



March 3, 2015

TECHNICAL STAFF REPORT

*Petition Accepted on January 28, 2015
Planning Board Meeting of April 9, 2015
County Council Hearing to be scheduled*

Case No./Petitioner: ZRA - 151 – C. Godfrey Garvey

Request: To amend Section 118.0: B-1 (Business: Local) of the Zoning Regulations to add Commercial Schools as uses permitted as a matter of right in the B-1 (Business: Local) Zoning District.

Department of Planning and Zoning Recommendation:

APPROVAL

I. DESCRIPTION OF PROPOSAL

- The Petitioner proposes one amendment to the Zoning Regulations. The proposal would amend Section 118.0.B of the Zoning Regulations, which outlines uses permitted as a matter of right in the B-1 (Business: Local) Zoning District.
- The amendment would add Commercial Schools to the list of uses permitted as a matter of right in Section 118.0.B of the Zoning Regulations.
- The complete proposed amendment text is attached to this Technical Staff Report as Attachment A (Petitioner's Proposed Text).

II. EXISTING AND PROPOSED REGULATIONS

- The current Howard County Zoning Regulations do not include Commercial Driving Schools as a use permitted as a matter of right in Section 118.0.B of the Zoning Regulations.
- A new subsection, Section 118.0.B, would be added in order to address the permissibility of Commercial Schools as uses permitted as a matter of right in the B-1 (Business: Local) Zoning District.

III. BACKGROUND INFORMATION

A. Scope of Proposed Amendments

The proposed amendment could apply to any property within the County which is zoned B-1 (Business: Local).

B. Agency Comments

Comments from all applicable agencies have not yet been received. Any substantive comments received from these agencies before the Planning Board Public Hearing will be forwarded to the Planning Board members before the hearing date.

IV. EVALUATIONS AND CONCLUSIONS

- The amendment would support Plan HOWARD 2030 (General Plan) Policy 5.1, which suggests that we “identify, develop, implement and refine a comprehensive program to foster a diversified economy and encourage innovation and entrepreneurship.” The proposed amendment will afford property owners in the B-1 zoning district the opportunity to conduct business under an additional commercial use. This expansion of commercial uses permitted as a matter of right in the B-1 zoning district would encourage entrepreneurship and afford entrepreneurs the opportunity to grow their businesses as suggested by Policy 5.1 of Plan HOWARD 2030 (General Plan).
- The proposed amendment is in harmony with Policy 5.2 in Chapter 5 of Plan HOWARD 2030, which strives to “establish Howard County as a leader in 21st century entrepreneurship, information technology, and cyber security.” Subsection d. of policy 5.2 highlights the need for education in attaining this goal. Permitting commercial schools as a matter of right in the B-1 zoning district would encourage the establishment of educational institutions to help achieve this goal.
- The proposed amendment would be in harmony with other uses permitted as a matter of right in the B-1 zoning district. The Zoning Regulations define a commercial school as “a business establishment which principally offers instruction for a fee in the fine or performing arts, or for vocational and professional training purposes, or in special skills improvement such as, but not limited to, driving schools and test preparation centers.” Other similar uses permitted in the B-1 zoning district include:
 - Schools, private academic, including colleges and universities
 - Museums and libraries
 - Public schools and colleges
 - Nursery schools

V. RECOMMENDATION

APPROVAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-151 be **APPROVED**.



Marsha S. McLaughlin, Director



Date

NOTE: The file is available for public review at the Department of Planning and Zoning Public Information Counter.

ZRA 151

C. Godfrey Garvey, Petitioner

ZRA 151 – Attachment A

Petitioner's Proposed Text

(CAPITALS indicate text to be added; [[brackets indicate text to be deleted]].)

Section 118.0: B-1 (Business: Local) District

B. Uses Permitted as a Matter of Right

53. SCHOOLS, COMMERCIAL