

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

County Council of Howard County, Maryland

2023 Legislative Session

Legislative day # 3

BILL NO. 9 – 2023 (ZRA – 202)

Introduced by:
The Chair
at the request of
BFEA-Curtis Farm, LLC

AN ACT amending the Howard County Zoning Regulations to allow certain historic venues to be used as a Conditional Use Historic Building Uses, under certain conditions; and generally relating to Historic Building Uses.

Introduced and read first time _____, 2023. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2023.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2023 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2023 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2023

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Zoning Regulations are hereby amended as follows:

3
4 *By Amending:*

5 *Section 131.0: “Conditional Uses”*

6 *Subsection N. “Conditional Uses and Permissible Zoning Districts”*

7 *Number 27. “Historic Building Uses”*

8
9 **HOWARD COUNTY ZONING REGULATIONS**

10
11 **SECTION 131.0: Conditional Uses**

12 **N. Conditional Uses and Permissible Zoning Districts**

13 **27. Historic Building Uses**

14 A Conditional Use may be granted for the conversion of a historic building in the RC,
15 RR, R-ED, R-20, R- 12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, POR, B-1,
16 B-2, M-1, and M-2 Districts to apartments and in the RC, RR , R-ED, R-20, R-12, R-
17 SC, R-SA-8, R-A-15, R-APT and R-MH Districts to business and professional offices,
18 specialty stores, standard restaurants, arts and crafts classes, antiques shops, art
19 galleries, craft shops; bakeries (provided all goods baked on the premises shall be sold
20 at retail from the premises); furniture upholstery, and similar services; personal
21 service establishments; seasonal sale of Christmas trees or other decorative plant
22 materials, subject to the requirements of Section 1 28.0.D.4; service agencies; or
23 community meeting halls [[,]]; OR HISTORIC VENUE USES INCLUDING WEDDINGS,
24 ANNIVERSARY/RETIREMENT PARTIES, BRIDAL OR BABY SHOWERS, PICNICS, REHEARSAL
25 DINNERS, PHILANTHROPIC EVENTS, COMPANY RETREATS OR OTHER SIMILAR USES,
26 provided that:

- 27 a. The building is a historic structure as defined in these Regulations.
- 28 b. The maximum number of dwelling units permitted shall be one dwelling
29 unit for every 800 square feet of building area.
- 30 c. Extension or enlargement of the principal historical structure and all
31 accessory structures may not exceed 50% of the gross floor area of each
32 individual building above that which existed on August 1, 1989, when ZB

1 882R was adopted adding the historic building use category to these
2 Regulations.

- 3 d. Exterior alterations to the historic structure shall be architecturally
4 compatible with the historic structure as determined by the Historic
5 District Commission, prior to the approval of the Conditional Use.
- 6 e. A historic building converted into a community meeting hall or offices
7 shall be subject to the following standards:

- 8 (1) No material or equipment shall be stored outside of structures.
- 9 (2) Parking areas shall be set back a minimum of 30 feet from all
10 property lines or public street rights-of-way and screened from
11 the roadway and adjacent properties.
- 12 (3) The site shall have frontage on and direct access onto a collector
13 or arterial road designated in the General Plan.

14 F. A HISTORIC BUILDING THAT IS CONVERTED FOR HISTORIC VENUE USES
15 SHALL BE SUBJECT TO THE FOLLOWING STANDARDS:

- 16 (1) THE PROPERTY IS LOCATED IN AN R-20 DISTRICT.
- 17 (2) THE MINIMUM LOT SIZE SHALL BE 7 ACRES.
- 18 (3) THE USE SHALL NOT SHARE A DRIVEWAY WITH ANOTHER
19 RESIDENTIAL LOT.
- 20 (4) PARKING AREAS SHALL BE SET BACK A MINIMUM OF 30 FEET
21 FROM ALL PROPERTY LINES OR PUBLIC STREET RIGHTS-OF-WAY
22 AND ADEQUATELY SCREENED TO MINIMIZE VISIBILITY FROM THE
23 ROADWAY AND ADJACENT PROPERTIES.
- 24 (5) THE SITE SHALL HAVE FRONTAGE ON AND DIRECT ACCESS ONTO A
25 COLLECTOR OR ARTERIAL ROAD DESIGNATED IN THE GENERAL
26 PLAN.
- 27 (6) OUTDOOR USE IS PERMITTED PROVIDED THAT ANY OUTDOOR USE
28 AREA IS LOCATED AND SCREENED TO ADEQUATELY SHIELD
29 ADJACENT RESIDENTIAL LOTS FROM NOISE AND NUISANCE.
- 30 (7) ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE
31 PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY.

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(8) PETITIONER SHALL SUBMIT A SOUND MANAGEMENT PLAN DEMONSTRATING HOW SOUND FROM OUTDOOR USES WILL BE MANAGED TO MINIMIZE ADVERSE IMPACTS ON SURROUNDING RESIDENTIAL PROPERTIES.

(9) THE HEARING AUTHORITY MAY SET THE DAYS, HOURS OF OPERATION, AND MAXIMUM NUMBER OF GUESTS FOR HISTORIC VENUE USES.

[[f]]G. On an ALPP purchased or dedicated easement property, the following additional criteria are required:

- (1) The use shall not interfere with the farming operations or limit future farming production.
- (2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.

Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.