Land Development Code Update
Phase 1: Development Regulations Assessment
Summary

• Project Background and Update

• Current Discussion Topics
PROJECT BACKGROUND AND UPDATE
Phase 1:

- An assessment of the current land development regulation
- Including zoning, subdivision, and manuals
- Including New Town zoning (but not covenants)
- Not including revisions to Adequate Public Facilities Ordinance (APFO)
- Results in an Assessment (of the current regulations) and an Annotated Outline (of how they could be restructured and improved)
- To be released in early 2018 following staff review

Phase 2: A separate process to update the Development Regulations (2018-2019)
Annotated Outline

2. Zone Districts
3. Land Use Regulations
4. Development Standards
5. Zoning & Subdivision Procedures
6. Definitions and Rules of Construction

ZONING REGULATIONS
100.0: General Provisions
101.0: Rules of Construction
102.0: Violations, Enforcement, and Penalties
103.0: Definitions
104.0: RC Rural Conservation
105.0: RR Rural Residential
106.0: DEO Density Exchange Option Overlay
106.1: County Preservation Easements
107.0: ED Residential: Environmental Development
108.0: R-20 Residential: Single
109.0: R-12 Residential: Single
110.0: R-SC Residential: Single Cluster
111.0: R-SA-8 Residential Single Attached
111.1: R-H-ED Residential: Historic – Environmental
112.0: R-A-15 Residential: Apartments
112.1: R-APT Residential: Apartments
113.0: R-MH Residential: Mobile Home
113.1: R-SI Residential: Senior Institutional
113.1: I Institutional Overlay
114.0: Historic District
114.1: R-VH Residential: Village Housing
114.2: HO Historic: Office
114.3: HC Historic: Commercial
115.0: POR Planned Office Research
116.0: PEC Planned Employment Center
117.0: BRX Business Rural Crossroads
117.1: BR Business Rural
117.3: OT Office Transition
117.4: CCT Community Center Transition
118.0: B-1 Business: Local
119.0: B-2 Business: General
120.0: SC Shopping Center
121.0: CEF Community Enhancement Floating
121.1: CR Commercial Redevelopment
122.0: M-1 Manufacturing: Light
123.0: M-2 Manufacturing: Heavy
124.0: SW Solid Waste Overlay
125.0: NT New Town
126.0: PGCC Planned Golf Course Community
127.0: MXD Mixed Use Districts
127.1: PSC Planned Senior Community
127.2: CE Corridor Employment District
127.3: CLI Continuing Light Industrial Overlay
127.4: TOD Transit Oriented Development
127.5: CAC Corridor Activity Center
127.6: TNC Traditional Neighborhood Center
127.7: TYC Transit Oriented Development
127.8: M-1 Manufacturing: Heavy
127.9: M-2 Manufacturing: Light
128.0: Supplementary Zoning District Regulations
129.0: Nonconforming Uses
130.0: Hearing Authority
131.0: Conditional Uses
132.0: Temporary Uses
133.0: Off-Street Parking and Loading Facilities
134.0: Outdoor Lighting

TITLE 16: PLANNING, ZONING AND SUBDIVISIONS AND LAND DEVELOPMENT REGULATIONS
Subtitle 1: Subdivision and Land Development Regulations
Subtitle 2: Zoning
Subtitle 3: Board of Appeals
Subtitle 4: Street Names and House Numbers
Subtitle 5: Mobile Home Development
Subtitle 6: Historic Preservation Commission
Subtitle 7: Floodplain
Subtitle 8: Department of Planning and Zoning
Subtitle 9: Planning Board
Subtitle 10: Zoning Counsel
Subtitle 11: Adequate Public Facilities
Subtitle 12: Forest Conservation
Subtitle 13: Cemetery Preservation
Subtitle 14: Scenic Roads
Subtitle 15: Design Advisory Panel
Subtitle 16: Enforcement of the Howard County Subdivision and Land Development Regulations and the Zoning Regulations
Subtitle 17: Development Rights and Responsibilities Agreements

TITLE 3: SUBTITLE 5, SIGNS
Project Timeline

- Stakeholder Interviews and Public Meetings
  - March 2017
- Online Survey and Comments
  - June 2017
- Emerging Issues and Trade-Offs Public Meetings
  - July 2017
- Diagnosis and Annotated Outline Draft
  - Fall 2017
- Presentation of Draft Public Meetings
  - Winter 2018
Initial kickoff meetings with staff and administration (February)

