

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

County Council of Howard County, Maryland

2016 Legislative Session

Legislative day # 1

BILL NO. 2 – 2016 (ZRA – 156)

Introduced by the Chairperson at the request of ATAPCO Howard Square I Business Trust

AN ACT amending the Howard County Zoning Regulations' CAC (Corridor Activity Center) Zoning District to allow for the reduction of the commercial space requirement in residential developments, if determined appropriate by the Department of Planning and Zoning; and generally relating to CAC developments.

Introduced and read first time _____, 2016. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, 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 _____, 2016.

By order _____
Jessica Feldmark, Administrator to the County Council

This Bill was read the third time _____, 2016 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Jessica Feldmark, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2016 at _____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2016.

Allan H. Kittleman, 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 the Howard
2 County Zoning Regulations are hereby amended to read as follows:

3
4 By amending:

5 Section 127.5: “CAC (Corridor Activity Center) District”

6 Subsection E. “Requirements for CAC Development”

7 Number 3 “Requirements for Residential Uses”

8 Letters C and D

9
10
11 **Howard County Zoning Regulations**

12
13 **SECTION 127.5: “CAC (Corridor Activity Center) District”**

14
15 **E. Requirements for CAC Development**

16
17 **3. Requirements for Residential Uses**

18 c. For every dwelling unit that is developed, [[300]] 70 square feet of
19 commercial space must be developed on the site. [[The Director of the
20 Department of Planning and Zoning may, however, reduce the
21 commercial space requirement to 100 square feet per residential unit
22 under the following conditions:

- 23 (1) The site is constrained in terms of size, shape, environmental
24 factors, access, or proximity to existing vicinal commercial
25 development in a manner that limits commercial development
26 potential; or
27 (2) The proposed design includes recreational, public, or non-
28 profit uses on the first floor that benefit and are accessible to
29 the general public.]]

30
31 [[d. Based on documented hardship, the Planning Director may further
32 reduce the commercial space requirement to 70 square feet per acre for
33 parcels that have 800 units or more, provided the criteria listed in b (1)
34 and (2) are used in the evaluation.]]

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D. THE DEPARTMENT OF PLANNING AND ZONING SHALL PERMIT A REDUCTION IN THE COMMERCIAL SPACE REQUIREMENT TO NOT LESS THAN 25 SQUARE FEET PER DWELLING UNIT PROVIDED THAT A FEE OF 50 DOLLARS, OR AS SPECIFIED IN THE FEE SCHEDULE, FOR EACH SQUARE FOOT OF THE TOTAL REDUCTION IN COMMERCIAL SPACE BELOW THE BASELINE 70 SQUARE FEET PER DWELLING UNIT AMOUNT IS PAID INTO A FUND ADMINISTERED BY THE HOWARD COUNTY ECONOMIC DEVELOPMENT AUTHORITY TO PROMOTE COMMERCIAL DEVELOPMENT IN APPROPRIATE LOCATIONS OF THE US ROUTE 1 CORRIDOR, AS ALLOWED UNDER SECTION 26.106 OF THE HOWARD COUNTY CODE.

HOWEVER, FOR CAC DEVELOPMENTS WITH NO FRONTAGE ON US ROUTE 1, THIS FEE MAY BE REDUCED TO 25 DOLLARS, OR AS SPECIFIED IN THE FEE SCHEDULE, FOR EACH SQUARE FOOT OF THE TOTAL REDUCTION IN COMMERCIAL SPACE BELOW THE BASELINE 70 SQUARE FEET PER DWELLING UNIT, INCLUDING A FULL REDUCTION OF THE COMMERCIAL SPACE REQUIREMENT IF THE DEPARTMENT OF PLANNING AND ZONING FINDS BASED ON A MARKET STUDY SUBMITTED BY THE DEVELOPER THAT THE REDUCTION IS NECESSARY FOR THE FINANCIAL VIABILITY OF THE PROJECT.

Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.