OPERATING AT AN ALTERNATIVE LOCATION WITHIN DOWNTOWN COLUMBIA.

(6) ALL TYPES OF DOWNTOWN OPEN SPACE SHOULD BE DESIGNED AND MAINTAINED TO FURTHER THE SUSTAINABILITY GOALS FOR DOWNTOWN COLUMBIA, AS DESCRIBED IN THE DESIGN GUIDELINES AND SUSTAINABILITY FRAMEWORK, THROUGH INNOVATIVE DESIGN, CONSTRUCTION AND ENVIRONMENTAL ENHANCEMENTS AND REHABILITATION.

I. PHASING AND IMPLEMENTATION.

(1) NO PERMIT FOR LAND DISTURBANCE ACTIVITY IN PHASE 2 OR PHASE 3

1 OF THE DOWNTOWN REVITALIZATION PHASING PLAN SHALL BE ISSUED
2 FOR DOWNTOWN REVITALIZATION UNLESS (I) THE COMMUNITY
3 ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES (CEPPAS) HAVE
4 BEEN PROVIDED IN ACCORDANCE WITH THE DOWNTOWN CEPPA
5 IMPLEMENTATION CHART AND CEPPA FLEXIBILITY PROVISIONS, AND
6 (II) SITE DEVELOPMENT PLANS HAVE BEEN APPROVED FOR AT LEAST
7 THE MINIMUM LEVELS OF DEVELOPMENT IDENTIFIED IN THE DOWNTOWN
8 REVITALIZATION PHASING PLAN FOR THE PRECEDING PHASE FOR RETAIL,
9 OFFICE, RESIDENTIAL AND HOTEL LAND USE TYPES.

10 (2) IF A SPECIFIC COMMUNITY ENHANCEMENT, PROGRAM OR PUBLIC
11 AMENITY (CEPPA) IDENTIFIED IN THE DOWNTOWN CEPPA
12 IMPLEMENTATION PHASING CHART CANNOT BE PROVIDED BECAUSE (I)
13 THE CONSENT OF THE OWNER OF THE LAND ON WHICH THE CEPPA IS TO
14 BE LOCATED CANNOT REASONABLY BE OBTAINED; (II) ALL NECESSARY
15 PERMITS OR APPROVALS CANNOT BE OBTAINED FROM APPLICABLE
16 GOVERNMENTAL AUTHORITIES; OR (III) OTHER FACTORS EXIST THAT ARE
17 BEYOND THE REASONABLE CONTROL OF THE PETITIONER, THEN
18 FLEXIBILITY SHALL BE GRANTED TO EITHER (I) REQUIRE THE PETITIONER
19 TO POST SECURITY WITH THE COUNTY IN AN AMOUNT SUFFICIENT TO
20 COVER THE COST OF THE CEPPA; (II) APPROVE ALTERNATE PHASING FOR
21 THE CEPPA; (III) IDENTIFY AN ALTERNATIVE COMPARABLE COMMUNITY
22 AMENITY AND APPROPRIATE PHASING FOR ITS IMPLEMENTATION; OR (IV)
23 TAKE OTHER APPROPRIATE ACTION CONSISTENT WITH THE
24 IMPLEMENTATION OF THE DOWNTOWN COLUMBIA PLAN AND THE
25 REALIZATION OF THE VISION EXPRESSED THEREIN.

26 (3) A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN
27 AMENDMENT MAY ALSO PROPOSE ADJUSTMENTS TO THE DOWNTOWN
28 REVITALIZATION PHASING PLAN AND/OR THE DOWNTOWN CEPPA
29 IMPLEMENTATION CHART TO TAKE ADVANTAGE OF A MAJOR OR UNIQUE
30 EMPLOYMENT, ECONOMIC DEVELOPMENT OR EVOLVING LAND USE
31 CONCEPT OR OPPORTUNITY. THE PLANNING BOARD MAY APPROVE A
32 REQUEST TO ADJUST THE DOWNTOWN REVITALIZATION PHASING PLAN
33 OR THE DOWNTOWN CEPPA IMPLEMENTATION CHART UNDER THIS

1 PROVISION ONLY IF SUCH APPROVAL WOULD (I) NOT BE DETRIMENTAL
2 TO THE OVERALL VISION FOR DOWNTOWN COLUMBIA EXPRESSED IN THE
3 DOWNTOWN COLUMBIA PLAN; (II) NOT CREATE AN ADVERSE
4 COMMUNITY OR ECONOMIC IMPACT; AND (III) ESTABLISH A REASONABLE
5 SCHEDULE FOR COMPLETION OF ANY REQUESTED COMPARABLE
6 ALTERNATIVE CEPPA.

- 7 10. ANYTHING IN OTHER SECTIONS OF THESE REGULATIONS TO THE CONTRARY
8 NOTWITHSTANDING, THERE SHALL BE NO RESTRICTIONS UPON THE USE OF, OR ON THE
9 ERECTION OF STRUCTURES ON, LAND WITHIN AN NT DISTRICT, OTHER THAN SUCH AS ARE
10 PROVIDED IN THE VARIOUS SUBSECTIONS OF THIS SECTION OR IN SUCH OTHER SECTIONS
11 OF THESE REGULATIONS AS ARE EXPRESSLY STATED TO BE APPLICABLE BY THE VARIOUS
12 PROVISIONS OF THIS SECTION. NOTHING HEREIN SHALL RENDER INAPPLICABLE ANY
13 REGULATION OF THE COUNTY RELATING TO CONSTRUCTION REQUIREMENTS AND/OR
14 SUBDIVISION APPROVAL TO THE EXTENT THAT ANY OF THE SAME ARE NOT INCONSISTENT
15 WITH THE PROVISIONS OF THIS SECTION.

16 B. Procedure for Creation of NT Districts

- 17 1. The beneficial owner of any tract of land in Howard County meeting the requirements of
18 Section 125 may petition the Howard County Zoning Board to designate the property
19 described in the petition as an NT District. The petition shall contain:
- 20 a. The exact name and address of the petitioner and a reference to the liber and folio
21 of the Land Records of Howard County at which the deed conveying the property
22 in question to the petitioner is recorded. If the petitioner is not the legal as well as
23 beneficial owner of the property, the petition shall:
- 24 (1) So state;
- 25 (2) List the exact name and address of the legal title-holder and give a
26 reference to the liber and folio of the Land Records of Howard County at
27 which the deed conveying the property to the legal title holder is
28 recorded; and
29
30
31

1 (3) Contain a written assent to the petition signed by the legal title holder.

2
3 b. A metes and bounds description of the property covered by the petition and a survey
4 thereof demonstrating that the same meets the requirements of Section 125.A.3.

5
6 c. A Preliminary Development Plan of the property covered by the petition. As used in
7 this Section the term "Preliminary Development Plan" shall mean a generalized
8 drawing or series of drawings of the proposed New Town, with appropriate text
9 materials, setting forth:

10
11 (1) The major planning assumptions and objectives, including the projected
12 population, the planned development schedule, the method of assuring
13 that all open space uses will be permanently maintained and devoted to
14 open space uses, the proposed public transit system routes and method of
15 operation, and the facilities for the proposed cultural activities of the
16 New Town;

17
18 (2) The proposed general layout of major roads and highways stating
19 projected average daily traffic flows;

20
21 (3) A statement of the number of acres within the proposed NT District
22 intended to be devoted to:

23
24 (a) Residential uses, broken down into the number of acres to be
25 used for each of the following specific residential uses:

26 Single-family -- low density areas;

27 Single-family -- medium density areas;

28 Apartment areas;

29
30 (b) Employment uses (i.e. any use involving the employment of
31 individuals, including office buildings, private schools, hospitals,
32 institutions, commercial undertakings, industrial enterprises, and
33 all other forms of business, professional or industrial operations);
34 and

(c) Open space uses.

(4) The general location of the uses referred to in subparagraph (3) above, including proposed sites for recreational uses, schools, parks and other public or community uses and, to the extent the petitioner has determined locations for commercial uses at the time of the filing of the Preliminary Development Plan, including a separate designation of commercial areas;

(5) A description of the proposed drainage, water supply, sewerage and other utility facilities including projected flows; and

(6) A statement of the intended overall maximum density of population of the proposed NT District, expressed in terms of the average number of dwellings per acre.

2. The Preliminary Development Plan shall indicate the location and nature of any commercial uses in relation to residential areas. All proposed and identified commercial or industrial uses shall be indicated on the drawings in areas marked "Employment Centers," defined as those areas shown on the Preliminary Development Plan which the petitioner proposes to develop for employment uses.

3. The Zoning Board shall consider the following guides and standards in reviewing the petition: the appropriateness of the location of the NT District as evidenced by the General Plan for Howard County; the effect of such District on properties in the surrounding vicinity; traffic patterns and their relation to the health, safety and general welfare of the County; the physical layout of the County; the orderly growth of the County; the availability of essential services; the most appropriate use of the land; the need for adequate open spaces for light and air; the preservation of the scenic beauty of the County; the necessity of facilitating the provision of adequate community utilities and facilities such as public transportation, fire fighting equipment, water, sewerage, schools, parks and other public requirements, population trends throughout the County and surrounding metropolitan areas and more particularly within the area considered; the proximity of large urban centers to the proposed NT District; the road building and road

1 widening plans of the State and County, particularly for the area considered; the needs of
2 the County as a whole and the reasonable needs of the particular area considered; the
3 character of the land within the District and its peculiar suitability for particular uses; and
4 such other matters relevant and pertinent to the relationship of the District to the
5 comprehensive zoning plan of the area.

6 The petition shall be granted only if the Zoning Board affirmatively finds:
7

- 8 a. That the petition complies with the provisions of these Regulations;
9
b. That a New Town District should be located at the proposed site; and
10
c. That the Preliminary Development Plan constitutes a general land use plan for the
11 area covered thereby, designed to meet the objectives set forth in these Regulations.

12 4. If the petition is granted, the Zoning Board shall by Decision and Order approve the
13 Preliminary Development Plan and shall create a New Town District covering all of the
14 land included in the petition. If the proposed NT District contains more than 2,500 acres,
15 the creation of the District may be accomplished by rezoning all of the land included in
16 the petition at one time or, in the discretion of the Zoning Board, by rezoning the same in
17 phases. If this latter course is taken:

- 18 a. The area included in the first such phase shall be at least 2,500 acres, and each
19 additional phase shall be of such size and at such location or locations as will permit
20 effective and economic development of the portion so zoned as a part of the New
21 Town shown on the Preliminary Development Plan; and
22
b. The overall density restrictions, the density restrictions as to particular use areas, and
23 the restrictions as to the maximum and minimum areas devoted to particular uses
24 shall be applied with respect to the entire area shown on the Preliminary
25 Development Plan and not merely with respect to the area of the phase so zoned.