Two rounds of meetings with stakeholders to receive initial comments about needed changes (March & July)

Research on existing development approvals (including all SDP/FDPs)

Research on current zone district use and acreages

Collected 691 comments so far

Posted monthly summaries of comments received at https://www.howardcountymd.gov/LinkClick.aspx?fileticket=L5k0ktUPNUk%3d&portalid=0

Prepare staff draft of Assessment and Annotated Outline
Key Topics Emerging

- Desires to stop or limit growth
- Concerns about the scale and character of infill development
- Confusing structure makes it difficult to find answers
- Continuing tensions between residential development and agricultural operations in western Howard County
- Frustration with current Conditional Uses and approval process
- Desires for higher development quality
- Frustration with development on key corridors, including Route 1, Route 40 and other corridors
- Complexity of current New Town zoning and related covenants (particularly for Downtown and Village Center redevelopment)
1. Mixed Use Zoning

2. Floating and Overlay Zones

3. Pipestem Lots
MIXED USE ZONING
Over 2,200 acres and 3,200 parcels are zoned with MXD (Mixed Use) overlay district

- Evidence of strong desire for mixed use development and a weakness of the current code

- Consistent with national trends to allow introduction of attached and multi-family housing in areas that were previously zoned for only commercial development
Most newer codes address this use by creating a spectrum of low, medium, and high intensity base mixed use zone districts

• Neighborhood scale
  – Corner/crossroads, support uses

• Community scale
  – Arterials or embedded groups of shops

• Major activity center
  – Large shopping centers
Example Spectrum of Districts

NEIGHBORHOOD

COMMUNITY

ACTIVITY CENTER
Mixed Use Zoning

At each scale, the zone district determines

• The maximum size of the center
• Permitted and conditional cases
  – Uses that are Permitted uses in large districts are often Conditional uses in smaller districts
• Limits on maximum heights and size of buildings and footprints for the Neighborhood and Community scale
• Standards to mitigate impacts of specific uses on surrounding areas
What issues have you been experiencing with current zoning that allows a mix of residential and non-residential uses?

- Along Route 1 or Route 40
- In Columbia
- Other?

Are these impacts caused by:

- Conflicts between commercial and residential activities?
- The intensity of development when both types of development are allowed in the same area?
- Increased traffic that occurs because both types of development are allowed in the same area?
- Other?
FLOATING AND
OVERLAY ZONES
A second layer of districts with controls that:

- Supersede base zone district controls
- Can be more restrictive or more flexible than base zone district controls

Current overlay zones

**General**
- DEO Density Exchange Option
- TNC Traditional Neighborhood Center
- MXD Mixed Use

**Floating**
- PSC Planned Senior Community
- SW Solid Waste
What are Floating Zones?

Zone districts that:

- Can be requested outside of the comprehensive rezoning cycle
- Do not require a showing of “change or mistake”

Current Floating Districts

**Base**
- BR Business Rural
- OT Office Transition
- CEF Community Enhancement Floating

**Overlay**
- PSC Planned Senior Community
- SW Solid Waste
Current ordinance is unclear as to:

- Which zones are floating or overlay zones?
- Which floating zones are base zones or overlay zones?

The purpose of many floating and overlay zones could be met by simply revising the permitted and conditional uses in base zoning districts — with adequate standards to control the location, size, and operations of those uses.

<table>
<thead>
<tr>
<th>Base</th>
<th>Overlay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Many</td>
<td>DEO, TNC, MXD, CR, I, CLI</td>
</tr>
<tr>
<td>Floating Base</td>
<td>Floating Overlay</td>
</tr>
<tr>
<td>BR, OT, CEF</td>
<td>PSC, SW</td>
</tr>
</tbody>
</table>
Are there specific concerns about the following that should inform the future use of floating or overlay zones?

– Small business centers at rural area crossroads?

– Office / transition areas at residential edges along major roads?

– Planned senior communities?
PIPESTEM LOTS
What is a Pipestem Lot?

- Also called flag lots
Many comments about pipestem lots

– Concerns have been primarily that houses should not face rear of neighbors house – which reduces privacy
– Issues with shared driveways

Must allow legal access to and development of land or “reasonable economic use”

New regulations provide an opportunity to craft design and access standards to help minimize impact
What issues should new standards address?

– Housing location?
– Housing orientation?
– Setbacks?
– Width and location of access?
– Other?
QUESTIONS?