

Introduced Feb. 6, 2012
Public hearing Feb. 21, 2012
Council action March 29, 2012
Executive action April 2, 2012
Effective date June 3, 2012

County Council of Howard County, Maryland

2012 Legislative Session

Legislative day # 2

BILL NO. 7 - 2012 (ZRA - 119)

**Introduced by: The Chair at the Request of
Cynthia Lynn and David Lynn**

AN ACT amending the Howard County Zoning Regulations to amend the Conditional Uses Section to establish a new Conditional Use category that allows boutique hotels guest houses under certain conditions; and generally related to boutique hotels.

Introduced and read first time Feb 6, 2012. Ordered posted and hearing scheduled.

By order Stephen M. LeGendre
Stephen 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 Feb 21, 2012, and ~~concluded on _____, 2012.~~

Tabled March 5, 2012

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

This Bill was read the third time March 29, 2012 and Passed , Passed with amendments , Failed .

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

Sealed with the County Seal and presented to the County Executive for approval this 30th day of March, 2012 at 12:00 a.m./p.m.

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

Approved vetoed by the County Executive on April 2, 2012.

Ken Ulman
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 the Howard*
2 *County Zoning Regulations are hereby amended to read as follows:*

3

4 *By renumbering*

5 *Section 131 "Conditional Uses"*

6 *Subsection N. "Conditional Uses and Permissible Zoning Districts"*

7 *~~Numbers 11-58 to be 12-59~~ Numbers 24-58 to be 25-59*

8

9 *By adding:*

10 *Section 131 "Conditional Uses"*

11 *Subsection N. "Conditional Uses and Permissible Zoning Districts"*

12 *A new number ~~11~~25*

13

14

15

Howard County Zoning Regulations

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SECTION 131: Conditional Uses

18

19 N. The Hearing Authority may grant conditional uses in the specified districts in accordance with the
20 following minimum criteria.

21

22 ~~11. BOUTIQUE HOTEL~~

23 ~~———— A CONDITIONAL USE MAY BE GRANTED IN THE R-12 DISTRICT FOR A BOUTIQUE HOTEL,~~

24 ~~———— PROVIDED THAT:~~

25

26 ~~A. THE MINIMUM LOT SIZE SHALL BE 1 ACRE. THE MAXIMUM LOT SIZE SHALL BE 2~~

27 ~~ACRES. THE PARCEL SHALL HAVE FRONTAGE ON AND DIRECT ACCESS TO AN~~

28 ~~ARTERIAL ROAD DESIGNATED IN THE GENERAL PLAN.~~

29

30 ~~B. ACCESSORY LIMITED OUTDOOR SOCIAL ASSEMBLY USES ARE NOT PERMITTED.~~

31 ~~HOWEVER, INDIVIDUAL GUESTS MAY USE OUTDOOR SPACES.~~

32

33 ~~C. THE HEARING AUTHORITY MAY ESTABLISH LIMITATIONS ON THE SIZE AND~~

34 ~~FREQUENCY OF INDOOR EVENTS WITH FOOD AND DRINK.~~

35

36 ~~D. THE FRONT SETBACK FOR PARKING SHALL BE THE SAME AS THE FRONT SETBACK~~

1 FOR STRUCTURES.

2
3 ~~E. THE OWNER OF THE BOUTIQUE HOTEL SHALL RESIDE ON THE PROPERTY. THE~~
4 ~~HEARING AUTHORITY MAY PERMIT THE OWNER TO RESIDE OFF-SITE AND ALLOW~~
5 ~~A SPECIFIC OWNER'S AGENT IF THE HEARING AUTHORITY FINDS THAT SUCH AN~~
6 ~~ARRANGEMENT WILL ENSURE THAT THE USE WILL BE PROPERLY MAINTAINED~~
7 ~~AND MANAGED IN ACCORDANCE WITH ALL CRITERIA AND CONDITIONS.~~

8
9 ~~F. THE MAXIMUM FLOOR AREA RATIO ("FAR") FOR THE BOUTIQUE HOTEL SHALL~~
10 ~~BE 0.5 FAR.~~

11
12 ~~G. THE USE SHALL HAVE A MINIMUM OF 15 HOTEL ROOMS AND A MAXIMUM OF 20~~
13 ~~HOTEL ROOMS.~~

14
15 ~~H. ON-SITE HOTEL PARKING MUST MEET MINIMUM PARKING REQUIREMENTS FOR~~
16 ~~HOTEL AND MOTEL USES, ALTHOUGH THE HEARING AUTHORITY MAY REQUIRE~~
17 ~~ADDITIONAL PARKING SPACES. THERE SHALL BE NO OFF-SITE AND VALET~~
18 ~~PARKING.~~