26 5. If the petition is granted as above provided:

- 27 a. A copy of the Preliminary Development Plan shall be certified as approved by the
28 Zoning Board and a verified copy of the same shall be forwarded to the Department
29 of Planning and Zoning and the petitioner;

b. No further permanent improvements involving any new primary uses shall thereafter be erected on and no new primary uses made of, any part of the land within the new NT District prior to the approval of the Final Development Plan (or the phase thereof covering such development) as hereinafter provided, except for such as may be specifically approved by the Planning Board, but the petitioner shall discontinue any such use and demolish any such improvements so permitted by the Planning Board if such use and such improvements are not ultimately permitted by the Final Development Plan.

6. If the Zoning Board has approved a petition to create a NT District, then at any time thereafter the original petitioner may file a new petition to add to the NT District additional land which is owned by the petitioner and adjacent to the existing NT District. The new petition shall be subject to all the provisions of this Section, except that the minimum area requirement of Section 125.A.3 shall not apply.

C. Comprehensive Sketch Plan [[and Final Development Plan]]

1. EXCEPT AS PROVIDED IN SECTION 125.E.1.(A), WITHIN [[within]] 30 days following notification of the approval of the preliminary development plan, the petitioner shall notify the Planning Board of the target date for the presentation to the Planning Board of a proposed Final Development Plan of the NT district PURSUANT TO SECTION 125.D BELOW, or of the first phase of a proposed Final Development Plan, if the petitioner desires to develop the NT district in separate geographical segments.

2. Promptly following the giving of such notice to the Planning Board, the petitioner shall [[commence the preparation of a proposed Final Development Plan. The Final Development Plan process shall be initiated by the filing]] FILE with the Department of Planning and Zoning for Planning Board approval of a Comprehensive Sketch Plan for that geographical phase of the NT District which the petitioner elects to develop.

3. As used herein, the term “Comprehensive Sketch Plan” shall mean a drawing or series of drawings, at an appropriate scale, of generally either one inch equals 200 feet or one inch equals 100 feet, setting forth:

a. The approximate boundaries and approximate acreage for each of the proposed land uses in sufficient detail to graphically illustrate the application of the

adopted master Final Development Plan criteria to the area encompassed by the Comprehensive Sketch Plan.

b. The location of all existing and proposed public streets, roads, and utilities.

c. The location of open space within which recreational, school, park and other public or community uses are permitted.

d. Text material (criteria) regulating the following:

(1) The general locations for all structures.

(2) The permitted “general use” or “specific use” as hereinafter defined, for each land use area, except that no uses shall be specified which are permitted only in R-MH or M-2 Districts.

Where the criteria designate the use for a particular structure, lot or parcel, as “uses permitted in a District” (e.g., “uses permitted in a B-1 District”), then the structure, lot or parcel may be used for all uses permitted in the particular district by the several Sections of these regulations, the use so designated being herein referred to as a “general use.”

Where, however, the criteria designate a structure, lot or parcel for a specific use or uses (e.g., “gasoline station”) the structure, lot or parcel must be used for those specific uses only, the use(s) so designated being herein referred to as “specific use(s).”

(3) Height limitations, parking requirements, front, side and rear yard areas, setback provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvements or types of improvements.

4. The Planning Board shall hold a public hearing prior to the approval of a Comprehensive Sketch Plan under the following conditions:

a. If the Comprehensive Sketch Plan includes land which borders on property not within the New Town District (unless the owners of all lands abutting the New Town District land covered by the Comprehensive Sketch Plan shall sign a

1 written waiver of the right to be heard in connection with the request for approval
2 of said plan).

3 b. If the Comprehensive Sketch Plan deviates from the approved Preliminary
4 Development Plan in any of the following particulars:

5 (1) If the overall maximum density of population within the NT District
6 exceeds that stated in the Preliminary Development Plan; or

7 (2) If the number of acres to be devoted to the permitted employment uses
8 shall be increased more than 10 percent, or the number of acres to be
9 devoted to permitted residential uses shall be decreased by more than 10
10 percent, from that stated in the Preliminary Development Plan; or

11 (3) If the proposed Comprehensive Sketch Plan shows a use of land in the
12 NT District within 300 feet of any outside boundary thereof which
13 differs from that shown on the Preliminary Development Plan, unless the
14 owners of all land abutting the NT District and within 300 feet of the
15 land in the NT District, the use of which is to be changed, sign a written
16 waiver of the right to be heard in connection with such change in use.
17 If a public hearing is required to be held for any of the above three
18 deviations from the Preliminary Development Plan, such hearing shall
19 be limited to the particular deviation(s) which required the hearing,
20 and the Planning Board shall require publication of Notice of Hearing
21 and posting of the property.

22 c. If the criteria submitted as a part of the Comprehensive Sketch Plan include a
23 gasoline service station among the specified land uses.

24 5. In acting upon a Comprehensive Sketch Plan, the Planning Board shall be guided by
25 Section 125 of these Regulations and shall particularly consider:

26 a. The adequacy of the roads serving the proposed development and any proposed
27 mitigation, in accordance with the Adequate Public Facilities Ordinance (Title
28 16, Subtitle 11 of the Howard County Code).

29 b. The location and adequacy of public utility and community facilities, including
30 recreational uses and school properties, in relation to the density and distribution

- 1 of population.
- 2 c. The location, extent and potential use of open space in the form of greenbelts,
3 walkways, parkways, park land, etc., as it affects the general amenity of the
4 community.
- 5 d. The impact of the proposed commercial and industrial uses on the residential
6 uses within the NT District or adjacent thereto.
- 7 6. After review of the material submitted in light of the General Plan, and after carefully
8 considering public agency comments, petitioner's testimony, public hearing testimony
9 and the factors set forth in Section 125.C.5 above, the Planning Board shall:
- 10 a. Approve the Comprehensive Sketch Plan as submitted by the petitioner; or
11 b. Approve the Comprehensive Sketch Plan as changed by the Planning Board; or
12 c. Reject the Comprehensive Sketch Plan in its entirety.
- 13 7. The Planning Board shall not unreasonably disapprove or change a proposed
14 Comprehensive Sketch Plan. The fact that the proposed Comprehensive Sketch Plan is
15 not in conformity with the Preliminary Development Plan shall be sufficient ground for
16 disapproval or change. The Planning Board shall approve no Comprehensive Sketch Plan
17 which varies the areas of uses below the minimum or above the maximum percentages
18 for particular uses specified herein.
- 19 D. FINAL DEVELOPMENT PLAN – GENERAL PROVISIONS.
- 20 1. [[8. Upon arrival of]] IF a comprehensive sketch plan[[],] OR COMPREHENSIVE SKETCH
21 PLAN AMENDMENT IS REQUIRED, UPON ITS APPROVAL, the petitioner may submit a Final
22 Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT to the Department of
23 Planning and Zoning for approval by the Planning Board [[covering]]. THE PETITION
24 MAY COVER all or a portion of the land covered by the comprehensive sketch plan.
- 25 The drawings shall delineate the various land use areas by courses and distances. The text
26 (criteria) shall be that which was approved by the Planning Board as part of the
27 Comprehensive Sketch Plan.
- 28 2. [[9.]] The Final Development Plan shall be considered by the Planning Board at a public

meeting. In acting upon the Final Development Plan, the Planning Board shall be guided by the approved Comprehensive Sketch Plan, and comments received from the various public agencies which reviewed the Final Development Plan, and shall not unreasonably disapprove or change the Final Development Plan. THE PROVISIONS OF THIS SECTION 125.D.2 DO NOT APPLY TO DOWNTOWN REVITALIZATION.

3. [[10.]] At the time of the approval of the Final Development Plan, the Planning Board may provide for the subsequent approval by it of a Site Development Plan pertaining to the property which is the subject matter of such Final Development Plan. SITE DEVELOPMENT PLAN APPROVAL IS ALSO REQUIRED FOR ALL DOWNTOWN REVITALIZATION. SITE DEVELOPMENT PLAN [[such subsequent]] approval shall not be a condition precedent to the approval and recordation of the Final Development Plan with respect to which a Site Development Plan is to be submitted, but shall be in addition to any administrative approvals required by the subdivision and land development regulations. Land use decisions made by the Planning Board as part of the approval of a Final Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT shall not be subject to review or further consideration as part of the subsequent Site Development Plan process.

4. [[11.]] In applying the provisions of this Section, where the proposed Final Development Plan is submitted in phases, the overall population density and the acres devoted to particular uses shall be recomputed by the Department of Planning and Zoning upon the consideration of each successive phase of proposed Final Development Plan so as to include all prior phases, but in making these recomputations, the gross area of the entire NT district covered by the preliminary development plan shall be considered and not merely the area of the segments covered by the prior phases of the proposed Final Development Plan and the current phase being submitted for approval. THE PROVISIONS OF THIS SECTION 125.D.4 DO NOT APPLY TO DOWNTOWN REVITALIZATION.

5. [[12.]] If the Planning Board shall disapprove the proposed Final Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT (or any phase thereof) or shall fail to approve or disapprove the same within [[60]] 120 days after submission, then the petitioner, at his election, may take an appeal as permitted by law or may submit the proposed Final Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT (or the phase thereof in question) directly to the zoning board. If the petitioner pursues the latter course, the

1 zoning board shall hold a public hearing on the proposed Final Development Plan OR
2 FINAL DEVELOPMENT PLAN AMENDMENT (or the phase thereof in question), shall require
3 publication and posting of the property and shall ask for recommendations from the
4 Planning Board, all as in the case of the hearing on the preliminary development plan.
5 After such hearing, the zoning board may approve, with or without changes, or
6 disapprove the proposed Final Development Plan OR FINAL DEVELOPMENT PLAN
7 AMENDMENT (or the phase, thereof in question). In making this decision, the zoning
8 board shall consider the matters set forth herein.

9 6. [[13.]] Upon approval of the Final Development Plan OR FINAL DEVELOPMENT PLAN
10 AMENDMENT (or upon the approval of each phase thereof if submitted on a separate
11 segment basis) the same shall be recorded among the land records of Howard County and
12 the provisions thereof as to land use shall bind the property covered with the full force
13 and effect of specific zoning regulations. After such recordation, no new structure shall
14 be built, no new additions to existing structures made, and no change in primary use
15 effected different from that permitted in the Final Development Plan OR FINAL
16 DEVELOPMENT PLAN AMENDMENT except by an amendment to the Final Development
17 Plan.

