

COMPREHENSIVE ZONING PLAN

FOR HOWARD COUNTY, MARYLAND
AS ADOPTED BY THE ZONING BOARD

OCTOBER 3, 1977

SECOND PRINTING

Without amendments



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SECTION 100
GENERAL PROVISIONS

A. Legislative Intent

These Zoning Regulations and maps are being enacted for the purpose of preserving and promoting the health, safety and welfare of the community.

It is the intention of the Zoning Board to guide the future growth and development of the County in accordance with a comprehensive plan of land use and population density that represents the most beneficial and convenient relationships among the residential, non-residential, and public area within the County considering the suitability of each area for such uses, as indicated by existing conditions, trends in population and mode of living, and future requirements and considering such conditions, trends, and requirements, both within the County and in relationship to areas outside thereof:

1. To provide adequate light, air and privacy; to secure safety from fire and other danger, and to prevent over-crowding of the land and undue congestion of population;
2. To protect the character and the social and economic stability of all parts of the County; to guide the orderly growth and development of the County, and to protect and conserve the value of land and buildings appropriate to the various land use classes established by the General Plan for Howard County and these comprehensive zoning regulations;
3. To promote the most beneficial relationship between the uses of land and buildings, and the street system which serves these uses, having particular regard to the potential, amount, and intensity of such land and building uses in relationship to the traffic capacity of the street system, so as to avoid congestion in the streets, and to promote safe and convenient vehicular and pedestrian traffic movements appropriate to the various uses of land and buildings throughout the County;
4. To provide a guide for public action in the orderly and efficient provision of public facilities and services, and for private enterprise in building development, investment, and other economic activity relating to uses of land and buildings throughout the County.

5. To provide an adequate housing choice in a suitable living environment within the economic reach of all citizens.
6. To provide open space designed to protect the scenic beauty and natural features of the County as well as to provide recreation space.
7. To preserve agricultural land.

B. Zoning Districts

For the purposes set forth above, Howard County is hereby divided into the following districts:

- R - Rural
- R-20 - Residential Single
- R-12 - Residential Single
- R-SC - Residential Single Cluster
- R-SA - Residential Single Attached
- RA-1 - Garden Type Apartments
- R-MH - Residential Mobile Home
- POR - Planned Office Research
- PM - Planned Mercantile
- B-1 - Business, Local
- B-2 - Business, General
- SC - Shopping Center
- M-1 - Manufacturing, Light
- M-2 - Manufacturing, Heavy
- ID - Industrial Development
- NT - New Town

C. District Maps

The zoning districts shall be of the number, size and shape as shown on the zoning map of Howard County and said map with the necessary symbols, legends, and dimensions is hereby made a part of these regulations. As evidence of the authenticity of said map, it shall be signed by the Zoning Board of Howard County upon the adoption of these regulations.

D. Severability Clause

Should any section or provision of these regulations or maps be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations or maps or any part thereof other than the part declared to be unconstitutional or invalid.

E. Construction and Effective Date

These regulations upon enactment shall be the sole Zoning Regulations of Howard County. The provisions of these regulations are minimum requirements and shall be in addition to any other requirements of law. Where higher standards are required by other regulations, the higher standards shall apply unless the particular provision of these regulations expressly provides otherwise, except that the requirements of the Zoning Regulations adopted May 16, 1961, with respect to the bulk regulations shall apply to any lot described in a deed recorded in the Land Records of Howard County, Maryland, or on a Subdivision Plat approved and recorded no later than fifteen (15) days after the enactment of these Regulations, and unable to fulfill minimum requirements to these Regulations.

SECTION 101
RULES OF CONSTRUCTION

The following rules of construction apply to the text of these regulations:

1. The particular shall control the general.
2. In case of any difference of meaning or implication between the text of these regulations and any caption, illustration, summary table or illustrative table, the text shall control.
3. The words "shall" or "may not" are always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural; and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
7. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions "and," "or," or "either...or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - c. "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
9. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
10. All terms defined under various sections of the County Building Code, where occurring in these regulations, shall have the meanings specified in the Building Code except where specifically defined in these regulations however, in case of a conflict, the more restrictive shall apply.

11. All terms defined under various sections of the County Subdivision and Land Development Regulations, where occurring in these regulations, shall have the meanings specified in those Regulations, except where specifically defined in these regulations; however, in case of a conflict, the more restrictive shall apply.
12. The word "State" means the State of Maryland. The word "County" means the County of Howard County, State of Maryland; and the term "County boundary" means any exterior boundary of the County or any boundary of incorporated territory within the County.
13. The terms "County Council," "Zoning Board," "County Executive," "Board of Appeals," "Director of Planning," "Zoning Enforcement Officer," "Planning Board," "County Solicitor," "Director of Public Works," "Fire Administrator," "Director of Recreation and Parks," "Board of Education," and "County Health Officer" mean the respective council, boards and officers of Howard County.
14. All uses are prohibited unless specifically enumerated as a use permitted as a matter of right or as an accessory use in the various districts as provided by these regulations.

SECTION 102
AMENDMENTS

Applications for an amendment to the zoning map or to the text of these regulations shall be filed and processed in accordance with the Zoning Enabling Act (Subtitle 2 of Title 16 of the Howard County Code) and the Rules of Procedure of the Zoning Board.

SECTION 103
VIOLATIONS, ENFORCEMENT, AND PENALTIES

A. VIOLATIONS

Any building erected, constructed, altered, enlarged, converted, moved or used contrary to any of the provisions of these regulations, and any use of any land or any building which is conducted, operated or maintained contrary to any of the provisions of these regulations, shall be, and the same is hereby declared to be unlawful.

B. ENFORCEMENT

Upon becoming aware of any violation of these regulations, the Office of Planning and Zoning may institute an injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove such erection, construction, alteration, enlargement, conversion or use in violation of any of the provisions of these regulations.

The Office of Planning and Zoning shall serve notice personally, or by registered mail addressed to the premises of such violation, or to the person or corporation committing or permitting the same, or by posting on the premises, to cease and desist the violation and, if such violation does not cease within ten (10) days or in such reasonable time as the Office of Planning and Zoning may specify, the Office shall take such action as may be necessary to terminate the violation.

Any person who is specially damaged by an alleged violation of these regulations may request in writing that the Office of Planning and Zoning issue a Cease and Desist Order. If the Office does not issue such a notice within sixty (60) days of receiving the written request, such failure shall be considered to be a final decision of the Office that the alleged violation does not exist, and the complaining person shall have a right to appeal such decision to the Board of Appeals. If such an appeal is taken, the Office of Planning and Zoning shall send a copy of the petition to the owner and occupant of the premises.

The remedies provided for herein are cumulative and not exclusive, and shall be in addition to any other remedies provided by law.

C. PENALTIES

Failure to comply with a Cease and Desist Order issued pursuant to Subsection B shall be a misdemeanor punishable by a fine not to exceed One Hundred Dollars (\$100.00). Every day that such violation continues shall be a separate offense.

SECTION 104
DEFINITIONS

- A. Except as provided for in Section 101 herein, terms used in these regulations shall have the definition provided in any standard dictionary, except the following terms:
1. Abandonment: The voluntary evacuation of a use for a continuous period of at least twelve months, either by completely vacating the lot or by transferring to another use permitted only in a more restricted zoning district.
 2. Access, Direct: Access from a proposed development to a major road which does not pass through any development of a density or intensity less than that of the proposed development. For these purposes, commercial and industrial uses shall be deemed to be of a higher intensity than any residential use.
 3. Accessory Use or Structure:
 - a. A use or structure situated on the same lot as the principal use or structure to which it is related (whether located within the same or an accessory building or other structure, or an accessory use of land), except that, where specifically provided in the applicable regulations, accessory off-street parking or loading facilities need not be located on the same lot, or
 - b. A use or structure which is clearly incidental to, and customarily found in connection with such principal use, or
 - c. A use or structure subordinate in area, floor area, intensity, extent and purpose to the principal use, or
 - d. A use or structure either in same ownership as such principal use, or operated and maintained on the same lot substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use. When the word "accessory" is used in the text, it shall have the same meaning as "accessory use."

4. Acre, Net: An acre of land not to include any land in 100 year floodplain or land with slopes of twenty-five percent or greater.
5. Alterations, Incidental: All changes or replacements in the non-structural parts of a building or other structure, without limitation to the following examples; and changes or replacements in the structural parts of a building or other structure, limited to the following examples and others of similar character or extent:
 - a. alteration of interior partitions to improve livability in a residential building, provided that no additional dwelling units are created thereby;
 - b. a minor addition on the exterior of a residential building to provide an open porch or similar structure;
 - c. alteration of interior partitions in all other types of buildings or other structures;
 - d. making windows or doors in exterior walls;
 - e. increasing the load-bearing capacity in not more than ten percent of the total floor area to permit the accommodation of a specialized unit of machinery or equipment;
 - f. replacement of, or minor changes in, the capacity of utility pipes, ducts or conduits.
6. Ambulatory Health Care Facilities includes, but is not limited to, the following:
 - a. Health Maintenance Organizations
 - b. Out-Patient Clinics
 - c. Diagnostic Centers
 - d. Ambulatory surgical facilities
 - e. Physician offices
 - f. Public Health Clinics
 - g. Community Mental Health Centers
- 6.5 Animal Hospital: A building used by a licensed veterinarian solely for the practice of veterinary medicine, not as a kennel.

7. Apartment House: See "Dwelling, Garden Apartment."
8. Approved Street (Public or Private): Any street dedicated and accepted by Howard County; or any street approved at any time by the Office of Planning and Zoning. The word "street" shall include the words "road," "highway," "boulevard," "avenue," and similar terms as defined in the Subdivision and Land Development Regulations.
9. Architectural Drawing: The plans and specifications showing the design and construction of all structures which require a building permit.
10. Architectural Rendering: A drawing showing the exterior of a building and the site as a pictorial representation of the finished building ready for occupancy, as it relates to its site and site plan.
11. Automobile Gasoline Service Station: A facility limited to retail sales to the public, on the premises, of gasoline, motor oil, lubricants, motor fuels, travel aids, minor automobile accessories and minor automobile servicing, minor repairs and maintenance, but not including engine rebuilding or reconditioning of motor vehicles, collision services such as body, frame or fender straightening and repair, or overall painting of automobiles.
12. Boarding house: A building other than a hotel or motel in which, for compensation, lodging or meals or both, are furnished to more than four but less than twenty guests. A boarding house shall not be deemed a home occupation.
13. Buildable Area: The portion of a lot remaining after required easements and setbacks, from lot lines and/or from the 100-year flood plain, have been provided.
14. Building: Any structure or construction of any kind, including signs, accessory buildings, additions or extensions; provided, however, that any fence not more than three feet in height, and open fences such as wire, post and rail, or paddock fence not more than five feet in height, shall not be considered a building.

15. Building Area: The maximum horizontal projected area of a building and its accessory buildings.
16. Building Group: A group of two or more main buildings and any buildings accessory thereto, occupying a single lot.
17. Building, Height of: The vertical distance from the average grade adjoining the walls of the building to the average of the highest points of a roof surface of a flat roof; and to the deck line of a mansard roof; and the mean height level between eaves and ridge for a gable, hip or gambrel roof.
18. Building Restriction Line: A line drawn parallel to a lot line at a distance equal to the depth of a required setback.
19. Building, Main: The building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which the same is located if the lot is used primarily for residential purposes.
20. Building Profile: A drawing showing the maximum horizontal and vertical limits of the building.
21. Cemetery: A place used for the permanent interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for incinerary interments, or a combination thereof.
22. Commercial Use: Any use involving in part or in whole the sale of merchandise, materials or services, but not including home occupations as defined in this section.
23. Commercial Vehicle: Every motor vehicle and every trailer or semi-trailer designed and used for carrying freight or merchandise; and every motor vehicle or semi-trailer used for carrying freight or merchandise in the furtherance of any commercial enterprise.
24. Convalescent Home: This term includes rest homes, nursing homes, convalescent homes for children, and homes providing chronic and convalescent care. It does not include a "care home" as defined by the Maryland State Health Department, which merely provides board, shelter and personal services in a protective environment for persons not gainfully employed.

25. Criteria: New Town text material accompanying map of Final Development Plan.
26. Day Care Center: A State or County-licensed home, center, agency, school, church or facility where five (5) or more children not of the same parentage are received for care, apart from their parents, whether for compensation or otherwise, during part or all of the day and night on a regular schedule more than once a week.
27. Depth of Lot: The mean horizontal distance between the front lot line and rear lot line of a lot.
28. Detached Building: A building surrounded by yards or other open area on the same lot.
29. Development, or "To Develop": The construction of a new building or other structure on a lot; the relocation of an existing building on another lot; the use of a tract of land, including frontage along an existing street or highway, into two or more lots.
30. Development Agent: Any person who represents, or acts for or on behalf of, a residential developer, in selling, leasing or developing, or offering to sell, lease or develop any interest, lot, plot, parcel, site or unit for residential development use, except an attorney at law whose representation of another person consists of rendering legal services.
31. Dwelling: A building or portion thereof which provides living facilities for one family. As used herein, the term "dwelling" or any combination thereof shall not be deemed to include hotel, rooming house, motel, club house, hospital, or other accommodations used for more or less transient occupancy.
32. Dwelling, Garden Apartment: One of a series of two or more attached dwelling units separated from one another by continuous horizontal floors but not exceeding three stories.
33. Dwelling, Single-Family Attached: One of a series of two or more attached dwelling units separated from one another by continuous vertical party walls.
34. Dwelling, Single-Family Detached: A building containing only one dwelling unit surrounded by open area.

35. Dwelling, Single-Family Semi-Detached: One of two attached dwelling units separated from one another by a vertical party wall.
36. Dwelling, Two-Family: A building arranged or used for occupancy by two families constructed as one building and under single ownership.
37. Dwelling Unit: One or more rooms in a residential building or in a mixed building, which are arranged, designed, used or intended for use by one family, for living and sleeping purposes, and having only one kitchen or kitchenette.
38. Family
 - a. A single person occupying a dwelling and maintaining a household, or
 - b. Two or more persons related by blood, marriage or adoption, occupying a dwelling, living together, and maintaining a common household, or
 - c. Not more than eight unrelated persons occupying a dwelling, living together, and maintaining a common household.
39. Farming: This term shall mean the use of land for agricultural purposes, including dairying, pasturage, agriculture, apiaries, horticulture, floriculture, viticulture and animal and poultry husbandry, and the necessary accessory uses for packing, processing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities; and provided further, that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals. The breeding, raising, training and general care of livestock for uses other than for food, such as sport or show purposes, as pets, or for family recreation, shall be considered a normal farming function, but kennels are excluded from this definition.
40. Fast Food Restaurant: Facilities which sell food and beverage over the counter in a self-service manner.
41. Floor Area: The sum of the areas of the several floors of the structure(s) as measured by the exterior faces of the walls, less any area within the structure(s) devoted to parking, vehicular driveways, atria or enclosed malls and similar areas.
42. Frontage: The length of the front lot line of a lot abutting on an approved private or public street, road or highway.

43. Garden Apartment: See "Dwelling, Garden Apartment"
44. Gasoline Station: See "Automobile Gasoline Service Station"
45. General Plan: The latest adopted or amended General Plan for Howard County. The General Plan includes: A Land Use Plan; The Major Thoroughfare Plan; The Park and Open Space Plan; The Water and Sewer Plan; The Solid Waste Disposal Plan; The School Plan; A Community Facilities Plan which includes provisions for library service, fire service, police service and County Government facilities and space needs; and a plan for historic buildings and sites.
46. Grade: The level from which the height of a building is measured, as defined herein.
47. Ground Area of a Building: The number of square feet of horizontal surface covered by a building, including covered porches and accessory buildings. All measurements shall be made between exterior faces of walls, foundations, piers, or other means of support.
48. Historic District: An area in the County which has significant historic or architectural value, the boundaries of which have been established by the County Council.
49. Historic Structure: A building or cluster of buildings situated within the County but outside of an Historic District, which together with its appurtenances and environmental setting, have significant historic or architectural value, and have been so designated by Resolution of the County Council.
50. Home Care: The keeping during part of the day of not more than four children in the residence of a person who is licensed by the State to provide such service. Home care is deemed to be a home occupation.
51. Home Occupation: An accessory use, which:
 - a. is clearly incidental to or secondary to the residential use of a dwelling unit; and
 - b. is customarily and traditionally carried on within a dwelling unit by one or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one person not residing in such dwelling unit may be employed; and
 - c. in connection with which no commodity is kept for sale on the premises; and

- d. occupies not more than twenty-five percent of the total floor area of such dwelling unit, and in no event more than five hundred square feet of floor area, and shall be confined to one floor; and
 - e. does not have any exterior evidence, other than a permitted sign, to indicate that the building is being used for any purpose other than that of a dwelling; and
 - f. Does not require a special exception.
52. Hospital: Any institution, including a sanatorium, which maintains and operates facilities for overnight care and treatment of two or more nonrelated persons as patients suffering mental or physical ailments, but not including any dispensary of first aid treatment facilities maintained by a commercial or industrial plant, educational institution, convent or nursing home, as previously defined.
53. Hotel: Any building or portion thereof which contains guest rooms designed or intended to be used, let or hired out for occupancy by twenty or more individuals for compensation.
54. Illegal Use: Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of these regulations has been committed or shall exist.
55. Kennels:
- a. Commercial kennels shall include any animal boarding place or other establishment for the commercial breeding of dogs and/or cats, or the boarding, grooming, sale or training of dogs and/or cats for which a fee is charged.
 - b. Non-commercial kennels shall be defined as any establishment where four or more dogs are kept within or adjoining a private residence for the non-commercial purpose of hunting or exhibition in shows or field trials or obedience training. Surplus offspring bred at such kennels to enhance or perpetuate any given breed may be sold by such kennels and shall not be considered a commercial activity for the purpose of this section.
56. Lot: A parcel of land or portion of a recorded subdivision intended for building development, whether immediate or future, upon which only one principal residential structure is permitted. The provision of one principal residential structure per lot does not apply to apartment and non-residential developments.
57. Lot Size, Minimum: The size of a lot, not including the area of land in the 100 year floodplain or land of twenty-five percent slope or greater. However, in the R District, up to 50% of the land either in the 100 year floodplain or land of 25% slope or greater may be included in computing minimum lot size.

58. Lot Coverage: That portion of a lot which, when viewed directly from above, would be covered by a building or any part of a building. However, any portion of such building covered by a roof which qualifies as open space shall not be included in lot coverage.
59. Medical or Dental Clinics: Any building or group of buildings occupied by two or more medical or dental practitioners for the purpose of providing health services to people on an out-patient basis. See also "Hospital", "Sanitorium", and "Nursing Home."
60. Mobile Home: A portable housing unit designed and constructed for permanent residential purposes, without a permanent foundation, which unit has a provision for connection with water, sewer, electricity and other public utilities; it may contain parts which may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity, or it may consist of two or more separately towable or portable components designed and constructed to be joined into one integral housing unit and capable of subsequent separation into components for repeated towing. Travel trailers, motorized homes, pickup coaches, and camping trailers shall not be considered as mobile homes for the purposes of this subtitle.
61. Mobile Home Park: Any lot, parcel or tract of land, together with open spaces required by these regulations, used, designed, maintained or held out to accommodate mobile homes, including all buildings, structures, intended as equipment of such mobile home park, whether or not a charge is made for the use of the park and/or its facilities. A mobile home park does not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for inspection and sale. A mobile home park provides for the permanent or long-term location of mobile homes to be occupied as residences.
62. Motel: A building or group of buildings which contains living or sleeping accommodations used only for transient occupancy.

63. Nursing Home: Rest or care homes, convalescent homes and homes for the aged devoted primarily to the maintenance and operation of facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but who do require care in excess of room and board and who need medical, nursing, convalescent or chronic care. Such institutions include those for the treatment and care of mental patients, alcoholics and drug addicts.

64. Open Space: A separate lot reserved or dedicated for common use and which is:

- a. open and unobstructed from its lowest level to the sky, except as provided below; and
- b. held for the common use of the public or of persons residing in the particular locality within the neighborhood for park, school, recreation or environmental purposes.

Roofed area for open space uses may be included to a total of not more than ten percent of the open space area. Parking area may be included if its primary purpose is to accommodate open space uses.

65. Parking Area: An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto.

66. Parking Garage: A building occupied by a public, community, commercial or private establishment providing space for the temporary storage of six or more automobiles and other vehicles, for a consideration, where service or repair facilities are not permitted. A parking garage shall not be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

67. Parking Lot: An open lot serving the functions defined above for a parking garage.

68. Parking Space: An off-street space available for the parking of one motor vehicle on a transient basis and having a minimum width of ten feet, except that for parallel side parking adjacent to an ingress and egress way, the width shall be eight feet, and an area of not less than two hundred square feet, exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having direct usable access to the street.

69. Principal Use or Structure: A main use of land or the main structure as distinguished from an accessory use or structure.
70. Recreational Vehicle: A vehicular-type unit which is designed for recreation, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle, and which, in general, is of such size and weight as not to require special highway movement permits when drawn by a passenger automobile or a pickup truck. The basic vehicle categories are:
- a. Motor Home: A vehicular unit built on a self-propelled motor vehicle chassis.
 - b. Travel Trailer: A vehicular portable unit mounted on wheels, designed to be towed by a motor vehicle.
 - c. Fifth-Wheel Trailer: A vehicular portable unit mounted on wheels, designed and constructed to be towed by a passenger automobile or pickup truck fitted with a fifth-wheel hitch.
 - d. Truck Camper: A portable unit designed to be loaded onto, or affixed to, the bed or chassis of a truck or automobile.
 - e. Camping Trailer: A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold down for towing by another vehicle and unfold at campsite to provide temporary living quarters.
 - f. Pickup Camper: A portable structure made of durable material which is mounted over the bed of a pickup truck and used for utility or camping purposes.
 - g. Trailered Boat: A recreational boat and trailer in combination, normally towed by a vehicle.
71. Research Laboratory: A building or group of buildings used primarily for applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation and test marketing.
72. Residence or Residential: A building or part of a building containing dwelling units or rooming units, including single-family or two-family houses, multiple dwellings, boarding or rooming houses, or apartments. Residences do not include:
- a. such transient accommodations as transient hotels, motels, tourist cabins or trailer courts; or
 - b. dormitories, fraternity or sorority houses;

- c. in a mixed building, that part of the building used for any non-residential uses, except accessory to residential uses.
 - d. recreational vehicles.
73. Residence, Single-Family: A building containing only one dwelling unit.
74. Retreat Center: A building, a portion of a building, or a group of buildings utilized and maintained for educational and religious conclaves, seminars and similar activities by particular educational, religious, fraternal, social service or other groups but not open to the general public.
75. Riding Stable and Academy: Any lot used primarily for the commercial hiring out of horses or ponies, whether with or without instruction in riding.
76. Right-of-Way: A strip or parcel of land designated for use as a street, highway, driveway, alley, or walkway, or for any drainage or public utility purpose or other similar uses.
77. R.O.W.: An abbreviation used herein to refer to a strip or parcel of land designated for use as a street or highway.
78. Sanatorium or Sanitarium: An institution for the treatment and care of the chronically ill or for patients requiring long-term therapy, rest and recuperation. Examples are institutions primarily for the treatment and care of feeble-minded and mental patients, epileptics, alcoholics, or drug addicts. See also "Hospital," "Nursing Home," and "Medical Clinic."
79. School, Nursery or Kindergarten: An institution:
- a) whose annual session does not exceed the school sessions for full-time day schools prescribed in the Maryland State Law; and
 - b) which is operated either by an established religious organization as part of an elementary school, or under a permit issued pursuant to the Maryland State Law.
80. Setback: Open area, located on the same lot with a building or group of buildings, between the building or outer building of a group and the nearest lot or street line, unoccupied and unobstructed from the ground upward, except as provided in these regulations.

- a. Setback, Front: Extends across the full width of lot, between the front street line (or proposed front street line) and the nearest line of the building or enclosed portion thereof. The depth of the setback is the shortest horizontal distance between the front existing or proposed street line and the nearest point of building or enclosed portion thereof.
 - b. Setback, Rear: Extends across the full width of lot, between the rear lot line and the nearest line of building, porch or projection thereof. The depth of the setback is the shortest horizontal distance between the rear lot line and the nearest point of building, porch or projection. When the rear lot line is less than ten feet long, or if the lot comes to a point at the rear, the depth of the setback is measured to an assumed rear lot line.
 - c. Setback, Side: Extends between the side lot line or side street line (proposed side street line, if such line falls within the lot) and the nearest line of building, porch or projection thereof, extending from the front setback to the rear setback, or, in the absence of either of such setbacks, to the front street line and/or rear lot line. The width of side setback is the shortest distance between the side lot line and the nearest point of building, porch or projection.
31. Sheltered Housing: Includes, but is not limited to residential environment with a range of services to include the following minimal element of:
- a. Shelter
 - b. Individual housekeeping services at a minimum of once a week
 - c. The capability to serve meals.
 - d. Personal services such as:
 - (1) meals served in one room for a short time, if necessary
 - (2) Assistance in one or more of the six areas of "Activities of Daily Living" as endorsed by the Maryland Office on Aging
 - (3) Following an ongoing recreational program
 - (4) A canteen run for and by the residents
 - (5) Education programs

82. Special Exception Uses: Land uses and activities which require special approval as to location and standards, depending upon their characteristics.
83. Story: That part of a building between the surface of a floor and the ceiling immediately above.
84. Tourist Home: A dwelling, occupied as such, in which for compensation, sleeping accommodations in less than six rooms, with not more than four persons per room, are provided or offered for transient guests, under the management of the occupants of that dwelling for dwelling purposes. A tourist home shall not be deemed a home occupation.
85. Transmission Line: Any power line designed to carry 69,000 volts or more of electricity.
86. Use:
- a. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied, or
 - b. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure, or on a tract of land.
 - c. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
87. Use, Accessory: See "Accessory Use."
88. Variance: A grant of relief to a zoning regulation in a specific case concerning bulk, area, or other dimensional requirements.
89. Zoning Maps: Maps incorporated into the provisions of these regulations in accordance with the provisions of Section 100C, "District Maps."

SECTION 105
R District
RURAL

A. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot.
3. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
4. Convents and monasteries used for residential purposes.
5. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
6. Government buildings, facilities and uses, including public schools and colleges.
7. Private colleges or universities chartered by the Maryland General Assembly and holding a current certificate of approval issued by the Maryland State Board for Higher Education, including their research and development laboratories and related supporting and recreational facilities.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Farm produce stand, not to exceed three hundred (300) square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc., grown or produced on the lot on which such building is located. Appropriate on-site parking spaces shall be provided.
5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
6. The housing of not more than four (4) non-transient roomers or boarders by a resident family.
7. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
8. Home occupations.
9. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height
 - (1) principal structure 34 feet
 - (2) accessory structures:
 - (a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No Limit
 - (b) other 25 feet
 - b. Lot Coverage -- Structures 20 percent
2. The following minimum requirements shall be observed:
 - a. Lot Size 3 acres

b. Lot Width

- (1) At Building Restriction Line 200 feet
- (2) Adjoining minor collector or larger public R.O.W. . . 200 feet

c. Building Setbacks

- (1) adjoining principal arterial R.O.W. . . 100 feet
- (2) front -- adjoining public R.O.W. 75 feet
- (3) side:
 - (a) adjoining public R.O.W. 60 feet
 - (b) other 30 feet
- (4) rear:
 - (a) principal structure or use 60 feet
 - (b) accessory structures or uses 10 feet

D. Other Requirements

- 1. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
- 2. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as a temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.

SECTION 106
R-20 District
RESIDENTIAL SINGLE

A. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
3. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
4. Convents and monasteries used for residential purposes.
5. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
6. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Farm produce stand, not to exceed three hundred (300) square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc., grown or produced on the lot on which such building is located. Appropriate on-site parking spaces shall be provided.
5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
6. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
7. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
8. Home occupations.
9. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:

- a. Height

- (1) principal structure 34 feet

- (2) accessory structures:

- (a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No Limit

- (b) other 15 feet

- b. Lot Coverage -- Structures 30 percent

2. The following minimum requirements shall be observed

- a. Lot Size (except as provided in Section 106D.2. of these regulations for mandatory Open Space) . 20,000 sq. feet.

- b. Lot Width at Building Restriction Line
 - (1) Lots 18,000 square-foot or greater 30 feet
 - (2) Lots less than 18,000 square feet 60 feet
- c. Building Setbacks
 - (1) adjoining principal arterial R.O.W.100 feet
 - (2) front setback:
 - (a) Lots 20,000 square-foot or greater. . . 50 feet
 - (b) lots less than 20,000 square feet40 feet
 - (3) side:
 - (a) adjoining public R.O.W.30 feet
 - (b) other10 feet
 - (4) rear:
 - (a) principal structure or use30 feet
 - (b) accessory structure or use10 feet

D. Other Requirements

- 1. Lots adjoining an existing district of developed 20,000-square-foot lots or greater shall be a minimum of 20,000 square feet or a 100-foot-wide open space or 100 foot setback shall be provided.
- 2. Open space percentage and lot size shall be calculated pursuant to the Howard County Subdivision and Land Development Regulations and developments electing the smaller lots shall contain the following minimums:

<u>Lot Size</u>	<u>Mandatory Open Space Provisions</u>
20,000 sq. ft.	Subdivision Regulations
18,000 sq. ft.	10 percent
16,000 sq. ft.	20 percent
14,000 sq. ft.	30 percent

3. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
4. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as a temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.

