

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 3

Resolution No. 35 -2020

Introduced by the Chairperson at the request of the County Executive

A RESOLUTION amending the Reimbursement rates applicable to one-time reimbursements for an investment in an on-site stormwater best management practice that reduces the impact on the public stormwater management system; providing that certain previously adopted rates shall remain in effect; and generally relating to schedules of rates adopted as part of the Watershed Protection and Restoration Fee.

Introduced and read first time _____, 2020.

By order _____
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on _____, 2020.

By order _____
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2020.

Certified By _____
Diane Schwartz Jones, Administrator

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 **WHEREAS**, Section 20.1103 of the Howard County Code provides that the County shall
2 charge and a property owner shall pay an annual Watershed Protection and Restoration Fee; and
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4 **WHEREAS**, Section 20.1104 of the County Code provides that the County Council shall
5 adopt by resolution a schedule of rates that shall include (1) the impervious unit rate that may be
6 based on certain variables relative to a property's characteristics; (2) rates for residential
7 properties; (3) rates for credits awarded under section 20.1105 of the Code; (4) rates for
8 reimbursements awarded under section 20.1106 of the Code; and (5) rates for reimbursements
9 awarded under the Watershed Protection and Restoration Fee Assistance Program; and
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11 **WHEREAS**, on May 29, 2019, the County Council passed Council Resolution No. 78-
12 2019 that last adopted the schedule of rates required by Section 20.1104 of the County Code; and
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14 **WHEREAS**, the Office of Community Sustainability has proposed changes to the
15 Reimbursement rates required by Section 20.1104(a)(4) of the County Code; and
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17 **WHEREAS**, the changes made to the Reimbursement rates are as follows:

- 18 1. Practices for which a reimbursement may be sought must be installed by a licensed
19 contractor;
- 20 2. The property owner must provide a maintenance agreement with the County;
- 21 3. The priority of projects will be based on the potential for environmental benefits,
22 including enhanced water quality, as determined by the Office of Community
23 Sustainability;
- 24 4. Increases all of the reimbursement amounts;
- 25 5. Except for septic pumping, the maximum reimbursement shall not exceed 75% of the
26 total cost of the practice;
- 27 6. Amends the minimum size and technical requirements of some of the practices; and
- 28 7. An owner of a residential properties may be eligible for up to 100% reimbursement if
29 they demonstrate a household income of 250 percent or less of the poverty level, as
30 established by the U.S. Department of Health and Human Services and adjusted for
31 family size; and

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland this _____ day of _____, 2020 that it amends the Reimbursement rates required by Section 20.1104(a) of the County Code in accordance with Exhibit A of this Resolution.

AND BE IT FURTHER RESOLVED, that there are no changes to the following rates adopted by Council Resolution No. 78-2019 and the rates shall remain in effect until changed or repealed by subsequent Resolution of the County Council:

1. Impervious Unit Rate for Non-Residential Properties;
2. Rates for Residential Properties;
3. Credits; and
4. The Watershed Protection and Restoration Fee Assistance Program.

Exhibit A

REIMBURSEMENTS

These rates are set pursuant to Sections 20.1104 and 20.1106 of the Howard County Code which provide for the County Council to adjust the Watershed Protection and Restoration fee through the use of a one-time reimbursement.

All properties, or portions of properties, that are not currently treated to the levels of the 2000 Maryland Stormwater Design Manual are eligible for the County’s Watershed Protection and Restoration Reimbursement program. The reimbursement is not a credit, but a one-time payment for an investment made by the property owner that benefits the public stormwater management system AND IS SECURED THROUGH A MAINTENANCE AGREEMENT WITH THE PROPERTY OWNER.