18 7. [[14.]] UNLESS OTHERWISE PROVIDED IN A DOWNTOWN IMPLEMENTATION PHASING
19 PLAN APPROVED AS PART OF A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT
20 PLAN AMENDMENT, [[if]] IF construction has not been commenced and completed to the
21 extent of 25 percent of the ground floor area of a structure shown on the final
22 development plan within five years after the date of the approval thereof (or the date of
23 the approval of the last phase thereof if submitted in phases), then the approval shall be
24 void and the entire matter resubmitted to the Planning Board for reconsideration in light
25 of existing circumstances to the same extent as if the same were simply a proposed final
26 development plan; provided, however, that the zoning board may grant not more than two
27 extensions of time of one year each to be added to said five year period if it considers
28 such extension to be proper after the receipt and consideration of a report and
29 recommendation from the Planning Board with respect to such extension or extensions.

30 8. [[15.]] Any construction which has been commenced shall not be subject to
31 reconsideration upon any resubmission of a final development plan under this Section,
32 and the [[zoning]] PLANNING Board shall make no changes in the final development plan

1 except in relation to areas where construction has not been commenced. During any such
2 reconsideration, the property covered by the final development plan shall continue to be
3 bound until such plan is changed or disapproved in the manner described above.

- 4 9. [[16.]] If the Planning Board has denied a land use which was shown on a final
5 development plan OR FINAL DEVELOPMENT PLAN AMENDMENT and which would be a
6 conditional use in any other zoning district, a petition for the same land use on the same
7 parcel shall not be accepted for consideration by the Planning Board for a period of 12
8 months from the date of said denial except on grounds of new evidence or proof of
9 changed conditions found to be valid by the Planning Board.

- 10 10. EXCEPT WHERE EXPRESSLY MADE INAPPLICABLE, THE PROVISIONS OF THIS SECTION
11 125.D ALSO APPLY TO DOWNTOWN REVITALIZATION.

12 E. FINAL DEVELOPMENT PLAN – DOWNTOWN REVITALIZATION.

- 13 1. A. THE FOLLOWING DEVELOPMENT REVIEW PROCESS IS REQUIRED FOR ALL
14 DOWNTOWN REVITALIZATION. THE FEE SIMPLE OWNER OF ANY PROPERTY
15 LOCATED IN DOWNTOWN COLUMBIA MAY SUBMIT A FINAL DEVELOPMENT PLAN
16 OR FINAL DEVELOPMENT PLAN AMENDMENT TO THE DEPARTMENT OF
17 PLANNING AND ZONING FOR APPROVAL BY THE PLANNING BOARD AT ANY TIME.
18 AN AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN OR ANY
19 APPLICABLE COMPREHENSIVE SKETCH PLAN IS NOT REQUIRED, AND ANY
20 PREVIOUSLY APPROVED PRELIMINARY DEVELOPMENT PLAN AND
21 COMPREHENSIVE SKETCH PLAN DO NOT APPLY.

- 22
23 B. THE PETITION SHALL INCLUDE A DOWNTOWN NEIGHBORHOOD CONCEPT PLAN
24 COVERING AN ENTIRE NEIGHBORHOOD OF DOWNTOWN COLUMBIA AS DEPICTED
25 IN THE DOWNTOWN COLUMBIA PLAN. THE NEIGHBORHOOD CONCEPT PLAN
26 MUST SHOW HOW THE DEVELOPMENT PROPOSED IN THE FINAL DEVELOPMENT
27 PLAN IS CONSISTENT WITH THE OVERALL PLAN FOR THE NEIGHBORHOOD AS
28 DESCRIBED IN THE DESIGN GUIDELINES AND DEPICTED ON THE STREET AND
29 BLOCK PLAN; EXHIBIT F: DOWNTOWN MAXIMUM BUILDING HEIGHT PLAN;
30 EXHIBIT G: PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM; AND EXHIBIT H:
31 STREET FRAMEWORK DIAGRAM OF THE DOWNTOWN COLUMBIA PLAN. THE
32 FINAL DEVELOPMENT PLAN MUST INCLUDE AN EXPLANATION AND RATIONALE

1 FOR ANY CHANGE FROM THE ABOVE DOWNTOWN COLUMBIA PLAN EXHIBITS OR
2 ANY PREVIOUSLY APPROVED NEIGHBORHOOD CONCEPT PLAN. LIMITED CHANGE
3 TO BUILDING HEIGHT IS ALLOWED BASED ON COMPATIBILITY, CHARACTER AND
4 HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND OPEN SPACES IN
5 THE AREA. IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR
6 DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.

7
8 C. NOT LATER THAN TEN DAYS AFTER THE FILING OF A PETITION, THE PETITIONER
9 MUST MAIL NOTICE OF THE FILING OF THE PETITION AND A COPY OF THE
10 PROPOSED NEIGHBORHOOD CONCEPT PLAN TO THE OWNER OF EACH PROPERTY
11 LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN NEIGHBORHOOD AS
12 REFLECTED ON THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND
13 TAXATION PUBLIC RECORDS. ANY FAILURE TO RECEIVE THE PROPOSED
14 NEIGHBORHOOD CONCEPT PLAN SHALL NOT BE CAUSE FOR POSTPONEMENT OF
15 THE HEARING IF THE PETITION HAS BEEN PROPERLY ADVERTISED.

16
17 D. EACH APPROVED NEIGHBORHOOD CONCEPT PLAN MUST BE RECORDED WITH THE
18 FINAL DEVELOPMENT PLAN.

19
20 2. PRIOR TO FILING A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN
21 AMENDMENT FOR DOWNTOWN REVITALIZATION THAT PROPOSES ANY USE:

22 A. A PRESUBMISSION COMMUNITY MEETING IS REQUIRED USING THE SAME
23 PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE
24 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. IN ADDITION,
25 NOTICE IN ACCORDANCE WITH SECTIONS 16.128(B)-(G) MUST ALSO BE
26 GIVEN TO EACH VILLAGE BOARD AND THE COLUMBIA ASSOCIATION.

27 B. THE PETITIONER IS REQUIRED TO SUBMIT MORE DETAILED PROPOSED
28 DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES FOR REVIEW BY THE
29 DESIGN ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN
30 ACCORDANCE WITH THE APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE
31 15 OF THE COUNTY CODE. THE DESIGN ADVISORY PANEL SHALL BASE
32 ITS REVIEW AND RECOMMENDATIONS ON THE DOWNTOWN-WIDE DESIGN
33 GUIDELINES.

34 3. THE PETITION SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR THE

1 LAND AREA COVERED BY THE PLAN:

- 2 A. BOUNDARIES OF THE PROPERTY COVERED BY THE PLAN.
- 3 B. EXISTING TOPOGRAPHY, WOODLANDS, AND 100-YEAR FLOODPLAIN AREAS.
- 4 C. A CONTEXT PLAN SHOWING EXISTING ROAD CONNECTIONS, MAJOR PEDESTRIAN
5 NETWORKS, LAND USES AND MAJOR STORM WATER MANAGEMENT FACILITIES
6 AND OPEN SPACE WITHIN THE ENTIRE PLAN AREA AND ADJOINING LAND WITHIN
7 500 FEET.
- 8 D. TOTAL ACREAGE WITHIN THE AREA COVERED BY THE PLAN.
- 9 E. LOCATION OF DEVELOPED PARCELS AND UNDEVELOPED LAND.
- 10 F. SUMMARY OF ALL EXISTING DEVELOPMENT AND ALL DEVELOPMENT SHOWN ON
11 APPROVED SITE DEVELOPMENT PLANS FOR THE AREA COVERED BY THE PLAN;
12 THE SQUARE FOOTAGE OF PROPOSED OFFICE SPACE, RETAIL/SERVICE SPACE, AND
13 ANY OTHER NON-RESIDENTIAL USES; THE NUMBER OF PROPOSED HOTEL AND
14 MOTEL ROOMS; AND THE NUMBER OF PROPOSED DWELLING UNITS.
- 15 G. THE APPROXIMATE LOCATION AND TOTAL LAND AREA OF THE FOLLOWING
16 EXISTING AND/OR PROPOSED LAND USES:
- 17 (1) DOWNTOWN COMMUNITY COMMONS.
- 18 (2) DOWNTOWN PARKLAND.
- 19 (3) DOWNTOWN ARTS AND ENTERTAINMENT PARK.
- 20 (4) ENVIRONMENTALLY SENSITIVE AREAS.
- 21 (5) DOWNTOWN MIXED-USE.
- 22 H. THE GENERAL LOCATION OF EXISTING AND PROPOSED DOWNTOWN SIGNATURE
23 BUILDINGS.
- 24 I. GENERAL VEHICULAR CIRCULATION SYSTEM SHOWING EXISTING AND PROPOSED
25 STREETS AND THE APPROXIMATE LOCATION OF ANY PROPOSED TRANSIT ROUTES
26 AND FACILITIES.

- J. LAYOUT OF THE EXISTING AND PROPOSED PEDESTRIAN AND BICYCLE CIRCULATION SYSTEMS.
- K. CONCEPTUAL STORM WATER MANAGEMENT PLAN.
- L. TEXT MATERIAL REGULATING THE FOLLOWING:
- (1) MAXIMUM NUMBER AND UNIT TYPES OF DOWNTOWN NET NEW DWELLINGS.
 - (2) MAXIMUM GROSS FLOOR AREA OF DOWNTOWN NET NEW COMMERCIAL OFFICE USES AND COMMERCIAL RETAIL USES.
 - (3) MAXIMUM NUMBER OF DOWNTOWN NET NEW HOTEL ROOMS.
 - (4) MAXIMUM BUILDING HEIGHTS.
 - (5) MAXIMUM SIZE OF A RETAIL-USE FOOTPRINT.
 - (6) A NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN, CONSISTENT WITH THE DOWNTOWN REVITALIZATION PHASING PLAN AND THE DOWNTOWN CEPPA IMPLEMENTATION CHART APPROVED AS PART OF THE DOWNTOWN COLUMBIA PLAN, WHICH ADDRESSES THE IMPLEMENTATION SCHEDULE AND BENCHMARKS FOR THE FOLLOWING:
 - (A) THE BALANCE OF USES WITHIN EACH IMPLEMENTATION PHASE.
 - (B) THE PHASING OF DOWNTOWN MIXED-USE DEVELOPMENT.
 - (C) THE PHASING OF DOWNTOWN COMMUNITY COMMONS SPACES.
 - (D) THE PHASING OF THE TRANSPORTATION AND CIRCULATION FACILITIES.
 - (E) THE PHASING OF THE REQUIRED INFRASTRUCTURE INCLUDING PUBLIC WATER AND SEWER.
 - (F) TRANSPORTATION AND CIRCULATION FACILITIES.
 - (G) ENVIRONMENTAL RESTORATION.

1 (H) DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES.

2 (I) ANY OTHER ITEMS AS SPECIFIED IN THE DOWNTOWN CEPPA
3 IMPLEMENTATION CHART.