SECTION 107
R-12 District
RESIDENTIAL SINGLE

A. Uses Permitted as a Matter of Right

1. Single-family semi-detached dwelling.
2. One single-family detached dwelling unit per lot.
3. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
4. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
5. Convents and monasteries used for residential purposes.
6. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
7. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Farm produce stand, not to exceed three hundred (300) square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc., grown or produced on the lot on which such building is located. Appropriate on-site parking spaces shall be provided.
5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
6. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
7. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
8. Home occupations.
9. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height
 - (1) principal structure 34 feet
 - (2) accessory structures:
 - (a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No Limit
 - (b) other 15 feet
 - b. Lot Coverage -- Structures 30 percent

2. The following minimum requirements shall be observed:

- a. Lot Size (except as provided in Section 107D.2. of these regulations for mandatory open space) 12,000 square feet
- b. Lot Width at Building Restriction Line
 - (1) Lots 12,000 sq. foot or greater . . . 75 feet
 - (2) Lots less than 12,000 sq. feet. . . . 60 feet
- c. Building Setbacks
 - (1) adjoining principal arterial R.O.W. 100 feet
 - (2) front:
 - (a) 12,000-square-foot lots 30 feet
 - (b) lots less than 12,000 square feet 20 feet
 - (3) side:
 - (a) adjoining public R.O.W. 20 feet
 - (b) detached units 7 feet, 6 inches
 - (c) semi-detached units 15 feet, one side
 - (4) rear
 - (a) principal structure or use 30 feet
 - (b) accessory structure or use 10 feet

D. Other Requirements

- 1. Lots adjoining an existing district of developed 12,000 sq. foot lots or greater shall be a minimum of 12,000 sq. feet or a 100-foot-wide open space strip or 100-foot setback provided.
- 2. Open space percentage and lot size shall be calculated pursuant to the Howard County Subdivision and Land Development Regulations and developments electing the smaller lots shall contain the following minimums:

<u>Lot Size</u>	<u>Mandatory Open Space Provisions</u>
12,000 sq. ft.	Subdivision Regulations
10,800 sq. ft.	10 percent
9,600 sq. ft.	20 percent
8,400 sq. ft.	30 percent

3. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
4. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as a temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.

SECTION 108
R-SC District
RESIDENTIAL SINGLE CLUSTER

A. Uses Permitted as a Matter of Right

1. Single-family semi-detached dwelling units.
2. Single-family attached dwelling units.
3. One single-family detached dwelling unit per lot.
4. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
5. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
6. Convents and monasteries used for residential purposes.
7. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
8. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Farm produce stand, not to exceed three hundred (300) square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc., grown or produced on the lot on which such building is located. Appropriate on-site parking spaces shall be provided.
5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
6. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
7. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
8. Home occupations.
9. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height
 - (1) principal structure 34 feet
 - (2) accessory structures:
 - (a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No Limit
 - (b) other 15 feet
 - b. Lot Coverage -- Structures 40 percent

- c. Density 4 dwelling units per net acre
- d. Single-Family Dwelling Units, attached. . . . 4 units per structure

2. The following minimum requirements shall be observed:

- a. Lot Size-Single-Family Detached 6,000 sq. feet
- b. Lot Width at Building Restriction Line -
Single-Family Detached 60 feet

c. Building Setbacks

(1) For all structures:

- (a) adjoining principal arterial R.O.W. 100 feet
- (b) adjoining minor arterial or collector R.O.W.
 - (i) rear 50 feet
 - (ii) front or side 30 feet
- (c) adjoining any other R.O.W.. . . . 20 feet

(2) For single-family detached structures:

- (a) side. 7-1/2 feet
- (b) rear
 - (i) principal structure or use. . 30 feet
 - (ii) accessory structure or use. . 10 feet

(3) For semi-detached or attached structures:

- (a) adjoining an R, R-20 or R-12 District 100 feet
- (b) adjoining any other district which is not part of the same project. . . . 50 feet

d. Distances between Semi-detached or Attached Buildings

- (1) rear to rear 80 feet
- (2) rear to face 50 feet
- (3) face to face 30 feet
- (4) end to face or rear. 30 feet
- (5) end to end 15 feet

- e. Open Space, including landscaped areas. . . . 20 percent

D. Other Requirements

1. Landscaping - Required Minimums (unless comparable elements are approved by the Office of Planning and Zoning):
 - a. A twenty (20)-foot wide landscaped edge on all external property lines of the district shall be planted with at least two and one-half (2½)-inch caliper trees at an average of thirty (30) feet on center and a three (3)-foot high, landscaped earth mound between common parking areas and any project boundary line or R.O.W.
 - b. A fifteen (15)-foot wide landscaped area between common parking areas and the front or end of a building.
 - c. A ten (10)-foot wide landscaped island for each parking area continuous for more than nine (9) spaces.
2. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.

Section 109
R-SA District
RESIDENTIAL-SINGLE ATTACHED

A. Uses Permitted as a Matter of Right

1. Single-family attached dwelling units.
2. Garden apartment units.
3. One single-family detached dwelling unit per lot.
4. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
5. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
6. Convents and monasteries used for residential purposes.
7. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
8. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
5. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
6. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
7. Home occupations.
8. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. For single-family attached dwelling units and garden apartment units the following maximum limitations shall apply:

a. Height

(1) principal structure 34 feet

(2) accessory structures:

(a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No Limit

(b) other 15 feet

b. Lot Coverage -- Structures 40 percent

c. Density 3 dwelling units per net acre

d. Maximum units per structure

(1) Single-family attached dwelling units . 8 units per structure

(2) Garden-type apartments 16 units per structure

e. Building Length

- (1) Single Structure 120 feet
- (2) Structures with overlapping common walls 200 feet

2. For single-family attached dwelling units and garden apartment units the following minimum requirements shall be observed:

a. Building Setbacks

- (1) adjoining principal arterial R.O.W. 100 feet
- (2) adjoining minor arterial or collector R.O.W.
 - (a) rear 50 feet
 - (b) front or side. 30 feet
- (3) adjoining any other R.O.W. 20 feet
- (4) adjoining an R, R-20 or R-12 district. 100 feet
- (5) adjoining any other district which is not part of the same project 50 feet

b. Distances between Buildings

- (1) rear to rear 80 feet
- (2) rear to face 50 feet
- (3) face to face 30 feet
- (4) end to face or rear. 30 feet
- (5) end to end 15 feet

c. Open Space, including landscaped areas. . . 20 percent

d. Floor Space Requirements - Garden Apartment Units

- (1) Efficiency apartments, consisting of kitchen, bathroom, and combination living room, dining space and bedroom 400 sq. ft.
- (2) One-bedroom apartments 530 sq. ft.
- (3) Two-bedroom apartments 660 sq. ft.
- (4) Three-bedroom apartments 800 sq. ft.

Each additional bedroom shall increase the minimum floor space by one hundred twenty (120) square feet.

3. For single-family detached dwelling units, the following minimum requirements shall be observed:

- a. Lot size 6,000 sq. ft.
- b. Lot width at building restriction line 60 feet
- c. Building setbacks
 - (1) adjoining principal arterial R.O.W. 100 feet
 - (2) adjoining minor arterial or collector R.O.W.
 - (a) rear 50 feet
 - (b) front or side 30 feet
 - (3) adjoining any other R.O.W. 20 feet
 - (4) side 7½ feet
 - (5) rear
 - (a) principal structure or use 30 feet
 - (b) accessory structure or use 10 feet

D. Other Requirements

1. Landscaping - Required Minimums (unless comparable elements are approved by the Office of Planning and Zoning):

- a. A twenty (20)-foot wide landscaped edge on all external property lines of the district shall be planted with at least two and one-half (2½)-inch caliper trees at an average of thirty (30) feet on center and a three (3)-foot high, landscaped earth mound between common parking areas and any project boundary line or R.O.W.
- b. A fifteen (15)-foot wide landscaped area between common parking areas and the front or end of a building.
- c. A ten (10)-foot wide landscaped island for each parking area continuous for more than nine (9) spaces.

2. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.
4. Common walls between structures shall not be more than eighty percent (80%) of the length of the shorter wall.

Section 110
R-A1 District
RESIDENTIAL APARTMENTS

A. Uses Permitted as a Matter of Right

1. Single-family attached dwelling units.
2. Garden apartment units.
3. One single-family detached dwelling unit per lot.
4. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
5. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities.
6. Convents and monasteries used for residential purposes.
7. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
8. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.

3. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
4. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
5. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
6. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
7. Home occupations.
8. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. For all uses, the following maximum limitations shall apply:
 - a. Height
 - (1) principal structure 34 feet
 - (2) accessory structures:
 - (a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures no limit
 - (b) other 15 feet
 - b. Lot Coverage -- Structures 20 percent
 - c. Density, dwelling units per net acre
 - (1) garden apartments 15
 - (2) single-family attached 8
 - d. Maximum units per structure
 - (1) Single-family attached dwelling units. 8 units per structure
 - (2) Garden-type apartments 16 units per structure

e. Building Length

- (1) Single Structure 120 feet
- (2) Structures with overlapping common walls . . . 200 feet

2. For single-family attached dwelling units and garden apartment units the following minimum requirements shall be observed:

a. Building Setbacks

- (1) adjoining principal arterial R.O.W. 100 feet
- (2) adjoining minor arterial or collector R.O.W.
 - (a) rear 50 feet
 - (b) front or side 30 feet
- (3) adjoining any other R.O.W. 20 feet
- (4) adjoining an R, R-20 or R-12 district. . 100 feet
- (5) adjoining any other district which is not part of the same project 50 feet

b. Distances between buildings

- (1) rear to rear 80 feet
- (2) rear to face 50 feet
- (3) face to face 30 feet
- (4) end to face or rear. 30 feet
- (5) end to end 15 feet

c. Open Space including landscaped areas 20 percent

d. Floor Space Requirements - Garden Apartment Units

- (1) efficiency apartments, consisting of kitchen, bathroom
a combination living room, dining space and
bedroom 400 sq. ft.
- (2) One-bedroom apartments 530 sq. ft.
- (3) Two-bedroom apartments 660 sq. ft.
- (4) Three-bedroom apartments 800 sq. ft.

Each additional bedroom shall increase the minimum floor space by one hundred twenty (120) square feet.

3. For single-family detached dwelling units, the following minimum requirements shall be observed:

- a. Lot size 6,000 sq. ft.
- b. Lot width at building restriction line 60 feet
- c. Building setbacks
 - (1) adjoining principal arterial R.O.W. 100 feet
 - (2) adjoining minor arterial or collector R.O.W.
 - (a) rear 50 feet
 - (b) front or side 30 feet
 - (3) adjoining any other R.O.W. 20 feet
 - (4) side 7½ feet
 - (5) rear
 - (a) principal structure or use 30 feet
 - (b) accessory structure or use 10 feet

D. Other Requirements

1. Landscaping - Required Minimums (unless comparable elements are approved by the Office of Planning and Zoning):

- a. A twenty (20)-foot wide landscaped edge on all external property lines of the district shall be planted with at least two and one-half (2½)-inch caliper trees at an average of thirty (30) feet on center and a three (3)-foot high, landscaped earth mound between common parking areas and any project boundary line or R.O.W.
- b. A fifteen (15)-foot wide landscaped area between common parking areas and the front or end of a building.
- c. A ten (10)-foot wide landscaped island for each parking area continuous for more than nine (9) spaces.

2. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for storage of materials or for living or sleeping purposes.
4. Common walls between structures shall not be more than eighty percent (80%) of the length of the shorter wall.

Section 111
R-MH District
RESIDENTIAL MOBILE HOME

A. Uses Permitted as a Matter of Right

1. Mobile homes in mobile home parks.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Private off-street parking areas for not more than two (2) commercially licensed vehicles on lots of 3 or more acres and not more than one (1) commercially licensed vehicle on lots less than 3 acres.
3. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
4. The housing of not more than four (4) non-transient roomers or boarders by a resident family.
5. Home occupations.
6. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.
7. Management office and maintenance facilities.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height
 - (1) principal structure - mobile home . . . 15 feet
 - (2) accessory structures:
 - (a) Flag poles, radio or television antennae,
outdoor athletic structures . . . no limit
 - (b) Other 15 feet
 - b. Lot Coverage - mobile home. 40 percent
 - c. Density 8 dwelling units
per net acre

2. The following minimum requirements shall be observed:

a. Area

- (1) mobile home park 10 acres
- (2) mobile home lot 4,000 square feet

b. Mobile Home Lot Width 45 feet at mobile home location

c. Building/Mobile Home Setback

- (1) from principal arterial R.O.W. 100 feet
- (2) from other public 50 feet
- (3) from centerline of interior street 30 feet
- (4) from another building/mobile home 20 feet
- (5) Rear Yard - Mobile Home Lot. 10 feet
- (6) Distance from a Project Boundary or Differently-Zoned District 50 feet

d. Open Space including landscaped areas 20 percent

D. Other Requirements

1. Landscaping - Required Minimums (unless comparable elements are approved by the Office of Planning and Zoning.)

- a. A twenty (20)-foot wide landscaped edge on all external property lines of the district shall be planted with at least two and one-half (2½) inch caliper trees at an average of thirty (30) feet on center and a three (3)-foot high, landscaped earth mound between common parking areas and any project boundary line or R.O.W.
- b. A fifteen (15)-foot wide landscaped area between common parking areas and the front or end of a building.
- c. A ten (10)-foot wide landscaped island for each parking area continuous for more than nine (9) spaces.

2. Suitable laundry facilities shall be provided in each mobile home or on its site, or in central common facilities adequate to meet the needs of the park occupants.

3. Convenience establishments of a commercial nature, not including gasoline service stations but including stores, coin-operated laundries and dry cleaners, beauty and barber shops, may be permitted in mobile home parks, subject to the following restrictions:

Such establishments and the parking areas primarily related to their operation may occupy up to five percent (5%) of the area of the park, but in any case not more than two and one-half (2 1/2) acres, shall be subordinate to the residential use and character of the park, shall be located, designed and intended to serve frequent trade or service needs of the residents of the park, and shall present no visible evidence of their commercial character from any portion of any residential district outside the park.

4. All the mobile home park requirements of this regulation and of the County Health Officer must be satisfied before the Department of Public Works issues the applicant a permit to operate a mobile home park.

SECTION 112
POR District
PLANNED OFFICE RESEARCH

A. Uses Permitted as a Matter of Right

1. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
2. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar recreation facilities.
3. Convents and monasteries used for residential purposes.
4. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
5. Government buildings, facilities and uses, including public schools and colleges.
6. Professional and business offices, provided that no merchandise, material or equipment is stored outside of the buildings, and twenty-five (25) percent of the main floor may be used for retail sales.
7. Research laboratories.
8. Restaurants and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
9. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.
10. Private colleges and universities, trade schools, art schools and commercially-operated schools.

11. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
12. Medical and dental offices, including pharmacies, clinics and laboratories incidental to these uses.
13. Convalescent homes, nursing homes, homes for the aged, sheltered housing, children's homes and similar institutions, and their related and supporting facilities.
14. Hospitals, including cafeterias and snack bars designed for use of the hospital visitors and employees, and ambulatory health care facilities.
15. Hotels, motels and conference centers.
16. Museums, art galleries and libraries.
17. Funeral homes.
18. Buildings used primarily for religious activities.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height
 - (1) structure with minimum setback 40 feet
 - (2) structure with an additional one (1) foot in height for every ten (10) feet of setback above the minimum. 80 feet
 - b. Lot Coverage -- Structure 35 percent
2. The following minimum requirements shall be observed:
 - a. District size, not to prohibit the sale or lease of lots therein 5 acres
 - b. Building or Use Setback
 - (1) From residential districts 50 feet
 - (2) From all other districts or public R.O.W.. 30 feet

c. Open Space including landscaped areas 20 percent

D. Other Requirements

1. Landscaping - required minimums (unless comparable elements are approved by the Office of Planning and Zoning):

- a. The total area of the parking lot shall contain a minimum of five percent (5%) landscaped islands.
- b. A thirty (30)-foot wide minimum landscaped edge shall be required along any Residential District or external right-of-way, to be planted with a minimum two and one-half (2½)-inch caliper trees at a minimum of thirty (30) feet on center and a similarly landscaped earth mound at least three (3) feet high between the parking area and any adjacent Residential District or public R.O.W.

2. Approval of Site Plan by Planning Board

- a. No permit shall be issued for any use in the POR District until the site plan has been approved by the Planning Board and the Office of Planning and Zoning.
- b. The Planning Board, before acting upon the site plan, shall hold a public hearing and shall give consideration to the following:
 - (1) the land use plan and the general plan for the County.
 - (2) the adequacy and location of roads within the District to be used, access roads to the proposed District from arterial highways and whether or not adequate roads or highways are available to protect nearby residential property.
 - (3) the locations, layout and adequacy of parking, loading and unloading facilities.
 - (4) general traffic conditions in or near the property to be used.
 - (5) whether or not sewerage and water facilities, (whether public, or privately maintained), have been approved by the Howard County Health Department and/or the Howard County Department of Public Works.
 - (6) the highway plans of the County and State.
 - (7) any other factors which may prevent the orderly growth of the County or would adversely affect the completion of the general use and development plans of the County or State.
- c. After carefully considering the above guides and standards, the Planning Board shall approve, approve with modifications and conditions attached, or disapprove the site plan, stating the reasons for its action.

SECTION 112.5
PM District
PLANNED MERCANTILE

The PM Districts are planned and landscaped mercantile areas. They are intended to encourage an orderly concentration of commercial and shopping facilities in selected areas of the County which are accessible from major highways and would assure that such uses will be compatible with, and will not adversely affect, abutting properties and the surrounding community as a whole, and at the same time will provide desirable commercial facilities which will serve as a mode of design and influence and be an asset to the County.

The Zoning Board may approve a PM district provided the PM is designed and planned as a unified development and is an asset to the neighborhood and County. An objective of PM is to provide the type of zoning analogous to a special exception (or the so called "Floating Zone"), in effect, under a single ownership or legal entity accountable to County authorities so that assurance may be had that developments will conform to plans as approved. The PM district may be employed, particularly, in locations where, from the point of view of an overall development concept or master plan, land preservation and conservation decisions, or maintenance of a rural or historical flavor, may determine a more sensitive use of land.

A. USES PERMITTED AS A MATTER OF RIGHT

1. Art galleries, art stores, or art studios, including photograph studios.
2. Automobile parking lots, for customer parking only provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from the premises.
3. Bakeries provided all goods baked on the premises shall be sold at retail from the premises.
4. Banks and savings and loan associations.
5. Business and professional offices.
6. Community meeting houses, commercial establishments for receptions and parties.
7. Department stores, including the sale of clothing, furniture and household appliances.

8. Not more than one gasoline service station, provided no repair work except minor repairs and adjustments shall be permitted, as an integrated structure in the total concept, and provided further that no gasoline service station uses shall be permitted unless 25% of the building construction as contemplated in the Final Development Plan is completed.
9. Personal service shops, such as barber shops, beauty shops, tailor shops and shoe repair shops.
10. Restaurants.
11. Retail stores such as general food, meat, grocery, drug, confectionery, variety, hardware and alcohol package goods stores.
12. Specialty stores, such as clothing stores, gift shops and furniture stores.
13. Garden centers for the sale of nursery products and gardening equipment.
14. Motion picture theatres, except that open air theatres shall not be permitted.
15. Public displays by private, civic or governmental organizations.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.
3. One single family dwelling house and outbuildings may be erected in the PM district provided that it shall house only the groundskeeper and/or maintenance man and family of the PM district and provided further that the house and outbuildings shall not be nearer than 150 feet to the nearest commercial use.

C. Bulk Regulations

1. Buildings shall be restricted to a maximum height of three stories, except that structures in period architecture (i.e., with such typical appurtenant features as steeples, peaked roofs, and chimneys), may be approved by the Planning Board to a greater height.

2. The PM District shall contain not less than 25 contiguous acres of land within the project area and be located adjacent to a major highway, and such land shall not be divided by a thoroughfare except ordinary streets planned within the context of the PM concept to provide for ingress and egress to parking areas and shopping facilities, and constituting a part of the project areas maintained by the owner of the shopping area.
3. No buildings or use of any kind shall be situated nearer than 100 feet to the nearest right-of-way of any highway abutting the property except the permitted single family dwelling house and outbuildings appurtenant thereto, and also except that the gasoline service station may be erected within 100 feet of a public street or highway, but in no case less than 70 feet.
4. At least 30 feet immediately adjacent to the right-of-way of any street abutting the property shall be planted or sodded in grass and such landscaped area shall be maintained at all times by the owner of the shopping area.
5. No building or use shall be permitted within 200 feet of the boundary line of any Residential District, except the permitted single family dwelling house and outbuildings appurtenant thereto, which in no case shall be permitted within 20 feet of the boundary line of any Residential District.
6. Appurtenant outbuildings shall not be permitted to house animals.
7. Each PM District shall provide at least 40% in open space as a basic element in the planned and landscaped development of the area.
8. All uses permitted in the PM districts shall be conducted completely within the confines of an enclosed building, except for specifically outlined and maintained nursery beds as part of a garden center, and no outdoor storage of any kind shall be permitted, except the temporary parking of private automobiles and parking of trucks while loading or unloading. Pasturing of livestock as an integrated element of the landscaping theme shall be permitted.

D. Signs

Signs shall be permitted pursuant to the Sign Regulations contained in the Howard County Code.

E. Procedure for Creating PM Districts

1. Areas for PM districts may be created by petition to the Zoning Board of Howard County for an amendment to the Zoning Map in accordance with procedure set forth in these regulations.
2. A petition for creating such a PM District shall be accompanied by ten copies of the development plan showing existing topography, proposed layout, drainage, landscaping, extent, general location and character of proposed structures, uses of commercial and open areas, and ingress and egress. Such development plan shall be submitted to the Planning Board and the Department of Public Works for recommendation and timely report to the Zoning Board.
3. After a public hearing on the proposed development plan, the Zoning Board shall pass their order of disapproval, approval, or approval with conditions incorporated therein. Any approval hereunder shall contain a specific requirement that buildings and grounds continue to be so maintained that they will not adversely affect vicinal properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned PM District must be in compliance with an approved development plan.
4. A site plan in accordance with the approved development plan showing the design and layout, ingress and egress, storm drainage, and public or privately maintained water and sewerage facilities shall be submitted to the Planning Board, the Department of Public Works and the Health Department of Howard County. The site plan shall have final approval of the above Board and Departments before any construction is started within the project area.

F. Procedure to Maintain PM Zoning Once Granted

1. Within eighteen months of the granting of PM zoning, there shall be submitted to the Planning Board a site plan for a minimum of 25% of the total floor space, parking, and green space uses on the PM District as contemplated in the development plan, and in no case shall the original site plan contain less than ten acres, otherwise the zoning for the PM District will revert automatically to the zoning classification which existed prior to the granting of the PM District.

2. Within two years of the approval of the site plan, building permits for the entire site plan shall be applied for to the Bureau of Licenses, Permits and Inspections, otherwise the zoning for the PM District will revert automatically to the zoning classification which existed prior to the granting of the PM District.
3. Within six months of the issuance of the building permits, construction shall be underway on the PM District. Otherwise, the zoning for PM District shall revert automatically to the zoning classification which existed prior to the granting of the PM District.
4. Within thirty (30) months of issuance of the building permit, construction shall be completed in accordance with the approved site plan. If construction is not completed, the PM District zoning reverts automatically to the prior zoning classification for all areas not within the approved site plan, without prior notice, publication or a public hearing.
5. At any time, but not later than eighteen months after the completion of the construction of the buildings, parking lots and other uses, a site plan for the remainder of the PM District shall be submitted to the Planning Board for approval. After approval, the same time sequences as set forth herein, shall be adhered to, otherwise the zoning for those areas which have not complied with those requirements shall revert automatically to the prior zoning classification without notice, publications and public hearing.
6. The Planning Board may in its sole discretion, grant extensions to any of the time limits required to maintain the PM zoning, provided, however, that no extension in excess of six months may be granted and not more than two extensions be granted.

G. Approval of Site Plan by Planning Board

1. No certificate of occupancy or permit shall be issued for any use in the PM districts until the site plan has been approved by the Planning Board and the Office of Planning and Zoning.
2. The Planning Board, before acting upon the site plan, shall give consideration to the following:
 - a. the land use plan and the general plan for the County.

- b. the adequacy and location of roads within the District to be used, access roads to the proposed District from arterial highways and whether or not adequate roads or highways are available to protect nearby residential property.
 - c. the locations, layout and adequacy of parking, loading and unloading facilities.
 - d. general traffic conditions in or near the property to be used.
 - e. whether or not sewerage and water facilities, (whether public, or privately maintained), have been approved by the appropriate governmental agency.
 - f. the highway plans of the County and State.
 - g. any other factors which may prevent the orderly growth of the County or would adversely affect the completion of the general use and development plans of the County or State.
3. After carefully considering the above guides and standards, the Planning Board shall approve, approve with modifications and conditions attached, or disapprove the site plan, stating the reasons for its action.

H. Failure to Comply After Occupancy

If, at any time, after an occupancy permit has been issued for any use in a PM District, and the building or buildings are occupied and/or used, the Office of Planning and Zoning finds that any of the requirements of this Section are being violated, the Office of Planning and Zoning shall order the owner to make such corrections as it deems necessary to bring the use and operation into compliance with the provisions of this Section and such order shall be complied with, within a period of time extending not more than 120 days from the original notice.

SECTION 113
B-1 District
BUSINESS -- LOCAL

A. Uses Permitted as a Matter of Right

1. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
2. Parks, playgrounds, athletic fields, tennis courts, basketball courts and similar recreation facilities.
3. Convents and monasteries used for residential purposes.
4. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
5. One dwelling unit per business establishment within the same structure.
6. Government buildings, facilities and uses, including public schools and colleges.
7. Professional and business offices.
8. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.

9. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
10. Museums, art galleries and libraries.
11. Funeral homes.
12. Buildings used primarily for religious activities.
13. Blueprinting, printing, duplicating or engraving services limited to two thousand (2,000) square feet of net floor area.
14. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
15. Restaurants and beverage establishments, including those serving beer, wine and liquor.
16. Self-service laundry and laundry and/or dry cleaning pickup stations.
17. Furniture and appliance repair.
18. Nonprofit clubs, lodges, community halls.
19. Commercial greenhouses, garden centers and nurseries.
20. Animal hospitals, completely enclosed.
21. Farm produce stands.
22. Retail food stores, including a bakery, provided all goods baked on the premises shall be sold retail from the premises.
23. Liquor stores.
24. Drug and cosmetic stores.
25. Clothing and apparel stores with goods for sale or rent.
26. Specialty stores selling or renting goods including, but not limited to, the following: art supplies, bicycles, books, cards, fabrics, flowers, gifts, hobbies, jewelry, luggage, musical instruments, news, optical goods, pets, photographic supplies, records, radio and television sales and repairs, sewing machines, sporting goods, stationery, works of art.

- 27. Antique shops, art galleries, craft shops.
- 28. Home improvement stores for retail sales including, but not limited to, the following: floor coverings, glass, garden supplies, hardware, wallpaper, and building materials and supplies, provided such building materials and supplies are enclosed in a building.

B. Accessory Use

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

- 1. The following maximum limitations shall apply:
 - a. Height 40 feet
 - b. Lot Coverage -- Structure 50 percent
- 2. The following minimum requirements shall be observed:
 - a. Building or Use Setback
 - (1) from public R.O.W. 30 feet
 - except that for parking uses 10 feet
 - (2) from Residential District
 - other than public R.O.W. 30 feet
 - b. Open Space including landscaped areas20 percent

D. Other Requirements

- 1. Landscaping - required minimums (unless comparable elements are approved by the Office of Planning and Zoning):
 - a. The total area of the parking lot shall contain a minimum of five percent (5%) landscaped islands.
 - b. A thirty (30)-foot-wide minimum landscaped edge shall be required along any Residential District and a ten (10)foot-wide minimum landscaped edge shall be required adjoining an external right-of-way, either or both to be planted with a minimum two and one-half (2-1/2)-inch caliper trees at a

minimum of thirty (30) feet on center
and a similarly landscaped earth mound at
least three (3) feet high between the parking
area and any adjacent Residential District or
public R.O.W.

SECTION 114
B-2 District
BUSINESS -- GENERAL

A. Uses Permitted as a Matter of Right

1. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
2. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar recreation facilities.
3. Convents and monasteries used for residential purposes.
4. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
5. One dwelling unit per business establishment within the same structure.
6. Government buildings, facilities and uses, including public schools and colleges.
7. Professional and business offices.
8. Banks, savings and loan associations, investment companies, credit bureaus, brokers, and similar financial institutions.

9. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
10. Museums, art galleries and libraries.
11. Funeral homes.
12. Buildings used primarily for religious activities.
13. Blueprinting, printing, duplicating or engraving services limited to two thousand (2,000) square feet of net floor area.
14. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
15. Fast food restaurants, restaurants and beverage establishments, including those serving beer, wine and liquor.
16. Self-service laundry and laundry and/or dry cleaning pickup stations.
17. Furniture and appliance repair.
18. Nonprofit clubs, lodges, community halls.
19. Commercial greenhouses, garden centers and nurseries.
20. Animal hospitals, completely enclosed.
21. Farm produce stands.
22. Retail food stores.
23. Liquor stores.
24. Drug and cosmetic stores.
25. Clothing and apparel stores with goods for sale or rent.
26. Specialty stores selling or renting goods including, but not limited to, the following: art supplies, bicycles, books, cards, fabrics, flowers, gifts, hobbies, jewelry, luggage, musical instruments, news, optical goods, pets, photographic supplies, records, radio and television sales and repairs, sewing machines, sporting goods, stationery, works of art.

27. Antique shops, art galleries, craft shops.
28. Home improvement stores for retail sales including, but not limited to, the following: floor coverings, glass, garden supplies, hardware, wallpaper, and building materials and supplies.
29. Mobile home and prefabricated home sales and rental, but not including occupancy.
30. Full-service laundry and/or dry cleaning establishments.
31. Blueprinting, printing, duplicating or engraving services.
32. Bowling alleys, tennis barns or clubs, roller skating, ice skating, commercial gymnasiums, dance halls, athletic centers, indoor swimming, miniature golf, and similar uses.
33. Motor vehicle maintenance, repair and painting, including full body repairs and incidental sales of parts such as mufflers, transmissions, etc.
34. Building cleaning, painting, roofing, exterminating and similar establishments.
35. Livestock auction markets and fairgrounds.
36. Sales, repair and service of motor vehicles, construction equipment and farm equipment.
37. Lumber yard, building materials and supplies.
38. Department stores, furniture stores, appliance stores.
39. Taxidermist.
40. Movie theatres, legitimate theatres, dinner theatres.
41. Kennels.
42. Private colleges and universities, trade schools, art schools and commercially operated schools.
43. Hotels, motels and conference centers.
44. Bakeries.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height 40 feet
 - b. Lot Coverage -- Structure 50 percent
2. The following minimum requirements shall be observed:
 - a. Building or Use Setback
 - (1) from public R.O.W. 30 feet
except that for parking uses. 10 feet
 - (2) from Residential Districts
other than public R.O.W. 30 feet
 - b. Open Space including landscaped areas 20 percent

D. Other Requirements

1. Landscaping - required minimums (unless comparable elements are approved by the Office of Planning and Zoning):
 - a. The total area of the parking lot shall contain a minimum of five percent (5%) landscaped islands.
 - b. A thirty (30)-foot-wide minimum landscaped edge shall be required along any Residential District and a ten (10)-foot wide minimum landscaped edge shall be required adjoining an external right-of-way, either or both to be planted with a minimum two and one-half (2-1/2)-inch caliper trees at a minimum of thirty (30) feet on center and a similarly landscaped earth mound at least three (3) feet high between the parking area and any adjacent Residential District or public R.O.W.

