

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

County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 3

BILL NO. 7 – 2010 (ZRA – 122)

**Introduced by: The Chair
at the request of Forest Venture II, LLC**

AN ACT amending the Howard County Zoning Regulations to permit residential dwelling units in the B-1 and B-2 zoning districts ~~to comprise up to a maximum of 50 percent of the floor area of a structure provided the dwelling units are located above the first floor level;~~ as a conditional use, under certain circumstances; and generally relating to residential uses in the B-1 and B-2 zoning districts.

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.
~~Strikethrough~~ 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 B~~
2 ~~“Uses Permitted as a Matter of Right”, of Section 118 “B-1 (Business: Local) District”, and~~
3 ~~Subsection B “Uses Permitted as a Matter of Right”, of Section 119 “B-2 (Business: General) of~~
4 ~~the Howard County Zoning Regulations are hereby amended to read as follows:~~

5 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that Subsection E
6 “Conditional Uses”, of Section 118 “B-1 (Business: Local) District”, Subsection E “Conditional
7 Uses”, of Section 119 “B-2 (Business: General), and Subsection N “Conditional Uses and
8 Permissible Zoning Districts”, of Section 131 “Conditional Uses” of the Howard County Zoning
9 Regulations are hereby amended to read as follows:

10
11
12 **Howard County Zoning Regulations**

13
14 **SECTION 118: B-1 (Business: Local) District**

15 **A. Purpose**

16
17 The B-1 District is established to provide areas of local business that can directly serve the general public
18 with retail sales and services.

19
20 ~~**B. Uses Permitted as a Matter of Right**~~

21
22 37. ~~[[One dwelling unit]] DWELLING UNITS [[per business establishment within the same~~
23 ~~structure,]] provided the dwelling [[unit does]] UNITS DO not exceed 50 percent of the floor~~
24 ~~area of the structure AND ARE LOCATED ABOVE THE FIRST LEVEL.~~

25
26 **E. CONDITIONAL USES**

27 6. RESIDENTIAL /COMMERCIAL BUILDINGS

28 Renumber the remainder of the section accordingly.

29
30
31 **SECTION 119: B-2 (Business: General) District**

32 ~~**B. Uses Permitted as a Matter of Right**~~

1
2 62. ~~[[One dwelling unit]] DWELLING UNITS [[per business establishment within the same~~
3 ~~structure,]] provided the dwelling [[unit does]] UNITS DO not exceed 50 percent of the floor~~
4 ~~area of the structure AND ARE LOCATED ABOVE THE FIRST LEVEL.~~

5
6 E. **CONDITIONAL USES**

7 7. **RESIDENTIAL /COMMERCIAL BUILDINGS**

8 Renumber the remainder of the section accordingly.

9
10 **SECTION 131: CONDITIONAL USES**

11
12 N. **CONDITIONAL USES AND PERMISSIBLE ZONING DISTRICTS.**

13
14 40. **RESIDENTIAL/ COMMERCIAL BUILDINGS**

15
16 A CONDITIONAL USE MAY BE GRANTED IN THE B-1 AND B-2 DISTRICTS FOR
17 RESIDENTIAL/COMMERCIAL BUILDINGS, PROVIDED THAT:

18
19 A. **THE SITE IS AT LEAST 5 ACRES BUT NOT MORE THAN 15 ACRES.**

20
21 B. **THE SITE HAS FRONTAGE ON AND DIRECT ACCESS TO A COLLECTOR OR**
22 **ARTERIAL ROAD DESIGNATED IN THE GENERAL PLAN.**

23
24 C. **ONE SQUARE FOOT OF RESIDENTIAL SPACE IS PERMITTED FOR EACH SQUARE**
25 **FOOT OF COMMERCIAL SPACE AND MUST BE LOCATED WITHIN THE SAME**
26 **STRUCTURE.**

27
28 D. **ALL RESIDENTIAL UNITS SHALL BE LOCATED ABOVE THE FIRST FLOOR.**

1 E. THE SITE ADJOINS A RESIDENTIALLY ZONED DISTRICT NOT SEPARATED BY A
2 PUBLIC STREET.

3
4 F. APPROPRIATE LANDSCAPE BUFFERING FROM ADJACENT LAND-USES SHALL BE
5 PROVIDED.

6
7 G. PROPOSED RESIDENTIAL/COMMERCIAL BUILDINGS SHALL BE COMPATIBLE
8 WITH ON AND OFF SITE COMMERCIAL DEVELOPMENT.

9 Renumber the remainder of the section accordingly.

10
11 *Section 2. And be it further enacted by the County Council of Howard County, Maryland, that*
12 *the provisions of this act shall become effective 61 days after enactment.*

13