4 (7) A TRAFFIC STUDY AS SPECIFIED IN THE HOWARD COUNTY ADEQUATE
5 PUBLIC FACILITIES ACT FOR THE EVALUATION OF THE ADEQUACY OF
6 TRANSPORTATION FACILITIES.

7 (8) A DESCRIPTION OF THE DOWNTOWN COMMUNITY COMMONS THAT WILL
8 BE INCLUDED IN THE DEVELOPMENT.

9 (9) AN EXPLANATION OF HOW THE PROPOSED DEVELOPMENT ADDRESSES
10 THE ENVIRONMENTAL CONCEPTS OF CHAPTER 3 OF THE DOWNTOWN
11 COLUMBIA – A COMMUNITY VISION REPORT, AND SPECIFICALLY
12 ADDRESSING THE CONCEPTS OF GREEN BUILDINGS AND GREEN SITE
13 DESIGN.

14 (10) THE LOCATIONS AND DESCRIPTIONS OF EXISTING SITES, PUBLIC ART,
15 AND BUILDINGS OR STRUCTURES WHICH MAY HAVE SPECIAL
16 SIGNIFICANCE ON AN HISTORIC OR CULTURAL BASIS, AND AN
17 EXPLANATION OF THE METHODS EMPLOYED TO RETAIN AND PRESERVE
18 THESE ITEMS.

19 (11) A DESCRIPTION OF THE DOWNTOWN PUBLIC ART PROGRAM THAT IS IN
20 COMPLIANCE WITH SECTION 125.A.9.G.(2), AND ANY PROPOSED PUBLIC
21 ART.

22 (12) A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF
23 DEVELOPMENT APPROVED AND BUILT TO DATE UNDER SECTION 125.A.9;
24 AND (II) THE STATUS OF ANY DOWNTOWN COMMUNITY ENHANCEMENTS,
25 PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND,
26 DOWNTOWN COMMUNITY COMMONS AND INFRASTRUCTURE AS
27 ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN.

28 M. DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES THAT ADDRESS THE
29 FOLLOWING MUST BE SUBMITTED FOR AN INDIVIDUAL NEIGHBORHOOD WITH THE

FIRST FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSING NET NEW DEVELOPMENT WITHIN THAT NEIGHBORHOOD:

(1) URBAN DESIGN, INCLUDING SCALE AND MASSING, BLOCK
CONFIGURATION, PARKING AND SERVICE FUNCTIONS, BUILDING
ENTRANCES, AND STREET LIGHTING AND FURNITURE.

(2) STREET DESIGN AND FRAMEWORK.

(3) DOWNTOWN COMMUNITY COMMONS AND DOWNTOWN PARKLAND.

(4) ARCHITECTURAL DESIGN.

(5) GREEN BUILDING AND GREEN SITE DESIGN; AND

N. DOWNTOWN NEIGHBORHOOD CONCEPT PLAN.

3. THE PLANNING BOARD SHALL CONSIDER THE FINAL DEVELOPMENT PLAN OR FINAL
DEVELOPMENT PLAN AMENDMENT AT A PUBLIC HEARING. THE PLANNING BOARD
SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY THE PETITION BASED ON
WHETHER THE PETITION SATISFIES THE FOLLOWING CRITERIA:

A. THE DOWNTOWN NEIGHBORHOOD CONCEPT PLAN IS CONSISTENT WITH THE
DOWNTOWN-WIDE DESIGN GUIDELINES AND THE DOWNTOWN COLUMBIA PLAN
STREET AND BLOCK PLAN, DOWNTOWN MAXIMUM BUILDING HEIGHTS PLAN,
DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, DOWNTOWN
OPEN SPACE PRESERVATION PLAN, AND STREET FRAMEWORK DIAGRAM OR THAT
ANY PROPOSED CHANGE(S) WILL NOT BE DETRIMENTAL TO THE OVERALL DESIGN
CONCEPT AND PHASING FOR DOWNTOWN REVITALIZATION. LIMITED CHANGE TO
BUILDING HEIGHT IS ALLOWED BASED ON COMPATIBILITY, CHARACTER AND
HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND OPEN SPACES IN
THE AREA. IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR
DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.

- b. THE FINAL DEVELOPMENT PLAN IS CONSISTENT WITH THE DOWNTOWN REVITALIZATION PHASING PLAN, THE DOWNTOWN MAXIMUM BUILDING HEIGHTS PLAN, THE DOWNTOWN CEPPA IMPLEMENTATION CHART AND FLEXIBILITY PROVISIONS, THE DOWNTOWN OPEN SPACE PRESERVATION PLAN, THE DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, AND THE AFFORDABLE HOUSING PROVISIONS OF THE DOWNTOWN COLUMBIA PLAN.
- c. THE FINAL DEVELOPMENT PLAN, WHEN CONSIDERED IN THE CONTEXT OF SURROUNDING PLANNED OR EXISTING DEVELOPMENT, PROVIDES A BALANCED MIX OF HOUSING, JOBS, COMMERCIAL SERVICES AND ENTERTAINMENT USES THROUGHOUT EACH PHASE.
- d. IF HOUSING IS PROPOSED, A VARIETY OF HOUSING CHOICES WILL BE PROVIDED AT DIFFERING PRICE LEVELS WHEN CONSIDERED IN THE CONTEXT OF SURROUNDING EXISTING OR PLANNED DEVELOPMENT.
- e. THE PEDESTRIAN NETWORK WILL CREATE CONVENIENT CONNECTIONS THROUGHOUT THE SUBJECT AREA AND CONNECT, WHEREVER POSSIBLE, TO EXISTING AND PLANNED SIDEWALKS AND PATHS ADJOINING THE DEVELOPMENT.
- f. THE FINAL DEVELOPMENT PLAN WILL PROTECT LAND COVERED BY LAKES, STREAMS OR RIVERS, FLOOD PLAINS AND STEEP SLOPES, PROVIDE CONNECTIONS, WHERE POSSIBLE, TO EXISTING AND PLANNED OPEN SPACE WITHIN THE NEIGHBORHOOD AND IN SURROUNDING AREAS, AND PROVIDE APPROPRIATE LAND FOR DOWNTOWN COMMUNITY COMMONS.
- g. THE FINAL DEVELOPMENT PLAN WILL BE COMPATIBLE WITH EXISTING AND PLANNED VICINAL LAND USES. IN MAKING THIS DETERMINATION, THE PLANNING BOARD SHALL CONSIDER:
- (1) THE USE OF AN EXISTING OR PLANNED ROAD ON THE EDGE OF THE PLAN AREA AS A SEPARATION BETWEEN DIFFERENT LAND USES;
- (2) THE SIZE OF BUILDINGS ALONG THE EDGES OF THE PLAN AREA THROUGH LIMITS ON BUILDING HEIGHT OR OTHER REQUIREMENTS;

1 (3) THE PROTECTION OR ESTABLISHMENT OF LANDSCAPE FEATURES ON THE
2 BOUNDARY OF THE PLAN AREA. THIS MAY INCLUDE PROTECTION OF
3 EXISTING VEGETATION OR GRADE CHANGES THAT PROVIDE A NATURAL
4 SEPARATION, OR LANDSCAPE DESIGN STANDARDS APPLICABLE TO AN
5 EDGE WHERE SPECIFIED TYPES OF LAND USES ABUT;

6 (4) THE CHARACTER OF NEARBY PROPERTIES AS ENVISIONED BY THE
7 ADOPTED GENERAL PLAN FOR THE AREA; AND

8 (5) THE ADOPTED DOWNTOWN COLUMBIA PLAN RECOMMENDATIONS FOR
9 HEIGHT, BUILDING MASSING AND SCALE.

10 h. THE FINAL DEVELOPMENT PLAN WILL BE SERVED BY ADEQUATE PUBLIC
11 FACILITIES, INCLUDING ANY PROPOSED MITIGATION OR DEVELOPMENT STAGING
12 IN ACCORDANCE WITH THE ADEQUATE PUBLIC FACILITIES ACT (TITLE 16,
13 SUBTITLE 11 OF THE HOWARD COUNTY CODE).

14 i. THE FINAL DEVELOPMENT PLAN IS PROTECTIVE OF ENVIRONMENTALLY
15 SENSITIVE FEATURES AND PROVIDES A PROPORTIONAL LEVEL OF
16 ENVIRONMENTAL RESTORATION IN ACCORDANCE WITH THE DOWNTOWN
17 COLUMBIA PLAN.

18 j. IF APPLICABLE, THE FINAL DEVELOPMENT PLAN IS PROTECTIVE OF EXISTING
19 SITES, PUBLIC ART, AND BUILDINGS OR STRUCTURES WHICH MAY HAVE SPECIAL
20 SIGNIFICANCE ON AN HISTORIC OR CULTURAL BASIS.

21 k. IF APPLICABLE, THE NEIGHBORHOOD DESIGN GUIDELINES SUBMITTED WITH THE
22 FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT OFFER
23 SUFFICIENT DETAIL TO GUIDE THE APPEARANCE OF THE NEIGHBORHOOD OVER
24 TIME, AND PROMOTE DESIGN FEATURES THAT ARE ACHIEVABLE AND
25 APPROPRIATE FOR DOWNTOWN REVITALIZATION IN ACCORDANCE WITH THE
26 DESIGN MANUAL OF THE DOWNTOWN COLUMBIA PLAN.

27 l. KEY LOCATIONS FOR DOWNTOWN PUBLIC ART ARE IDENTIFIED, IN COMPLIANCE
28 WITH SECTION 125.A.9.G.(2); AND

1 m. THE FINAL DEVELOPMENT PLAN IS CONSISTENT WITH THE NEIGHBORHOOD
2 CONCEPT PLAN.

3 2. AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY THE
4 PLANNING BOARD ON A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN
5 AMENDMENT, THE PETITIONER MAY WITHDRAW THE PETITION.

6 3. PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN SHALL BE REQUIRED FOR
7 ALL DOWNTOWN REVITALIZATION.

8 F. [[D.]] Amendments to a Comprehensive Sketch Plan or Final Development Plan

9 1. Amendments Submitted by Original Petitioner

10 Except as allowed by Section [[125.D.2 AND 125.E.3]] 125.F.2 and 125.F.3 below, only
11 the original petitioner for the new town district may propose amendments to an
12 approved comprehensive sketch plan or Final Development Plan. A proposed
13 COMPREHENSIVE SKETCH PLAN amendment shall be reviewed in accordance with
14 Section 125.C above. A PROPOSED FINAL DEVELOPMENT PLAN AMENDMENT SHALL
15 BE REVIEWED IN ACCORDANCE WITH SECTION 125.D. OR 125.E. AS APPLICABLE.