SECTION 115
SC District
SHOPPING CENTER

A. Uses Permitted as a Matter of Right

1. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected; nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
2. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar recreation facilities.
3. Convents and monasteries used for residential purposes.
4. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, or the Howard County Fair Association, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
5. One dwelling unit per business establishment within the same structure.
6. Government buildings, facilities and uses, including public schools and colleges.
7. Professional and business offices.
8. Banks, savings and loan association, investment companies, credit bureaus, brokers, and similar financial institutions.

9. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
10. Museums art galleries and libraries.
11. Funeral homes.
12. Buildings used primarily for religious activities.
13. Blueprinting, printing, duplicating or engraving services limited to two thousand (2,000) square feet of net floor area.
14. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
15. Fast food restaurants, restaurants and beverage establishments, including those serving beer, wine and liquor.
16. Self-service laundry and laundry and/or dry cleaning pickup stations.
17. Furniture and appliance repair.
18. Nonprofit clubs, lodges, community halls.
19. Commercial greenhouses, garden centers and nurseries.
20. Animal hospitals, completely enclosed.
21. Farm produce stands.
22. Retail food stores.
23. Liquor stores.
24. Drug and cosmetic stores.
25. Clothing and apparel stores with goods for sale or rent.
26. Specialty stores selling or renting goods including, but not limited to, the following: art supplies, bicycles, books, cards, fabrics, flowers, gifts, hobbies, jewelry, luggage, musical instruments, news, optical goods, pets, photographic supplies, records, radio and television sales and repairs, sewing machines, sporting goods, stationery, works of art.

- 27. Movie theaters legitimate theatres, dinner theatres.
- 28. Lumber yards, hardware stores, building material and supplies stores.
- 29. Motor vehicle repair facilities.
- 30. Bakeries.

B. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

- 1. The following maximum limitations shall apply:
 - a. Height 40 feet
 - b. Lot Coverage -- Structures 30 percent
- 2. The following minimum requirements shall be observed:
 - a. Lot Size 10 acres
 - b. Building or Use Setback
 - (1) from public R.O.W. 100 feet
 - except that for parking uses 30 feet
 - (2) from Residential Districts other than public R.O.W. 100 feet
 - c. Open Space including landscaped areas 20 percent

D. Other Requirements

- 1. Landscaping - required minimums (unless comparable elements are approved by the Office of Planning and Zoning).
 - a. The total area of the parking lot shall contain a minimum of five percent (5%) landscaped islands.

- b. A thirty (30)-foot-wide minimum landscaped edge shall be required along any Residential District and a ten (10)-foot wide minimum landscaped edge shall be required adjoining an external right-of-way, either or both to be planted with a minimum two and one-half (2-1/2)-inch caliper trees at a minimum of thirty (30) feet on center and a similarly landscaped earth mound at least three (3) feet high between the parking area and any adjacent Residential District or public R.O.W..

SECTION 116
M-1 District
MANUFACTURING -- LIGHT

A. Uses Permitted as a Matter of Right

1. Banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions.
2. Blueprinting, printing, duplicating or engraving services.
3. Bowling alleys, tennis barns and clubs, roller skating and ice skating rinks, commercial gymnasiums, dance halls, athletic centers, indoor swimming, miniature golf, and similar uses.
4. Building cleaning, painting, roofing, exterminating and similar establishments.
5. Clothing and apparel manufacture.
6. Food and drink production, processing, packaging and distribution for dairy products, food products, bakery products, non-alcoholic beverages, spices, ice and meats, excluding slaughtering.
7. Full-service laundry and/or dry cleaning establishments.
8. Furniture and appliance repairs.
9. General light manufacturing, including photographic equipment, precision instruments, ceramic products, electrical equipment, musical instruments, optical equipment, medical supplies, toys, novelties, wrought iron products, sporting goods, rubber and metal stamps.
10. Government buildings, facilities and uses, including public schools and colleges.
11. Home goods and furniture manufacture, including brooms, brushes, holiday decorations, jewelry, silverware, stationery, television sets, radios, household appliances and leather goods, excluding tanning.
12. Hotels, motels and conference centers.
13. Limited Retail Sales:

For any manufacturing plant or warehouse permitted in the M-1 District, retail sales may be permitted, provided that the products sold are either manufactured on the site, sold as parts or accessories to products manufactured on the site or elsewhere, or stored or distributed either by the owner or lessee of the site or elsewhere; and further provided that not more than thirty percent (30%) of the floor space of the first floor of the main building may be devoted to the retail sales of articles made, stored or distributed on the premises, and that any service facilities are limited to the repair and/or service of products manufactured, stored or distributed by the owner or lessee of the site.

Nothing herein contained shall be construed to permit the operation of general retail sales business.

14. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously-prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, pipe, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as motor vehicle fenders and bodies), shells, textiles, tobacco, wax, wire, wood and yarns.
15. Mobile home and prefabricated home sales and rental, but not including occupancy.
16. Motor vehicle, construction **equipment** and farm equipment sales, repairs and service.
17. Non-profit clubs, lodges, community halls.
18. Offices, professional and business.
19. Printing, lithography, bookbinding or publishing plants.
20. Parks, swimming pools, playgrounds, tennis courts, basketball courts and similar recreation facilities.
21. Research laboratories.

22. Restaurants and beverage establishments, including those serving beer, wine and liquor.
23. Sawmills.
24. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
25. School bus and recreational vehicle storage.
26. Taxidermy.
27. Temporary fairs and carnivals sponsored by charitable, social, civic or educational organizations for a period of time not exceeding sixteen (16) days per event in any calendar year, provided that all equipment, banners, stands and other material and equipment shall be completely removed from the premises within five (5) days of the closing of such temporary fairs and carnivals.
28. Warehouses, truck terminals, moving and storage establishments and cold storage, provided that all loading and unloading shall be done entirely on private property and that no part of any vehicle shall extend into a street while loading or unloading.
29. Wholesale building materials, supplies and installation contractors with storage yards for lumber, bricks, cement blocks, construction equipment, plumbing and electrical supplies.
30. Private business colleges and universities, trade schools and similar commercially operated schools.
31. Drive-in theatres.
32. Golf driving ranges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.
3. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors, day care centers.

C. Bulk Regulations

1. The following maximum limitations shall apply:
 - a. Height 50 feet
2. The following minimum requirements shall be observed:
 - a. Building or Use Setback
 - (1) from any public R.O.W. 50 feet
 - (2) from any residential district other than public R.O.W. 150 feet
 - b. Open Space including landscaped areas . . . 20 percent

D. Other Requirements

1. Landscaping - required minimums (unless comparable elements are approved by the Office of Planning and Zoning.).
 - a. A thirty(30)-foot wide minimum landscaped edge shall be required along any Residential District or external right-of-way, to be planted with a minimum two and one-half (2-1/2)-inch caliper trees at a minimum of thirty (30) feet on center and a similarly landscaped earth mound at least three (3) feet high between the parking area and any adjacent Residential District or public R.O.W..

SECTION 117
M-2 District
MANUFACTURING -- HEAVY

A. Uses Permitted as a Matter of Right

1. Banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions.
2. Blueprinting, printing, duplicating or engraving services.
3. Bowling alleys, tennis barns and clubs, roller skating and ice skating rinks, commercial gymnasiums, dance halls, athletic centers, indoor swimming, miniature golf, and similar uses.
4. Building cleaning, painting, roofing, exterminating and similar establishments.
5. Clothing and apparel manufacture.
6. Food and drink production, processing, packaging and distribution for dairy products, food products, bakery products, non-alcoholic beverages, spices, ice and meats, excluding slaughtering.
7. Full-service laundry and/or dry cleaning establishments.
8. Furniture and appliance repairs.
9. General light manufacturing, including photographic equipment, precision instruments, ceramic products, electrical equipment, musical instruments, optical equipment, medical supplies, toys, novelties, wrought iron products, sporting goods, rubber and metal stamps.
10. Government buildings, facilities and uses, including public schools and colleges.
11. Home goods and furniture manufacture, including brooms, brushes, Christmas decorations, jewelry, silverware, stationery, television sets, radios, household appliances and leather goods, excluding tanning.
12. Hotels, motels and conference centers.
13. Limited Retail Sales:

For any manufacturing plant or warehouse permitted in the M-2 District, retail sales may be permitted provided that the products sold are either manufactured on the site, sold as parts or accessories to products manufactured on the site or elsewhere, or stored or distributed either by the owner or lessee of the site or elsewhere; and further provided that not more than thirty percent (30%) of the floor space of the first floor of the main building may be devoted to the retail sales of articles made, stored or distributed on the premises, and that any service facilities are limited to the repair and/or service of products manufactured, stored or distributed by the owner or lessee of the site.

Nothing herein contained shall be construed to permit the operation of general retail sales business.

14. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously-prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, pipe, plastics, precious or semi-precious metals or stones, sheet metal, textiles, shells, tobacco, wax, wire, wood and yarns.
15. Mobile home and prefabricated home manufacture, sales and rental, but not including occupancy.
16. Motor vehicle, construction equipment and farm equipment sales, repair and service.
17. Non-profit clubs, lodges, community halls.
18. Offices, professional and business.
19. Printing, lithography, bookbinding or publishing plants.
20. Parks, playgrounds, tennis courts, basketball courts and similar recreation facilities.
21. Research laboratories.

22. Restaurants and beverage establishments, including those serving beer, wine and liquor.
23. Sawmills.
24. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored, within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided, that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock, are permitted.
25. School bus and recreational vehicle storage.
26. Taxidermy.
27. Temporary fairs and carnivals sponsored by charitable, social, civic or educational organizations for a period of time not exceeding sixteen (16) days per event in any calendar year; provided that all equipment, banners, stands and other material and equipment shall be completely removed from the premises within five (5) days of the closing of such temporary fairs and carnivals.
28. Warehouses, truck terminals, moving and storage establishments and cold storage, provided that all loading and unloading shall be done entirely on private property and that no part of any vehicle shall extend into a street while loading or unloading.
29. Wholesale building materials, supplies and installation contractors with storage yards for lumber, bricks, cement blocks, construction equipment, plumbing and electrical supplies.
30. Private business colleges and universities, trade schools and similar commercially operated schools.
31. Drive-in theatres.
32. Golf driving ranges.

33. Aircraft parts and subassemblies manufacture.
34. Non-alkoholic beverage manufacturing and bottling.
35. Asphalt or asphalt products manufacture.
36. Automobile, truck, construction equipment or farm equipment assembly plants.
37. Automobile, truck, construction equipment or farm equipment parts manufacture.
38. Clay and ceramic products manufacture.
39. Coal storage.
40. Concrete batching.
41. Concrete products manufacture.
42. Construction machinery manufacture and repair.
43. Cotton mill, cloth manufacture.
44. Disinfectants manufacture.
45. Excelsior manufacture.
46. Packing or processing of fish products, fruit or vegetables.
47. Foundries.
48. Food manufacturing, packing or processing plants.
49. Glass manufacture.
50. Grain storage, milling, or processing.
51. Ice factory.
52. Kennels, commercial and non-commercial.
53. Floor covering manufacture.
54. Heavy machinery manufacture or repair.
55. Machine shops, including manufacture of precision instruments.
56. Livestock slaughtering or preparation for packing.

- 57. Manufacturing of metal alloys or foils.
- 58. Porcelain products manufacture.
- 59. Railroad equipment manufacture and repair.
- 60. Natural or synthetic rubber processing or manufacture.
- 61. Size manufacture.
- 62. Soap or detergent manufacture.
- 63. Stone or stone products manufacture.
- 64. Topsoil storage for commercial purposes.
- 65. Woodworking plants.
- 66. Wool scouring or pulling.

B. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.
- 3. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors, day care centers.

C. Bulk Regulations

- 1. The following maximum limitations shall apply:
 - a. Height 50 feet
- 2. The following minimum requirements shall be observed:
 - a. Building or Use Setback
 - (1) from any public R.O.W. 50 feet
 - (2) from any residential district other than public R.O.W. 150 feet

b. Open Space including landscaped areas 20 percent

D. Other Requirements

1. Landscaping -- Required minimums (unless comparable elements are otherwise approved by the Office of Planning and Zoning).

a. A thirty(30)-foot wide minimum landscaped edge shall be required along any Residential District or external right-of-way, to be planted with a minimum two and one-half (2-1/2)-inch caliper trees at a minimum of thirty (30) feet on center and a similarly landscaped earth mound at least three (3) feet high between the parking area and any adjacent Residential District or public R.O.W.

SECTION 118
ID District
INDUSTRIAL DEVELOPMENT

In order to provide for the development of a large, industrial complex under single ownership, ID Districts may be created in accordance with this Section.

For the purpose of this Section, lands which are divided by streets, roads, ways, highways, transmission pipe lines or conduits or rights-of-way in fee or by easement, owned by third parties shall be considered to be contiguous.

A. Uses Permitted as a Matter of Right

1. All business, commercial and retail uses permitted under these regulations (except uses permitted only in RMH Districts) are permitted in ID Districts, provided that such uses are restricted to services, products and facilities made available to agents, officers or employees actually working on the site, or business invitees of the owner of the site and are not made available to the public generally.
2. All retail uses permitted in E-1 Districts under these regulations are permitted in ID Districts, provided that:
 - a. the products sold are either manufactured on the site or are sold as parts or accessories to products manufactured by the owner of the site or elsewhere; and
 - b. any service facilities are limited to the repair and/or service of products manufactured either by the owner of the site or elsewhere.
3. All manufacturing and industrial uses shall be permitted, except as specifically excluded below:
 - a. Abattoir, slaughtering of animals, stockyards, killing or dressing of poultry.
 - b. Boilermaking or works.

- c. Brewing or distilling of alcoholic beverages.
- d. Brickyards or kilns.
- e. Creosote treatment or manufacture.
- f. Dismantling of automobiles, salvage, storage or sale of used automobile parts, whether within a building or on an open parcel of land.
- g. Distillation of coal, wood, bones or tar.
- h. Distillation of spirits of turpentine or varnish.
- i. Fat rendering.
- j. Fertilizer manufacture.
- k. Fireworks or explosives manufacture or storage.
- l. Fish canning, curing, grinding or smoking.
- m. Flour, grist or grain mills.
- n. Fuel oil manufacturing or refining.
- o. Foundries, except in connection with manufacturing conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- p. Gasoline manufacture.
- q. Hair factory.
- r. Incineration or reduction of garbage, except in connection with manufacturing operations conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- s. Iron, steel or copper works or foundries, except in connection with manufacturing operations conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- t. Junk storage, handling, or sale (except salvage and waste disposal in connection with manufacturing operations conducted on the site which must be located more than three hundred (300) feet from any property line.).

- u. Lampblack manufacture.
- v. Lime, cement, concrete or plaster of paris manufacture to be used off the site.
- w. Lime kiln.
- x. Manufacture or refining of petroleum, asphalt, or any of their products.
- y. Ore dump ore elevators, or ore reduction.
- z. Paint, oil, varnish, lacquer, shellac or turpentine manufacture.
- aa. Paper or pulp manufacture.
- bb. Planing mill.
- cc. Plastic, pyroxylyene, including celluloid manufacture, except in connection with manufacturing operations conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- dd. Potash works.
- ee. Poudrette works.
- ff. Pulverizing charcoal or coal for sale to third parties.
- gg. Raw hides or skins storage.
- hh. Refining of metals, except in connection with manufacturing operations conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- ii. Refuse dumps or sanitary landfills.
- jj. Rubber, caoutchouc or gutta percha manufacture.
- kk. Rubber manufacture from suede materials.
- ll. Quarries.
- mm. Shoddy manufacture and wool scouring.
- nn. Smelting.
- oo. Soap manufacture.

- pp. Soda or washing compound manufacture.
- qq. Starch, glucose or dextrine manufacture.
- rr. Steam or drop hammer forge plants, except in connection with manufacturing operations conducted on the site, which shall not be located within three hundred (300) feet of any property line.
- ss. Stone crusher.
- tt. Sugar refinery.
- uu. Tallow, grease or lard manufacture or refining.
- vv. Tannery.
- ww. Tar distillation.
- xx. Tar refining or tar water proofing manufacture.
- yy. Vinegar manufacture.
- zz. Yeast plant.

B. Bulk Regulations

1. The following maximum limitation shall apply:

Height -- Structural 150 feet

2. The following minimum requirements shall be observed:

a. Lot Size Single Ownership 300 contiguous acres

b. Setback from:

(1) property line 150 feet

(2) Residential District other than a public R.O.W. 300 feet

c. Setback from Property Line or Public R.O.W. if Building Height:

(1) is over 50 feet but less than 100 feet . . 200 feet

(2) is over 100 feet but no more than 150 feet . 250 feet

C. Off-Street Parking Requirements

Hard-surface parking areas shall be provided in accordance with the Howard County Design Manual in sufficient size to permit the parking, entirely on the tract zoned ID, of all automobiles, buses, trucks and other motor vehicles used to bring employees, business invitees and other persons visting the site, as well as all freight and other materials being brought to or from the site. Off-street parking requirements shall be subject to the provisions of these regulations, except where a proposed parking area is to be built upon within a five (5)-year period, and except for occasional temporary parking requirements for accessory buildings located not closer than three hundred (300) feet from any property line or public road or highway. All parking areas located within three hundred (300) feet of the property line or of the right-of-way of a public road or highway, not including interior roads, shall be landscaped with screen plantings not less than six (6) feet in height at time of planting. Such landscaped areas shall be maintained at all times.

D. Approval of Site Plan by Planning Board

1. No permit shall be issued for any use in the ID District until the site plan has been approved by the Planning Board and the Office of Planning and Zoning.
2. The Planning Board, before acting upon the site plan, shall hold a public hearing and shall give consideration to the following:
 - a. the land use plan and the general plan for the County.
 - b. the adequacy and location of roads within the District to be used, access roads to the proposed District from arterial highways and whether or not adequate roads or highways are available to protect nearby residential property.
 - c. the locations, layout and adequacy of parking, loading and unloading facilities.
 - d. general traffic conditions in or near the property to be used.
 - e. whether or not sewerage and water facilities, (whether public or privately maintained), have been approved by the Howard County Health Department and/or the Howard County Department of Public Works.
 - f. the highway plans of the County and State.

- g. any other factors which may prevent the orderly growth of the County or would adversely affect the completion of the general use and development plans of the County or State.
3. After carefully considering the above guides and standards, the Planning Board shall approve, approve with modifications and conditions attached, or disapprove the site plan, stating the reasons for its action.

E. Other Requirements

1. Surplus land over and above the minimum amount may be sold by the owner, provided, however, that land so sold and conveyed shall be, at the time legal title is transferred, deemed to be zoned M-1 as defined in these regulations; and its development shall be controlled by and in accordance with these regulations. Any such sale shall be reported to the Office of Planning and Zoning, so that the Zoning Map may be changed to reflect the zoning change.
2. As used in this Section, "single ownership" is meant to include:
 - a. in the case of a corporation, its wholly-owned subsidiaries;
 - b. in the case of individuals, partnerships, joint ventures, and other associations involving joint ownership;
 - c. a tenant under a lease or leases having a term of at least seventy-five (75) years.

SECTION 119
NT District
NEW TOWN

A. Definitions, Requirements and Restrictions Applicable to NT Districts

1. As used herein, the term "New Town" means an unincorporated city, town or village which:
 - a. is designated and planned as an economically and culturally self-sufficient community with a population of a least 20,000 inhabitants; and
 - b. is so designed and planned as to meet all of the requirements specified in this Section 119.
2. As used herein, the terms "New Town District", "NT District" or "the District" mean the land zoned for the erection of a new town under the provisions of this Section 119.
3. No NT District shall be created except by the procedure set forth herein. Each NT District must contain a total area of at least 2,500 contiguous acres. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights-of-way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 119. No NT District shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 119 thereof. The tenant under a lease having a term of not less than seventy-five years shall be deemed to be the holder of the beneficial title to the land covered by the lease for the purpose of this Section 119.
4. No NT District shall have a greater overall population density than that produced by the number of dwellings permitted herein. The maximum number of dwellings permitted within a NT District 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 2.5. Within each NT District the following additional density 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 fifteen (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 RMH, R-2 or ID 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 "Apartments" on the Final Development Plan, and:
 - (1) in groups having no more than 10 dwellings attached to one another;
 - (2) in such numbers 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 building or other 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. Each single-family attached unit must contain a minimum of 1080 square feet of gross floor space, excluding the basement.
 - c. The off-street parking requirements of Section 123 of these Regulations shall be applicable.
 - d. The accessory use provisions of Section 108 shall be applicable to all residential uses within the NT District.
8. Subject to the more restrictive provisions of Section 119C1d relating to specific uses, all provisions of these Regulations relating to B-1, B-2, SC and M-1 Districts (except those restrictions relating to minimum lot size, height limitations, parking requirements, front, side and rear yard areas, set back provisions and coverage requirements, and to controls afforded by the Final Development Plan set forth herein being substituted therefor) shall apply to those areas in the NT District designated on the approved Final Development Plan for uses corresponding to those permitted in the aforesaid districts.
9. 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	30%	NA
Single Family -- Low Density	12%	NA
Single Family -- Medium Density	20%	NA
Apartments	NA	12%
Commercial(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 RMH, ID or M-2 Districts	NA	15%

Note: NA 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 not involve any extensive coverage of land with buildings, as, for example, all lands devoted to raising of crops, agricultural uses, parks, playing fields, golf courses and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses. Open land designated for residential uses shall be considered qualified as "open space use" only if it is held for the common use of the public or persons residing in the particular locality within the community and if it is larger than two acres in size. For the purpose of meeting the 30% requirement imposed above:

- a. The term "open space uses" shall not include parking lots, vehicular rights-of-way, amusement parks, golf driving ranges or drive-in movies.
 - b. All lands approved and credited as open space use on the Final Development Plan of the NT District shall be conclusively presumed to satisfy the requirements of this Section.
10. Anything in other sections of these Regulations to the contrary notwithstanding, there shall be no restrictions upon the use of, or on the erection of buildings and structures on, land within a NT District other than such as are provided in the various

subsections of this Section or in such other Sections of these Regulations as are expressly stated to be applicable by the various provisions of this Section. Nothing herein shall render inapplicable any regulation of the County relating to construction requirements and/or subdivision approval to the extent that any of the same are not inconsistent with the provisions of this Section.

B. Procedure for Creation of NT Districts

1. The beneficial owner of any tract of land in Howard County meeting the requirements of Section 119 may petition the Howard County Zoning Board to designate the property described in the petition as a NT District. The petition shall contain:
 - a. The exact name and address of the petitioner and a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property in question to the petitioner is recorded. If the petitioner is not the legal as well as beneficial owner of the property, the petition shall:
 - (1) so state;
 - (2) list the exact name and address of the legal title holder and give a reference to the liber and folio of the land Records of Howard County at which the deed conveying the property to the legal title holder is recorded, and;
 - (3) contain a written assent to the petition signed by the legal title holder.
 - b. A metes and bounds description of the property covered by the petition and a survey thereof demonstrating that the same meets the requirements of Section 119A(3).
 - c. A Preliminary Development Plan of the property covered by the petition. As used in this Section the term "Preliminary Development Plan" shall mean a generalized drawing or series of drawings of the proposed New Town, with appropriate text materials, setting forth:

- (1) the major planning assumptions and objectives, including the projected population, the planned development schedule, the method of assuring that all open space uses will be permanently maintained and devoted to open space uses, the proposed public transit system routes and method of operation, and the facilities for the proposed cultural activities of the New Town;
- (2) the proposed general layout of major roads and highways stating projected average daily traffic flows;
- (3) a statement of the number of acres within the proposed NT District intended to be devoted to:
 - (a) residential uses, broken down into the number of acres to be used for each of the following specific residential uses:
 - single family--low density areas;
 - single family--medium density areas;
 - apartment areas:
 - (b) employment uses (i.e., any use involving the employment of individuals, including office buildings, private schools, hospitals, institutions, commercial undertakings, industrial enterprises, and all other forms of business, professional or industrial operations,) and
 - (c) open space uses;
- (4) the general location of the uses referred to in subparagraph above, including proposed sites for recreational uses, schools, parks and other public or community uses and, to the extent 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 to be included in residential areas. All proposed and identified commercial or industrial uses, except for those limited number of commercial uses which are proposed in residential areas, 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. All intended uses which by Section 122 of these Regulations are permitted, with specific approval, only in residential districts, or in some residential districts and some non-residential districts, may be included in the Final Development Plan, either in the residential areas or Employment Centers shown on the Preliminary Development Plan. All intended uses which by Section 122 of these Regulations are permitted, with specific approval, only in non-residential districts, shall be included in areas marked Employment Centers on the Preliminary Development Plan.
 3. The petitioner shall file fifteen copies of the above described petition and all schedules annexed thereto with the Office of Planning and Zoning who shall, in turn, transmit five sets of the same to the Planning Board and each reviewing agency. Each reviewing agency shall within 30 calendar days after receipt of the petition issue a written report and recommendation thereon to the Planning board. In considering the petition and in making its recommendation and report to the Zoning Board, the Planning Board shall consider the matters set forth in Section 100 of these Regulations as well as the General Plan for the County.
 4. After the Planning Board has forwarded the reports of the reviewing agencies along with its recommendations and reports, the Zoning Board shall schedule a public hearing at which parties in interest and citizens of Howard County shall have an opportunity to be heard. Public notice of the hearing and the posting of the property in question shall be subject to the provisions of these Regulations. Following the public hearing, and after considering the reports and recommendations of the Planning Board, the Zoning Board shall examine the Preliminary Development Plan in detail.

In making this examination, the Zoning Board shall also consider the following guides and standards in passing on 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 widening plans of the State and County particularly for the area considered; the needs of the County as a whole and the reasonable needs of the particular area considered; the character of the land within the District and its peculiar suitability for particular uses; and such other matters relevant and pertinent to the relationship of the District to the comprehensive zoning plan of the area.

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

- a. That the petition complies with the provisions of these Regulations;
 - b. That a New Town District should be located at the proposed site; and
 - c. That the Preliminary Development Plan constitutes a general land use plan for the area covered thereby designed to meet the objectives set forth in these Regulations.
5. If the petition is granted, the Zoning Board shall by Decision and Order approve the Preliminary Development Plan and shall create a New Town District covering all of the land included in the petition. If the proposed NT District contains more than 2,500 acres, the creation of the District may be accomplished

by rezoning all of the land included in the petition at one time or, in the discretion of the Zoning Board, by rezoning the same in phases. If this latter course is taken:

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

6. If the petition is approved as above provided:

- a. A copy of the Preliminary Development Plan shall be certified as approved by the Zoning Board and a verified copy of the same shall be forwarded to the Planning Board, the Office of Planning and Zoning and the petitioner;
- b. The zoning map of the County shall be amended so as to designate the area of the new NT District or the phase thereof then being zoned;
- c. All prior existing zoning controls over the property so designated as being within the NT District which are inconsistent with the Preliminary Development Plan shall cease;
- d. 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 of covering such development) as hereinafter provided, except for such as may be specifically approved by the Planning Board, but 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.

C. Final Development Plan

1. As used herein, the term "Final Development Plan" shall mean a drawing, or series of drawings, at a scale of one inch equals 100 feet, with appropriate text material (criteria) setting forth with respect to the entire NT District:
 - a. The permitted locations of all:
 - (1) public streets and roads,
 - (2) public easements and rights-of-way,
 - (3) major lines and conduits supplying water, sewage, electrical and other utility services, and
 - (4) drainage facilities, both on-site and off-site.
 - b. The permitted locations of all sites for recreational, school, park, and other public or community use;
 - c. The preliminary subdivision plans showing all proposed lot and parcel lines:
 - d. The criteria regulating the general locations of all buildings and structures and the permitted "general use" or "specific use", as hereinafter defined, of each such building and structure, except that no uses shall be specified which are permitted only in L₁, R₁M₁ or M-2 Districts. Where the Final Development Plan designates the use of particular building or structure as "uses permitted in a...District" (e.g., "uses permitted in a B-1 District"), then the building or structure 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 Final Development Plan designates a structure for a particular use (e.g., "retail store"), the building or structure must be used for that particular use only, the use so designated being herein referred to as a "specific use"; and
 - e. Height limitations, parking requirements, front, side and rear yard areas, set back provision, minimum lot sizes and coverage

requirements, stated generally and/or specifically with respect to particular improvement or types of improvements.

