

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

County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 4

BILL NO. 16 – 2010 (ZRA – 118)

**Introduced by: The Chair
at the request of MDG Companies**

AN ACT amending the Howard County Zoning Regulations' CE (Corridor Employment) Zoning District to allow for an increase in commercial uses within office buildings, hotels or parking structures; allow banks to have two drive through lanes in certain circumstances; allow restaurant, fast food with a drive-through in certain circumstances; establishing a minimum setback from the Route 1 right-of-way; and generally relating to the CE Zoning District.

Introduced and read first time _____, 2010. 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 _____, 2010 and concluded on _____, 2010.

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

This Bill was read the third time _____, 2010 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 _____, 2010 at _____ a.m./p.m.

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

Approved/vetoed by the County Executive on _____, 2010.

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 C
2 “Commercial Uses Permitted With Limitations” and Number 2 “Minimum setbacks for
3 development complying with the Route 1 Manual standards”, of Subsection E “Bulk
4 Regulations”, of Section 127.2 “CE (Corridor Employment) District” of the Howard County
5 Zoning Regulations are hereby amended to read as follows:

6
7
8 **Howard County Zoning Regulations**

9
10 **SECTION 127.2: CE (Corridor Employment) District**

11
12 **C. Commercial Uses Permitted With Limitations**

- 13
14 1. Commercial uses within office buildings, hotels or parking structures
- 15
16 a. The uses below are permitted as a matter of right in any building used primarily
17 for offices or parking and having at least two stories. The cumulative floor area
18 of these uses shall not exceed ~~[[15]]~~ 20 percent of the floor area of the building.
- 19
20 b. The maximum floor area for these uses may increase to ~~[[20]]~~ 25 percent of each
21 office building or parking structure having at least four stories and within a route
22 one corridor development project.
- 23
24 c. The maximum floor area for these uses may increase to 50 percent of a
25 multistory office building located on a shallow parcel that cannot be reasonably
26 combined with adjoining parcels to create a significantly larger redevelopment
27 site due to adjoining environmental features, existing land use or public roads.
28 The parcel shall:
- 29 (1) Exist on April 13, 2004, the effective date of Council Bill 75 - 2003; and
30 (2) Have a developable area based on zoning and subdivision regulations
31 that is within 300 feet of the Route 1 right-of-way.
32

- 1 d. The following uses are permitted in multi-story office, hotel or parking
2 structures:
- 3 (1) Athletic centers, health clubs, tennis clubs and similar uses.
 - 4 (2) Banks, savings and loan associations, investment companies, credit
5 bureaus, brokers and similar financial institutions with a maximum of
6 one drive through lane having no more than four stacking spaces,
7 PROVIDED, HOWEVER, THAT TWO DRIVE THROUGH LANES MAY BE
8 PERMITTED IF THEY ARE INTEGRAL TO THE BUILDING AND ARE NOT
9 VISIBLE FROM US 1.
 - 10 (3) Blueprinting, printing, duplicating or engraving services.
 - 11 (4) Laundry and dry cleaning establishments without delivery services.
 - 12 (5) Personal service establishments such as barber shops, beauty shops,
13 opticians, photographers, tailors.
 - 14 (6) Pizza delivery services and other services for off-site delivery of
15 prepared food.
 - 16 (7) Restaurants, carryout, including incidental delivery services.
 - 17 (8) Restaurant, fast food without a drive-through UNLESS THE DRIVE-
18 THROUGH LANE IS ENCLOSED AND INTEGRAL TO THE STRUCTURE, AND IS
19 NOT VISIBLE FROM US 1.
 - 20 (9) Restaurants, standard, and beverage establishments, including those
21 serving beer, wine and liquor for consumption on premises only.
 - 22 (10) Retail establishments, limited to convenience stores, food stores, drug
23 and cosmetic stores, liquor stores and specialty stores.
 - 24 (11) Service agencies such as real estate agencies, insurance agencies,
25 security services, messenger services, computer services, travel agencies,
26 mailing services.

27
28 2. Commercial Uses In Freestanding Buildings
29

- 30 a. Within any Route 1 Corridor development project having at least 20 gross acres
31 of land in the CE district, the businesses listed below are permitted as the sole or
32 primary users of a building. The cumulative floor area of all buildings occupied
33 by these uses shall not exceed 500 square feet per acre of CE-zoned land within

1 the development. These freestanding commercial buildings are allowed in
2 addition to the commercial uses within office buildings addressed above.

3
4 (1) Development of freestanding commercial uses shall be phased with the
5 development of other CE permitted uses within the project so that at no
6 time shall the floor area of freestanding commercial uses exceed 25
7 percent of the total floor area of other CE uses either constructed or
8 being constructed pursuant to approved site development plans.

9
10 (2) Uses Permitted As A Matter Of Right:

- 11 (a) Banks, savings and loan associations, investment companies,
12 credit bureaus, brokers and similar financial institutions.
- 13 (b) Child day care centers.
- 14 (c) Restaurants, carryout, including incidental delivery services.
- 15 (d) Restaurant, fast food, without a drive-through.
- 16 (e) Restaurants, standard, and beverage establishments, including
17 those serving beer, wine and liquor for consumption on premises
18 only.

19
20 b. Athletic Centers are permitted on lots that do not have any frontage on Route 1
21 and which have a developable area no portion of which s within 1000 feet of the
22 Route 1 right-of-way. [Council Bill 16-2008 (ZRA-94) Effective 6/9/08]

23
24 **E. Bulk Regulations**

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

26
27 2. Minimum setbacks for development complying with the Route 1 Manual standards
28 [Council Bill 3-2009 (ZRA 104) Effective 4/9/09]

29
30 The following minimum setback requirements apply to sites that comply fully with the
31 CE zoning regulations and the Route 1 Manual's requirements:

32
33 a. From External Public Street Right-Of-Way:

34 (1) All structures and uses, except those listed in (2) [[and]], (3) AND (4) 20 feet

- 1 (2) Parking, loading docks, outdoor storage, dumpsters and fencing
- 2 used to enclose or screen these uses 40 feet
- 3 (3) Amenity Areas 0 feet
- 4 (4) FROM ROUTE 1 RIGHT-OF-WAY 10 FEET
- 5
- 6 b. From Internal Public Street Right-Of-Way:
- 7 (1) All structures and uses, except those listed in (2), (3) and (4)..... 10 feet
- 8 (2) Parking, except truck parking 20 feet
- 9 (3) Truck parking, loading docks, outdoor storage areas, dumpsters,
- 10 and fencing used to enclose or screen these uses..... 40 feet
- 11 (4) Amenity Areas 0 feet
- 12
- 13 c. From Residential Districts
- 14 (1) For manufacturing, processing and assembly uses, communication
- 15 towers, and any other uses that have truck parking areas, loading docks
- 16 or outdoor storage areas:
- 17
- 18 All structures and uses..... 100 feet
- 19 (2) For all other uses:
- 20 (a) Structures and uses 30 feet
- 21 (b) Except parking, driveways, dumpsters and fencing used
- 22 to enclose or screen these uses..... 50 feet
- 23 (3) If a residential district is separated from the CE district by a public street
- 24 right-of-way, only the setbacks from a public street right-of-way shall
- 25 apply.
- 26
- 27

28 ***Section 2. And be it further enacted by the County Council of Howard County, Maryland, that***
 29 ***the provisions of this act shall become effective 61 days after enactment.***

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