16
17 2. Additional Uses on Individual Lots in Residential Land Use Areas

18 Within areas designated on a Comprehensive Sketch Plan for residential land use, any
19 property owner may propose amendments to the Final Development Plan to allow a
20 particular use on his or her property which is not allowed by the Final Development Plan
21 criteria. No amendment shall be proposed which would either alter the land use
22 designation established by the Comprehensive Sketch Plan or allow an increase in
23 residential density. The proposed amendment shall be considered in accordance with the
24 following procedures:

25
26 a. The property owner shall submit the number of copies of the complete Final
27 Development Plan as required by the Department of Planning and Zoning, with
28 the proposed criteria amendments clearly noted on each copy, accompanied by
29 an explanation of the request.

1 b. The proposal shall be considered by the Planning Board at a public hearing.

2 c. The Planning Board shall approve, approve with modifications or deny the
3 proposed amendments to the Final Development Plan, stating the reasons for its
4 action. The Planning Board shall approve the request only if it finds that:

5
6 (1) The use is consistent with the land use designation of the property as
7 established on the recorded Final Development Plan and compatible with
8 existing or proposed development in the vicinity.

9
10 (2) The use will not adversely affect vicinal properties.

11 d. If the use is approved:

12
13 (1) The Planning Board may provide for the subsequent approval by it of a
14 Site Development Plan for the property which is the subject of the
15 proposal; and

16 (2) Revised text for the Final Development Plan indicating the additional
17 allowed use of the particular property shall be submitted by the applicant
18 and recorded in the Land Records of Howard County.

19 3. THE FEE SIMPLE OWNER OF ANY PROPERTY LOCATED WITHIN DOWNTOWN
20 COLUMBIA MAY PROPOSE AMENDMENTS TO AN APPROVED FINAL DEVELOPMENT
21 PLAN IN ACCORDANCE WITH DOWNTOWN REVITALIZATION REQUIREMENTS.

22
23 G. [[E.]] Site Development Plans – GENERAL PROVISIONS

24 1. Planning Board Approval

25 If the Planning Board reserved for itself the authority to approve a Site Development
26 Plan AND for [[an area]] ALL DOWNTOWN REVITALIZATION, EXCEPT AS PROVIDED IN “2”
27 AND “3” BELOW, no permit shall be issued for any use until the Site Development Plan is
28 approved by the Planning Board. The Site Development Plan shall be considered at a
29 public meeting [[, except where a public hearing is required by Section 125.E.3 below]].
30

2. Minor Additions and Modifications.

Minor additions and modifications to Site Development Plans approved by the Planning Board and meeting the criteria below shall not require Planning Board approval. Also, minor new projects which have been granted a waiver of the Site Development Plan requirement by the Director of Planning and Zoning do not require Planning Board approval. However, all changes of use which require exterior site alterations shall require Planning Board approval.

3. Minor Projects Not Requiring Planning Board Approval:

- a. Minor additions to structures, with a floor area no larger than 10 percent of the existing floor area of the main floor, not to exceed 5,000 square feet.
- b. Minor new accessory structures if the location does not interfere with existing site layout (e.g. circulation, parking, loading, storm water management facilities, open space, landscaping or buffering).
- c. Minor additions to parking lots comprising no more than 25 percent of the original number of parking spaces required, not to exceed 25 spaces.
- d. Clearing or grading that does not exceed 5,000 square feet in area.
- e. House-type revisions to approved Site Development Plans for single-family detached developments and for no more than 25 percent of the total number of dwelling units on the Site Development Plans for single-family attached or apartment developments.
- f. Similar minor modifications as determined by the Department of Planning and Zoning.

4. Adjustments to Bulk Regulations for Individual Lots

Upon the request of the owner of a particular lot, the Planning Board may approve parking, setback, height, lot coverage, or other bulk requirements for such lot or parcel which differ from those required by the applicable Final Development Plan, in accordance with the following procedures:

- 1 a. A public meeting shall be held on the Site Development Plan requiring the
2 adjustment. If no Site Development Plan is available, an accurate plot plan drawn
3 to scale shall be submitted for Planning Board review at the public meeting[.];
- 4 b. A Site Development Plan or plot plan submitted for review shall clearly indicate
5 the requirement from which relief is sought and the requested relief, and shall be
6 accompanied by a written statement explaining the reasons for the requested
7 adjustment.
- 8 c. In addition to the notice for public meetings required by the Planning Board's
9 Rules of Procedure, the property that is the subject of the application shall be
10 posted with the date, time, and place of the meeting for at least 15 days
11 immediately before the public meeting.
- 12 d. The requested adjustment to the parking or bulk requirements shall be granted if
13 the Planning Board finds that:
- 14 (1) The adjustment will not alter the character of the neighborhood or area in
15 which the property is located, will not impair the appropriate use or
16 development of adjacent property, and will not be detrimental to the
17 public welfare; and
18
- 19 (2) The adjustment a) is needed due to practical difficulties or unnecessary
20 hardships which arise in complying strictly with the Final Development
21 Plan; and/or b) results in better design than would be allowed by strict
22 compliance with the development criteria.
- 23 e. The Planning Board may approve, approve with conditions, or deny a requested
24 adjustment.
25
26

27 H. SITE DEVELOPMENT PLAN - DOWNTOWN REVITALIZATION.

- 28
29 1. EACH SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION SHALL INCLUDE A
30 STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF DEVELOPMENT APPROVED
31 AND BUILT TO DATE UNDER SECTION 125.A.9; AND (II) THE STATUS OF ANY COMMUNITY
32 ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND,

1 DOWNTOWN COMMUNITY COMMONS AND INFRASTRUCTURE AS ADDRESSED IN THE
2 DOWNTOWN COLUMBIA PLAN.

- 3 2. THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE
4 DEVELOPMENT PLAN THAT PROPOSES DOWNTOWN REVITALIZATION BASED ON WHETHER
5 THE PETITION SATISFIES THE FOLLOWING CRITERIA:

6
7 A. THE DEVELOPMENT WILL BE CONSISTENT WITH THE ADOPTED DOWNTOWN
8 COLUMBIA PLAN.

9 B. THE DEVELOPMENT WILL BE CONSISTENT WITH THE APPROVED FINAL
10 DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT INCLUDING
11 THE BULK REGULATIONS, DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES AND
12 THE NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN.

13 C. THE DEVELOPMENT WILL BE COMPATIBLE WITH EXISTING AND PLANNED
14 ADJACENT LAND USES AS ESTABLISHED IN THE FINAL DEVELOPMENT PLAN OR
15 FINAL DEVELOPMENT PLAN AMENDMENT, WITH CONSIDERATION OF THE FINAL
16 LOCATION AND USE OF BUILDINGS AND STRUCTURES, BUILDING HEIGHT,
17 MASSING, LANDSCAPING, DOWNTOWN COMMUNITY COMMONS, DOWNTOWN
18 PARKLAND, PEDESTRIAN, BICYCLE AND VEHICULAR CIRCULATION SYSTEMS.

19 D. THE DEVELOPMENT WILL BE WELL-ORGANIZED IN TERMS OF THE LOCATION OF
20 BUILDINGS AND STRUCTURES, DOWNTOWN COMMUNITY COMMONS,
21 LANDSCAPING, PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS, AND
22 OTHER DOWNTOWN REVITALIZATION FEATURES.

23 E. IF THE DEVELOPMENT PROVIDES DOWNTOWN COMMUNITY COMMONS AND/OR
24 DOWNTOWN PARKLAND, THEY ARE REASONABLE AND APPROPRIATE GIVEN THE
25 LOCATION, SCALE AND ANTICIPATED INTENSITY OF ADJACENT USES IN
26 ACCORDANCE WITH THE DOWNTOWN COLUMBIA PLAN.

27 F. THE MAXIMUM BUILDING HEIGHTS WILL BE CONSISTENT WITH THE FINAL
28 DEVELOPMENT PLAN.

29 G. FOR ANY SITE DEVELOPMENT PLAN PROPOSING DOWNTOWN PUBLIC ART, THE

1 DOWNTOWN PUBLIC ART WILL BE CONSISTENT WITH THE DOWNTOWN PUBLIC
2 ART PROGRAM APPROVED WITH THE FINAL DEVELOPMENT PLAN OR FINAL
3 DEVELOPMENT PLAN AMENDMENT APPROVAL.

- 4 3. MINOR ADJUSTMENTS TO THE GENERAL PEDESTRIAN CIRCULATION SYSTEM, ROAD
5 NETWORK, BLOCK CONFIGURATION, AND DOWNTOWN COMMUNITY COMMONS SHOWN
6 ON THE FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN MAY BE
7 APPROVED AS A PART OF THE SITE DEVELOPMENT PLAN, PROVIDED THE ADJUSTMENT(S)
8 ARE GENERALLY CONSISTENT WITH THE FINAL DEVELOPMENT PLAN AND WILL NOT BE
9 DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN
10 REVITALIZATION.
- 11 4. AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY THE
12 PLANNING BOARD ON A SITE DEVELOPMENT PLAN, THE PETITIONER MAY WITHDRAW
13 THE PETITION.
14
15

16 **SECTION 133: OFF-STREET PARKING AND LOADING FACILITIES**

17 B. Layout and Location

- 18 4. Required minimum parking may be provided on a separate lot from the principal use if:
19 a. For residential uses, the location and distribution of parking spaces complies
20 with the Subdivision and Land Development Regulations.
- 21 b. For nonresidential uses that are not a part of downtown revitalization, the major
22 point of pedestrian access to the parking facility is within 400 feet of the
23 entrance to the building [[:]]. THIS REQUIREMENT DOES NOT APPLY TO
24 DOWNTOWN REVITALIZATION;
- 25 c. The parking facility is within a zoning district in which the use being served by
26 the parking facility is permitted;
- 27 d. The parking facility is not separated from the use being served by a public street
28 [[:]]. THIS REQUIREMENT DOES NOT APPLY TO DOWNTOWN REVITALIZATION;
29 AND

- 1 e. The parking facility is subject to recorded covenants or easements for parking,
2 or other proof is provided that the continued use of the parking area is
3 guaranteed throughout the life of the land use.

4 E. PERMITTED REDUCTIONS IN OFF-STREET PARKING REQUIREMENTS.

5 3. DOWNTOWN REVITALIZATION

6 OFF-STREET PARKING AND LOADING FACILITIES FOR DOWNTOWN REVITALIZATION
7 SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING SHARED PARKING
8 METHODOLOGY AND PARKING RATIOS:

9 A. THE METHODOLOGY FOR DETERMINING THE SHARED PARKING DEMAND
10 CONSISTS OF THE FOLLOWING STEPS AND IS DESCRIBED IN THE FOLLOWING
11 PARAGRAPHS:

- 12 (1) DETERMINE INDIVIDUAL WEEKDAY AND WEEKEND PEAK PARKING
13 RATIOS FOR EACH LAND USE.
- 14 (2) DETERMINE THE NUMBER OF RESERVED PARKING SPACES FOR EACH USE.
- 15 (3) SELECT TIME-OF-DAY AND MONTHLY PARKING VARIATION FACTORS.
- 16 (4) ADJUST PARKING RATIOS FOR MODAL SPLIT, AUTO OCCUPANCY, AND
17 CAPTIVE MARKET EFFECTS.
- 18 (5) CALCULATE THE PARKING DEMAND FOR EACH SCENARIO.