19
20 ~~I. MEALS MAY BE SERVED, HOWEVER, THERE SHALL BE NO PUBLIC RESTAURANT~~
21 ~~USE.~~

22
23 ~~J. THERE SHALL BE NO NEW BOUTIQUE HOTEL APPROVED ON ANY PROPERTY~~
24 ~~LOCATED WITHIN 1,000 FEET OF A PROPERTY WITH AN EXISTING APPROVED~~
25 ~~BOUTIQUE HOTEL.~~

26 25. GUEST HOUSE

27 A CONDITIONAL USE MAY BE GRANTED IN THE R-12 DISTRICT FOR A GUEST HOUSE,
28 PROVIDED THAT:

29
30 A. THE MINIMUM LOT SIZE SHALL BE 1 ACRE. THE MAXIMUM LOT SIZE SHALL BE 2
31 ACRES. THE PARCEL SHALL HAVE FRONTAGE ON AND DIRECT ACCESS TO AN
32 ARTERIAL ROAD DESIGNATED IN THE GENERAL PLAN.

33
34 B. ACCESSORY LIMITED OUTDOOR SOCIAL ASSEMBLY USES ARE NOT PERMITTED.
35

1 C. THE HEARING AUTHORITY SHALL ESTABLISH LIMITATIONS ON THE SIZE AND
2 FREQUENCY OF INDOOR EVENTS WITH FOOD AND DRINK, CONSIDERING THE SIZE,
3 DESIGN AND LOCATION OF THE FACILITY IN RELATION TO NEIGHBORING
4 PROPERTIES. THE GUEST HOUSE SHALL POST RULES TO PREVENT GUEST NOISE
5 FROM DISTURBING NEIGHBORS.

6
7 D. THE HEARING AUTHORITY SHALL ESTABLISH LIMITATIONS ON THE HOURS FOR
8 TRASH COLLECTION AND DELIVERIES.

9
10 E. THE FRONT SETBACK FOR PARKING SHALL BE THE SAME AS THE FRONT SETBACK
11 FOR STRUCTURES.

12
13 F. THE OWNER OF THE GUEST HOUSE SHALL RESIDE ON THE PROPERTY. THE
14 HEARING AUTHORITY MAY PERMIT THE OWNER TO RESIDE OFF-SITE AND ALLOW
15 A SPECIFIC OWNER'S AGENT IF THE HEARING AUTHORITY FINDS THAT SUCH AN
16 ARRANGEMENT WILL ENSURE THAT THE USE WILL BE PROPERLY MAINTAINED
17 AND MANAGED IN ACCORDANCE WITH ALL CRITERIA AND CONDITIONS.

18
19 G. THE MAXIMUM FLOOR AREA RATIO ("FAR") FOR THE GUEST HOUSE SHALL BE
20 0.5 FAR.

21
22 H. THE USE SHALL HAVE A MINIMUM OF 15 GUEST ROOMS AND A MAXIMUM OF 19
23 GUEST ROOMS.

24
25 I. ON-SITE PARKING SHALL MEET, BUT NOT EXCEED, MINIMUM PARKING
26 REQUIREMENTS FOR HOTEL AND MOTEL USES. PARKING SHALL BE LIMITED TO
27 APPROVED PAVED PARKING SPACES AND THERE SHALL BE NO OFF-SITE OR VALET
28 PARKING.

29
30 J. MEALS MAY BE SERVED, HOWEVER, THERE SHALL BE NO PUBLIC RESTAURANT
31 USE.

32
33 *Section 2. Be it further enacted by the County Council of Howard County, Maryland,*
34 *that the Director of the Department of Planning and Zoning is authorized to publish this*
35 *Act, to correct obvious errors in section references, numbers and references to existing*

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law, capitalization, spelling, grammar, headings and similar matters.

Section 3. 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.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 2, 2012.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2012.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2012.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2012.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2012.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2012.

Stephen M. LeGendre, Administrator to the County Council