2. Within thirty 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, or of the first phase of a proposed Final Development Plan if the petitioner desires to develop the NT District in separate geographical segments.
3. Promptly following the giving of such notice to the Planning Board, the petitioner shall commence the preparation of a proposed Final Development Plan. Upon completion of a proposed Final Development Plan, or upon completion of each phase thereof if the petitioner elects to develop the NT District in separate geographical segments, the petitioner shall file it with the Office of Planning and Zoning for Planning Board approval. After review of the material submitted in light of the General Plan for the County, and after giving the petitioner an opportunity to be heard, the Planning Board shall:
 - a. Approve the proposed Final Development Plan (or the particular phase thereof) as submitted by the petitioner;
 - b. Approve the proposed Final Development Plan (or the particular phase thereof) as changed by the Planning Board; or
 - c. Reject the proposed Final Development Plan (or the particular phase thereof) in its entirety.
 - d. At the time of the approval of a 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. 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.
4. In acting upon a proposed Final Development Plan (or the particular phase thereof) the Planning Board shall be guided by the Provisions of these Regulations and shall particularly consider:

- a. The location and adequacy of all streets and ways, in relation to the highway plans of the County and State.
 - b. The location and adequacy of public utility and community facilities, including transportation facilities and recreational uses and school properties, in relation to the density and distribution of population.
 - c. The location, extent and potential use of open space in the form of greenbelts, walkways, parkways, park land, etc., as it affects the general amenity of the community.
 - d. The impact of the proposed commercial and industrial uses on the residential uses within the NT District or adjacent thereto.
5. In considering the matters set forth above, the Planning Board may consult with, or request reports from, the Department of Public Works, the Health Department of Howard County, and any other public departments or agencies of the County or State.
6. The Planning Board shall not unreasonably disapprove or change a proposed Final Development Plan, or any phase thereof. The fact that the proposed Final Development Plan, or any phase thereof, is not in conformity with the Preliminary Development Plan shall be sufficient ground for disapproval or change. The Planning Board shall approve no Final Development Plan which varies the areas of uses below the minimum or above the maximum percentages for particular uses specified herein.
7. Prior to final approval of the proposed Final Development Plan (or any phase thereof if separately submitted), a public hearing thereon shall be had if the same deviates from the Preliminary Development Plan previously approved by the Zoning Board in any of the following particulars:
- a. If the overall maximum density of population within the NT District exceeds that stated in the Preliminary Development Plan; or
 - b. If the number of acres to be devoted to the permitted employment uses shall be increased more than 10%, or the number

of acres to be devoted to permitted residential uses shall be decreased by more than 10%, from that stated in the Preliminary Development Plan; or

- c. If the proposed Final Development Plan shows a use of land in the NT District within 300 feet of any outside boundary thereof which differs from that shown on the Preliminary Development Plan (unless the owners of all land abutting the NT District and within 300 feet of the land in the NT District the use of which is to be changed shall sign a written waiver of the right to be heard in connection with such change in use).
- d. If a public hearing is required to be held it shall be limited to the particular deviation (or deviations) which required the hearing, and the Planning Board shall require publication and posting of the property, all as in the case of the hearing on the Preliminary Development Plan.

8. Comprehensive Sketch Plan

As used herein, the term "Comprehensive Sketch Plan" shall mean a drawing or series of drawings, at a scale of one inch equals 200 feet, with appropriate text material, setting forth with respect to the entire New Town District the approximate boundaries and acreage of the permitted land uses for each subdivision in sufficient detail to graphically present an example of the applications of the adopted Master Final Development Plan Criteria to the area encompassed by the sketch plan.

In addition to the public hearings specified in these regulations, the Planning Board shall hold a public hearing prior to final approval of a Comprehensive Sketch Plan, any phase, thereof, or any site development plan submitted pursuant thereof, if the same includes land which borders on property not within the New Town District (unless the owners of all lands abutting the New Town District land in question shall sign a written waiver of the right to be heard in connection with the request for approval).

- 9. 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 Office 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.

10. If the Planning Board shall disapprove the proposed Final Development Plan (or any phase thereof) or shall fail to approve or disapprove the same within sixty 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 the phase thereof in question) directly to the Zoning Board. If the petitioner pursues the latter course, the Zoning Board shall hold a public hearing on the proposed Final Development Plan (or the phase thereof in question), shall require publication and posting of the property and shall ask for recommendations from the Planning Board, all as in the case of the hearing on the Preliminary Development Plan. After such hearing and the receipt of such reports and recommendations as may be forthcoming within 30 days after such request, the Zoning Board may approve, with or without changes, or disapprove the proposed Final Development Plan (or the phase thereof in question). In making this decision, the Zoning Board shall consider the matters set forth herein.
11. Upon approval of the Final Development Plan (or upon the approval of each phase thereof if submitted on a separate segment basis) as above provided the same shall be recorded among the Land Records of Howard County and the provisions thereof as to land use shall bind the property covered thereby as provided herein with the full force and effect of specific Zoning Regulations. After such recordation, no new structure shall be built, no new additions to existing structures made, and no change in primary use effected different from that permitted in the Final Development Plan except by an amendment to the Final Development Plan. Such an amendment may be requested by an interested party and the proposed amendment shall be governed by all of the foregoing provisions relating to the approval

of the Final Development Plan. Changes in accessory uses shall be allowed pursuant to applications for certificates of occupancy.

12. At any time before the Zoning Board has acted pursuant to B(4) hereof, the original petitioner may amend his petition for a NT District so as to include additional land owned by him and adjacent to the land described in the original petition. If the Zoning Board has approved a petition under B(4) hereof, then at any time thereafter the original petitioner may file a new petition to annex additional land to the NT District so as to include additional land owned by him and adjacent to the existing NT District. Such new petition shall be subject to all of the provisions of this Section, except that the minimum area requirements under Section 119A(3) shall not apply.
13. If construction has not been commenced and completed to the extent of 25% of the ground floor area of a building shown on the Final Development Plan within five years after the date of the approval thereof (or the date of the approval of the last phase thereof if submitted in phases), then the approval shall be void and the entire matter resubmitted to the Planning Board for reconsideration in light of existing circumstances to the same extent as if the same were simply a proposed Final Development Plan; provided, however, that the Zoning Board may grant not more than two extensions of time of one year each to be added to said five year period if it considers such extension to be proper after the receipt and consideration of a report and recommendation from the Planning Board with respect to such extension or extensions.
14. Any construction which has been commenced shall not be subject to reconsideration upon any resubmission of a Final Development Plan under this Section, and the Zoning Board shall make no changes in the Final Development Plan except in relation to areas where construction has not been commenced. During any such reconsideration the property covered by the Final Development Plan shall continue to be bound until such Plan is changed or disapproved in the manner described above.

15. The Planning Board shall have jurisdiction to make decisions and determinations with respect to all matters which may be deemed to be in the nature of variances and special exceptions.

SECTION 120
NON-CONFORMING USES

A. General

A non-conforming use is any lawful existing use, whether of a building or of a tract of land, which does not conform to the use regulations of the district in which it is located, either on the effective date of these regulations or as a result of any subsequent amendment thereto. No existing use shall be deemed non-conforming solely because of the existence of less than the required accessory off-street parking spaces or loading berths, or the existence of non-conforming accessory signs.

B. Non-conforming Use of Land with Minor Improvements

Where no building is involved, the non-conforming use of land with minor improvements may be continued, subject to the following:

1. Except as provided in Subsection F2 hereof, no such non-conforming use shall be enlarged or increased, nor shall it be extended to occupy a greater area of land than that occupied by such use at the time of the adoption of these regulations;
2. That no such non-conforming use be moved in whole or in part to any other portion of the lot or parcel of land occupied by such non-conforming use at the time of the adoption of these regulations;
3. That if such non-conforming use of land, or any portion thereof, ceases for any reason for any continuous period of more than two years or is changed to a conforming use, any future use of the land shall be in conformity with the provisions of these regulations;
4. That no non-conforming use of land shall be changed to another non-conforming use.

C. Non-Conforming Use of Buildings

The non-conforming use of buildings may be continued, subject to the following:

1. Except as provided in Subsection F2 hereof, a building the use of which does not conform to the use regulations for the District in which it is situated, shall not be enlarged or extended unless the use therein is changed to a conforming use or the use extended is a conforming use.

2. Such non-conforming building shall not be structurally altered unless such alterations are required by law; provided, however, that such maintenance and repair work as is required to keep a non-conforming building in sound condition shall be permitted.
3. If any non-conforming use of a building ceases for any reason for a continuous period of more than two years, or is changed to a conforming use, or if the building in or on which such use is conducted or maintained is moved for any distance by act of the owner or his assignee, then any future use of such building shall be in conformity with the standards specified by these regulations for the District in which such building is located.

D. Non-Conformance to Bulk Regulations

A building that is conforming in use but which does not conform to the height, setback, land coverage, parking, loading space or other bulk requirements of these regulations, shall not be considered to be non-conforming within the meaning of these regulations.

E. Replacement of Destroyed Buildings

If any non-conforming building is destroyed by any means, it may be restored on the same lot and the non-conforming use continued, if application is made to the Board of Appeals within one year of the destruction of the building and if so permitted by the Board of Appeals, after public notice and hearing. Such restoration shall be started within a period of six months after approval by the Board of Appeals. Nothing in these regulations shall prevent the strengthening of or restoring to a safe condition any building declared to be unsafe by the Department of Public Works.

F. Board of Appeals Authority

1. To determine existence of non-conforming use.

Whenever the Office of Planning and Zoning issues a cease and desist order alleging the illegal use of property, the owner may raise as a defense the fact that the alleged illegal use is a non-conforming use. Such matter shall be heard by the Board of Appeals under its procedures for hearing administrative appeals. The burden of proof shall be on the property owner to establish the existence of a non-conforming use. The casual, temporary or illegal use of land is insufficient to establish said existence.

2. To authorize the extension or enlargement of a non-conforming use with or without conditions provided:
 - (a) that the use does not change in any substantial way
 - (b) that the extension may not exceed 100% of the gross floor area of buildings or 100% of the gross acreage in the case of non-conforming land, above that which legally existed at the time of the adoption of these regulations.
 - (c) that the extension would not cause a violation of the bulk regulations for the district in which the parcel is located.
 - (d) that the extension would not cause an adverse effect on vicinal properties.
 - (e) as used in this Subsection F, "extension" means either the extension or enlargement of an existing building or the construction of an additional structure on the same lot.

SECTION 121
BOARD OF APPEALS

A. General

1. The Board of Appeals has been established pursuant to Section 501 of the Howard County Charter.
2. Meetings of the Board shall be held at the call of the chairperson and at such other times as the Board may determine. The chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, of if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
3. Appeals to The Board of Appeals may be taken by any person aggrieved, or by any officer, department, board or bureau of the County affected by any decisions of the Office of Planning and Zoning. Such appeal shall be filed not later than fifteen days from the date of the action of the Office of Planning and Zoning and shall state the reasons for the appeal.
4. Except as herein provided, if an application is disapproved by the Board of Appeals, thereafter the Board shall take no further action on another application for the same or substantially the same proposal on the same premises until after twelve months from the date of the last disapproval. Provided however, that a subsequent application for the same or substantially the same proposal on the same premises may be filed at the expiration of six months of the date of the hearing last held as to the same proposal and premises if accompanied by an affidavit setting forth new and different grounds, which the applicant believes would be sufficient for the approval of the proposal contained in the application. After having considered the said application and the facts alleged in the accompanying affidavit, the Board may, after the notice required herein, grant another hearing, provided it is satisfied that new and different grounds or conditions exist which would have a bearing on the consideration of said proposal and would justify another hearing.
5. The Board of Appeals shall fix a reasonable time for the hearing of the appeal, cause the property in question to be posted and decide the issues raised within a reasonable time.

The Board may adopt rules for the efficient administration of these regulations and shall make them available to the public. However, such rules shall in no wise contravene the provisions of these regulations or the Enabling Act.

6. The subject property shall be posted with the time and date of the beginning of the hearing for at least thirty (30) days prior to the hearing. Posters will be furnished by the Office of Planning and Zoning and are to be erected and maintained by the Petitioner. The number of posters required shall be determined by the Office of Planning and Zoning.
7. For assistance in reaching decisions relative to variances or special exceptions, the Board may request technical service, advice, data or factual evidence from the Planning Board and/or any County agency.
3. In cases relating to variances and special exceptions, the Board of Appeals shall consider the report and recommendations of the Planning Board which shall be part of the public record.

B. Powers of the Board of Appeals

The Board of Appeals shall have the following powers related to zoning:

1. Non-Conforming Uses

As provided in Section 120.

2. Variances

(a) To authorize variances from these regulations where all of the following determinations are made:

- (1) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the use or bulk provisions of these regulations.
- (2) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare;

- (3) That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship; and
- (4) That within the intent and purpose of these regulations, the variance, if granted, is the minimum variance necessary to afford relief.
- (5) That no variance be granted to a Special Exception allowed herein except in a historic district.

(b) Limitations, Guidelines and Standards for Variances

(1) Application

Applications for variances shall be submitted to the Office of Planning and Zoning, and shall be transmitted to the Board of Appeals for review. The Board of Appeals may approve, disapprove or modify the application. Each decision by the Board shall be accompanied by a report stating the reasons for the decision.

(2) Authorized Variances

Variances from these regulations shall be granted by the Board of Appeals only in accordance with the standards set out in "(a)" above, and may be granted only to vary off-street parking requirements and the applicable bulk regulations, including setback, lot size, and height requirements.

(3) Conditions or Restrictions

The Board of Appeals may prescribe such conditions or restrictions applying to the grant of a variance as it may deem necessary in the specific case, in order to minimize the adverse effects of such variance upon other property in the neighborhood. Such conditions or restrictions shall be incorporated in the building permit and Use and Occupancy permit. Failure to comply with such conditions or restrictions shall constitute a violation of these regulations, and may constitute the basis for denial or revocation of a building permit or Use and Occupancy permit.

(4) Lapse of Variances

Whenever the Board of Appeals has granted a variance of the provisions of these regulations to permit new construction, it shall become void unless a building permit conforming to plans for which the variance was granted is obtained within two (2) years, and thereafter substantial construction in accordance therewith is completed within three (3) years from the date the decision is filed in the Office of Planning and Zoning.

3. To authorize temporary uses of land, in any district, for a period not exceeding thirty days provided the land shall be entirely cleared of such use within five days after such temporary authority expires.
4. To hear and decide appeals where it is alleged the Office of Planning and Zoning has erred in the interpretation or application of any of these regulations.
5. To approve special exceptions as to location as provided in Section 122, subject to the following.
 - (a) Applications for special exceptions shall be submitted to the Office of Planning and Zoning. The Office of Planning and Zoning shall transmit the application to the Planning Board for general and sketch plan review. The Planning Board shall make a recommendation for approval, approval with conditions or disapproval to the Board of Appeals.

The Board of Appeals shall hold at least one public hearing on the application in accordance with these regulations, and the Board of Appeals shall approve, disapprove or approve with conditions, the proposed development or use. Each decision by the Board of Appeals shall be accompanied by a report stating the reasons for the decision.

- (b) Term of Years
If a maximum term of years is specified in the applicable section, the Board of Appeals shall establish a term of years not to exceed such maximum.
 - (c) Renewals
On an application for renewal of any such special exception authorized in this section, the Board of Appeals shall make all of the required findings as if the application were made for the initial term, in order to determine whether the circumstances warranting the original grant still exist. In addition, the Board of Appeals shall ascertain whether the applicant has complied with the conditions and safeguards theretofore prescribed by the

Board of Appeals during the prior term. In the event that the Board of Appeals shall find that the applicant has been in substantial violation thereof, it shall deny the application for renewal.

(d) **Enlargement or Extensions**

The Board of Appeals may permit the enlargement or extension of any existing use, which, if new, would be permitted by special exception in the specified districts under the provisions of these regulations provided that before granting any such exception for enlargement or extension within the permitted districts, the Board of Appeals shall make all of the required findings applicable to the special exception use. No such enlargement or extension shall create a new non-compliance with the applicable bulk regulations.

(e) **Burden of Proof**

The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Board of Appeals or are required to meet any provisions of these regulations.

(f) **Effect of Denial of a Special Exception**

No application for a special exception which has been denied in whole or in part by the Board of Appeals shall be resubmitted for a period of twenty-four (24) months from the date of said order or denial, except on the grounds of new evidence or proof of changed conditions found to be valid by the Board of Appeals.

(g) **Lapse of Special Exception**

In any case where a special exception use has not vested within two (2) years after the date of the grant thereof, then, without further action by the County, the special exception authorization shall be null and void.

C. Limitations, Guides and Standards

Where in these regulations certain powers are conferred upon the Board of Appeals, or the approval of the Board of Appeals is required before a permit may be issued, or the Board is called upon to decide certain issues, such Board shall examine the specific property involved and the immediate neighborhood, cause the property to be posted, hold a public hearing, and consider all testimony and data submitted, and shall hear any person for or against the issuance of the permit. However, the application shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use, would menace the public health, safety, security, or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall give consideration, among other things, to the following:

1. The number of people residing, working or studying in the immediate areas.
2. Traffic conditions including facilities for pedestrians, such as sidewalks and safety zones and parking facilities and the access of cars to highways.
3. The orderly growth of the community.
4. The reasonable needs of the entire community and particular neighborhoods.
5. The legislative intent of these regulations as provided in Section 100 A.
6. The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.
7. Facilities for sewers, water supply, solid waste collection and disposal and the ability of the County to supply such services.
8. Availability of fire-fighting equipment.
9. Decisions of the Circuit Court for Howard County and the Court of Appeals of Maryland.
10. The effect of such use upon the peaceful enjoyment of people in their homes.
11. The most appropriate use of land and structure.
12. The type and kind of structures in the vicinity where people are apt to gather in large numbers such as schools, churches, theatres, hospitals and the like.
13. The General Plan for Howard County including master plans for land use, highways, recreation and parks, schools, sewers, water, conservation and the like.

D. Court Review

1. Any person, persons, taxpayer, officer, department, board or office of the County, jointly or severally aggrieved by any decision of the Board of Appeals, may appeal to the Circuit Court for Howard County by petition, duly verified, setting forth that such decision of the Board is illegal, in whole or in part, and specifying the ground of the illegality.
2. Appeals to the Circuit Court shall be filed within thirty days from the day upon which the Board decides the matter from which the appeal is taken.
3. The Court shall grant the Board of Appeals and other proper parties a reasonable time to answer and shall require either the original papers or certified copies thereof, which constituted the entire record before the Board, to be filed with the Board's answer.
4. The Court may hear the appeal on the record, or if, in the opinion of the Court, additional testimony is required for the proper disposition of the case, the court may permit either or both sides to present additional testimony.
5. The Court shall hear the case without the intervention of a jury.

6. The Court may modify, reverse, or affirm, wholly or partly, or may remand for further consideration, any decision of the Board of Appeals. When a case is remanded for further consideration, the testimony, if any taken in court, shall be made available to the Board. The costs of preparing a printed record of such testimony shall be made a part of the costs of the case.
7. An appeal may be taken from the determination of the Circuit Court to the Court of Special Appeals of Maryland.

SECTION 122
SPECIAL EXCEPTIONS

A. Statement of Legislative Intent

In order to accomplish the general purposes of these regulations, certain unusual uses need special consideration. They require special regulations to achieve compatibility with existing or planned development. Often the effects of these uses on the surrounding environment cannot be foreseen and evaluated until a specific site has been proposed. They must be given special consideration and located relative to the existing and planned development pattern. They are not permitted automatically, but are subject to the regulations of this section and the conditions imposed in a Special Exception Permit issued upon approval of the proposed development by the Board of Appeals.

B. General Standards Required for Approval

The Board of Appeals shall have the power to permit Special Exception uses, provided the following General Standards are met:

1. The location and size of the use, the nature and intensity of the operation involved in or conducted in connection with the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the use will be in harmony with the land uses indicated in the General Plan of Howard County in the district in which it is located.
2. That the use will not adversely affect vicinal properties.
3. The location, nature, and height of buildings, walls, and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and buildings.
4. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the ingress and egress drives shall be laid out so as to achieve maximum safety.

C. Conformance with Special Exception Plan

The plan which is submitted as part of the petition for a Special Exception pursuant to Section 2.211 of the Howard County Code shall be made part of the Decision and Order of the Board of Appeals in all cases where the petition is approved. The Board may modify or add to the plan as it deems necessary to protect the health, safety and welfare of the community and to protect against adverse impact to the vicinal properties. All improvements, including but not limited to, structures, landscaping, points of egress, lighting and parking areas must conform substantially to the plan. Failure to conform shall constitute grounds for revocation of the Special Exception.

D. District Requirements

All regulations of the district in which a Special Exception use is located shall apply to such uses, except where specific, more stringent requirements of any section of these regulations apply, or where requirements are specifically amended by the conditions under which the Special Exception is granted.

E. Conditions of Approval

1. The Planning Board may recommend and the Board of Appeals may attach such conditions to the Special Exception as are necessary to assure continuous conformance to all applicable standards and requirements.
2. Unless otherwise stated in the Board of Appeals conditions of approval, no specific time limits shall be imposed on the Special Exception.

Failure to observe the conditions of the Board, imposed pursuant to the issuance of the Special Exception, shall be deemed to be a violation of these regulations and may be grounds for revocation of the Special Exception.

3. The Board of Appeals may approve uses subject to the regulations, and to any additional requirements imposed in the public interest to cover circumstances unique to the selected site.

F. Special Exception Uses and Permissible Zoning Districts

The Board of Appeals may grant Special Exception uses in the specified districts in accordance with the following minimum criteria:

1. Aircraft Landing and Storage Areas (private)

(a) Private Use-Private Ownership

A Special Exception may be granted in the R, M-1, M-2 and ID Districts for private aircraft landing areas and storage, provided that:

- (1) The minimum area shall be twenty-five acres. Petitions where the minimum area comprises more than one lot must contain all property owners as petitioners.
- (2) The facilities shall comply with all regulations of federal and state aviation agencies relating to the flight operations and design of facilities.
- (3) No area used by any aircraft during take-off shall be located within a minimum distance of one hundred feet from any property line, or a minimum of one thousand feet from any public or private institution, such as public schools, hospitals, sanitariums, and churches, or a minimum of five hundred feet from any property line on the approach or departure ends of the runway. Hangars shall be at least two hundred feet from any property line. Other structures related to the Special Exception use shall be at least one hundred fifty feet from any residential property line, and no parking of aircraft shall be allowed within one hundred feet of any residential property line and fifty feet of any non-residential property line. All setbacks provided for herein are to be measured from property lines or buildings on property not owned by any of the petitioners.
- (4) Where feasible, all or part of the five hundred feet "clear zone" from the approach or departure ends of the runway may be satisfied by properly certified navigational easements.
- (5) The use of a private aircraft landing and storage area shall be limited to the storage of three (3) or less aircraft, each having a gross weight of 12,500 pounds or less, and in the R District at least one of the aircraft shall be owned and principally used by a bona fide resident of the property.

- (6) No use granted herein shall allow instruction by or to any person in the operation or maintenance of aircraft.
 - (7) Jet fixed wing aircraft may not use this facility.
- (b) Limited Public Use-Private Ownership
- A Special Exception may be granted in the R, M-1, M-2 and ID Districts for aircraft landing and storage areas for limited public use but under private ownership, provided that:
- (1) The minimum area shall be forty-five acres. Petitions where the minimum area comprises more than one lot must contain all property owners as petitioners.
 - (2) The facilities shall comply with all regulations of federal and state aviation agencies relating to the flight operations and design of facilities.
 - (3) No area used by any aircraft during take-off shall be located within a minimum distance of two hundred feet from any property line, or a minimum of one thousand feet from any public or private institution, such as public schools, hospitals, sanitariums and churches, or a minimum of five hundred feet from any property line on the approach or departure ends of the runway. Hangars shall be at least two hundred feet from any existing residential property line. Other structures related to the Special Exception use shall be at least one hundred fifty feet from any existing residential property line, and no parking of aircraft shall be allowed within one hundred feet of any residential property line. All setbacks provided for herein are to be measured from property lines or buildings on property not owned by any of the petitioners.
 - (4) Where feasible, all or part of the five hundred feet "clear zone" from the approach or departure ends of the runway may be satisfied by properly certified navigational easements.
 - (5) The use of an aircraft landing and storage area for limited public use but under private ownership shall be limited to the storage of twelve (12) or less aircraft each having a gross weight of 12,500 pounds or less, and in the R District, at least one of the aircraft shall be owned and principally used by a bona fide resident of the property.
 - (6) Jet fixed wing aircraft may not use this facility.

2. Animal Hospitals

A Special Exception may be granted for an animal hospital in the R and R-20 Districts, provided that all pens and runs must be enclosed within buildings.

3. Antique Shops, Art Galleries and Craft Shops (commercial)

A Special Exception may be granted in the R and R-20 Districts for antique shops, art galleries and craft shops in existing structures, provided that:

- (a) Off-street parking will be provided which will meet the requirements of these regulations. Adequate ingress and egress shall be provided.
- (b) No storage of merchandise will be located outside of structures.
- (c) The design of structures will be compatible with that of other structures in the vicinity.

4. Apartments, Conversion of Existing Dwellings Into

A Special Exception may be granted in the R, R-20, R-12, R-SC, R-SA, R-A1, RMH, M-1, M-2 District to convert an existing dwelling to more than two, but not more than twelve, apartment dwelling units provided that:

- (a) The lot area shall not be less than five thousand square feet for each apartment dwelling unit.
- (b) All other height and area regulations pertaining to dwellings for the District in which the apartment houses are located shall be complied with.
- (c) Sewage disposal and water supply facilities for such apartment houses shall be approved by the County Health Officer.
- (d) The design, layout, ingress and egress roads and required parking spaces of such apartment houses shall be approved by the Board of Appeals.
- (e) Where public sewer and public water are provided, the Board of Appeals may approve apartment dwelling units of less than six hundred square feet floor space, but in no case less than four hundred seventy-five square feet, provided further, that not more than one-third of the total number of apartment dwelling units shall be less than six hundred square feet.
- (f) Off-street parking shall be provided in the amount of one and one-half car space for each apartment dwelling unit.

5. Auditoriums or Temporary Trade Expositions

A Special Exception may be granted in the POR, M-1 and M-2 Districts for auditoriums or temporary trade expositions provided that:

- (a) The principal vehicular access for such use shall be located on an arterial highway or on a collector street near a freeway or arterial highway.
- (b) Such use shall not draw vehicular traffic to and through local streets in nearby residential areas.
- (c) No building or structure shall be located within two hundred feet of a Residential District.
- (d) Adequate storage space at the vehicular entrance, and sufficient capacity for vehicular ingress and egress shall be provided to prevent traffic congestion.
- (e) Vehicular ingress and egress for such use shall be provided separately, and shall be in accordance with the requirements of the Department of Public Works.
- (f) Due consideration shall be given to the proximity of bus and rapid transit facilities to serve such use.
- (g) No building shall be located at a distance of less than one hundred feet from any lot line or fifty (50) feet from a public street right-of-way.
- (h) Off-street parking and loading facilities requirements shall be:
 - (1) One parking space per two spectator seats; and
 - (2) One parking space per ten square feet of additional vantage places for spectators provided by the establishment; and
 - (3) One parking space per employee; and
 - (4) Loading facilities as required in accordance with the use.

No automobile parking space shall be located within any required setback area for the district in which it is located or within fifty feet of any lot line.

6. Beauty Parlor/Barber Shop

A Special Exception may be granted in the R District for a beauty parlor or barber shop provided that:

- (a) The use shall be located within a structure actually occupied as a residence and conducted by the person or persons residing in said residence.
- (b) Not more than two operators shall practice at said residence.
- (c) One non-illuminated sign conforming with State and County regulations may be permitted.
- (d) The Board shall find such a use is desirable for the public convenience.
- (e) Off-street parking shall be provided in the amount of one off-street parking space per operator, plus two additional spaces.

7. Boarding Houses

A Special Exception may be granted in the R, R-20, R-12, R-SC, R-SA, RA-1 and RMH Districts for a boarding house.

8. Bulk Storage of Gasoline, Fuel Oil and Liquified Petroleum

A Special Exception may be granted in the B-2 and M-2 Districts for the storage or sale of gasoline, fuel oil, bottled gas or liquified petroleum, provided that:

- (a) No tank shall be permitted above ground within three hundred feet of any school, hospital or church.
- (b) Maximum storage above ground shall not exceed ten thousand gallons or its equivalent in pounds or cubic feet, for each twenty thousand square feet of lot area.
- (c) For storage area which is closed or not operated for a continuous period of twelve months, the site shall be restored to its previous condition.
- (d) Applicable federal and state health codes shall be followed.

9. Cemeteries and Mausoleums

A Special Exception may be granted in any district for cemeteries and mausoleums, provided that:

- (a) Graves shall be considered as structures for the purpose of determining setbacks from property lines.
- (b) Walls, fences and/or planting of shrubbery, trees or vines as may be reasonable and proper to afford adequate screening may be required.

10. Country Clubs and Golf Courses

A Special Exception may be granted in any district for country club and/or golf course, including:

- (a) All necessary and incidental recreational facilities and uses, as well as accessory uses, normally and customarily considered as constituting a part of the operation of a country club or golf course.
- (b) Clubhouses may be permitted as accessory uses to a golf course.

11. Day Care Centers

A Special Exception may be granted in any district for day care centers provided that, in addition to all State and County regulations, the following requirements are met:

- (a) The bulk regulations shall be the same as for the Zoning District in which the center is located.
- (b) Along any rear or side lot lines, setback with screening shall be the same as for the district in which the center is located.

12. Electric Power or Steam Generating Plants

A Special Exception may be granted for an electric power or steam generating plant in an M-2 District.

13. Farm Commercial Uses

A Special Exception may be granted in any district for commercial uses on farms, provided that:

- (a) Only the following commercial services shall be permitted:
 - (1) Carpentry, plumbing, masonry, electrical work, furniture and appliance repair, painting, roofing, exterminating, building cleaning, musical instrument repair welding.
 - (2) Storage and non-commercial repair of excavating equipment or trucks.
 - (3) Farm machinery repairs.
 - (4) Lawn and garden equipment repairs.
- (b) The minimum lot size shall be fifty (50) acres.
- (c) The lot be a working farm that provides at least fifty-one (51) percent of the income of the resident family.
- (d) The commercial service be conducted by the resident families operating the farm.

- (e) All equipment and vehicles used for such commercial service shall be housed or garaged in buildings which conform in appearance to other farm buildings used for housing and garaging farm equipment. Vehicles and equipment may be stationed only at locations upon the farm which are shielded from view from the public highway.

14. Funeral Homes and Mortuaries

A Special Exception may be granted in the R or R-20 Districts for Funeral Homes or mortuaries provided that:

- (a) The area of the lot shall be not less than three (3) acres; and
- (b) The site is directly accessible to at least one major collector highway; and
- (c) The design of structures will be compatible with that of other structures in the vicinity.

15. Fast Food Restaurant

A Special Exception may be granted for a fast food restaurant in the B-1, M-1 and M-2 Districts.

16. Gasoline Service Stations

Statement of Legislative Intent.