19 STEP 1: DETERMINE INDIVIDUAL WEEKDAY AND WEEKEND PEAK PARKING RATIOS FOR
20 EACH LAND USE

21 TABLE 1 PRESENTS THE BASE PARKING RATIOS FOR WEEKDAYS AND WEEKENDS. THESE
22 RATIOS MUST BE USED UNLESS THE PETITIONER PROVIDES REASONABLE JUSTIFICATION
23 FOR USE OF ALTERNATIVE RATIO(S) THAT WILL NOT BE DETRIMENTAL TO THE PUBLIC
24 WELFARE.

25 STEP 2: DETERMINE THE NUMBER OF RESERVED PARKING SPACES FOR EACH USE

26 A SIGNIFICANT PROPORTION OF RESIDENTIAL PARKING SPACES ARE TYPICALLY
27 RESERVED, DUE TO MARKET AND SECURITY REQUIREMENTS. SOME PORTION OF OFFICE,
28 RETAIL, HOTEL, OR OTHER USES MAY REQUIRE RESERVED SPACES FOR SOME PORTION OF
29 THE DAY. THESE RESERVED SPACES SHOULD BE OUTLINED AND SPECIFIED BY LAND USE

ON AN HOURLY BASIS.

STEP 3: SELECT TIME-OF-DAY AND MONTHLY PARKING VARIATION FACTORS

THE TIME-OF-DAY ADJUSTMENT FACTORS FOR WEEKDAYS AND WEEKENDS ARE SHOWN IN TABLES 2 AND 3, RESPECTIVELY. TABLE 4 SHOWS THE MONTHLY ADJUSTMENT FACTORS FOR CUSTOMER AND VISITOR PARKING, WHILE TABLE 5 INCLUDES THE MONTHLY ADJUSTMENT FACTORS FOR EMPLOYEES. THESE TYPICAL FACTORS ARE TAKEN FROM THE ULI SHARED PARKING MANUAL AND MAY BE MODIFIED BASED ON OTHER PUBLISHED DATA OR INDEPENDENT STUDIES TO ENSURE ACCURACY FOR SPECIFIC LAND USES OR CIRCUMSTANCES.

STEP 4: ADJUST PARKING RATIOS FOR MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS

MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS WILL BE DIFFERENT FOR EACH DOWNTOWN REVITALIZATION DEVELOPMENT. MODAL SPLITS AND AUTO OCCUPANCY CAN BE DETERMINED THROUGH U.S. CENSUS JOURNEY-TO-WORK DATA, PATRON SURVEYS, OR OTHER LOCAL DATA, AND CAN BE ADJUSTED TO REFLECT FUTURE CONDITIONS.

NON-CAPTIVE ADJUSTMENTS REFLECT THE PROPORTION OF USERS THAT ARE NOT ALREADY PARKED NEARBY FOR A PRIMARY PURPOSE. THESE ADJUSTMENTS FOR CAPTIVE MARKET EFFECTS SHOULD ONLY BE APPLIED TO SIMULTANEOUS TRIPS, NOT SEQUENTIAL TRIPS. FOR EXAMPLE, AN OFFICE WORKER WHO WALKS ACROSS THE STREET FOR A SNACK DURING THE DAY IS PART OF THE CAPTIVE MARKET, WHILE A COUPLE WHO HAS DINNER BEFORE A MOVIE IS NOT. TABLE 6 INCLUDES SAMPLE NON-CAPTIVE ADJUSTMENT FACTORS FOR WEEKDAYS AND CAN BE MODIFIED BASED ON THE CHARACTERISTICS OF THE LAND USE AND SURROUNDINGS.

STEP 5: CALCULATE THE PARKING DEMAND FOR EACH SCENARIO

THE INDIVIDUAL PARKING DEMANDS FOR EACH LAND USE DURING EACH TIME PERIOD ARE THEN COMPUTED BY MULTIPLYING THE PARKING RATIOS (ADJUSTED FOR MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS) BY THE TIME-OF-DAY AND MONTHLY VARIATION FACTORS. NO ADJUSTMENT FACTORS OR VARIATION FACTORS ARE APPLIED TO RESERVED PARKING SPACES.

THE SUM OF THE ADJUSTED PARKING DEMANDS FOR EACH LAND USE ARE THEN

1 COMPARED FOR EACH SCENARIO (EACH HOUR OF EACH DAY OF EACH MONTH), AND THE
2 MAXIMUM TOTAL PARKING DEMAND REPRESENTS THE SHARED PARKING REQUIREMENT
3 FOR THE PROJECT.
4
5

TABLE 1
HOWARD COUNTY SHARED PARKING METHODOLOGY
BASE PARKING RATIOS

LAND USE	WEEKDAY		WEEKEND		UNIT
	VISITOR	EMPLOYEE	VISITOR	EMPLOYEE	
COMMUNITY SHOPPING CENTER (<400 KSF)	2.90	0.70	3.20	0.80	/KSF GLA
REGIONAL SHOPPING CENTER (400 TO 600 KSF)	3.05	0.76	3.37	0.87	/KSF GLA
SUPER REGIONAL SHOPPING CENTER (>600 KSF)	3.20	0.80	3.60	0.90	/KSF GLA
FINE/CASUAL DINING RESTAURANT	15.25	2.75	17.00	3.00	/KSF GLA
FAMILY RESTAURANT	9.00	1.50	12.75	2.25	/KSF GLA
FAST FOOD RESTAURANT	12.75	2.25	12.00	2.00	/KSF GLA
NIGHTCLUB	15.25	1.25	17.50	1.50	/KSF GLA
CINEPLEX	0.19	0.01	0.26	0.01	/SEAT
PERFORMING ARTS THEATER	0.30	0.07	0.33	0.07	/SEAT
ARENA	0.27	0.03	0.30	0.03	/SEAT
PRO FOOTBALL STADIUM	0.30	0.01	0.30	0.01	/SEAT
PRO BASEBALL STADIUM	0.31	0.01	0.34	0.01	/SEAT
HEALTH CLUB	6.60	0.40	5.50	0.25	/KSF GLA
CONVENTION CENTER	5.50	0.50	5.50	0.50	/KSF GLA
HOTEL-BUSINESS	1.00	0.25	0.90	0.18	/ROOM
HOTEL-LEISURE	0.90	0.25	1.00	0.18	/ROOM
RESTAURANT/LOUNGE	10.00		10.00		/KSF GLA
CONFERENCE CTR/BANQUET (20 TO 50 SQ FT/GUEST ROOM)	30.00		30.00		/KSF GLA
CONVENTION SPACE (>50 SQ FT/GUEST ROOM)	20.00		10.00		/KSF GLA
RESIDENTIAL, RENTAL, SHARED SPACES *	0.15	1.50	0.15	1.50	/UNIT
RESIDENTIAL, OWNED, SHARED SPACES *	0.15	1.7	0.15	1.7	/UNIT
OFFICE <25 KSF	0.30	3.5	0.03	0.35	/UNIT
OFFICE 25 TO 100 KSF	0.275	3.30	0.028	0.33	/KSF GLA
OFFICE 100 TO 500 KSF	0.225	2.81	0.023	0.28	/KSF GLA
OFFICE >500 KSF	0.20	2.60	0.02	0.26	/KSF GLA
DATA PROCESSING OFFICE	0.25	5.75	0.03	0.58	/KSF GLA
MEDICAL/DENTAL OFFICE	3.00	1.50	3.00	1.50	/KSF GLA
BANK (BRANCH) WITH DRIVE-IN	3.00	1.60	3.00	1.60	/KSF GLA

NOTE(S): (1) * 1.0 SPACE RESERVED FOR RESIDENTS' SOLE USE; REMAINDER MAY BE SHARED.

(2) SOURCE: *SHARED PARKING, SECOND EDITION*.

(3) RANGES WERE CONVERTED TO AVERAGE RATIOS, WHERE APPLICABLE.