The County **[[will]]** MAY grant reimbursements FOR THE FOLLOWING PRACTICES INSTALLED BY A LICENSED CONTRACTOR up to the maximum amounts listed below**[[:]**. FUNDING WILL BE PRIORITIZED BASED ON THE POTENTIAL FOR ENVIRONMENTAL BENEFITS, INCLUDING ENHANCED WATER QUALITY, AS DETERMINED BY THE OFFICE OF COMMUNITY SUSTAINABILITY. IN ACCORDANCE WITH CODE § 20.1106, AN APPLICANT FOR A REIMBURSEMENT SHALL SUBMIT AN APPLICATION WITH THE OFFICE OF COMMUNITY SUSTAINABILITY ON A FORM PROVIDED BY THE OFFICE AND ACCOMPANIED BY INFORMATION THAT THE OFFICE MAY REQUIRE.

Practice	Maximum Residential Reimbursement 75% OF THE TOTAL COST*	Maximum Non-Residential Reimbursement 75% OF THE TOTAL COST
Rain Garden	[[[\$1,200]]\$5,000 total MINIMUM GARDEN SIZE IS 75 SF	[[[\$5,000]]\$7,000 total [[– maximum reimbursement is \$1 per SF impervious area treated]] MINIMUM GARDEN SIZE IS 150 SF
Conservation Landscaping [[(Turf or Invasive Species Replacement)]]	[[[\$250-\$750]]\$3,000 total [[– maximum reimbursement is \$1 per SF]]; minimum [[treatment area]] SIZE is [[250]]1250 SF	[[[\$3,000]]\$5,000 total [[– maximum reimbursement is \$3 per SF]]; minimum [[treatment area]]size is [[350]]300 SF
Urban Tree Canopy	[[[\$600]]\$1,000 total – \$150 per tree MAXIMUM; minimum [[2]]1 inch caliper (deciduous) or [[6]]3 feet tall (evergreen)	[[[\$600]]\$2,500 total – \$150 per tree MAXIMUM; minimum [[2]]1 inch caliper (deciduous) or [[6]]3 feet tall (evergreen)
Permeable Pavers	[[[\$1,200]]\$5,000 total – minimum paver area of 100 SF	[[[\$5,000]]\$7,000 total – minimum paver area of 350 SF
IMPERVIOUS SURFACE [[Pavement]] Removal	[[[\$600-\$1,200]]\$2,000 TOTAL– minimum amount removed AND RESTORE TO PERMEABLE SURFACE is 100 SF	[[[\$1,800 - \$5,000]]\$7,000 TOTAL – minimum amount removed AND RESTORED TO PERMEABLE SURFACE is 300 SF
Green Roof	[[[\$1,200]]\$7,000 – minimum [[area treated]] ROOF AREA is [[300]]100 SF [[or ¼ roof retrofit]]	[[[\$5,000]]\$10,000 – minimum ROOF area [[treated]] is [[300]]200 SF [[or ¼ roof retrofit]]

RAINWATER HARVESTING [[Cisterns]]	[[500]]\$750 – maximum reimbursement is [[1]]\$2 per gallon OF TREATED VOLUME [[stored]]; 250 gallon minimum FOR SINGLE FAMILY HOME AND 100 GALLON MINIMUM FOR TOWNHOME	[[2,000]]\$2,500 – maximum reimbursement is [[1]]\$2 per gallon OF TREATED VOLUME [[stored]]; 250 gallon minimum
Dry Wells	[[600]]\$2,000	[[600]]\$4,000
[[Septic pumping	\$100 once every 3 years.]]	

*AN OWNER OF A RESIDENTIAL PROPERTY MAY BE ELIGIBLE FOR UP TO 100% REIMBURSEMENT IF THE OWNER DEMONSTRATES AT THE TIME A SITE VISIT IS REQUESTED THAT THE OWNER’S HOUSEHOLD INCOME IS 250 PERCENT OR LESS OF THE POVERTY LEVEL, AS ESTABLISHED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES AND ADJUSTED FOR FAMILY SIZE.

PRACTICE	MAXIMUM RESIDENTIAL REIMBURSEMENT	MAXIMUM NON-RESIDENTIAL REIMBURSEMENT
SEPTIC PUMPING	\$100 ONCE EVERY 3 YEARS	NOT APPLICABLE

[[**In accordance with code § 20.1106, an applicant for a reimbursement shall submit an application with the Office of Community Sustainability on a form provided by the Office and accompanied by information that the Office may require.]]