It is the purpose of this section to permit the development of gasoline service stations only in accordance with the planning goals of the County; to regulate motor vehicle access to such uses so as to cause minimum disruption of traffic; to regulate appearance of such lots in a manner consistent with reasonable standards; to require that certain operations of such uses be conducted within enclosed buildings or effectively screened and, where appropriate, to require that all services be enclosed or screened; to provide for appropriate limitations on noise commonly generated by service station operations; to permit and regulate appropriate uses ancillary to service stations; and to assign, where necessary, responsibility for conducting service station operations in compliance with these regulations. It is, further, the purpose of this section to prevent such concentration of automobile service stations as would tend to create blight and congestion, allowing clusters of such uses to be established only in appropriate areas and within a normal competitive environment.

Because of the recognized tendency toward excessive service station development, these regulations establish reasonable standards based on definite need in determining whether a service station should be permitted by Special Exception. It is not the intent of these regulations, however, to act in restraint of trade.

A Special Exception may be granted in the B-2, S-C, M-1, M-2 and ID Districts for gasoline service stations, provided that:

(a) Findings Necessary to Grant Special Exceptions

The Board of Appeals shall give consideration to, and shall make written findings in consideration of all criteria set forth below before granting any Special Exception required to permit a gasoline service station:

- (1) The probability of a reasonable public need for the proposed gasoline service station, supported by evidence including market data submitted by the petitioner.
- (2) The proximity of other gasoline service stations.
- (3) The reasonable need and suitability for the use in the particular community is sought.
- (4) That the proposed use will not create a traffic hazard or excessive traffic congestion because of its location to the following: necessity of turning movements in relation to its access to public roads or intersections; or its location in relation to other buildings on or near the site and the traffic pattern from buildings; or by reason of its location near a vehicular way or pedestrian entrance or crossing to a public or private school, park, playground, or hospital, or other public use or place of public assembly.
- (5) That the use will not adversely affect the general welfare or logical development of the neighborhood or area in which the station is proposed, including nearby areas within adjacent political jurisdictions.
- (6) That the plans for the use have been reviewed and commented upon by those appropriate County and State agencies, including, but not limited to those listed below:

Department of Public Works
Planning Board
State Highway Administration
Fire Administration
Department of Health
Department of Education

(7) That, in the absence of convincing evidence to the contrary, the following shall constitute lack of probability of a reasonable public need for a proposed gasoline service station:

- (a) A gasoline service station within one mile on the same side of the road, except at intersections.
- (b) The presence of two service stations within the four quadrants of an intersection, including one-half mile from center of intersection in any direction.

(3) That upon examination of all requirements of this section and all other legal requirements of Howard County, the Board of Appeals shall either grant or deny the proposed gasoline service station.

(c) Site Development

A site development plan shall be approved by the Planning Board, in accordance with these regulations.

(d) Minimum Lot Size

A minimum lot area of twenty thousand square feet, provided this size is adequate to meet the necessary services, and the setback and buffering requirement, and a minimum lot frontage of one hundred twenty feet on a public road shall be required for each gasoline service station site. In unsewered areas, the lot area must be increased sufficiently to accommodate an individual sewage disposal system approved by the County Health Officer.

(e) Landscape Plan

A detailed landscape plan shall be submitted, showing location, size and species of all proposed materials.

(f) Landscaping

Landscaping shall be established on all gasoline service station sites on a minimum of twenty percent of the site area.

(g) Fences, Walls and Decorative Screening

Materials, textures, colors and design of fences, walls and screening shall be compatible with the on-site development, the adjacent properties, and the neighborhood. Solid walls such as masonry or wood and masonry may be required when the gasoline station borders a Residential District.

When solid walls are required, a planting strip is required on the outside of the wall.

(h) Off-Street Parking

All gasoline service station development shall meet County off-street parking standards to ensure the safe movement of vehicles and pedestrians. The arrangement of structures, islands, driveways, parking and landscaping shall be designed so as to ensure maneuvering ease, to serve the community, and not adversely to affect adjacent properties. The development shall provide three spaces for each grease rack or working bay plus one space for each employee on duty, plus a separate space for each accessory vehicle, such as tow trucks, etc. Where a car wash service is being proposed as part of the normal service station operation, sufficient parking and holding lane capacity shall be provided and public streets shall not be used for storage.

(i) Access Driveways

Driveways shall be designed and located to ensure a safe and efficient movement of traffic on and off the site from the lane of traffic nearest the curb. The design, location and construction of all vehicular access driveways shall be in accordance with the applicable specifications and standards of the appropriate County and/or State agency with approval jurisdiction.

(j) On-Site Lighting

Lighting shall be designed and controlled so that any light source, including interior of a building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises, nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Such lighting shall not shine on or reflect on or into residential structures.

(k) Lubrication Equipment and Outdoor Storage and Refuse Areas

Hydraulic racks and service pits shall be located within the main structure. Any outdoor storage or refuse area shall be fenced or screened from view and must be approved as to location and design. The petitioner's plan shall indicate the disposal methods to be used for all waste material, including waste oil generated by the service station operation.

(l) Structure

Main Structure -- The main structure and pump island shall be appropriate and harmonious in design with adjacent development and in keeping with the character of the neighborhood. Materials, textures and colors shall be compatible with surrounding uses. Reflective and fluorescent materials shall not be permitted. Wherever possible and compatible to the site, the main structure should be located at the side or rear of the property. The main structure shall include restroom facilities for the public.

Convenient retail cigarette and snack dispensing areas are allowed and must be effectively screened or enclosed and integrated with the architectural design of the service station.

(m) Operation

- (1) The operation shall be confined to normal gasoline service station activities. Outside operations shall be limited to the dispensing of gasoline, oil, water, pressurized air, the changing of tires and minor servicing. Storage of all automotive supplies shall be within the main structure.
- (2) The sale or rental of boats, two-wheeled vehicles, trucks, cars, all types of trailers, tractors, mowers and any other similar uses of a rental or sales nature are prohibited, except that another separate Special Exception covering those uses may be granted.
- (3) The premises shall be maintained at all times in a clean and orderly condition, including the care or replacement of plant materials required in the landscaping and screening plan. The responsibility for compliance with this provision shall be with all parties having a lease or ownership interest in the gasoline service station.

- (4) Where a gasoline service station is adjacent to a Residential District, its hours of operation shall be established by the Board of Appeals.

(n) Abandonment

Any gasoline service station existing under a Special Exception, granted by the Board of Appeals, which is closed or abandoned and not operated with normal continuous daily business at least twenty days per month for a period of twelve months shall be razed and removed and the site restored to its previous condition by the owner, unless a site development plan is submitted to the Office of Planning and Zoning for a permitted use of the property; and the owner may not construct or open another gasoline service station in Howard County until the above steps are completed. All signs shall be removed from the premises of the closed station.

Upon the submission of a site development plan to the Office of Planning and Zoning for a permitted use of the property, within the period of twelve months after the gasoline service station was closed and not operated, the original Special Exception granted by the Board of Appeals shall be null and void.

17. Golf Driving Ranges, Public Swimming Pools, Baseball Batting Ranges, Miniature Golf Courses and Swim Clubs

A Special Exception may be granted in any district for golf driving ranges, public swimming pools, baseball batting ranges, miniature golf courses and swim clubs, provided that reasonable standards for hours of operation and lighting standards shall be established for each use by the Board of Appeals.

18. Greenhouses, Farm and Garden Supply Stores, Florists

A Special Exception may be granted in the R and R-20 Districts for a greenhouse, farm and garden supply store or florist, together with the buildings incidental thereto, provided that:

- (a) No such use or parking area may be located within fifty feet from any lot line.
- (b) The sale of plants, trees, shrubs, seeds, fertilizers, plant food, hand tools, hand spraying and watering

equipment, and other equipment directly related to farming, residential gardening or lawn care, shall be permitted.

- (c) Tools and equipment are not permitted to be stored outdoors.
- (d) The off-street parking shall be at least one parking space per one hundred square feet of floor area used for sales purposes, and one parking space per employee.
- (e) The minimum lot size shall be 2 acres.

19. Homes - Aging, Convalescent, Nursing, Children's and Sheltered Housing

A Special Exception may be granted in the R, R-20, R-12, R-SC, R-SA, RA-1, and RMH District for Aging, Convalescent, Nursing and Children's Homes and Sheltered Housing provided that:

- (a) The lot for which the home is proposed is at least one acre in size and the lot coverage shall not exceed 25%.
- (b) The nursing home shall meet all requirements of federal, state and other public agencies.
- (c) All relevant requirements of these regulations including those for off-street parking and loading are met.
- (d) The proposed site shall have road access adequate for the traffic expected to be generated by the proposed development.
- (e) The design of the facility is such that no sounds, smell, or any other noxious emissions from such activities as kitchens or loading areas, can be detected beyond the lot line.

20. Junk Yard

A Special Exception may be granted for a junk yard in the M-2 District.

A junk yard is defined as a parcel of land used for the commercial dismantling, storage and sale of salvage material, including scrap metal, vehicles, paper and rags. The baling, shredding or compacting of salvage material are permitted.

21. Kennels

A Special Exception may be granted in the R, R-20 and B-1 Districts for commercial and non-commercial kennels, provided that:

- (a) The permit shall be for a period of three years, subject to renewal.
- (b) The minimum lot size shall be five acres.
- (c) No outside pen or run may be located within two hundred feet of any lot line.
- (d) No structure shall be located within two hundred feet of any side or rear lot line or within one hundred feet of any right-of-way line.
- (e) Screening, as specified in these regulations, shall be provided at all lot lines.
- (f) Disposal of wastes must be such that odors or other emissions are not perceptible at lot lines.
- (g) Outside lighting must be shielded so that direct light does not shine beyond lot lines.
- (h) A permit for a kennel shall not be issued without approval of the Health Department of Howard County.

22. Livestock and Dairy Product Processing

A Special Exception may be granted on any farm in the R and R-20 Districts for processing and distribution facilities for sale of livestock and dairy products, at least fifty percent of which must be produced on said farm, provided that:

- (a) The area of the lot to be used shall not be less than one hundred acres.
- (b) Off-street parking, loading and unloading facilities shall be provided in accordance with these regulations.
- (c) No buildings shall be extended or erected or used within three hundred feet of a public right-of-way or within five hundred feet of any other property line.

23. Museum, Art Galleries and Libraries

A Special Exception may be granted in the R, R-20 and R-12 Districts for museums, art galleries and libraries, provided that a determination is made by the Board of Appeals that such use will not constitute a nuisance because of sidewalk or street traffic, noise or physical activity, and that such use will not tend adversely to affect the use and development of adjoining properties.

24. Non-Profit Clubs, Lodges and Community Halls

A Special Exception may be granted in the R and R-20 Districts for non-profit clubs and similar organizations, provided that:

- (a) Any building shall be located at a distance of not less than one hundred feet from any lot line, except that not less than fifty feet at commercial or industrial lot lines shall be allowed. The front setback shall be at least one hundred feet, except when bordering highways of eighty foot rights-of-way or more, where the setback shall be fifty feet.
- (b) Total building coverage shall not be more than twenty percent of the area of the site.
- (c) No parking space shall be located in any required front setback from any residential property line.
- (d) Off-street Parking Space and Loading Facilities Requirements:
 - 1 parking space per employee
 - 1 parking space per site resident
 - 10 parking spaces per one thousand square feet of floor space
 - 1 loading facility for service vehicles

25. Parking Facilities Adjacent to Historic Structures

A Special Exception may be granted to allow the establishment of parking facilities adjacent to historic structures in any District if the Board affirmatively finds that:

- (a) The historic structure does not have the capability to provide adequate parking completely upon its site; and
- (b) The parking will be used solely for the accommodation of the historic structure.

26. Public Utility Uses

A Special Exception may be granted in all Districts for the following public utility uses, subject to certain conditions:

- (a) Permitted Uses:
 - (1) Transmission lines designed to carry 69,000 volts or more of electricity.
 - (2) Utility substations.
 - (3) Above ground pipelines.
 - (4) Pumping stations.
 - (5) Telephone exchanges.
 - (6) Commercial communications stations or towers.
- (b) Special Conditions:
 - (1) In the case of utility substations or pumping stations that the site for such use has a minimum access of twenty feet when adjacent to a public right-of-way.

- (2) That the proposed location, design and method of operation will not have a detrimental effect on the privacy and quiet of the neighborhood and the safety of its inhabitants.
 - (3) The architectural and landscaping treatment of such use will be in harmony with the area.
 - (4) All required bulk requirements of the District are met.
 - (5) The Board finds a need for the proposed use.
 - (6) The Special Exception may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for soundproofing, for the construction of fences, barriers or other safety devices, for surfacing of all access roads and driveways, for shielding of floodlights or other artificial illumination, and/or for landscaping or screening.
- (c) Public utility uses allowed by Special Exception in residential or commercial Districts shall not include any of the following: power generating plants; incinerators; non-local area telephone and telegraph dial or repeater stations; public transit or railroad car barns, garages, yards or shops; construction or building material yards.

27. Quarries - Rock, Stone, Sand, Barrow Pits

A Special Exception may be granted in the R, M-1, M-2 and ID Districts for quarries and barrow pits and other similar excavations for sand, rock, stone and minerals provided that:

- (a) The approved portion of the tract shall have a peripheral area which shall be retained in its natural topographic condition, undisturbed by excavation or mining, one hundred feet in width. The setback area shall not be used for any purpose except planting, fencing and roads for ingress and egress to the tract.
- (b) The height of buildings or structures may be limited by the Board of Appeals.
- (c) Equipment for washing, sorting, crushing, grinding, loading, weighing, screening, sizing or similar operations shall not be located within three hundred feet of a property line, except that the Board of Appeals may permit sedimentation ponds to be closer than three hundred feet, but not closer than one hundred feet to such property line if the applicant demonstrates the topographic necessity of such a location and that sufficient safeguards will be provided for the protection of neighboring residents and uses.
- (d) All operations shall be conducted in a safe manner with respect to the likelihood of hazard to persons, physical damage to adjacent land and improvements and damage to any street as a result of slides, sinking or collapse.
- (e) Existing trees and ground cover along public road frontage and lot lines shall be preserved, maintained and supplemented by selective cutting, transplanting, and addition of new trees, shrubs and ground cover.
- (f) Excavated area shall be maintained thoroughly drained, except for draining and ponding areas which are used for production.
- (g) Roads in the permit area for ingress and egress from excavation areas to public roads shall not be less than twenty feet wide, and shall be hard-surfaced and maintained for a distance of one hundred fifty feet from the public road into the excavation area. All other roads shall be treated as needed with a preventative to control dust.

- (h) The Board of Appeals may limit the permit to a specific limit of time.
- (i) Operation hours for excavation and processing operations shall be restricted to between 7:00 am. and 6:00 pm. on weekdays. No blasting shall be permitted between the hours of 6:00 pm. and 7:30 am. No operation shall be permitted on Sundays except for repairs to equipment. Only sales and deliveries may be permitted on Saturdays.
- (j) A site plan shall be submitted for approval to the Board of Appeals at the time of the permit applications, showing the following:

- (1) setback area, including screening and fencing.
- (2) portion of tract, if any, actually being excavated, and proposed excavation areas;
- (3) existing and proposed buildings, structures and major mechanical equipment;
- (4) existing and proposed access roads;
- (5) water supply and sewage disposal;
- (6) settlement pits for pollution control;
- (7) stockpile area.

(k) Rehabilitation Plan

- (1) A rehabilitation plan shall be submitted at the time of the permit application for approval to the Board of Appeals setting forth a general plan for rehabilitation of the permit area. A rehabilitation contour plan shall be included, indicating the general grades and slopes to which excavated areas are to be graded. A description of the methods and materials proposed for rehabilitation of top soil shall be provided. The rehabilitation schedule shall include specific information relating to regrading, drainage, landscaping, erosion backfilling, removal of machinery and buildings, and closing of access roads. No rehabilitation plan shall be approved unless it provides for the following minimum rehabilitation program as to the area abandoned:

- (a) Regrading -All disturbed land shall be regraded so that no slope exceeds a maximum of thirty percent except, whenever the site of an excavation for a quarry is greater than fifty percent grade, the excavated area shall be fenced with a durable galvanized fence six feet high, located not less than twenty feet from the edge of excavation. The County

shall have the right to enter and repair or maintain such fence whenever the property owner shall fail to do so. The property owner shall be liable to the County for the cost of the repairs or maintenance.

- (b) Landscaping, Erosion, Backfilling--All piles of disturbed earth or material resulting from the excavating operation shall be raded to a smooth contour to control erosion and to prevent ponding and undrained water pockets. Whenever erosion will cause silting of streams or wash onto public roads or will cause erosion or silting on adjoining property, the area causing erosion or wash shall be graded, covered with suitable soil to sustain growth and then sodded or seeded. All such areas not sodded shall be landscaped by planting of grass and trees where soil conditions permit. Seedling trees shall be planted at a rate of two hundred per acre and maintained through one year's growth.
- (c) Removal of Machinery and Buildings--All machinery and buildings shall be completely removed and underlying excavations filled to grade, except buildings or machinery that are to be continued in operation for a use permitted under the zoning classification.
- (d) Access Roads--Upon the abandonment of excavation operations on any site or portion thereof in the permit areas, all access roads shall be suitably barricaded to prevent the passage of vehicles either into or out of the abandoned area, except such access as needed for vehicles engaged in rehabilitation work, until the plan for rehabilitation has been completed and other use necessitating access has been commenced on the property.
- (e) Adequate Collateral--Adequate collateral, as determined and reviewed annually, shall be kept in escrow, drawing interest to the benefit of the petitioner, to cover the estimated cost of the accepted plan for rehabilitation. Such money shall only be released upon completion of the rehabilitation program.

(2) Upon the failure, refusal or neglect of the applicant or subsequent owner or lessee of permit area to comply with an approved rehabilitation plan, the County shall give written notice to said person, directing that rehabilitation activities be commenced within thirty days. If the person to whom the written notice is directed fails to comply, the County may cause rehabilitation to be commenced. Whenever it is necessary for the County to carry out rehabilitation activity, the cost shall be collected as other such debts.

- (1) Evidence shall be submitted indicating that the proposed operation has been approved by all applicable regulatory agencies.
- (m) No excavation or processing operations shall be commenced on land in the permit area until all persons having interest of record in said land shall cause to be recorded among the Land Records of the County a description of the area included within the permit area, the application number and the date the permit was granted by the Board of Appeals, a statement indicating that use of the land will be in accordance with an approved site plan and an approved rehabilitation plan and a declaration binding their heirs and assigns to utilize the land in accordance with said site plan and rehabilitation plan until excavation and processing operations cease and rehabilitation of the land is completed.

28. Race Tracks (Animal or Motor Vehicle)

A Special Exception may be granted in the M-1 and M-2 Districts for race tracks for either animals or motor vehicles, provided that:

- (a) Any lot, parcel or tract used for this purpose shall not be less than seventy-five (75) acres.
- (b) No building structure or enclosed racing area shall be located within five hundred feet of any residential lot line.

29. Religious Activities, Buildings Used Primarily for

A Special Exception may be granted in any district for buildings designed primarily for religious activities provided that:

- (a) Lot coverage shall not exceed twenty-five percent of lot area.
- (b) Buildings designed primarily for religious activities may be erected to a greater height than permitted in the district in which it is

located, provided that the front, side and rear setbacks shall be increased one foot for each foot by which such building exceeds the height limitation established for the District in which such building is located.

30. Recreation Vehicle Camps

A Special Exception may be granted in the R District for Recreation Vehicle Camps and Courts designed for overnight use by tourists and travelers who primarily carry with them their own overnight camping equipment, such as tents and mobile camping facilities, provided the following requirements and provisions are complied with:

- (a) No patron shall be allowed to maintain and/or use the camping sites or facilities of any camp permitted under this section for a period longer than sixteen consecutive nights.
- (b) Adequate public sanitary facilities shall be provided for the use of the camp patrons as approved by the Howard County Health Department before any petition for a Special Exception may be approved under this section.
- (c) The washhouse use and/or comfort station as approved by the Howard County Health Department shall provide facilities for individual campsites within a three-hundred-foot radius.
- (d) Whenever there is a discrepancy between the minimum standards as shown below and those contained in regulations of the Howard County Health Department or other official regulation of Howard County or State, the highest standard shall apply. Any washhouse and/or comfort station shall provide sanitary facilities as follows:

<u>Men</u>	<u>Women</u>
For up to 24 sites:	For up to 24 sites:
1 water closet	2 water closets
1 lavatory	1 lavatory
1 urinal	
2 showers	2 showers
For each additional 30 sites:	For each additional 30 sites:
1 water closet	2 water closets
1 urinal	
1 lavatory	1 lavatory
2 showers	2 showers

- (e) The proposed site shall contain at least twenty acres.
- (f) The area allotted for each individual camping site within the camp shall be not less than one thousand square feet, including off-street parking space, which said off-street parking space shall be provided for each individual camping site. Minimum width of each individual campsite shall be twenty-five feet. Minimum width of camp roads shall be fifteen feet for one-way roads and twenty feet for two-way roads.
- (g) Each individual camping site shall be accessible from a camp road. Minimum distance from any property line to nearest camping site or facility shall be fifty feet, except that the minimum distance from any adjoining existing or proposed public right-of-way shall be not less than the required setback distance applicable to the Zoning District in which the camp is located, but in no case less.
- (h) Minimum distance between buildings shall be twenty-five feet.
- (i) Screening shall be provided between areas used for campsites and any lot lines.
- (j) Camping equipment shall mean a tent or recreation vehicle accommodation (other than a mobile home) suitable for temporary habitation, and used for travel, vacation or recreational purposes.
- (k) The campsite areas shall be clustered and shall be planned for a minimum of twenty-four and a maximum of sixty-four individual campsites per cluster, each cluster to be provided with a service and recreational open area of not less than ten thousand square feet. Campsite clusters shall have a minimum distance of two hundred feet between centers.
- (l) The Board of Appeals shall have continuing jurisdiction in such cases and may, from time to time, impose additional safeguards in the interest of public safety and security, or said Board may revoke the use granted and the permit issued where it finds such use endangers the lives and safety of people living in the community; provided, however, no such permit shall be revoked without public notice and hearing.

31. Rendering Plants

A Special Exception may be granted for a rendering plant in the M-2 District if the Board affirmatively finds that:

- (a) The need generated within Howard County for rendering exceeds the capacity of existing local facilities; and
- (b) The plant is designed and constructed to prevent perceptible odors at the property line.

32. Research Laboratories

A Special Exception may be granted in the R and R-20 Districts for research laboratories operated by business or research organizations, provided that:

- (a) The lot area for such use shall not be less than twenty-five acres.
- (b) Building or buildings erected or to be used shall not be less than two hundred feet from any external property line.
- (c) Such use shall be confined to a building or buildings.
- (d) Off-street parking shall be not less than one hundred feet from any external property line.
- (e) Goods or products may be manufactured only to the extent necessary for testing, evaluation and test marketing, to reach a commercialization decision and permit transfer to full scale manufacturing facilities.

33. Retreat Center

A Special Exception may be granted in any residential district except RMH for a Retreat Center.

34. Riding Academies and Stables

A Special Exception may be granted in the R and R-20 Districts for riding academies and stables, provided that:

- (a) Adequate trails or areas for horseback riding shall be available.
- (b) No stable shall be located within two hundred feet of any property line.
- (c) If three or more horses are kept, riding academies and stables shall be located on a tract of not less than five acres.

35. Sawmills

A Special Exception may be granted in the R District for sawmills, provided that:

- (a) Any approval of the Board shall be limited to two years from the date of said approval. The Board may extend the use for additional two year periods.
- (b) The Board shall have continuing jurisdiction in such cases and may, from time to time, impose additional conditions or limitations, in order to carry out the purpose and intent of the Zoning Regulations.

36. School Buses (Parking and Storage)

A Special Exception may be granted in the R, R-20 and R-12 Districts for the parking and storage of more school buses than allowed by these regulations, provided that:

- (a) All such vehicles parked or stored outside of a building shall be screened from adjoining properties.
- (b) No such vehicles shall be parked or stored within the building setback requirements of the district in which they are located.
- (c) Any parking spaces occupied by such vehicles shall be provided in addition to all other required parking spaces.
- (d) Only minor repairs to such vehicles shall be permitted. In no case shall body work, engine rebuilding or reconditioning or collision services be permitted.

37. Schools, Colleges, Universities - Private (Academic)

A Special Exception may be granted in the R (certain colleges and universities are permitted as a matter of right in the R district), R-20, R-12, R-SC, R-SA, RA-1, R-MH Districts for private academic schools, colleges and universities, provided that:

- (a) Minimum Area, Frontage, and Setback Requirements are met, as follows:
 - (1) Elementary Schools:
Minimum Lot Area: 5 acres or 1 acre per 60 pupils, whichever is greater
Frontage: Two hundred feet

- (2) Middle Schools:
Minimum Lot Area: 10 acres or 1 acre per 60 pupils, whichever is greater
Frontage: Three hundred feet
- (3) High Schools
Minimum Lot Area: 15 acres or 1 acre per 60 pupils, whichever is greater
Frontage: Three hundred feet
- (4) All other Schools:
Minimum Lot Area: 1 acre per 60 pupils or fraction thereof
Frontage: Two hundred feet
- (5) Setbacks shall be the same as the district in which the use exists.

(6) Schools with Residence Accommodations:

In addition to meeting the area requirements enumerated above, schools with residence accommodations shall provide an additional five hundred square feet of lot area for each on-site resident. Residents shall include students, whether housed in dormitories or other living quarters, staff members and their families, and the caretakers and their families who reside on the site.

(7) Access drives shall be located at least forty feet from any adjacent property line.

(8) In any District, a private school may be erected to a greater height than permitted in the respective District, provided that no building is more than three stories in height and the front, side and rear setbacks shall be increased two feet for each foot by which such building exceeds the height limitation established for the District in which such building is located.

b. Off-Street Parking and Loading Facility Requirements

(1) Elementary or Middle Schools:

One parking space per twenty pupil seats for staff members.

One parking space per five seats in all-purpose rooms.

Five parking spaces for visitors.

One loading facility per two school buses.

One loading facility per twenty pupils arriving by private transportation.

Two loading facilities for service vehicles.

(2) High Schools:

One parking space per twenty pupil seats for staff members.

Ten parking spaces for visitors.

One parking space for fifteen pupil seats for student drivers.

One parking space per three permanent auditorium seats, or one space per four square feet of seating area where fixed seating is not used, as in gymnasiums.

Plus:

One loading berth per twenty pupils arriving by private transportation which will not be parked.

One loading berth per school bus.

Two loading berths per service vehicles.

(3) Colleges, Junior Colleges, Universities:

Two parking spaces per three students.

One parking space per staff member.

Twenty parking spaces for visitors.

One parking space per three auditorium seats, and/or one space per forty square feet of seating area where fixed seating is not used, as in gymnasiums. Pooling of spaces between auditoriums and gymnasiums

will be allowed only if, in the judgment of the Office of Planning and Zoning, both facilities will not be used for spectator activities simultaneously. One loading berth per principal building.

38. Shooting Ranges--Outdoor Rifle, Pistol, Skeet and Trap

A Special Exception may be granted in the R,M-1 and M-2 Districts for commercial shooting ranges, provided that:

- (a) Discharging of firearms shall not be permitted within five hundred feet of any property line.
- (b) Such range is constructed in such a manner as to eliminate all danger to persons or property from flying projectiles.
- (c) A minimum lot area of seventy-five acres is provided for all rifle and pistol ranges. A minimum of twenty-five acres shall be provided for all skeet and trap shooting ranges.
- (d) Such range shall conform in all respects to any regulations specified by federal and State law, the provision of these regulations, or other County regulations.
- (e) The manner and times of operation thereof shall be so stated in the Special Exception such that there will be no resulting detrimental disturbances to normal neighborhood tranquility or neighboring residences and that the topographic features of the site are such that projectile firing ranges are minimized, while at the same time, the travel distance of noises emanating from firearms is minimized.

39. Taxidermy

A Special Exception may be granted in the R and R-20 Districts for taxidermy provided that:

- (a) The application shall contain complete site plans and architectural plans showing design, layout, ingress and egress.
- (b) Off-street parking shall be provided for one car space for each one hundred square feet of floor space used for sales area.
- (c) The height and area regulations of the District in which the taxidermy practice is located must be complied with.
- (d) No display of any kind shall be allowed, except that one sign not to exceed two square feet in

area may be displayed on the premises, advertising only the name of the taxidermy practice and the proprietor's name and address.

- (e) Disposal of any animal waste shall be under the supervision and jurisdiction of the Howard County Health Department; and before the practice can be commenced, a permit from the Howard County Health Department shall be acquired.
- (f) No building housing the practice of taxidermy shall be within one hundred feet of any adjacent residential property line.

40. Two-Family Dwellings

A Special Exception may be granted in the R,R-20 and R-12 Districts for the conversion of any single-family detached dwelling unit to a two-family dwelling unit or for the construction of a two-family dwelling unit on an individual site provided that the Board of Appeals determines that such use will not constitute a nuisance because of sidewalk or street traffic, noise or physical activity; and that such use will not tend adversely to affect the use and development of adjoining properties.

41. Wrecked Vehicle Storage (temporary)

A Special Exception may be granted in the B-2 and M-1 Districts for the temporary storage of wrecked vehicles, provided that:

- (a) Title to the vehicle does not transfer to the operators and owners of the site.
- (b) All such vehicles shall be screened from off-site view by walls (including building walls) or fences at least eight feet in height. All surfaces of such walls or fences facing residential zones or premises shall be finished or, in the discretion of the Board of Appeals, vine-covered or otherwise improved by the use of planting.
- (c) The storage area shall be treated as needed to control dust and minimize the runoff of oils and greases.
- (d) Dismantling of wrecked vehicles shall not be permitted.

SECTION 123
OFF-STREET PARKING AND LOADING FACILITIES

A. Layout and Location

Off-street parking and loading facilities required by these regulations shall be provided on the same lot or premises with such structure or land use; except that off-street parking and loading spaces required for structures or land uses on two (2) or more adjoining lots may be provided in a single common facility on one (1) or more of said lots, provided said lots are owned in common, or are subject to recorded covenants or easements for parking.