TABLE 2
HOWARD COUNTY SHARED PARKING METHODOLOGY
TIME-OF-DAY FACTORS FOR WEEKDAY DEMAND

		6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
SHOPPING CENTER-TYPICAL DECEMBER	CUSTOMER	1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	0%
	CUSTOMER	1%	5%	15%	30%	55%	75%	90%	100%	100%	100%	95%	85%	80%	75%	65%	50%	30%	10%	0%
	LATE DECEMBER	1%	5%	10%	20%	40%	65%	90%	100%	100%	100%	95%	85%	70%	55%	40%	25%	15%	5%	0%
FINE/CASUAL DINING RESTAURANT	EMPLOYEE	10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	0%
	CUSTOMER	0%	0%	0%	0%	15%	40%	75%	75%	65%	40%	50%	75%	95%	100%	100%	100%	95%	75%	25%
	EMPLOYEE	0%	20%	50%	75%	90%	90%	90%	90%	90%	75%	75%	100%	100%	100%	100%	100%	100%	85%	35%
FAMILY RESTAURANT	CUSTOMER	25%	50%	60%	75%	85%	90%	100%	90%	50%	45%	45%	75%	80%	80%	80%	60%	55%	50%	25%
	EMPLOYEE	50%	75%	90%	90%	100%	100%	100%	100%	100%	75%	75%	95%	95%	95%	95%	80%	65%	65%	35%
FAST FOOD RESTAURANT	CUSTOMER	5%	10%	20%	30%	55%	85%	100%	100%	90%	60%	55%	60%	85%	80%	50%	30%	20%	10%	5%
	EMPLOYEE	15%	20%	30%	40%	75%	100%	100%	100%	95%	70%	60%	70%	90%	90%	60%	40%	30%	20%	20%
NIGHTCLUB	CUSTOMER	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%	50%	75%	100%	100%	100%	100%
	EMPLOYEE	0%	0%	0%	5%	5%	5%	5%	10%	10%	10%	20%	45%	70%	100%	100%	100%	100%	100%	100%
CINEPLEX - TYPICAL LATE DECEMBER	CUSTOMER	0%	0%	0%	0%	0%	0%	20%	45%	55%	55%	55%	60%	60%	80%	100%	100%	80%	65%	40%
	CUSTOMER	0%	0%	0%	0%	0%	0%	35%	60%	75%	80%	80%	80%	70%	80%	100%	100%	85%	70%	55%
	EMPLOYEE	0%	0%	0%	0%	0%	0%	50%	60%	60%	75%	75%	100%	100%	100%	100%	100%	100%	70%	50%
PERFORMING ARTS THEATER	CUSTOMER	0%	0%	0%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	25%	100%	100%	0%	0%	0%
	EMPLOYEE	0%	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	30%	10%	5%
ARENA	CUSTOMER	0%	0%	0%	1%	1%	1%	1%	1%	1%	1%	1%	1%	10%	25%	100%	100%	85%	0%	0%
	EMPLOYEE	0%	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	30%	10%	5%
STADIUM - 8 PM START	CUSTOMER	0%	0%	0%	1%	1%	1%	5%	5%	5%	5%	5%	5%	10%	50%	100%	100%	85%	25%	0%
	EMPLOYEE	0%	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	100%	25%	10%
HEALTH CLUB	CUSTOMER	70%	40%	40%	70%	70%	80%	60%	70%	70%	70%	80%	90%	100%	90%	80%	70%	35%	10%	0%
	EMPLOYEE	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	100%	100%	75%	50%	20%	20%	20%	0%
CONVENTION CENTER	CUSTOMER	0%	0%	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	0%	0%	0%
	EMPLOYEE	5%	30%	33%	33%	100%	100%	100%	100%	100%	100%	90%	70%	40%	25%	20%	20%	5%	0%	0%
HOTEL-BUSINESS	GUEST	95%	90%	80%	70%	60%	60%	55%	55%	60%	60%	65%	70%	75%	75%	80%	85%	95%	100%	100%
HOTEL-LEISURE	GUEST	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
RESTAURANT/LOUNGE	CUSTOMER	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
CONFERENCE CTR/BANQUET (20 TO 50 SQ FT/GUEST ROOM)	CUSTOMER	0%	0%	30%	60%	60%	60%	65%	65%	65%	65%	65%	100%	100%	100%	100%	100%	50%	0%	0%
CONVENTION SPACE (>50 SQ FT/GUEST ROOM)	CUSTOMER	0%	0%	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	0%	0%	0%
	EMPLOYEE	5%	30%	90%	90%	100%	100%	100%	100%	100%	100%	90%	70%	40%	20%	20%	20%	20%	10%	5%
	RESIDENT	100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
RESIDENTIAL	RESERVED	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	GUEST	0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
	VISITOR	0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	2%	1%	0%	0%	0%	0%
OFFICE	EMPLOYEE	3%	30%	75%	95%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%	0%	0%
	CUSTOMER	0%	0%	90%	90%	100%	100%	30%	90%	100%	100%	90%	80%	67%	30%	15%	0%	0%	0%	0%
MEDICAL/DENTAL OFFICE	EMPLOYEE	0%	0%	60%	100%	100%	100%	100%	100%	100%	100%	100%	100%	67%	30%	15%	0%	0%	0%	0%
	CUSTOMER	0%	0%	50%	90%	100%	50%	50%	50%	70%	50%	80%	100%	0%	0%	0%	0%	0%	0%	0%
BANK (BRANCH) WITH DRIVE-IN	CUSTOMER	0%	0%	50%	90%	100%	50%	50%	50%	70%	50%	80%	100%	0%	0%	0%	0%	0%	0%	0%
	EMPLOYEE	0%	0%	60%	100%	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%	0%	0%	0%	0%	0%

SOURCE: *SHARED PARKING, SECOND EDITION*

TABLE 3
HOWARD COUNTY SHARED PARKING METHODOLOGY
TIME-OF-DAY FACTORS FOR WEEKEND DEMAND

		6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
SHOPPING CENTER-TYPICAL	CUSTOMER	1%	5%	10%	30%	50%	65%	80%	90%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
DECEMBER	CUSTOMER	1%	5%	10%	35%	60%	70%	85%	95%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
LATE DECEMBER	CUSTOMER	1%	5%	10%	20%	40%	60%	80%	95%	100%	100%	95%	85%	70%	60%	50%	30%	20%	10%	0%
	EMPLOYEE	10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	85%	80%	75%	65%	45%	15%	0%
FINE/CASUAL DINING RESTAURANT	CUSTOMER	0%	0%	0%	0%	0%	15%	50%	55%	45%	45%	45%	60%	90%	95%	100%	90%	90%	90%	50%
	EMPLOYEE	0%	20%	30%	60%	75%	75%	75%	75%	75%	75%	75%	100%	100%	100%	100%	100%	100%	85%	50%
FAMILY RESTAURANT	CUSTOMER	10%	25%	45%	70%	90%	90%	100%	85%	65%	40%	45%	60%	70%	70%	65%	30%	25%	15%	10%
	EMPLOYEE	50%	75%	90%	90%	100%	100%	100%	100%	100%	75%	75%	95%	95%	95%	95%	80%	65%	65%	35%
FAST FOOD RESTAURANT	CUSTOMER	5%	10%	20%	30%	55%	85%	100%	100%	90%	60%	55%	60%	85%	80%	50%	30%	20%	10%	5%
	EMPLOYEE	15%	20%	30%	40%	75%	100%	100%	100%	95%	70%	60%	70%	90%	90%	60%	40%	30%	20%	20%
NIGHTCLUB	CUSTOMER	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%	50%	75%	100%	100%	100%	100%
	EMPLOYEE	0%	0%	0%	5%	5%	5%	5%	10%	10%	10%	20%	45%	70%	100%	100%	100%	100%	100%	100%
CINEPLEX - TYPICAL	CUSTOMER	0%	0%	0%	0%	0%	0%	20%	45%	55%	55%	55%	60%	60%	80%	100%	100%	100%	80%	50%
LATE DECEMBER	CUSTOMER	0%	0%	0%	0%	0%	0%	35%	60%	75%	80%	80%	80%	70%	80%	100%	100%	100%	85%	70%
	EMPLOYEE	0%	0%	0%	0%	0%	0%	50%	60%	60%	75%	75%	100%	100%	100%	100%	100%	100%	70%	50%
PERFORMING ARTS THEATER	CUSTOMER	0%	0%	0%	1%	1%	1%	1%	17%	67%	67%	1%	1%	1%	25%	100%	100%	0%	0%	0%
	EMPLOYEE	0%	10%	10%	20%	20%	20%	30%	100%	100%	100%	30%	30%	100%	100%	100%	100%	30%	10%	5%
ARENA	CUSTOMER	0%	0%	0%	1%	1%	1%	1%	25%	95%	95%	81%	1%	1%	25%	100%	100%	0%	0%	0%
	EMPLOYEE	0%	10%	10%	20%	20%	20%	30%	100%	100%	100%	100%	30%	100%	100%	100%	100%	30%	10%	5%
STADIUM - 1 PM START; SEE	CUSTOMER	0%	0%	1%	1%	5%	5%	50%	100%	100%	85%	25%	0%	0%	0%	0%	0%	0%	0%	0%
WEEKDAY FOR EVENING START	EMPLOYEE	0%	5%	10%	20%	30%	30%	100%	100%	100%	100%	25%	10%	5%	0%	0%	0%	0%	0%	0%
HEALTH CLUB	CUSTOMER	80%	45%	35%	50%	35%	50%	50%	30%	25%	30%	55%	100%	95%	60%	30%	10%	1%	1%	0%
	EMPLOYEE	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	75%	100%	100%	75%	50%	20%	20%	20%	0%
CONVENTION CENTER	CUSTOMER	0%	0%	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	0%	0%	0%
	EMPLOYEE	5%	30%	33%	33%	100%	100%	100%	100%	100%	100%	90%	70%	40%	25%	20%	20%	5%	0%	0%
HOTEL-BUSINESS	GUEST	95%	90%	80%	70%	60%	60%	55%	55%	60%	60%	65%	70%	75%	75%	80%	85%	95%	100%	100%
HOTEL-LEISURE	GUEST	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
RESTAURANT/LOUNGE	CUSTOMER	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
CONFERENCE CTR/BANQUET (20 TO 50 SQ FT/GUEST ROOM)	CUSTOMER	0%	0%	30%	60%	60%	60%	65%	65%	65%	65%	65%	100%	100%	100%	100%	100%	50%	0%	0%
CONVENTION SPACE (>50 SQ FT/GUEST ROOM)	CUSTOMER	0%	0%	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	0%	0%	0%
	EMPLOYEE	5%	30%	90%	90%	100%	100%	100%	100%	100%	100%	100%	90%	75%	60%	55%	55%	45%	45%	30%
RESIDENTIAL	RESIDENT	100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
	RESERVED	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	GUEST	0%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
OFFICE	VISITOR	0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
	EMPLOYEE	0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
MEDICAL/DENTAL OFFICE	CUSTOMER	0%	0%	90%	90%	100%	100%	30%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	EMPLOYEE	0%	0%	60%	100%	100%	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
BANK (BRANCH) WITH DRIVE-IN	CUSTOMER	0%	0%	25%	40%	75%	100%	90%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	EMPLOYEE	0%	0%	90%	100%	100%	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

SOURCE: SHARED PARKING, SECOND EDITION

TABLE 4

HOWARD COUNTY SHARED PARKING METHODOLOGY

MONTHLY ADJUSTMENTS FOR CUSTOMER/VISITOR PARKING

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	LATE DEC
SHOPPING CENTER	56%	57%	64%	63%	66%	67%	64%	69%	64%	66%	72%	100%	80%
RESTAURANTS	85%	86%	95%	92%	96%	95%	98%	99%	91%	96%	93%	100%	95%
FAST FOOD RESTAURANT	85%	86%	95%	92%	96%	95%	98%	99%	91%	96%	93%	100%	95%
NIGHTCLUB	84%	86%	98%	90%	90%	91%	94%	96%	92%	98%	96%	100%	95%
CINEPLEX WEEKDAYS	27%	21%	20%	19%	27%	41%	55%	40%	15%	15%	25%	23%	100%
CINEPLEX WEEKENDS	71%	59%	67%	58%	71%	82%	92%	75%	51%	62%	78%	67%	100%
PERFORMING ARTS THEATER	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	100%	100%
ARENA	90%	100%	100%	100%	100%	75%	0%	0%	60%	65%	90%	95%	95%
PRO FOOTBALL STADIUM	0%	0%	0%	0%	0%	0%	0%	67%	0%	0%	0%	100%	100%
PRO BASEBALL STADIUM	0%	0%	0%	100%	100%	100%	100%	100%	100%	100%	0%	0%	0%
HEALTH CLUB	100%	95%	85%	70%	65%	65%	65%	70%	80%	85%	85%	90%	95%
CONVENTION CENTER	75%	100%	90%	55%	60%	50%	45%	75%	80%	85%	100%	60%	0%
HOTEL-BUSINESS	71%	85%	91%	90%	92%	100%	98%	92%	93%	93%	81%	67%	50%
HOTEL-LEISURE	90%	100%	100%	100%	90%	90%	100%	100%	75%	75%	75%	50%	100%
RESTAURANT/LOUNGE	85%	86%	95%	92%	96%	95%	98%	99%	91%	96%	93%	100%	95%
CONFERENCE CTR/BANQUET (20 TO 50 SQ FT/GUEST ROOM)	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
CONVENTION SPACE (>50 SQ FT/GUEST ROOM)	75%	100%	90%	55%	60%	50%	45%	75%	80%	85%	100%	60%	0%
RESIDENTIAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
OFFICE, BANK	100%	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%	80%

