MARSHA S. MCLAUGHLIN, DIRECTOR	*	**BEFORE THE**
DEPARTMENT OF	*	**PLANNING BOARD OF**
PLANNING AND ZONING	*	**HOWARD COUNTY, MARYLAND**
ZRA 147	*	

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MOTION: ***To recommend approval of ZRA 147 as recommended by the Department of Planning and Zoning, and the requested additional amendment to allow single-family attached dwellings as a permitted use in TOD developments larger than 3 acres and less than 50 acres, subject to certain criteria.***

ACTION: ***Recommended approval; Vote 3 to 0.***

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On December 5, 2013, the Planning Board of Howard County, Maryland, considered the petition of Marsha S. McLaughlin, Director, Department of Planning and Zoning for an amendment to the Zoning Regulations to amend Section 127.4.A, the Purpose Statement of the TOD District, to note that the district may allow for the beneficial use of an undeveloped TOD District parcel prior to the assembly of parcels for a larger TOD Development, and may allow light industrial uses as part of the nonresidential use mix, subject to certain criteria, and to amend Section 127.4.B, Uses Permitted As A Matter Of Right, to add "Industrial Uses, Light" as a permitted use, subject to certain criteria.

The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation, and the comments of reviewing agencies, were presented to the Board for its consideration. The Department of Planning and Zoning recommended approval of the petition based on findings that the proposed amendment to allow light industrial uses in a large TOD district in harmony with the *PlanHoward 2030* policies related to enhancing the Route 1 corridor by providing employment opportunities and retaining businesses. The required criteria for such a light industrial use not including any dwelling units was clarified to mean that the Site Development Plan for the light industrial use could not have any residential uses, but the larger overall TOD district would still include residential uses.

There was no testimony in opposition. Mr. Joseph Rutter stated that he supports the proposal because it recognizes long term development issues. Mr. Rutter requested that the Planning Board accept new text to add to the amendment, to also allow single-family attached dwellings as a permitted use at the periphery of TOD developments larger than 3 acres and less than 50 acres, subject to certain criteria (such units are 2,500 feet or more from the MARC station, do not occupy more than 40% of the gross development area, and are not subject to the minimum density). He said that this is intended for the TOD area on US 1 at Dorsey Road in Elkridge, which was created by action of the County Council in the 2013 Comprehensive Zoning Plan.

The Planning Board expressed that it is in agreement with the Department of Planning and Zoning recommendation for the proposed ZRA-147, and that the new text that is requested to be added appears to be acceptable due to its relatively low impact and in recognition of the unusual character of the Elkridge TOD site. Mr. Engelke made the motion to recommend approval of the petition as recommended by the Department of Planning and Zoning, and approval of the requested additional amendment to allow single-family attached dwellings as a permitted use in TOD developments larger than 3 acres and less than 50 acres, subject to certain criteria. . Ms. Easley seconded the motion. The motion passed by a vote of 3 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 2nd day of January, 2014, recommends that ZRA 147, as amended and described above, be APPROVED. The revised text included the accepted amendment is attached as Revised Exhibit A.

HOWARD COUNTY PLANNING BOARD

Joshua Tzuker, Chairman

ABSENT

Bill Santos

Jacqueline Easley

Phillips Engelke

ATTEST:

Marsha S. McLaughlin, Executive Secretary

ZRA 147 – Revised Exhibit A

Proposed Text

SECTION 127.4: TOD (Transit Oriented Development) District

A. Purpose

The TOD District provides for the development and redevelopment of key parcels of land within 3,500 feet of a MARC Station. The TOD District is intended to encourage the development of multi-use center combining office and high-density residential development that are located and designed for safe and convenient pedestrian access by commuters using the MARC Trains and other public transit links. For sites of AT least 50 acres, well-designed multi-use centers combining office, high-density residential development with a diversity of dwelling unit types, and retail uses are encouraged. The requirements of this district, in conjunction with the Route 1 Manual and the vehicular and pedestrian improvements that connect internally and with surrounding development, will result in development that makes use of the commuting potential of the MARC system, creates attractive employment or multi-use centers, and provides for safe and convenient pedestrian travel.

Many parcels in the TOD District were developed before this district was created. It is not the intent of these requirements to disallow the continued use of sites developed prior to the TOD District. ADDITIONALLY, BECAUSE TOD DEVELOPMENTS ARE MOST EFFECTIVE WHEN COMPREHENSIVELY PLANNED FOR LARGER PARCELS OF LAND SURROUNDING A MARC STATION, IT IS NEITHER THE INTENT OF THESE REQUIREMENTS TO ENCOURAGE SMALLER, PIECEMEAL TOD DEVELOPMENTS NOR DISALLOW THE BENEFICIAL USE OF UNDEVELOPED TOD DISTRICT PARCELS DURING THE PERIOD OF TIME PRIOR TO A LARGER TOD DEVELOPMENT BEING ASSEMBLED. The intent of this district will be achieved by bringing sites into compliance with these requirements and the standards of the Route 1 Manual as A MIX OF RESIDENTIAL AND NONRESIDENTIAL uses are redeveloped or expanded. CERTAIN LIGHT INDUSTRIAL USES MAY ALSO BE APPROPRIATE WITHIN THE MIX OF TOD NONRESIDENTIAL USES IF

PROPERLY LOCATED SO AS TO NOT OVERLY REDUCE THE AVAILABLE LAND AREA FOR THE MORE DENSE MIX OF USES AT THE CORE OF THE TOD DEVELOPMENT, CLOSER TO THE MARC STATION, TO PROVIDE FOR REDUCED DENSITY ON PROJECTS LOCATED WITHIN THE TOD LIMITS BUT FAR FROM THE MARC STATION TO ALLOW LOWER DENSITY RESIDENTIAL DEVELOPMENT.

B. Uses Permitted as a Matter of Right

9. DWELLINGS, SINGLE-FAMILY ATTACHED, WITHIN A TOD DEVELOPMENT PROJECT GREATER THAN 3 ACRES AND ENCOMPASSING LESS THAN 50 ACRES THAT IS ENTIRELY LOCATED MORE THAN 2,500 FEET FROM A MARC STATION, PROVIDED THAT THE MINIMUM DENSITY SHALL NOT APPLY AND THAT SUCH DWELLINGS SHALL NOT OCCUPY MORE THAN 40% OF THE GROSS DEVELOPMENT AREA OF SUCH A PROJECT.

14. INDUSTRIAL USES, LIGHT, PROVIDED THAT: THE PROPERTY FRONTS ON AND HAS DIRECT ACCESS TO AN ARTERIAL OR COLLECTOR HIGHWAY; ADJOINS OTHER PROPERTIES DEVELOPED WITH EXISTING LIGHT INDUSTRIAL USES; THE LIGHT INDUSTRIAL USE IS PRINCIPALLY CONDUCTED WITHIN A BUILDING; THE PROPOSED DEVELOPMENT DOES NOT INCLUDE A PROPOSAL FOR ANY DWELLING UNITS; AND, THE LIGHT INDUSTRIAL DEVELOPMENT IS AT THE PERIPHERY OF THE TOD DISTRICT, WELL SEPARATED FROM THE MARC STATION.

E. Bulk Regulations

1. [[Minimum]] EXCEPT AS PROVIDED IN SECTION 127.4.B, MINIMUM residential density is 20 units per net acre of residential development.