B. Off-Street Parking Facilities

1. Specifications

- a. Required off-street parking facilities may be enclosed in a structure or may be open. Enclosed buildings and carports containing off-street parking shall be subject to the set back requirements applicable to the District in which located. No part of any parking area shall be situated within any set back adjacent to a street unless specifically permitted by regulations governing a specific District or as a condition of approval through the grant of a Special Exception as contained herein.
- b. The design of aisle widths, stall lengths and widths, entrance widths, turning radii, flow patterns, paving, etc., shall conform with standards set forth in the Howard County Design Manual.
- c. Any lighting used to illuminate off-street parking areas shall be so arranged as to reflect the light away from the adjoining lots in Residential Districts and any public R.O.W.

2. Minimum Parking Requirements for Specific Uses

The following are minimum requirements and may be increased as part of approval of a Site Development Plan:

<u>Use</u>	<u>Minimum Required Spaces</u>
a. Accessory uses, require additional spaces as follows:	
(1) roomers or boarders	One per room so occupied.
(2) professional offices	Four per professional person keeping office hours.
(3) home occupation	Two.
b. Specific uses, as follows:	
(1) Bowling Alleys	Four per Bowling lane.
(2) Day Care Centers	One space per 400 sq. ft. of usable floor area
(3) Clubs, Lodges, and and Similar Recreational Buildings	One space per 100 sq. ft. of usable floor area.
(4) Gasoline Filling Stations	As determined by Special Exception.
(5) Hospitals	One per two beds and one per employee on the major shift plus four per doctor treating outpatients on the major shift.
(6) Housing for Elderly and Handicapped	Two for each five dwelling units
(7) Manufacturing Uses	One per two employees per major shift, or one per 500 sq. ft., whichever is greater.
(8) Mobile Home Park	Two per mobile home space. On-street parking shall be permitted on only one side of each interior street.

<u>Use</u>	<u>Minimum Required Spaces</u>
(9) Motels, Hotels	One space per unit plus one space per two employees.
(10) Motor Vehicle Salesrooms, Repair Shops, Public Garages	One per 500 square feet of floor area.
(11) Museums, Art Galleries, Libraries	One per 200 square feet of floor area available to the public plus one per two employees.
(12) Offices for Professional Use in a Residential District	One per 200 square feet of floor area, exclusive of storage and utility areas.
(13) Offices and Research Laboratories	Seven for each ten persons customarily working at one time.
(14) Nursing Homes, Homes for the Aged	One per three beds for occupants and one per two staff or service employees.
(15) Other Types of Recreational Facilities	As determined by the Office of Planning and Zoning.
(16) Buildings used primarily for religious activities	One for each three fixed seats. Benches shall be deemed to have a capacity of one seat per two feet of length or one for each 100 square feet of floor area of assembly space open to the public, whichever is greater.

	<u>Use</u>	<u>Minimum Required Spaces</u>
(17)	Residences, Garden Apartments	1.0 per efficiency 1.5 per one or two bedroom units 2.0 per larger units
(18)	Residences, Single-Family, Detached, Semi-detached, Attached	Two per dwelling unit. (On lots fronting on roads with 60-foot or greater rights-of-way, each parking space shall have independent access to the public street.)
(19)	Restaurants or Other Places Serving Food, Beverages, or Other Refreshments (other than fast food restaurants)	One per four seats, plus one per two employees customarily working at the same time on the major shift, or one per 200 square feet of floor area so used, whichever is greater.
(20)	Retail Food Stores (over 4,000 square feet)	One per 150 square feet of floor area available to the public.
(21)	Retail or Service Businesses, Including Laundries and Laundry Pickup Stations	One per 200 square feet of floor area.
(22)	Private Schools, Colleges, Universities	As determined in approval of Special Exception.
(23)	Telephone Exchanges	One per two employees.
(24)	Theaters, Motion Picture Theaters or Other Places of Public Assembly or Amusement	One per three seats. Where there are no fixed seats, one per 100 square feet of floor area available to the public.
(25)	Funeral Homes	Ten spaces per public room, plus one space per employee.

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|-----------------------------|--|
| (26) Shopping Centers | One per 200 square feet of floor space designed to be used for business purposes. Where movie theaters, motion picture theaters or other places of public assembly are included, the requirement of "(25)" shall be provided in addition to the above. |
| (27) Fast Food restaurants | One per three seats, plus one per two employees, however, in no case shall less than 20 spaces be provided. |
| (28) Tennis Barns and Clubs | Four per tennis court, plus one per two employees. |

3. Other Uses

Reasonable and appropriate off-street parking requirements for structures and land uses which do not fall within the categories listed above shall be determined in each case by the Office of Planning and Zoning, which shall consider comments from other County agencies and all factors entering into the parking needs of each such use.

C. Off-Street Loading Facilities

Off-street loading and unloading facilities as defined in these regulations and located on the same site with the use to be served, shall be provided for retail and service business establishments, restaurants and other places serving food and beverages, manufacturing, wholesale business, storage warehouses and other commercial establishments.

D. Vehicular Access

In all Districts, the entrances and exits for all permitted or required accessory group parking facilities with ten (10) or more spaces, and all permitted and required accessory off-street loading facilities and the centerline of entrances and exits thereto shall not be located less than fifty (50) feet from the intersection of any two (2) street rights-of-way.

E. Provisions For the Physically Handicapped and Aged

Provisions for the Physically Handicapped and Aged shall be provided pursuant to the provisions of Article 41, Section 257JK of the Annotated Code of Maryland (1971 Replacement Volume, as amended from time to time.)

CASE # : ZB 707
PETITIONER : HOLLADAY CONSTRUCTION CORPORATION
TOPIC : DWELLING-GARDEN APTS.
DATE OF : 5/5/78
APPROVAL

AMENDMENT : Amend Section 104.A.32 of the Zoning Regulations to read as follows:

32. Dwelling, Garden Apartment:

"One of a series of two or more attached dwelling units separated from one or another by continuous horizontal floors and/or vertical party walls, but not exceeding three stories."

CASE # : ZB 708
PETITIONER : BURDETT OXYGEN CO.
TOPIC : INDUSTRIAL GASES IN M-2 DISTRICTS
DATE OF : 5/5/78
APPROVAL

AMENDMENT : Amend the Zoning Regulations so as to add a new subsection, 122.F.42, to read as follows:

Subsection 122F(42). A special exception may be granted in the M-2 Zoning District for the manufacture, sale, storage and distribution of acetylene and other non-toxic industrial gases provided that:

- a. No manufacture or above-ground storage be permitted within 300 feet of any school, hospital or church.
- b. Maximum above-ground storage shall not exceed 10,000 gallons or its equivalent in pounds or cubic feet for each 20,000 square feet of lot area.
- c. When the site is closed or not operated for a continuous period of 12 months, the gas storage facilities thereon shall be dismantled.
- d. Applicable Federal, State and local health, fire and environmental codes shall be followed.
- e. The setback requirements for the building or use as provided in Section 117, shall be applicable, however, the minimum setback from all property lines shall be fifty (50) feet.

CASE # : ZB 713
 PETITIONER : HOWARD RESEARCH & DEVELOPMENT CORPORATION
 TOPIC : NEW TOWN USES
 DATE OF : 5/24/78
 APPROVAL

AMENDMENT : Add new Section 124 to the Zoning Regulations to read as follows:

"Section 124

NEW TOWN DISTRICT LAND-USE PROPORTIONS

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	30%	NA
Single-Family - Low Density	12%	NA
Single-Family - Medium Density	20%	NA
Apartments	NA	12%
Commercial (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 RMH, ID or M-2 Districts	NA	15%

Note: NA 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 not involve any extensive coverage of land with buildings, as, for example, all lands devoted to raising of crops, agricultural uses, parks, playing fields, golf courses and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses. Open land designated for residential uses shall be considered qualified as 'open space use' only if it is held for the common use of the public or persons residing in the particular locality within the community and if it is larger than two acres in size. For the purpose of meeting the 30% requirement imposed above:

- a. The term 'open space uses' shall not include parking lots, vehicular rights-of-way, amusement parks, golf driving ranges or drive-in movies.
- b. All lands approved and credited as open space use on the Final Development Plan of the NT District shall be conclusively presumed to satisfy the requirements of this Section.

CASE # : ZB 713 (con't)
PETITIONER : HOWARD RESEARCH & DEVELOPMENT CORPORATION
TOPIC : NEW TOWN USES
DATE OF : 5/24/78
APPROVAL :

This Section does not repeal, supersede or amend, by implication or otherwise, Section 119A9 of the Zoning Regulations of Howard County as adopted by the Decision and Order of the Zoning Board dated October 3, 1977, in Zoning Case No. 705 but manifests the intent of the Zoning Board to improve, strengthen, reinforce and complement the provisions of the Zoning Regulations of Howard County as so adopted. This Section shall become effective immediately and shall remain in full force and effect until such time as the Decision and Order of the Zoning Board in Zoning Case No. 705 becomes finally effective, by judicial determination or otherwise. In the event that, by judicial determination or otherwise with respect to such Decision and Order, such Section 119A9 is rendered ineffective, and the 1961 Zoning Regulations, as amended, of Howard County are revived, this Section shall supersede or stand in the place of Section 17.108 thereof as such section was adopted by the Zoning Board pursuant to an Amended Order of the Circuit Court for Howard County dated August 12, 1975 in Law Case No. A-6936 and shall thereby constitute the Section of such 1961 Zoning Regulations containing the land-use proportions governing New Town Districts."

CASE # : ZB 715
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF APPROVAL : 7/25/78

AMENDMENT : Amend and add to the Zoning Regulations the following sections:

Amendment Item 1 adopted with Amendments; Item 2 adopted; Item 3 adopted; Item 4 adopted with Amendments; Item 5 adopted; Item 6 adopted; Item 7 adopted; Item 8 adopted; Item 9 adopted; Item 10 adopted with Amendments; Item 11 adopted; Item 12 adopted; Item 13 rejected; Item 14 adopted; Item 15 rejected; Item 16 adopted; Item 17 adopted; Item 18 rejected; Item 19 adopted; Item 20 adopted; Item 21 adopted with Amendments.

CASE # : ZB 715 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 7/25/78
APPROVAL :

(1) Add New Section 100F on page 5; to read:

F. ADMINISTRATIVE ADJUSTMENTS

1. BULK REGULATIONS

UPON PETITION BY THE PROPERTY OWNER, THE OFFICE OF PLANNING AND ZONING MAY, WHEN THE DIRECTOR DETERMINES THAT EXTRAORDINARY HARDSHIPS OR PRACTICAL DIFFICULTIES MAY RESULT FROM STRICT COMPLIANCE WITH THE BULK REGULATIONS HEREOF, GRANT AN ADJUSTMENT FROM THE PROVISIONS OF THE BULK REGULATIONS IN AN AMOUNT NOT TO EXCEED 10% OF THE BULK REQUIREMENTS STATED FOR EACH SPECIFIC DISTRICT. THE DIRECTOR SHALL DETERMINE THAT THE ALLOWANCE OF AN ADJUSTMENT WILL BE IN THE PUBLIC INTEREST AND WILL NOT NULLIFY THE INTENT OR PURPOSE OF THESE REGULATIONS. THIS AUTHORITY TO MAKE ADJUSTMENTS DOES NOT APPLY TO THOSE PORTIONS OF THE BULK REGULATIONS WHICH CONTROL DENSITY.

2. DISTRICT MAP LINE ADJUSTMENTS

UPON PETITION BY THE PROPERTY OWNER, THE OFFICE OF PLANNING AND ZONING MAY ADJUST THE DISTRICT MAP LINE TO COINCIDE WITH THE PROPERTY LINE FOR A PARCEL WHICH WAS PREVIOUSLY BIASECTED INTO TWO SEPARATE ZONING DISTRICTS, IF THE DIRECTOR DETERMINES THAT THE BIASECTION OF THE PARCEL ACTS TO DENY THE PROPERTY OWNER [ALL] REASONABLE USE OF A PORTION OF THE PARCEL. THE ADJUSTMENT MAY ONLY BE MADE TO ALLOW THE SMALLER PORTION OF THE PARCEL TO BE PLACED IN THE SAME ZONING DISTRICT AS THAT PREVIOUSLY GIVEN TO THE LARGER PORTION, AND IN NO EVENT MAY SUCH ADJUSTMENTS BE MADE ON PARCELS [WHICH EXCEED] EXCEEDING FIVE (5) ACRES.

(2) Section 101, Item 13 on Page 7:

Delete the term, "~~Zoning-Enforcement-Officer.~~"

(3) Section 103, B. Enforcement - second paragraph, page 9; amend to read:

Any person who is specifically damaged by an alleged violation of these regulations may request in writing that the Office of Planning and Zoning issue a Cease and Desist Order. If the Office does not issue such a notice within sixty (60) days of receiving the written request, such failure shall be considered to be a final decision of the Office that the alleged violation does not exist, and the complaining person shall have a right

CASE # : ZB 715 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 7/25/78
APPROVAL :

to appeal such decision to the Board of Appeals, PROVIDED THAT SUCH PETITION OF APPEAL IS FILED WITH THE CLERK OF THE BOARD OF APPEALS WITHIN THIRTY (30) DAYS AFTER SUCH FAILURE TO ISSUE SUCH CEASE AND DESIST ORDER. If such an appeal is taken, the Office Of Planning and Zoning shall send a copy of the petition to the owner and occupant of the premises.

(4) Section 104 A.

Amend sub-section 23. Commercial Vehicle, on page 14, to read:

23. Commercial Vehicle: Every motor vehicle and every trailer or semi-trailer designed and used for carrying freight or merchandise [and every motor vehicle or semi-trailer used for carrying freight or merchandise] in the furtherance of any commercial enterprise; A MOTOR VEHICLE THAT IS DESIGNED TO CARRY MORE THAN TEN (10) PASSENGERS AND IS USED TO CARRY PEOPLE, INCLUDING VEHICLES REGISTERED AS SCHOOL BUSES [SCHOOL BUSES]; ANY OTHER MOTOR VEHICLE THAT IS DESIGNED AND USED TO CARRY PEOPLE FOR COMPENSATION, EXCEPT FOR [A TAXICAB] TAXICABS.

(5) Section 104A.33. Dwelling, Single Family Attached on page 15; Amend to read:

One of a series of two or more attached dwelling units separated from one another by continuous vertical party walls WITH EACH DWELLING UNIT LOCATED ON A SEPARATE LOT.

(6) Section 104 Definitions; Add new sub-section 62.5 MOTOR VEHICLE, on page 19, to read:

62.5 MOTOR VEHICLE: A VEHICLE THAT IS SELF-PROPELLED AND IS NOT OPERATED ON RAILS. MOTOR VEHICLE DOES NOT INCLUDE A MOTOR CYCLE OR A BICYCLE THAT IS EQUIPPED WITH AN ASSISTING MOTOR.

(7) Section 105 B2 on page 25,
Section 106 B2 on page 28,
Section 107 B2 on page 32,
Section 108 B2 on page 36,
Section 109 B2 on page 40, and
Section 110 B2 on page 45; Amend to read:

Farm tenant houses or mobile homes, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, ~~provided there shall be not more than one (1) such unit for each fifty (50) acres of lot area.~~ THAT THESE USES SHALL NOT BE PERMITTED ON PARCELS LESS THAN FIFTY (50) ACRES AND

CASE # : ZB 715 (con't)
 PETITIONER : OFFICE OF PLANNING & ZONING
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 APPROVAL :

ONE (1) ADDITIONAL UNIT SHALL BE ALLOWED FOR EACH ADDITIONAL FIFTY (50) ACRES.

- (8) Section 105 B3 on page 26,
 Section 106 B3 on page 29,
 Section 107 B3 on page 33,
 Section 108 B3 on page 37,
 Section 109 B3 on page 41,
 Section 110 B3 on page 46, and
 Section 111 B2 on page 50; Amend to read:

Private off-street parking areas for not more than two (2) commercially licensed vehicles, OR TWO (2) UNLICENSED MOTOR VEHICLES on lots of three or more acres and not more than one (1) commercially licensed vehicles OR ONE (1) UNLICENSED MOTOR VEHICLE on lots less than three (3) acres.

- (9) Section 105 C.2.b. Lot Width, on page 27, to delete:

~~b. Lot Width
 (1) At Building Restriction Line 200 feet
 (2) Adjoining minor collector or larger public R.O.W. 200 feet~~

Amend sub-section to read:

b. LOT WIDTH AT BUILDING RESTRICTION LINE . . . 200 feet

- (10) Section 105 D.2 on page 27,
 Section 106 D.4 on page 31,
 Section 107 D.4 on page 35,
 Section 108 D.3 on page 39,
 Section 109 D.3 on page 44; and
 Section 110 D.3 on page 49; Amend to read:

On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as a tempoaray field or sales office in connection with building development, except that such trailer shall not be used ~~for storage of materials or~~ for living or sleeping purposes.

ON APPLICATION TO THE OFFICE OF PLANNING AND ZONING, A PERMIT MAY BE ISSUED FOR THE USE OF [A MODEL HOME] AN EXISTING BUILDING AS A TEMPORARY FIELD OR SALES OFFICE IN CONNECTION WITH BUILDING DEVELOPMENT.

- (11) Section 108 A Uses Permitted as a Matter of Right

Add new sub-section A 9 on page 36, to read:

CASE # : ZB 715 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 7/25/78
APPROVAL :

9. USES PERMITTED IN THE R-12 DISTRICT SUBJECT TO DEVELOPMENT PURSUANT TO THE REGULATIONS CONTAINED IN THE R-12 DISTRICT ON A LOT OR GROUP OF CONTIGUOUS LOTS WITH A COMBINED TOTAL LOT AREA OF LESS THAN 100,000 SQUARE FEET.

(12) Section 110 C.1.b. on page 46; Amend to read:

b. Lot coverage - structures

- (1) [garden apartments] GARDEN APARTMENTS. . . 20 PERCENT
- (2) SINGLE-FAMILY ATTACHED. 40 PERCENT

[(13) Section 112 C 2 a on page 54; Amend to read:

a. District size, not to prohibit the sale or lease of lot therein.....5 4 acres.]

(14) Section 116 A. Uses Permitted as a Matter of Right on page 76, and
Section 117 A. Uses Permitted as a Matter of Right on page 80; Amend sub-section 22 to read:

22. Restaurants and beverage establishments, including those serving beer, wine and liquor FOR CONSUMPTION ON PREMISES ONLY.

[(15) Section 119 C. Final Development Plan 15., on page 105; Amend to read:

15. The Planning Board shall have jurisdiction to make decisions and determinations with respect to all matters which may be deemed to be in the nature of variances and special exceptions AND THE LIMITATIONS, GUIDES AND STANDARDS IN SECTION 121 C. OF THESE REGULATIONS AND THOSE APPLICABLE TO THE SPECIAL EXCEPTION USES SET OUT IN SECTION 122 OF THESE REGULATIONS, IN ADDITION TO THOSE SET OUT IN THIS SECTION, SHALL BE UTILIZED BY THE PLANNING BOARD IN SUCH DETERMINATIONS AND DECISIONS.]

(16) Section 19 C. Final Development Plan; Add new sub-section 16 on page 105, to read:

16. THE EFFECT OF DENIAL OF A USE SET OUT UNDER SECTION 122 (F) IN A NEW TOWN DISTRICT

ANY PETITION FOR A LAND USE IN A NEW TOWN DISTRICT PERMITTED UNDER SECTION 122 (F) OF THE ZONING REGULATIONS IN ANY F.D.P. WHICH HAS BEEN DENIED BY THE PLANNING BOARD, SHALL NOT BE RE-SUBMITTED FOR A PERIOD OF TWELVE (12) MONTHS FROM THE DATE OF SAID DENIAL FOR SAME USE ON SAME SITE EXCEPT ON GROUNDS OF NEW EVIDENCE OR PROOF OF CHANGED CONDITIONS FOUND TO BE VALID BY THE PLANNING BOARD.

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(17) Section 121 A General 3., on page 109; Amend to read:

Appeals to the Board of Appeals may be taken by any person aggrieved, or by any officer, department, board or bureau of the County affected by any decisions of the Office of Planning and Zoning. Such appeal shall be filed not later than ~~fifteen~~ THIRTY (30) days from the date of the action of the Office of Planning and Zoning and shall state the reasons for the appeal.

[(18) Section 121 B. Powers of the Board of Appeals; Amend sub-section 2.(a)(5) on page 111, to read:

(5) That no A variance MAY be granted to a Special Exception allowed herein. ~~except-in-a-historic-district.~~

(19) Section 122 F 36 School Buses (Parking and Storage): Add new sub-section (e) on page 141, to read:

(e) THE STORAGE OR PARKING OF THE NUMBER OF VEHICLES [LICENSED] REGISTERED AS SCHOOL BUSES ON LOTS OR PARCELS IN THE R, R-20 AND R-12 DISTRICTS ON THE EFFECTIVE DATE OF THIS AMENDMENT, SHALL BE DEEMED VALID NON-CONFORMING USES IN THOSE DISTRICTS.

(20) Section 123 B 2 a Accessory Uses, require additional spaces as follows; Add new sub-section (4) on page 147, to read:

(4) RECREATIONAL VEHICLE ONE SPACE PER RESIDENCE FOR PARKING OR STORAGE PURPOSES ONLY.

(21) Add new section to Zoning Regulations, to read:

SECTION 125 SUPPLEMENTARY ZONING DISTRICT REGULATIONS

A. AREA REGULATIONS:

1. CORNICES AND EAVES MAY PROJECT NOT MORE THAN THREE (3) FEET INTO ANY REQUIRED YARD.
2. A BAY WINDOW, ORIEL, VESTIBULE, BALCONY OR CHIMNEY, WHICH IS NOT MORE THAN TEN (10) FEET IN WIDTH, MAY PROJECT NOT MORE THAN FOUR (4) FEET INTO ANY REQUIRED YARD.
3. PORCHES, DECKS, OPEN OR ENCLOSED, MAY PROJECT NOT MORE THAN TEN (10) FEET INTO THE REQUIRED FRONT OR REAR YARD.
4. NOTWITHSTANDING OTHER REQUIREMENTS OF THESE REGULATIONS, NEW BUILDINGS ERECTED ON MAIN STREET BETWEEN THE PATAPSCO RIVER AND ROGERS AVENUE IN ELLICOTT CITY, SHALL

CASE # : ZB 715 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
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APPROVAL

BE REQUIRED TO PROVIDE A FRONT YARD EQUAL IN DEPTH TO THE MAIN PART OF THE STRUCTURE OF THE NEAREST BUILDING ON THE SAME SIDE OF THE STREET.

B. THE AREA REGULATIONS NOTED IN SECTION 125A. OF THIS SECTION CANNOT BE FURTHER MODIFIED BY ANY ADMINISTRATIVE VARIANCE OR ADMINISTRATIVE ADJUSTMENT.

CAPITAL LETTERS - indicates matter added to existing Zoning Regulations.

~~Strike-out~~ - indicates matter stricken by amendment.

[] - indicates Zoning Board deletions to the Petition.

 - indicates Zoning Board additions to the Petition.

Effective 7/1/78

ZB 715 - List of
school bus contractors
covered under Section
122. F. 36

SCHOOL YEAR 1978-79

CONTRACTORS NAME & ADDRESS	PHONE NUMBER	BUS NUMBERS
Barry W. Amoss 3433 Plumtree Drive Ellicott City, Maryland 21043	465-8697 Home 465-4646 Work	11, 91, 208
Frank R. Barnes Route 216 Fulton, Maryland 20759	725-6293	72, 93, 168
Alfred S. Bassler 4994 Sheppard Lane Ellicott City, Maryland 21043	531-5861	26, 104
James R. Baugher 4767 Montgomery Road Ellicott City, Maryland 21043	465-3146	101, 125, 144, 164
Richard E. Boswell 8389 Old Frederick Road Ellicott City, Maryland 21043	465-8754	192
Edward Lee Bowman, Jr. 1611 St. Michaels Road Woodbine, Maryland 21797	489-7461	110, 127, 156, 194
John Leo Brown 5892 Bonnie View Lane Kridge, Maryland 21227	796-1838	4, 5, 7, 23, 27, 35, 38, 40, 46, 81, 83, 85, 186, 203
Paul E. Brown 4684 Linthicum Road Dayton, Maryland 21036	286-3215	18, 20, 65, 143, 163
Roger S. Carter 8611 Frederick Road Ellicott City, Maryland 21043	465-4676 Home 465-9839 Garage	73, 84, 88, 92, 97
Donald F. Clark 11294 Old Frederick Road Marriottsville, Maryland 21104	328-2358 Home 795-2400 Ext.275 Work	15, 126, 195
Doris S. Donaldson 2239 Duvall Road Woodbine, Maryland 21797	442-2957 Home 442-2292 Work	202
Harry Lee Eyre, Jr. Ronald Lee Eyre 15910 Union Chapel Road Woodbine, Maryland 21797	489-4909 Home 442-2239 Garage	13, 86, 87, 90, 172, 173, 182, 190
Bennett M. Gates 3005 Ramblewood Road Ellicott City, Maryland 21043	465-5147 Home 328-2366 Garage	6, 41, 47, 58, 78, 82, 95
William C. Gordon 10824 Hilltop Lane Columbia, Maryland 21044	531-6148 Home 286-2272 Work (SILENT)	102
Mildred K. Gray 2849 Ivory Road West Friendship, Md. 21794	489-7405	16, 100, 123

CONTRACTORS NAME & ADDRESS	PHONE NUMBER	BUS NUMBERS
JOHN W. Harris, Jr. New Cut Road Ellicott City, Maryland 21043	465-0957	137, 206, 209
Eldon L. Hart 10249 Wesleigh Drive Simpsonville, Maryland 21150	997-8457 Home 953-7100 Ext.7653 Work	54, 76, 96
Elizabeth A. Hartsock 7537 Cherry Tree Drive Fulton, Maryland 20759	953-3960	31
John F. Horton 12045 Route 144 Ellicott City, Maryland 21043	988-9504 Home 596-3772 (SILENT)	25, 43, 45, 49, 64, 70, 77, 111, 117, 162, 183, 185, 197
Elger J. Huber 9417 Fairview Avenue Laurel, Maryland 20810	498-2720 Home 937-5888 Work	61
Harry R. Huber, III 9039 Dumhart Road Laurel, Maryland 20810	498-3156 Home 730-1030 Work	149
Rosa Lee Huber 9039 Dumhart Road Laurel, Maryland 20810	498-3156	52, 191
James W. Hudson, Jr. 12745 Frederick Road Friendship, Md. 21794	442-2340 Home 489-4473 Garage (SILENT)	33, 99, 106, 128, 150, 179
WEST R. Earle Johnstonn, II 12336 Route 108 Clarksville, Maryland 21029	988-9324	34, 59
Robert L. Kelly 7516 Oakland Mills Road Jessup, Maryland 20794	498-7911 Home (SILENT)	121, 193
Thomas W. Leishear 8409 Woodward Street Savage, Maryland 20863	725-1823	28, 74, 134, 148, 167, 178, 189, 211
Alice W. Litaker 11906 Triadelphia Road Ellicott City, Maryland 21043	988-9302 Home 465-0400 Work	147
Wanda L. Lowrey 1022 St. Michaels Road Mt. Airy, Maryland 21771	489-4796	17
Genevieve E. Mullinix 12045 Route 216 Fulton, Maryland 20759	792-7739 Home 497-0955 (SILENT)	42, 105, 118, 135, 151, 170
Nancy L. Mullinix 13901 Burntwoods Road Ellicott City, Maryland 21737	489-4742	141
H. Myers 2109 Old Route 32 Columbia, Maryland 21044	531-6441 (SILENT)	39, 79
Donald G. Parlette 6575 Route 32 Clarksville, Maryland 21029	286-2140	68, 158, 161, 176, 198

CONTRACTORS NAME & ADDRESS	PHONE NUMBER	BUS NUMBERS
Edward L. Pickett E. Watersville Road Mt. Airy, Maryland 21771	829-0543	124, 204
Joseph L. Poteet 5904 Waterloo Road Ellicott City, Maryland 21043	799-7044	21, 80, 108, 131, 145, 165, 210
John K. Powell, Sr. 786 Long Corner Road Mt. Airy, Maryland 21771	829-0279	94, 177, 188
James A. Price 10909 John Hopkins Road Laurel, Maryland 20810	725-8257	8, 89
William H. Randall 14783 Old Frederick Road Woodbine, Maryland 21797	442-2431 (SILENT)	9, 199
David L. Redmiles 16370 Old Frederick Road Lisbon, Maryland 21765	489-4455	139, 169, 181, 196
Barbara A. Rice 12045 Route 144 Ellicott City, Maryland 21043	988-9504 Home 596-3772 (SILENT)	29, 66, 146, 166
Donald L. Ridgely 1005 Triadelphia Road Glenelg, Maryland 21737	489-4964	10
Elizabeth P. Scott Trotter Road Clarksville, Maryland 21029	531-5602	19
B. Murat Seibert 3250 Roscommon Drive Glenelg, Maryland 21737	489-4863	14
Walter M. Sirk 16177 Frederick Road Woodbine, Maryland 21797	489-7608 (SILENT)	30, 103, 120, 130, 171, 175, 180, 205
John R. Snodgrass 5705 Landing Road Elkridge, Balt., Md. 21227	796-1850 Home 796-1699 (SILENT)	1, 2, 3, 44, 57, 60, 67, 69, 71, 98, 109, 114, 115, 132, 187
Susan C. Souder 10558 Leishear Road Laurel, Maryland 20810	725-1434	140, 142, 154, 207
Richard A. Stansbury 16708 Frederick Road Mt. Airy, Maryland 21771	489-4309	56, 62, 157
Herbert A. Streaker West Friendship, Md. 21794	442-2180	12, 51, 107, 129, 155, 174, 201
Warren Streaker Woodbine, Maryland 21797	489-4637	55
Stanley E. Sullivan Burntwoods Road Glenwood, Maryland 21738	489-4319	24, 53, 153, 160

CONTRACTORS NAME & ADDRESS	PHONE NUMBER	BUS NUMBERS
Samuel L. Warfield Day Road Sykesville, Maryland 21784 <i>SYKESVILLE</i>	489-4406	184
Howard Lee Wessel 11909 Queen Street Fulton, Maryland 20759	490-1901 Home	152
Robert N. Wessel 8525 Murphy Road Laurel, Maryland 20810	725-6364	50, 63, 112, 138
Wessel Brothers, Inc. 11274 Scaggsville Road Laurel, Maryland 20810	725-1683 Home 725-9523 Home	22, 32, 36, 37, 48, 75, 113, 116, 133, 159, 200

CASE # : ZB 727
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : MOBILE HOME LOTS
DATE OF : 7/30/79
APPROVAL

AMENDMENT : Amend and add to the Zoning Regulations the following sections:

Amendment Item 1 adopted; Item 2 adopted; Item 3 adopted with modifications; Item 4 adopted; Item 5 adopted; Item 6 adopted; Item 7 adopted; Item 8, adopted; Item 9, adopted; Item 10 adopted; Item 11, adopted; Item 12, adopted; Item 13, adopted with modifications; Item 14, adopted with modifications; Item 15, adopted with modifications; Item 16, adopted; Item 17, adopted; Item 18, adopted as added by modifications; Item 19, adopted as re-numbered by modifications; Item 20, adopted as re-numbered by modifications.