SOURCE: SHARED PARKING, SECOND EDITION

TABLE 5

HOWARD COUNTY SHARED PARKING METHODOLOGY

MONTHLY ADJUSTMENTS FOR EMPLOYEE/RESIDENT PARKING

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	LATE DEC
SHOPPING CENTER	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	90%	100%	90%
RESTAURANTS	95%	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FAST FOOD RESTAURANT	95%	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
NIGHTCLUB	90%	90%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
CINEPLEX WEEKDAYS	50%	50%	50%	50%	50%	75%	75%	75%	50%	50%	50%	50%	100%
CINEPLEX WEEKENDS	80%	80%	80%	80%	80%	100%	100%	90%	80%	80%	80%	80%	100%
PERFORMING ARTS THEATER	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ARENA	100%	100%	100%	100%	100%	75%	10%	10%	75%	75%	100%	100%	100%
PRO FOOTBALL STADIUM	10%	10%	10%	10%	10%	10%	10%	100%	10%	10%	10%	100%	100%
PRO BASEBALL STADIUM	10%	10%	10%	10%	100%	100%	100%	100%	100%	100%	10%	10%	10%
HEALTH CLUB	100%	100%	95%	80%	75%	75%	75%	80%	90%	95%	95%	100%	100%
CONVENTION CENTER	85%	100%	100%	65%	70%	60%	55%	85%	90%	95%	100%	70%	10%
HOTEL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RESIDENTIAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
OFFICE, BANK	100%	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%	80%

SOURCE: SHARED PARKING, SECOND EDITION

TABLE 6
HOWARD COUNTY SHARED PARKING METHODOLOGY
NON-CAPTIVE ADJUSTMENT FACTORS FOR WEEKDAYS

	NON-CAPTIVE DAYTIME
COMMUNITY SHOPPING CENTER	90%
EMPLOYEE	100%
FINE/CASUAL DINING	90%
EMPLOYEE	100%
FAMILY RESTAURANT	85%
EMPLOYEE	100%
FAST FOOD RESTAURANT	50%
EMPLOYEE	100%
HOTEL-BUSINESS	100%
MEETING/BANQUET	60%
EMPLOYEE	100%
OFFICE	100%
EMPLOYEE	100%
MEDICAL/DENTAL OFFICE	100%
EMPLOYEE	100%
BANK	90%
EMPLOYEE	100%

SOURCE: *SHARED PARKING, SECOND EDITION*

Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that the remainder of Section 103 of the Zoning Regulations be renumbered accordingly.

Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland, that the attached Exhibit A “Metes and Bounds Description for Area Without a Recorded Final Development Plan Reference” be inserted to the Appendix of the Zoning Regulations.

Section 5. And 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.

EXHIBIT A

**METES AND BOUNDS DESCRIPTION FOR AREA WITHOUT A RECORDED FINAL
DEVELOPMENT PLAN REFERENCE**

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN HOWARD COUNTY, MARYLAND
AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE RESIDUE OF THE 801.198 ACRE PARCEL OF LAND
CONVEYED BY G & S ENTERPRISES, INC. TO THE HOWARD
RESEARCH AND DEVELOPMENT CORPORATION BY DEED DATED
OCTOBER 14, 1963 AND RECORDED AMONG THE LAND RECORDS OF
HOWARD COUNTY IN LIBER 409, FOLIO 8, AND THE 53 ACRE PARCEL
OF LAND CONVEYED BY SEBRING, INC. TO THE HOWARD RESEARCH
AND DEVELOPMENT CORPORATION BY DEED DATED NOVEMBER 7,
1963 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN
LIBER 409, FOLIO 549.

MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
FOLLOWS:

BEGINNING AT A POINT ON THE EASTERN RIGHT-OF-WAY LINE
OF BROKEN LAND PARKWAY, AS RECORDED IN PLAT NO. 6598
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND,
SAID POINT BEING ON THE SOUTHERN RIGHT-OF-WAY LINE OF
LITTLE PATUXENT PARKWAY, ROUTE 175, WIDTH VARIES, AS
RECORDED IN PLAT BOOK 12, PLAT NO. 60; THENCE DEPARTING SAID
BROKEN LAND PARKWAY AND RUNNING WITH THE SOUTHERN
LINES OF SAID LITTLE PATUXENT PARKWAY

174.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT,
HAVING A RADIUS OF 676.29 FEET AND A CHORD BEARING AND
DISTANCE OF SOUTH 87°37'00" EAST 173.56 FEET TO A POINT; THENCE

NORTH 85°00'39" EAST 665.90 FEET TO A POINT ON THE
EASTERN LINE OF LOT 9B, AS RECORDED IN PLAT BOOK 15, PLAT NO.
32; THENCE DEPARTING SAID LITTLE PATUXENT PARKWAY AND
RUNNING WITH THE WESTERN LINE OF SAID LOT 9B

SOUTH 04°59'21" EAST 27.00 FEET TO A POINT BEING THE
NORTHWEST CORNER OF THE EXTERIOR BOUNDARY OF LOT 23,
COLUMBIA, TOWN CENTER, SECTION 1, AS RECORDED IN PLAT
BOOKS 13535 AND 13536; THENCE DEPARTING SAID LOT 9B AND
RUNNING WITH THE LINES OF SAID LOT 23

1 200.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
2 HAVING A RADIUS OF 260.75 FEET AND A CHORD BEARING AND
3 DISTANCE OF SOUTH 17°00'39" WEST 195.36 FEET TO A POINT;
4 THENCE
5 SOUTH 39°00'39" WEST 20.04 FEET TO A POINT; THENCE
6 358.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
7 HAVING A RADIUS OF 905.00 FEET AND A CHORD BEARING AND
8 DISTANCE OF SOUTH 50°20'39" WEST 355.70 FEET TO A POINT;
9 THENCE
10 SOUTH 61°40'39" WEST 102.79 FEET TO A POINT; THENCE
11 251.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT,
12 HAVING A RADIUS OF 225.00 FEET AND A CHORD BEARING AND
13 DISTANCE OF SOUTH 29°35'39" WEST 239.02 FEET TO A POINT;
14 THENCE
15 SOUTH 02°29'21" EAST 272.12 FEET TO A POINT; THENCE
16 SOUTH 82°37'23" EAST 315.92 FEET TO A POINT; THENCE
17 SOUTH 16°14'58" EAST 275.00 FEET TO A POINT; THENCE
18 SOUTH 65°24'27" EAST 516.84 FEET TO A POINT; THENCE WITH
19 THE LINE OF SAID LOT 23, AND THE TERMINUS LINE OF SYMPHONY
20 WOODS ROAD, A PUBLIC RIGHT-OF-WAY, UNIMPROVED, AS
21 RECORDED IN PLAT BOOK 30, PLAT NO. 45, AND THE SOUTHERN LINE
22 OF LOT 11C, RECORDED IN PLAT BOOK 30, PLAT NO. 45
23 NORTH 79°40'05" EAST 891.63 FEET TO A POINT ON A WESTERN
24 LINE OF LOT 1, COLUMBIA TOWN CENTER, SECTION 5, AREA 4, AS
25 RECORDED IN PLAT NO. 14054; THENCE DEPARTING SAID LOT 11C
26 AND RUNNING WITH THE LINES OF SAID LOT 1
27 SOUTH 08°22'37" WEST 199.80 FEET TO A POINT; THENCE
28 SOUTH 56°51'37" EAST 133.42 FEET TO A POINT; THENCE
29 SOUTH 21°05'06" WEST 924.51 FEET TO A POINT ON THE
30 NORTHERN RIGHT-OF-WAY LINE OF BROKEN LAND PARKWAY, AS
31 RECORDED ON MARYLAND STATE HIGHWAY ADMINISTRATION
32 RIGHT-OF-WAY MAPS 51703, 51704, 51705 & 52147; THENCE
33 DEPARTING SAID LOT 1 AND RUNNING WITH THE RIGHT-OF-WAY OF
34 SAID BROKEN LAND PARKWAY
35 SOUTH 76°02'42" WEST 239.27 FEET TO A POINT; THENCE
36 SOUTH 86°19'11" WEST 75.00 FEET TO A POINT; THENCE
37 NORTH 39°13'05" WEST 86.02 FEET TO A POINT; THENCE
38 SOUTH 86°19'11" WEST 234.41 FEET TO A POINT; THENCE
39 SOUTH 39°28'56" WEST 53.89 FEET TO A POINT; THENCE
40 339.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
41 HAVING A RADIUS OF 536.62 FEET AND A CHORD BEARING AND
42 DISTANCE OF NORTH 77°37'57" WEST 333.45 FEET TO A POINT;
43 THENCE
44 NORTH 60°39'20" WEST 378.19 FEET TO A POINT; THENCE
45 425.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
46 HAVING A RADIUS OF 1,350.00 FEET AND A CHORD BEARING AND

1 DISTANCE OF NORTH 49°20'57" WEST 424.07 FEET TO A POINT;
2 THENCE
3 SOUTH 47°39'26" WEST 33.45 FEET TO A POINT ON THE EASTERN
4 RIGHT-OF-WAY LINE OF BROKEN LAND PARKWAY AS RECORDED IN
5 PLAT NO. 6598; THENCE RUNNING WITH SAID BROKEN LAND
6 PARKWAY
7 346.21 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
8 HAVING A RADIUS OF 1,070.92 FEET AND A CHORD BEARING AND
9 DISTANCE OF NORTH 23°00'44" WEST 344.70 FEET TO A POINT;
10 THENCE
11 NORTH 13°45'03" WEST 972.71 FEET TO A POINT; THENCE
12 524.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
13 HAVING A RADIUS OF 806.47 FEET AND A CHORD BEARING AND
14 DISTANCE OF NORTH 04°52'27" EAST 515.13 FEET TO A POINT; THENCE
15 NORTH 23°29'57" EAST 147.00 FEET TO A POINT; THENCE
16 NORTH 61°35'15" EAST 123.74 FEET TO THE POINT OF
17 BEGINNING CONTAINING 2,843,633 SQUARE FEET OR 65.2808 ACRES,
18 MORE OR LESS.
19
20
21