CASE # : ZB 727 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : MOBILE HOME LOTS
DATE OF : 7/30/79
APPROVAL :

- (1) Section 104 Definitions; add to sub-section 56, on page 18, the following:

56. Lot: A parcel of land or portion of a recorded subdivision intended for building development, whether immediate or future upon which only one principal residential structure is permitted. The provision of one principal residential structure per lot does not apply to apartment, MOBILE HOME PARK and non-residential developments.

- (2) Section 104 Definitions; sub-section 60, on page 19, add to read as follows:

60. Mobile Home: A portable housing unit designed and constructed for permanent residential purposes, WITH OR without, a permanent foundation, which unit has a provision for connection with water, sewer, electricity and other public utilities; it may contain parts which may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity, or it may consist of two or more separately towable or portable components designed and constructed to be joined into one integral housing unit and capable of subsequent separation into components for repeated towing. Travel trailers, motorized homes, pickup coaches and camping trailers shall not be considered as mobile homes for the purposes of this subtitle.

- (3) Section 104 Definitions; amend sub-section 61, on page 19, to read:

61. Mobile Home Park DEVELOPMENT: Any lot, parcel or tract of land ZONED AS A RESIDENTIAL MOBILE HOME DISTRICT, together with REQUIRED open spaces required by these regulations; used, designed, maintained or held out to accommodate mobile homes, including WHETHER BY RENTAL OR OWNERSHIP, AND all buildings AND structures intended as equipment of such mobile home park, whether or not a charge is made for the use of the park and/or facilities ACCESSORY USES. A mobile home park does not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for inspection and sale. A mobile home park provides for the permanent or long-term location of mobile homes to be occupied as residences.

- (4) Section 104 Definitions; add new sub-section 61.A and 61.B, on page 19, to read:

61.A MOBILE HOME PARK: A MOBILE HOME DEVELOPMENT UNDER SINGLE OWNERSHIP WHICH IS DIVIDED INTO INDIVIDUAL SITES AND SOLELY OPERATED EXCLUSIVELY AS A RENTAL PROJECT.

61.B MOBILE HOME SUBDIVISION: A MOBILE HOME DEVELOPMENT WHICH IS SUBDIVIDED INTO INDIVIDUAL LOTS.

CASE # : ZB 727 (con't)
 PETITIONER : OFFICE OF PLANNING & ZONING
 TOPIC : MOBILE HOME LOTS
 DATE OF : 7/30/79
 APPROVAL :

(5) Section 111.A. Uses Permitted as a Matter of Right; amend No. 1., on page 50, to read:

1. Mobile homes in mobile home parks DEVELOPMENTS.

(6) Section 111.B. Accessory Uses; add new sub-section 8, on page 50, to read:

8. CENTRAL COMMON LAUNDRY FACILITIES IN MOBILE HOME PARKS.

(7) Section 111.B. Accessory Uses; add new sub-section 9, on page 50, to read:

9. CONVENIENCE ESTABLISHMENTS OF A COMMERCIAL NATURE, NOT INCLUDING GASOLINE SERVICE STATIONS BUT INCLUDING STORES, COIN-OPERATED LAUNDRIES AND DRY CLEANERS, BEAUTY AND BARBER SHOPS, MAY BE PERMITTED IN MOBILE HOME PARKS, SUBJECT TO THE FOLLOWING RESTRICTIONS:

SUCH ESTABLISHMENTS AND THE PARKING AREAS PRIMARILY RELATED TO THEIR OPERATIONS:

- a. MAY OCCUPY UP TO FIVE (5%) PERCENT OF THE AREA OF THE PARK, BUT IN ANY CASE, NOT MORE THAN TWO AND ONE-HALF (2½) ACRES.
- b. SHALL BE SUBORDINATE TO THE RESIDENTIAL USE AND CHARACTER OF THE PARK.
- c. SHALL BE LOCATED, DESIGNED AND INTENDED TO SERVE FREQUENT TRADE OR SERVICE NEEDS OF THE RESIDENTS OF THE PARK.
- d. SHALL PRESENT NO VISIBLE EVIDENCE OF THEIR COMMERCIAL CHARACTER FROM ANY PORTION OF ANY RESIDENTIAL DISTRICT OUTSIDE THE PARK.

(8) Section 111.C.2.a. Area; add new sub-line (2) to sub-section, on page 51, to read:

(2) MOBILE HOME SUBDIVISION 10 ACRES

(9) Section 111.C.2.a. Area; Re-number sub-line (2) as (3) on page 51, and amend to read:

~~(2)~~ (3) Mobile home SITE OR lot 4000 square feet

(10) Section 111.C.2.b. Mobile Home Lot Width; amend sub-section b., on page 51, to read:

b. Mobile home SITE OR lot width AVERAGE OF 45 feet at mobile home location.

(11) Section 111.C.2.c. Building/Mobile Home Setback; amend (1), on page 51, to read:

(1) From ADJOINING principal arterial right-of-way . 100 feet

CASE # : ZB 727 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : MOBILE HOME LOTS
DATE OF : 7/30/79
APPROVAL :

- (12) Section 111.C.2.c. Building/Mobile Home Setback; amend (2), on page 51, to read:
(2) From ADJOINING other EXTERNAL public ROW . . . 50 feet
- (13) Section 111.C.2.c. Building/Mobile Home Setback; delete (3), on page 51;
(3) From centerline of interior street . . . 30 feet
Amend sub-line to read:
(3) ADJOINING INTERNAL PUBLIC ROW . . . 25 feet
- (14) Section 111.C.2.c. Building/Mobile Home Setback; delete (4), on page 51;
(4) From another building/mobile home . . . 20 feet
Amend sub-line to read:
(4) FROM CENTERLINE OF INTERIOR PRIVATE STREET . . . 40 FEET
- (15) Section 111.C.2.c. Building/Mobile Home Setback; delete (5), on page 51;
(5) Rear yard - Mobile home lot . . . 10 feet
Amend sub-line to read:
(5) SIDE YARD SETBACK . . . 10 FEET
- (16) Section 111.C.2.c. Building/Mobile Home Setback; delete (6), on page 51;
(6) Distance from a Project Boundary or Differently Zoned District . . . 50 feet
Amend sub-line to read:
(6) REAR YARD SETBACK . . . 10 FEET
- (17) Section 111.C.2.c. Building/Mobile Home Setback; add sub-line (7), on page 51, to read:
(7) DISTANCE FROM A DIFFERENTLY ZONED DISTRICT . . . 50 FEET
- (18) Section 111.D. Other Requirements; delete sub-sections 2 and 3, on pages 51 and 52:
2. Suitable laundry facilities shall be provided in each mobile home or on its site, or in central common facilities adequate to meet the needs of the park occupants.
 3. Convenience establishments of a commercial-nature, not including gasoline service stations but including stores, coin-operated laundries and dry cleaners, beauty, and barber shops, may be permitted in mobile home parks, subject to the following restrictions:

CASE # : ZB 727 (con't)
 PETITIONER : OFFICE OF PLANNING & ZONING
 TOPIC : MOBILE HOME LOTS
 DATE OF : 7/30/79
 APPROVAL :

~~Such establishments and the parking areas primarily related to their operation may occupy up to five percent (5%) of the area of the park, but in any case not more than two and one-half (2½) acres, shall be subordinate to the residential use and character of the park, shall be located, designed and intended to serve frequent trade or service needs of the residents of the park, and shall present no visible evidence of their commercial character from any portion of any residential district outside the park.~~

Re-number sub-section 4 as sub-section 2:

4* 2. All the mobile home park requirements of this regulation and of the County Health Officer must be satisfied before the Department of Public Works issues the applicant a permit to operate a mobile home park.

(19) Section 123 Off Street Parking and Loading Facilities; amend sub-section (8), on page 147, to read:

(8) Mobile Home Park DEVELOPMENT:

~~Two per mobile home space SITE OR LOT. On-street parking shall be permitted on only one side of each interior street.~~ INTERIOR COURT PARKING MAY BE PROVIDED IN THE IMMEDIATE AREA OF LOTS OR SITES TO BE SERVED.

CAPITAL LETTERS - indicates material added to existing Zoning Regulations
 Strike-Out - indicates matter stricken by amendment
 () - indicates Zoning Board deletions to Petition
 _____ - indicates Zoning Board additions to Petition

CASE # : ZB 732
PETITIONER : J. MC GRATH, S.GUION & D. BROOK
TOPIC : RSC DISTRICTS
DATE OF : 9/30/80
APPROVAL

AMENDMENT : Delete the present language of Section 108.C.2.c(3) and add the following language in substitution therefore:

-
- (3) For semi-detached or attached structures:
- (a) adjoining an R, R-20 or R-12 District, no semi-detached or attached structure shall be permitted within 200 feet of said districts, except, however such setback may be reduced to 50 feet if a specific design for the clustering of structures within the open space area is approved on a site development plan under the Subdivision and Land Development Regulations. Semi-detached or attached structures within 200 feet of an R, R-20 or R-12 District shall meet the following minimum design criteria:
 - (1) all structures shall adjoin open space areas;
 - (2) off-street parking areas, service drives or public roads shall not be located between the structures and the R, R-20 or R-12 District.
 - (b) adjoining any district except R, R-20 and R-12 which is not part of the same project 50 feet.

CASE # : ZB 737
PETITIONER : LLOYD G. KNOWLES
TOPIC : PARKING SPACE REQUIREMENTS
DATE OF : 9/23/80
APPROVAL

AMENDMENT : Amend sections 104.A.68 and 123.B.1.b of the Zoning Regulations as follows:

Section 104

A. Except as provided for in section 101 herein, terms used in these regulations shall have the definitions provided in any standard dictionary, except the following terms:

(68). Parking Space: An off street space available for the parking of one motor vehicle on a transient basis and having a minimum width of ~~XIX~~ NINE feet, except that for parallel side parking adjacent to an ingress and egress way, the widths shall be eight feet, and an area of not less than ~~200~~ 180 sq. ft., exclusive of passage ways and driveways appurtenant thereto and giving access thereto, and having a direct usable access to the street.

Section 123 Off Street Parking and Loading Facilities

B. Off street Parking Facilities

(1) Specifications

(b) The design of aisle widths, ~~STALL/LENGTHS/AND/WIDTHS~~, entrance widths, turning radii, flow patterns, paving, etc., shall conform with standards set forth in the Howard County Design Manual, EXCEPT THAT IF THERE BE A CONFLICT BETWEEN THESE REGULATIONS AND THE DESIGN MANUAL, THESE REGULATIONS SHALL PREVAIL.

Legend
~~Deletions~~
NEW MATERIAL

ZB 737

CASE # : ZB 740
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : FLOODPLAIN LOT ADJUSTMENT
DATE OF : 4/28/81
APPROVAL

AMENDMENT : Add new sections 105.D.3, 106.D.5, 107.D.5, 108.D.4 and
111.D.3, entitled "Floodplain Lot Adjustments", to the Zoning
Regulations that state:

(A) Sections 105D.3, 106D.5, 107D.5, 108D.4 and
111D.3, entitled "Floodplain Lot Adjustment":

When a property owner or land developer and the County enter into an agreement for the dedication and fee simple deeding to the County of the 100-year floodplain area, as provided in the Subdivision and Land Development Regulations, the number of lots may be increased equivalent to the area to be deeded to the County, but not to exceed ten (10) percent of the total number of lots permitted within the original maximum gross area of the parcel. In addition, the minimum lot size may be decreased by ten (10) percent and, the minimum lot width at the building restriction line may be decreased by ten (10) percent. These provisions do not apply to or supersede other land development requirements, including:

(a) Requirements in these regulations or in Section 16.117 of the Howard County Code.

(b) Requirements of the Maryland State Department of Health and Mental Hygiene.

CASE # : ZB 740 (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : FLOODPLAIN LOT ADJUSTMENT
DATE OF : 4/28/81
APPROVAL

(B) Sections 109D.5 and 110D.5:

When a property owner or land developer and the County enter into an agreement for the dedication and fee simple deeding to the County of the 100 year floodplain area, as provided for in the Subdivision and Land Development Regulations, the number of dwelling units may be increased equivalent to the area to be deeded to the County, but not to exceed ten (10) percent of the total number of dwelling units permitted within the original maximum gross area of the parcel. In addition, the minimum lot size for single-family detached lots may be decreased by ten (10) percent and the minimum lot width at the building restriction line may be decreased by ten (10) percent. These provisions do not apply to or supersede other land development requirements, including Open Space Requirements in these regulations or in Section 16.117 of the Howard County Code.

CASE # : ZB 746
PETITIONER : W.F. WILSON & SONS
TOPIC : STORAGE OF EXPLOSIVES
DATE OF : 3/26/81
APPROVAL

AMENDMENT : Amend the Zoning Regulations so as to permit by special exception the storage of explosives in the M-2 zoning district provided that:

- (a) All safety requirements as established by the Department of the Treasury of the United States Government, the Office of the Fire Marshal and the Bureau of Fire Prevention of the Howard County Fire Department be met; and
- (b) The explosives be handled under the supervision of a duly licensed individual authorized to handle and/or use explosives; and
- (c) No storage be permitted within 300 feet of any school, hospital or church; and
- (d) The minimum setbacks for the district shall be applicable, however, no storage of explosives shall be permitted within 50 feet of a property line.

CASE # : ZB 752
PETITIONER : R. KEETON & T. YEAGER
TOPIC : HOME OCCUPATIONS & BEAUTY/BARBER SHOPS
DATE OF : 8/6/81
APPROVAL

AMENDMENT : Amend Section 122.F.6 of the Zoning Regulations so as to:

add the R-20, R-12 and R-SC Zoning Districts as those zoning districts in which a beauty parlor/barber shop may be permitted by special exception.

ZB 752

CASE # : ZB 759
PETITIONER : VIRGINIA THOMAS
TOPIC : SECURITY FACILITIES AT CAMPS
DATE OF : 7/6/81
APPROVAL

AMENDMENT : In the Zoning Regulations, add the word "camps" in the title of Section 122.F.24 entitled "Non-Profit Clubs, Lodges and Community Halls,"; and add a new subsection (e) to Section 122.F.24 which states:

One mobile home or caretaker's dwelling for security purposes for day and overnight camps may be permitted on parcels of twenty-five (25) acres or greater.

ZB 759

CASE # : ZB 761
PETITIONER : BASSLERS, INC., ALFRED BASSLER
TOPIC : AIRPORTS & AIRCRAFT LANDING FIELDS
DATE OF : 9/17/81
APPROVAL

AMENDMENT : Add section 122.F.1 (c) to the Zoning Regulations which states:

(c) Aircraft Landing and Storage Area - Public Use, Private Ownership

A Special Exception may be granted in the R, M-1, M-2, and ID Districts for the construction and operation of an aircraft landing and storage area, public use - private ownership, provided that:

- (1) The minimum lot size is one hundred fifty (150) acres.
- (2) The proposed facility will meet the standards and requirements of all State and Federal aviation agencies. The application for special exception under this subsection shall be referred to the appropriate State and Federal aviation agencies for the report of such agencies.
- (3) The operation of the airport in accordance with the standards and requirements of the State and Federal aviation agencies will not require limitation of the heights of structures on adjacent land to less than the height limit specifically prescribed for the District in which such land is situated.
- (4) The use of an aircraft landing and storage area, public use-private ownership, shall be limited to the storage of fifty (50) non-jet aircraft for which a current airworthiness certificate has been issued by the Federal Aviation Administration, each having a gross weight of 6,000 pounds or less. All airport take-off and landing areas shall be provided with a dustless surface. Helicopters may not be used at this type of facility.

CASE # : ZB 761 (con't)
PETITIONER : BASSLERS, INCORPORATED, ALFRED BASSLER
TOPIC : AIRPORTS & COMMERCIAL AIRCRAFT LANDING
FIELDS
DATE OF : 9/17/81
APPROVAL

AMENDMENT :

- (5) No area used by any aircraft during take off shall be located within a minimum distance of five hundred (500) feet from any residential property line, or three hundred and fifty (350) feet from any non-residential property line, or a minimum of one thousand (1,000) feet from any public or private institution, including schools, hospitals, sanitariums, and churches, or a minimum of one thousand (1,000) feet, measured along an extension of the runway centerline, from any adjacent residential or commercial zones on the approach or departure ends of the runway. Buildings, hangars or other structures shall be at least two hundred (200) feet from any residential property line, and one hundred (100) feet from any non-residential property line, and no parking of aircraft or vehicles shall be allowed within one hundred (100) feet from any property line.
- (6) No commercial accessory uses are permitted except that tie-down fees may be charged by the owner and the sale of navigation charts and equipment is permitted.
- (7) The Office of Planning and Zoning shall require that adequate off street parking and loading spaces be provided to service airport activities and accessory uses. The number of parking

CASE # : ZB 761 (con't)
PETITIONER : BASSLERS, INCORPORATED, ALFRED BASSLER
TOPIC : AIRPORTS & COMMERCIAL AIRCRAFT LANDING
FIELDS
DATE OF : 9/17/81
APPROVAL

AMENDMENT :

and loading spaces to be required shall be determined by the Office of Planning and Zoning.

- (8) Every airplane operator based at the airfield must register with the airport manager the following information:
 - a. aircraft registration number
 - b. owner's name, address, and telephone number(s)
 - c. names, addresses and phone numbers of all pilots authorized to fly registered planes
 - d. type of plane and airplane colors or paint scheme
- (9) The airfield shall not be used for take-off and landing instruction or practice.
- (10) The aircraft landing and storage area must meet a need of the residents of Howard County for such a facility.

CASE # : ZB 762
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : ADDITION OF NEW DISTRICTS/ ADJUSTMENT OF
BOUNDARY MAP LINES
DATE OF : 6/3/82
APPROVAL

AMENDMENT : Adopt the regulation amendments which are stated herein as
the Comprehensive Rezoning Plan for the Ellicott City
Planning Area of Howard County as follows:

Section 100 General Provisions

Amend Section 100 B Zoning Districts by inserting:

R-ED - RESIDENTIAL ENVIRONMENTAL DEVELOPMENT after R-Rural; and by adding: HD
- HISTORIC DISTRICT, R-HR - RESIDENTIAL-HISTORIC RESIDENTIAL, R-VH -
RESIDENTIAL-VILLAGE HOUSING, HO - HISTORIC OFFICE and HC - HISTORIC COMMERCIAL
after NT - New Town.

Section 104 Definitions

Add Section 104 A 41.1 to read:

41.1 FLOOR AREA RATIO: THE RATIO OF THE FLOOR AREA TO THE LOT AREA.

Amend Section 104 A 48 to read:

48. Historic District: An area in the County which has significant
historic or architectural value, the boundaries of which have been
established [by the County Council] IN ACCORDANCE WITH THE PROVISIONS
OF SECTIONS 102 AND 126 B OF THESE REGULATIONS, OR THE PREVIOUSLY
ESTABLISHED ELLICOTT CITY HISTORIC DISTRICT.

Add Section 104 A 64.5 to read:

64.5 OPEN SPACE AND LANDSCAPED AREAS, HISTORIC DISTRICT: THOSE AREAS,
COVERED OR UNCOVERED, AT OR ABOVE GROUND LEVEL WHICH ARE RESERVED FOR
PEDESTRIAN USE OR FOR ENVIRONMENTAL DESIGN PURPOSES AS FOLLOWS:

(a) PLAZAS, MALLS, CONCOURSES, TERRACES, PLAYGROUNDS,
ACCESSIBLE ROOF TOP GARDENS, ETC. NOT ACCESSIBLE
BY AUTOMOBILE (EXCEPT FOR EMERGENCY PURPOSES); AND

(b) AREAS USED EXCLUSIVELY FOR DESIGN PURPOSES, SUCH AS
PLANTED OR LANDSCAPED AREAS.

CASE #

: ZB 762

(con't)

Add Section 105.5 to read:

(all new wording)

Section 105.5

R-ED District

RESIDENTIAL-ENVIRONMENTAL DEVELOPMENT

The R-ED District is established to permit a diverse but compatible and complementary mix of residential uses at a low density which will preserve the environmental integrity of the land in the district.

A. Uses Permitted as a Matter of Right

1. One single-family, detached dwelling unit per lot.
2. Single-family, semi-detached dwelling units.
3. Single-family, attached dwelling units.
4. Farming, including necessary and customary uses, and accessory buildings; provided, however, that no building for housing animals or fowl shall be erected, nor any manure stored within one hundred (100) feet of a dwelling, except that household pets shall be allowed to be housed within one hundred (100) feet of a dwelling; but in no case in the front or side setbacks of a dwelling nor within twenty-five (25) feet of the side lines of a lot. Provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot, and no livestock are permitted.
5. Parks, playgrounds, athletic fields, tennis courts, swimming pools, basketball courts and similar non-commercial recreational facilities.
6. Convents and monasteries used for residential purposes.
7. Carnivals and fairs, sponsored by charitable, social, civic or educational organizations, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its material and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
8. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
2. Farm tenant houses or mobile homes, caretakers' cottages and similar

All New Wording

ZB 762
page 2

uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels less than fifty (50) acres and one (1) additional unit shall be allowed for each additional fifty (50) acres.

- 3. Private off-street parking areas for not more than two (2) commercially licensed vehicles, or two (2) unlicensed motor vehicles on lots of three or more acres and not more than one (1) commercially licensed vehicle or one (1) unlicensed vehicle on lots less than three (3) acres.
- 4. Farm produce stand, not to exceed three hundred (300) square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc., grown or produced on the lot on which such building is located. Appropriate on-site parking spaces shall be provided.
- 5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
- 6. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
- 7. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
- 8. Home occupations.
- 9. Underground pipelines; electric transmission and distribution lines designed to carry less than 69,000 volts; telephone, telegraph and CATV lines; and other similar public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:

a. Height

(1) principal structure 34 feet

(2) Accessory Structures:

(a) spires, belfries, chimneys, flag poles, monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water and grain storage facilities, silos, outdoor athletic structures No limit

(b) Other 15 feet

b. Lot Coverage - Structures 40 percent

c. Density 2 dwelling units per net acre

- d. Single-family Dwelling Units, attached 4 units
per structure

2. The following minimum requirements shall be observed:

- a. Lot Size Single-family Detached 6,000 sq. ft.
- b. Lot Width at Building Restriction Line -
Single-family Detached 60 feet

c. Building Setbacks

(1) For all structures:

- (a) adjoining principal arterial R.O.W . . . 100 feet
- (b) adjoining minor arterial or collector R.O.W.
 - (i) rear 50 feet
 - (ii) front or side 30 feet
- (c) adjoining any other R.O.W. 20 feet

(2) For single-family detached structures:

- (a) side 7 ft., 6 in.
- (b) rear
 - (i) principal structure or use30 feet
 - (ii) accessory structure or use 10 feet

(3) For semi-detached or attached structures adjoining any district which is not part of the same project 50 feet

d. Distances between Semi-detached or Attached Buildings

- (1) rear to rear 80 feet
- (2) rear to face 50 feet
- (3) face to face 30 feet
- (4) end to face or rear 30 feet
- (5) end to end 15 feet

e. Open Space, including landscaped areas . 20 percent

D. Other Requirements

1. Landscaping - Required Minimums (unless comparable elements are approved by the Office of Planning and Zoning):
 - a. A twenty (20) foot wide landscaped edge on all external property lines of the district or bordering on an historic road as designated in the General Plan shall be planted with at least two and one-half (2-1/2) inch caliper trees at an average of thirty (30) feet on center and a three (3) foot high, landscaped earth mound between common parking areas and any project boundary line or R.O.W.
 - b. A fifteen (15) foot wide landscaped area between common parking areas and the front or end of a building.
 - c. A ten (10) foot wide landscaped island for each parking area continuous for more than nine (9) spaces.
2. Radio or television towers/antennae, flag poles, stacks, observation towers, water tanks and silos shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for living or sleeping purposes. On application to the Office of Planning and Zoning, a permit may be issued for the use of an existing building as a temporary field or sales office in connection with building development.
4. Floodplain Lot Adjustment

When a property owner or land developer and the County enter into an agreement for the dedication and fee simple deeding to the County of the 100-year floodplain area, as provided in the Subdivision and Land Development Regulations, the number of lots may be increased equivalent to the area to be deeded to the County, but not to exceed ten (10) percent of the total number of lots permitted within the original maximum gross area of the parcel. In addition, the minimum lot size may be decreased by ten (10) percent and the minimum lot width at the building restriction line may be decreased by ten (10) percent. These provisions do not apply to or supersede other land development requirements including:

- (a) Requirements in these regulations or in Section 16.117 of the Howard County Code.
- (b) Requirements of the Maryland State Department of Health and Mental Hygiene.

CASE #

:

ZB 762

(con't)

5. Approval of Site Plan by Planning Board

A. No permit shall be issued for any use in the R-ED District until the site plan has been approved by the Planning Board and the Office of Planning and Zoning.

B. The Planning Board, before acting upon the site plan, shall hold a public hearing and shall give consideration to the following:

- (1) protection of the environmental integrity of the subject property and adjoining areas in the design of street, parking lot and building locations;
- (2) the relationship between proposed dwelling units and existing and proposed public roads so as to minimize wherever possible the backing of dwelling units of public roads;
- (3) the relationship between the location of proposed dwelling units, required open space and existing dwelling units on adjoining properties;
- (4) any other factors which may prevent the orderly growth of the immediate vicinity of the subject property or would adversely affect the completion of the general use and development plans of the County or State.

C. After carefully considering the above guides and standards, the Planning Board shall approve, approve with modifications and conditions attached, or disapprove the site plan, stating the reasons for its action.

CASE # : ZB 762 (con't)

Section 112 POR District

Add Section 112.B.3. to read:

3. HOUSING FOR HOSPITAL EMPLOYEES AND DOMICILIARY CARE FACILITIES RELATED TO A HOSPITAL USE.

Section 125 Supplementary Zoning District Regulations

Amend Section 125 A 4 to read:

4. Notwithstanding other requirements of these regulations, new buildings erected on Main Street [between the Patapsco River and Rogers Avenue in Ellicott City,] BETWEEN ROGERS AVENUE AND THE HISTORIC DISTRICT BOUNDARY, shall be required to provide a MINIMUM front yard equal in depth to the main part of the structure of the nearest building on the same side of the street. HOWEVER, NOTHING IN THIS SECTION SHALL REQUIRE SETBACKS GREATER THAN THOSE IN THE ZONING DISTRICT.

Add Section 126 to read:

(all new wording)

Section 126

HISTORIC DISTRICT

A. Requirements and Restrictions Applicable to Historic Districts

1. Upon the adoption of any amendment to these regulations which creates an Historic District, the official Zoning Map of Howard County shall be amended to show the boundaries of said district. The provisions of Title 16, Section 16.600 and 16.601 of the Howard County Code as amended shall be applicable to said district.
2. The zoning regulations and zoning district boundaries, as amended, shall remain in full force and effect within an Historic District hereafter established.
3. The Zoning Districts established in Section 100 B of these regulations shall be permitted within the boundary of an Historic District. The following Zoning Districts shall be permitted only within an Historic District.

- R-HR - Residential Historic Residential
- R-VH - Residential Village Housing
- HO - Historic Office
- HC - Historic Commercial

B. Findings Necessary to Establish an Historic District

A petition may be granted if the Zoning Board finds affirmatively that the establishment of an Historic District will:

1. serve to safeguard the heritage of the County by preserving elements of its cultural, social, economic, political and architectural history;
2. stabilize and improve property values;
3. foster civic beauty;
4. strengthen the local economy; and/or
5. promote the use and preservation of the area.

ZB762
page 8

Add Section 126.1 to read:

(all new wording)

Section 126.1

R-HR District

RESIDENTIAL-HISTORIC RESIDENTIAL

The R-HR District is established to permit infill development compatible with the existing lot patterns within the Historic District. The District is intended to provide for both residential and office use consistent with the character of existing development.

A. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot
2. Single-family attached dwelling units
3. Garden apartment units
4. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreation facilities
5. Convents and monasteries used for residential purposes
6. Government buildings, facilities and uses, including public schools and colleges

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Private off-street parking areas for not more than one (1) commercially licensed vehicle.
3. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
4. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
5. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
6. Home occupations

7. Underground pipelines; underground electric transmission and distribution lines designed to carry less than 69,000 volts; underground telephone, telegraph and CATV lines; and other similar underground public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:

a. Height

(1) principal structure 34 feet

(2) accessory structures:

(a) spires, belfries, chimneys, flag poles, monuments, observation towers, steeples, radio or television antennae, outdoor athletic structures 45 feet

(b) other 15 feet

b. Lot Coverage - Structures. 40 percent

c. Density 8 dwelling units per net acre

2. The following minimum requirements shall be observed:

a. For single-family detached dwelling units

Lot size 6,000 sq. ft.

b. Open space including landscaped areas as defined in Section 104 A 64.5 of these regulations 20 percent

c. Floor Space Requirements - Garden Apartment Units and dwelling units.

(1) Efficiency apartments, consisting of kitchen, bathroom and combination living room, dining space and bedroom 400 sq. ft.

(2) One-bedroom apartments 530 sq. ft.

(3) Two-bedroom apartments 660 sq. ft.

(4) Three-bedroom apartments 800 sq. ft.

Each additional bedroom shall increase the minimum floor space by one hundred twenty (120) square feet.

All New Wording

ZB 762
page 10

D. Other Requirements

1. The minimum off-street parking requirements for specific uses contained in Section 123 B 2 of these regulations shall not be applicable in the Residential-Historic Residential District, but reasonable and appropriate off-street parking requirements shall be determined by the Office of Planning and Zoning, which shall consider comments from other County agencies regarding the parking needs of the proposed use and the availability of parking in the area of the use. Off-street parking spaces serving any structures or land uses in existence at the time of adoption of these regulations shall not in the future be reduced.
2. Radio or television towers/antennae, flag poles, and observation towers, shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for living or sleeping purposes. On application to the Office of Planning and Zoning, a permit may be issued for the use of an existing building as a temporary field or sales office in connection with building development.

Add Section 126.2 to read:

Section 126.2

R-VH District

RESIDENTIAL-VILLAGE HOUSING

The R-VH District is established to permit infill development compatible with the historic lot patterns within the Historic District. The District is intended to encourage the use and redevelopment of residential enclaves consistent with the character of existing development.

A. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot
2. Single-family attached dwelling units
3. Garden apartment units
4. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar non-commercial recreational facilities.
5. Convents and monasteries used for residential purposes.
6. Government buildings, facilities and uses, including public schools and colleges.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Private off-street parking areas for not more than one (1) commercially licensed vehicle.
3. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests.
4. The keeping of not more than four (4) non-transient roomers or boarders by a resident family.
5. The housing of not more than eight (8) mentally retarded persons by a resident family, as licensed by the State of Maryland.
6. Home occupations
7. Underground pipelines; underground electric transmission and distribution lines designed to carry less than 69,000 volts; underground telephone, telegraph and CATV lines; and other similar underground public utility uses not requiring a special exception.

All New Wording

C. Bulk Regulations

1. The following maximum limitations shall apply:

a. Height

(1) principal structure 34 feet

(2) accessory structures:

(a) spires, belfries, chimneys, flag poles, monuments, observation towers, steeples, radio or television antennae, outdoor athletic structures 45 feet

(b) other 15 feet

b. Lot Coverage - Structures 40 percent

c. Density 8 dwelling units per net acre

2. The following minimum requirements shall be observed:

a. For single-family detached dwelling units

Lot size 6,000 sq. ft.

b. Open space including landscaped areas as defined in Section 104 A 64.5 of these regulations 20 percent

c. Floor Space Requirements - Garden Apartment Units

(1) Efficiency apartments, consisting of kitchen, bathroom and combination living room, dining space and bedroom 400 sq. ft.

(2) One-bedroom apartments 530 sq. ft.

(3) Two-bedroom apartments 660 sq. ft.

(4) Three-bedroom apartments 800 sq. ft.

Each additional bedroom shall increase the minimum floor space by one hundred twenty (120) square feet.

D. Other Requirements

1. The minimum off-street parking requirements for specific uses contained in Section 123 B 2 of these regulations shall not be applicable in the Residential-Village Housing District, but reasonable and appropriate off-street parking requirements shall be determined by the Office of Planning and Zoning, which shall consider comments from other County

All New Wording

agencies regarding the parking needs of the proposed use and the availability of parking in the area of the use. Off-street parking spaces serving any structures or land uses in existence at the time of adoption of these regulations shall not in the future be reduced.

2. Radio or television towers/antennae, flag poles, and observation towers, shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for living or sleeping purposes. On application to the Office of Planning and Zoning, a permit may be issued for the use of an existing building as a temporary field or sales office in connection with building development.

Add Section 126.4 to read:

Section 126.4

HO District

HISTORIC OFFICE

The Historic Office District is established to permit a mix of offices and residences with supporting cultural and commercial uses which will encourage new development and reuse of existing buildings consistent with the existing character of the area.

A. Uses Permitted as a Matter of Right

1. Parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts and similar recreational facilities.
2. Convents and monasteries used for residential purposes
3. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its materials and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
4. Government buildings, facilities and uses, including public schools and colleges.
5. Professional and business offices.
6. Banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions.
7. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
8. Museums, art galleries and libraries
9. Funeral homes
10. Buildings used primarily for religious activities.
11. Blueprinting, printing, duplicating or engraving services limited to two thousand (2,000) square feet of net floor area.
12. Nonprofit clubs, lodges and community halls
13. Trade schools, art schools and commercially operated schools
14. Conference centers
15. Single-family detached dwelling units

16. Single-family attached dwelling units

B. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Underground pipelines; underground electric transmission and distribution lines designed to carry less than 69,000 volts; underground telephone, telegraph and CATV lines; and other similar underground public utility uses not requiring a special exception.

C. Bulk Regulations

1. The following maximum limitations shall apply:

a. Height

- (1) principal structure 40 feet
- (2) accessory structures:
 - (a) spires, belfries, chimneys, flag poles, monuments, observation towers, steeples, radio or television antennae, outdoor athletic structures 45 feet
 - (b) other 15 feet

b. Floor area ratio 3 to 1

c. Cornices and eaves may project not more than three (3) feet beyond the face of the building.

d. A bay window, oriel, vestibule or balcony may project not more than four (4) feet beyond the face of the building.

2. The following minimum requirements shall be observed:

- a. For single-family detached dwelling units
Lot Size 6,000 sq. ft.
- b. A lot area of 2,000 square feet per dwelling unit shall be required for new single-family attached for additions for existing residential structures.
- c. New buildings erected shall be required to provide a front yard equal in depth to the main part of the structure of the nearest building on the same side of the street.

All New Wording

ZB 762
page 16

- d. Open space including landscaped areas as defined in Section 104 A 64.5 of these regulations 10 percent

D. Other Requirements

1. The minimum off-street parking requirements for specific uses contained in Section 123 B 2 of these regulations shall not be applicable in the Residential-Historic Office District, but reasonable and appropriate off-street parking requirements shall be determined by the Office of Planning and Zoning, which shall consider comments from other County agencies regarding the parking needs of the proposed use and the availability of parking in the area of the use. Off-street parking spaces serving any structures or land uses in existence at the time of adoption of these regulations shall not in the future be reduced.
2. Radio or television towers/antennae, flag poles, and observation towers, shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for living or sleeping purposes. On application to the Office of Planning and Zoning, a permit may be issued for the use of an existing building as a temporary field or sales office in connection with building development.

Add Section 126.5 to read:

Section 126.5

HC District

HISTORIC COMMERCIAL

The Historic Commercial District is established to permit and encourage a diverse but compatible and complementary mix of commercial, office, cultural and residential activities. The District is intended to encourage development of a pedestrian environment consistent with the overall development concept for the Historic District.

A. Uses Permitted as a Matter of Right

1. Parks, playgrounds, athletic fields, tennis courts, basketball courts and similar recreational facilities.
2. Carnivals and fairs sponsored by charitable, social, civic or educational organizations, for a period of time not to exceed sixteen (16) consecutive calendar days per event, provided that all of its materials and equipment shall be completely removed from the lot within five (5) days of the closing of the carnival or fair.
3. Government buildings, facilities and uses, including public schools and colleges.
4. Professional and business offices.
5. Banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions.
6. Service agencies, such as real estate agencies, insurance agencies, security services, messenger services, computer services, travel agencies.
7. Museums, art galleries and libraries.
8. Funeral Homes
9. Buildings used primarily for religious activities.
10. Blueprinting, printing, duplicating or engraving services limited to two thousand (2,000) square feet of net floor area.
11. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
12. Fast food restaurants, restaurants and beverage establishments, including those serving beer, wine and liquor.
13. Self-service laundry and laundry and/or dry cleaning pick-up stations.

14. Furniture and appliance repair.
15. Nonprofit clubs, lodges, community halls
16. Retail food stores
17. Liquor stores
18. Drug and cosmetic stores
19. Clothing and apparel stores with goods for sale or rent.
20. Specialty stores selling or renting goods including, but not limited to the following: art supplies, bicycles, books, cards, fabrics, flowers, gifts, hobbies, jewelry, musical instruments, news, optical goods, pets, photographic supplies, records, radio and television sales and repairs, sewing machines, sporting goods, stationery, works of art.
21. Antique shops, art galleries, craft shops.
22. Home improvement stores for retail sales including, but not limited to, the following: floor coverings, glass, garden supplies, hardware, wallpaper, and building materials and supplies, provided that all materials and supplies are enclosed in a building.
23. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all equipment and supplies are enclosed in a building.
24. Department stores, furniture stores, appliance stores.
25. Taxidermist.
26. Trade schools, art schools and commercially operated schools.
27. Hotels, motels and conference centers.
28. Bakeries.
29. Single-family attached dwelling units.
30. Garden apartment units.

B. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Underground pipelines; underground electric transmission and distribution lines designed to carry less than 69,000 volts; underground telephone, telegraph and CATV lines; and other similar underground public utility uses not requiring a special exception.

All New Wording

C. Bulk Regulations

1. The following maximum limitations shall apply:

a. Height

(1) principal structure 40 feet

(2) accessory structures:

(a) spires, belfries, chimneys, flag poles, monuments, observation towers, steeples, radio or television antennae, outdoor athletic structures 45 feet

(b) other 15 feet

b. Floor area ratio 3 to 1

c. Cornices and eaves may project not more than three (3) feet beyond the face of the building.

d. A bay window, oriel, vestibule or balcony may project not more than four (4) feet beyond the face of the building.

2. The following minimum requirements shall be observed:

a. New buildings erected shall be required to provide a front yard equal in depth to the main part of the structure of the nearest building on the same side of the street.

b. A lot area of 2,000 square feet per dwelling unit shall be required for new residential structures or for additions or extensions to existing residential structures.

c. Conversion or alteration of existing structures to accommodate dwelling units within the existing structure shall not be subject to lot area requirements.

d. Open space including landscaped areas as defined in Section 104 A 64.5 of these regulations 10 percent

D. Other Requirements

1. The minimum off-street parking requirements for specific uses contained in Section 123 B 2 of these regulations shall not be applicable in the Historic Commercial District, but reasonable and appropriate off-street parking requirements shall be determined by the Office of Planning and Zoning, which shall consider comments from other County agencies regarding the parking needs of the proposed use and the availability of parking in the area of the use. Off-street parking spaces serving any structures or land uses in existence at the time of adoption of these regulations shall

not in the future be reduced.

2. Radio or television towers/antennae, flag poles, and observation towers, shall be set back a distance equal to the height from all property lines, as measured from ground level.
3. On application to the Office of Planning and Zoning, a permit may be issued for the parking of a trailer for use as temporary field or sales office in connection with building development, except that such trailer shall not be used for living or sleeping purposes. On application to the Office of Planning and Zoning, a permit may be issued for the use of an existing building as a temporary field or sales office in connection with building development.

All New Wording

Amend Section 122 F as follows:

Add Section 122 F 6.1 to read:

6.1 BLUEPRINTING, PRINTING, DUPLICATING OR ENGRAVING SERVICES

A SPECIAL EXCEPTION MAY BE GRANTED IN THE HC AND HO DISTRICTS FOR BLUEPRINTING, PRINTING, DUPLICATING OR ENGRAVING SERVICES WITH MORE THAN TWO THOUSAND (2,000) SQUARE FEET OF NET FLOOR AREA, PROVIDED THAT OFF-STREET LOADING FACILITIES ARE PROVIDED ON THE SITE.

Amend Section 122 F 7 to add R-ED, R-HR and R-VH to the districts in which a Special Exception may be granted.

Amend Section 122 F 18 to add R-ED to the districts in which a Special Exception may be granted.

Amend Section 122 F 19 to add R-ED, R-HR and R-VH to the districts in which a Special Exception may be granted.

Add Section 122 F 22.1 to read:

22.1 LUMBERYARD

A SPECIAL EXCEPTION MAY BE GRANTED IN THE HC DISTRICT FOR A LUMBERYARD PROVIDED THAT:

- (A) THE DESIGN OF STRUCTURES WILL BE COMPATIBLE WITH THAT OF OTHER STRUCTURES IN THE VICINITY
- (B) ADEQUATE OFF-STREET LOADING FACILITIES ARE PROVIDED ON THE SITE
- (C) ADEQUATE OFF-STREET PARKING FACILITIES ARE AVAILABLE IN CLOSE PROXIMITY TO THE PROPOSED USE
- (D) ALL MATERIALS AND SUPPLIES SHALL BE STORED IN A BUILDING
- (E) THE BOARD OF APPEALS DETERMINES THAT THERE IS A REASONABLE NEED FOR THE PROPOSED USE WITHIN THE HISTORIC DISTRICT.

CAPITAL - NEW WORDING

Add Section 122 F 22.2 to read:

22.2 MOVIE THEATRES, LEGITIMATE THEATRES, DINNER THEATRES

A SPECIAL EXCEPTION MAY BE GRANTED IN THE HC DISTRICT FOR MOVIE THEATRES, LEGITIMATE THEATRES, DINNER THEATRES AND PROVIDED THAT A DETERMINATION IS MADE BY THE BOARD OF APPEALS THAT SUCH USE WILL NOT CONSTITUTE A NUISANCE BECAUSE OF SIDEWALK OR STREET TRAFFIC, NOISE OR PHYSICAL ACTIVITY, THAT SUCH USE WILL NOT ADVERSELY AFFECT THE USE OF ADJOINING PROPERTIES, THAT ADEQUATE OFF-STREET PARKING FACILITIES ARE AVAILABLE IN CLOSE PROXIMITY TO THE PROPOSED USE, AND THAT THERE IS A REASONABLE NEED FOR THE PROPOSED USE WITHIN THE HISTORIC DISTRICT.

Add Section 122 F 24.1:

24.1 OFFICES, PROFESSIONAL AND BUSINESS

A SPECIAL EXCEPTION MAY BE GRANTED IN THE R-HR DISTRICT FOR PROFESSIONAL AND BUSINESS OFFICES, PROVIDED THAT:

- (1) THE OFFICE IS LOCATED WITHIN A RESIDENTIAL DWELLING ACTUALLY USED FOR RESIDENTIAL DWELLING PURPOSES; AND
- (2) NO COMMODITY IS KEPT FOR SALE ON THE PREMISES IN CONNECTION WITH THE OFFICE USE; AND
- (3) NO MERCHANDISE, MATERIAL OR EQUIPMENT IS STORED OUTSIDE OF ANY BUILDING; AND
- (4) THE OFFICE DOES NOT HAVE ANY EXTERIOR EVIDENCE, OTHER THAN A PERMITTED SIGN, TO INDICATE THAT THE BUILDING IS BEING USED FOR ANY PURPOSE OTHER THAN THAT OF A DWELLING UNIT; AND
- (5) THE COMBINATION OF A PERMITTED HOME OCCUPATION USE AND AN OFFICE USE PERMITTED UNDER THIS SUBSECTION SHALL NOT OCCUPY MORE THAN 50% OF TOTAL FLOOR AREA OF ANY DWELLING UNIT; AND
- (6) ADEQUATE PARKING FACILITIES ARE AVAILABLE IN CLOSE PROXIMITY TO THE PROPOSED USE; AND
- (7) SUCH USE WILL NOT CONSTITUTE A NUISANCE BECAUSE OF SIDEWALK OR STREET TRAFFIC, NOISE OR PHYSICAL ACTIVITY; AND
- (8) THERE IS A REASONABLE NEED FOR THE PROPOSED USE; AND
- (9) SUCH USE WILL NOT ADVERSELY AFFECT THE USE OF OTHER PROPERTY IN THE IMMEDIATE NEIGHBORHOOD.

CAPITAL - NEW WORDING

Add Section 122 F 25.1 to read:

25.1 PARKING LOTS - COMMERCIAL

A SPECIAL EXCEPTION MAY BE GRANTED IN THE HC AND HO DISTRICTS FOR COMMERCIAL PARKING LOTS.

Amend Section 122 F 26 to add a new sub-part (d) to read:

(d) NO SPECIAL EXCEPTION FOR PUBLIC UTILITY USES MAY BE GRANTED IN ANY DISTRICT LOCATED WITHIN AN HISTORIC DISTRICT, EXCEPT THE FOLLOWING:

- UTILITY SUBSTATIONS
- PUMPING STATIONS
- TELEPHONE EXCHANGES
- COMMERCIAL COMMUNICATIONS

Amend Section 122 F 37 to add R-ED, R-HR and R-VH to the districts in which a Special Exception may be granted.

Amend Section 122 F 43 to add R-ED to the districts in which a Special Exception may be granted.

CASE # : ZB 765
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : AGRICULTURAL PRESERVATION DISTRICTS
DATE OF : 1/29/82
APPROVAL

AMENDMENT : Add new paragraphs to Section 100.C; and add new subsections to Section 105.C of the Zoning Regulations as follows:

(1) Section 100C, add:

Agricultural preservation district boundaries shall be shown on the district maps in accordance with the requirements of the Howard County Code, Subtitle 6, Section 15.602, "Official Maps." In addition, boundaries of parcels for which easements have been donated to either the Historical or Environmental Trust of Maryland shall also be shown on districts maps.

(2) Section 105C, add new subsection (3):

The following less restrictive minimum bulk regulations shall apply, instead of those required in Section 105C.2(a) and (b), to those parcels in the R Zoning District which are also contained within an established Agricultural Preservation District, or to those parcels which are also contained within an easement area donated to either the Maryland Historical or the Maryland Environmental Trusts, and which meet all the criteria of a parcel contained within an established Agricultural Preservation District, as determined by the Agricultural Land Preservation Advisory Board, pursuant to applicable State and Howard County laws and regulations, and which are used only for the purpose of construction of one dwelling for the owner who originally established the district and for each of his/her children, on a one-time basis only:

- a. Lot size1 acre
- b. Lot width at
Building Restriction Line...125 feet

All other bulk regulations contained in Section 105C shall remain applicable.

CASE # : ZB 766
 PETITIONER : OFFICE OF PLANNING & ZONING
 TOPIC : COUNTRY INNS
 DATE OF APPROVAL : 2/8/82

This notation is incomplete. This amendment adopted all as noted below in Dec. JRC 5/20/99

AMENDMENT : Amend the first sentence in Section 122.F.43(e) of the Zoning Regulations to state:

"Extension or enlargement of the principal historical structure and all accessory structures may not exceed 50 percent of the gross floor area of each individual building, above that which existed at the time of adoption of these regulations. . . ."

OFFICE OF PLANNING AND ZONING : BEFORE THE
 : ZONING BOARD
 Petitioner : OF
 Zoning Board Case No. 766 : HOWARD COUNTY
 : : : : : :

DECISION AND ORDER

On November 18, 1981, and January 4, 1982, the Zoning Board of Howard County, Maryland, considered the petition of the Office of Planning and Zoning for amendments to the Zoning Regulations of Howard County so as to add Section 104A.24.5, defining "Country Inn," to amend Section 104.A.49, defining "Historic Structure," to add Section 122F.43, permitting the conversion of "Historic Structures" to "Country Inns" by Special Exception as approved by the Board of Appeals, subject to specified conditions in residential zoning districts, and to amend Sections 112A.15, 116A.12, and 117A.12 to permit "Country Inns" as a matter of right in the POR, M-1 and M-2 Zoning Districts, respectively.

CASE # : ZB 769
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : REGULATION OF SIGNS
DATE OF : 5/25/82
APPROVAL

AMENDMENT : Amend Sections 104.A.14, and Section 121.C of the Zoning Regulations:

(1) Section 104A.14

Delete the words "including signs" from the definition of building, and add a new sentence as follows:

"Signs are not to be considered a building, or part of a building, and are regulated by the Howard County Code."

(2) Section 121C

Delete the word "sign" from the second sentence.

CASE # : ZB 774R
PETITIONER : LLOYD G. KNOWLES
TOPIC : MOBILE HOMES ON ORCHARD & TRUCK FARMS
DATE OF : 5/28/82
APPROVAL

AMENDMENT : Amend Sections 122.F.22.5 and 104 of the Zoning Regulations
as follows:

Section 122F.22.5

22.5 Mobile Homes For Security Purposes

A Special Exception May Be Granted in All Districts For One Mobile Home For Security Purposes On Currently Working Orchards and Truck Farms Where The Active Area Of Cultivation Is At Least 25 Acres And The Parcel Size Is Less Than 50 Acres Provided That There Are No Other Dwelling Units On The Lot.

Section 104A.64.5

64.5 Orchard: A Farming Operation, Devoted To The Growing Of Fruit Trees

Section 104A.85.5

85.5 Truck Farm: A Farming Operation Devoted To The Cultivation Of The Types of Garden Vegetables Commonly Found In Local Retail Markets.

CASE # : ZB 778R
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 9/13/82
APPROVAL

AMENDMENT : Amend various sections of the Zoning Regulations as follows:

Section 104.A.26 (page 15)

26. Day Care Center - A State or County-licensed home, center, agency, school, INCLUDING NURSERY SCHOOL AND KINDERGARTEN, NOT PART OF AN ELEMENTARY SCHOOL, church or facility where five (5) or more children not of the same parentage are received for care, apart from their parents, whether for compensation or otherwise, during part or all of the day and night on a regular schedule more than once a week.

Section 114.A.45 (page 68)

45. TAXICAB BUSINESSES, DISPATCH, AND MAINTENANCE OF RELATED VEHICLES

Section 116.A.33 (page 76)

33. TAXICAB BUSINESSES, DISPATCH, AND MAINTENANCE OF RELATED VEHICLES

Section 116.C.1.a (page 77)

a. Height. ~~50 feet~~

- (1) STRUCTURE WITH MINIMUM SETBACK 50 FEET
- (2) STRUCTURE WITH AN ADDITIONAL ONE (1) FOOT IN HEIGHT FOR EVERY TWO (2) FEET OF SETBACK ABOVE THE MINIMUM 100 FEET

Section 116.C.2.a.(1) (page 77)

- (1) from any public R.O.W. 50 feet
- EXCEPT FOR FENCES 30 FEET

Section 117.C.1.a. (page 82)

a. Height. ~~50 feet~~

- (1) STRUCTURE WITH MINIMUM SETBACK 50 FEET
- (2) STRUCTURE WITH AN ADDITIONAL ONE (1) FOOT IN HEIGHT FOR EVERY TWO (2) FEET OF SETBACK ABOVE THE MINIMUM 100 FEET

Section 117.C.2.a.(1) (page 82)

- (1) from any public R.O.W. 50 feet
- EXCEPT FOR FENCES 30 FEET

Section 118.A.3 (page 84)

3. All manufacturing and industrial uses shall be permitted WHICH ARE PERMITTED IN OTHER SECTIONS OF THESE REGULATIONS, except as specifically excluded below:

CASE # : ZB 778R (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 9/13/82
APPROVAL

AMENDMENT : Amend various sections of the Zoning Regulations as follows:

Section 121.B.2.(a)(5) (page 111)

(5) That no variance be granted to THE MINIMUM CRITERIA ESTABLISHED IN SECTION 122 FOR SPECIAL EXCEPTION USES, EXCEPT IN AN HISTORIC DISTRICT ~~a Special Exception allowed herein except in a historic district.~~ NOTHING HEREIN SHALL BE CONSTRUED TO PREVENT THE GRANTING OF VARIANCES IN ANY ZONING DISTRICT OTHER THAN TO THE MINIMUM CRITERIA ESTABLISHED IN SECTION 122.

Section 121.B.5.(g) (page 113)

(g) Lapse of Special Exception

In any case where a special exception use has not vested within two (2) years after the date of the grant thereof, then, without further action by the County, the special exception authorization shall be null and void. WHENEVER THE BOARD OF APPEALS HAS GRANTED AN APPROVAL OF A SPECIAL EXCEPTION USE UNDER THE PROVISIONS OF THESE REGULATIONS, IT SHALL BECOME VOID UNLESS A BUILDING PERMIT CONFORMING TO THE PLANS FOR WHICH THE APPROVAL WAS GRANTED IS OBTAINED WITHIN TWO (2) YEARS, AND THEREAFTER SUBSTANTIAL CONSTRUCTION IN ACCORDANCE THEREWITH IS COMPLETED WITHIN THREE (3) YEARS FROM THE DATE THE DECISION IS FILED IN THE OFFICE OF PLANNING AND ZONING.

Explanation: CAPITALS INDICATE MATTER ADDED TO REGULATIONS. Strike out indicates matter stricken from regulations.

CASE # : ZB 778R (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 9/13/82
APPROVAL

AMENDMENT : Amend various sections of the Zoning Regulations as follows:

Section 120 (page 108)

2. To authorize the extension or enlargement of a non-conforming use with or without conditions provided:
 - (a) that the use does not change in any substantial way;
 - (b) that the extension may not exceed 100% of the gross floor area of buildings or 100% of the gross acreage in the case of non-conforming land, above that which legally existed at the time THE USE BECAME NON-CONFORMING ~~of the adoption of these regulations.~~
 - (c) that the extension would not cause a violation of the bulk regulations for the district in which the parcel is located.
 - (d) that the extension would not cause an adverse effect on vicinal properties.
 - (e) as used in this Subsection F, "extension" means either the extension or enlargement of an existing building or the construction of an additional structure on the same lot.

Section 121.B. (page 110)

1. Non-Conforming Uses
As provided in Section 120.
2. Variances (SEE SECTION 104.A.88):
 - (a) To authorize variances from these regulations where all of the following determinations are made:

Section 121.B.2.(a)(1) (page 110)

- (1) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the ~~use or~~ bulk provisions of these regulations.

Explanation: CAPITALS INDICATE MATTER ADDED TO REGULATIONS. Strike out indicates matter stricken from regulations.

CASE # : ZB 778R (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 9/13/82
APPROVAL

AMENDMENT : Amend various sections of the Zoning Regulations as follows:

Section 120 (page 107)
F. Board of Appeals Authority

1. To determine AND CONFIRM existence of A non-conforming use IN THE EXERCISE OF ITS ORIGINAL JURISDICTION.
 - (A) THE FACTUAL EXISTENCE OF A NON-CONFORMING USE SHALL BE DECIDED BY THE BOARD OF APPEALS UPON REVIEW OF A PETITION FILED BY THE PROPERTY OWNER CONTAINING THE FOLLOWING:
 1. A STATEMENT FULLY DESCRIBING THE MAGNITUDE AND EXTENT OF THE NON-CONFORMING USE.
 2. A STATEMENT IDENTIFYING THE DATE THE SUBJECT USE BECAME NON-CONFORMING TO THE USE PROVISIONS AND EFFECTIVE DATE OF THE ZONING REGULATIONS, SUPPORTED BY DOCUMENTATION CLEARLY DEMONSTRATING THE CONTINUED AND UNINTERRUPTED USE OR OPERATION THEREOF FROM THE SPECIFIED DATE TO THE TIME OF FILING AN APPLICATION, EXCEPT AS PROVIDED IN SECTION 120.C.3.
 3. A STATEMENT CONTAINING DOCUMENTATION OF COUNTY, STATE, OR OTHER OFFICIAL GOVERNMENT AGENCY OR CERTIFIED RECORDS AND/OR PERMITS SUBSTANTIATING THE EXISTENCE OF THE SUBJECT USE ON THE DATE THE USE BECAME NON-CONFORMING.
 4. THE REQUIREMENTS OF SECTION 2.206 OF THE HOWARD COUNTY CODE HAVE BEEN MET.
 - (B) Whenever the Office of Planning and Zoning issues a cease and desist order alleging the illegal use of property, the owner may raise as a defense the fact that the alleged illegal use is a non-conforming use. Such matter shall be heard by the Board of Appeals under its procedures for hearing administrative appeals. IN ADDITION, THE BOARD OF APPEALS MAY DETERMINE THE EXISTENCE OR NON-EXISTENCE OF A NON-CONFORMING USE IN THE EXERCISE OF ITS ORIGINAL JURISDICTION BASED UPON A PETITION FOR A PUBLIC HEARING FILED BY THE PROPERTY OWNER. The burden of proof shall be on the property owner to establish the existence of a non-conforming use. The casual, temporary or illegal use of land is insufficient to establish said existence.

CASE # : ZB 778R (con't)
PETITIONER : OFFICE OF PLANNING & ZONING
TOPIC : VARIOUS SECTIONS
DATE OF : 9/13/82
APPROVAL

AMENDMENT : Amend various sections of the Zoning Regulations as follows:

Section 122.C. (page 117)

C. Conformance with Special Exception Plan

The plan which is submitted as part of the petition for a Special Exception pursuant to Section 2.211 of the Howard County Code shall be made part of the Decision and Order of the Board of Appeals in all cases where the petition is approved. The Board may modify or add to the plan as it deems necessary to protect the health, safety and welfare of the community and to protect against adverse impact to the vicinal properties.

All improvements, including but not limited to, structures, landscaping, points of egress, lighting and parking areas must conform substantially to the plan. Failure to conform shall constitute grounds for revocation of the Special Exception.

UPON THE APPROVAL OF THE SPECIAL EXCEPTION A SITE DEVELOPMENT PLAN SHALL BE COMPLETED WHERE SPECIFIED BY THE BOARD OR REQUIRED IN ACCORDANCE WITH TITLE 16, SUBTITLE 1, ARTICLE 7 OF THE HOWARD COUNTY CODE.

Section 122.D. (page 117)

D. District Requirements

All regulations of the district in which a Special Exception use is located shall apply to such uses, except where specific, more stringent requirements of any section of these regulations apply, or where requirements are specifically amended by the conditions under which the Special Exception is granted, OR REDUCED IN ACCORDANCE WITH SECTION 121.B.2.

Sections: 112.D.1.c. (page 55)
112.5.B.4. (page 57)
113.D.1.c. (page 65)
114.D.1.c. (page 69)
115.D.1.c. (page 73)
116.D.1.b. (page 77)
117.D.1.b. (page 83)

ON APPLICATION TO THE OFFICE OF PLANNING AND ZONING, A PERMIT MAY BE ISSUED FOR THE PARKING OF A TRAILER FOR USE AS A TEMPORARY FIELD OR SALES OFFICE IN CONNECTION WITH BUILDING DEVELOPMENT, EXCEPT THAT SUCH TRAILER SHALL NOT BE USED FOR LIVING OR SLEEPING PURPOSES UNLESS FOR OVERNIGHT SECURITY PURPOSES. ON APPLICATION TO THE OFFICE OF PLANNING AND ZONING, A PERMIT MAY BE ISSUED FOR THE USE OF AN EXISTING BUILDING AS A TEMPORARY FIELD OR SALES OFFICE IN CONNECTION WITH BUILDING DEVELOPMENT.