

Introduced April 5, 2010
Public hearing April 19, 2010
Council action May 3, 2010
Executive action May 4, 2010
Effective date July 5, 2010

County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 4

BILL NO. 15 - 2010

Introduced by: Mary Kay Sigaty, Calvin Ball, Jenifer Terrasa, and Courtney Watson

AN ACT amending the Howard County Code to require that the Design Advisory Panel review and provide advice on Downtown Columbia Revitalization, under certain circumstances; requiring that the Panel consider the Columbia Downtown-wide Design Guidelines and Downtown Neighborhood Design Guidelines when reviewing certain types of development plans; allowing the County Council and the Planning Board to consider the Panel's recommendations when taking certain actions; and generally relating to the Design Advisory Panel.

Introduced and read first time April 5, 2010. Ordered posted and hearing scheduled.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on April 19, 2010 and concluded on ~~_____~~, 2010.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time May 3, 2010 and Passed , Passed with amendments , Failed .

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 4th day of May, 2010 at 2:00 p.m.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Approved/vetoed by the County Executive on May 4, 2010.

Karl Ulman
Karl Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law. Strikethrough 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*
2 *Section 16.1500 "Short title; purpose", Section 16.1501 "Applicability.", Section 16.1503*
3 *"Guidelines and principles.", Section 16.1504 "Review required; recommendations;*
4 *condition of decision.", of Subtitle 15 "Design Advisory Panel"; of Title 16 "Planning,*
5 *Zoning and Subdivision and Land Development Regulations", of the Howard County Code*
6 *are hereby amended to read as follows:*

7
8 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**
9 **Subtitle 15. Design Advisory Panel**

10
11 **Sec. 16.1500. Short title; purpose.**

12
13 (a) *Short Title.* This subtitle shall be known as the Design Advisory Panel Act.

14
15 (b) *Purpose.* There shall be a Howard County Design Advisory Panel ("panel") in order
16 to:

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18 (1) Provide expert advice to the Director of the Department of Planning and Zoning
19 regarding plans for new development and redevelopment in designated areas where
20 there is a design manual that is adopted by the County Council [[including without
21 limitation, the U.S. Route 1 Corridor]] or in age-restricted adult housing permitted
22 by conditional use;

23
24 (2) Provide expert advice to the Zoning Board and the Planning Board regarding
25 plans for [[new]] NEW Town Village Center Redevelopments in which Village
26 Center Boundaries have been proposed by a property owner or established by the
27 Zoning Board or by the County Council; [[and]]

28
29 (3) PROVIDE EXPERT ADVICE FOR DOWNTOWN COLUMBIA REVITALIZATION TO:

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31 A. THE COUNTY COUNCIL IN ADOPTING DOWNTOWN-WIDE DESIGN GUIDELINES
32 FOR USE IN THE DOWNTOWN COLUMBIA REVITALIZATION PROCESS;

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B. THE PLANNING BOARD REGARDING THE CONSISTENCY OF THE DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES TO THE DOWNTOWN-WIDE DESIGN GUIDELINES;

C. THE PLANNING BOARD REGARDING THE CONSISTENCY OF THE SITE DEVELOPMENT PLANS SUBMITTED FOR APPROVAL IN THE DOWNTOWN COLUMBIA REVITALIZATION PROCESS TO THE NEIGHBORHOOD DESIGN GUIDELINES; AND

(((3)) 4) Encourage excellence in architecture and site design, to improve design compatibility with surrounding development, to promote revitalization, and to enhance property values.

Sec. 16.1501. Applicability.

The Design Advisory Panel shall review and provide design advice for new development and redevelopment projects:

- (a) On parcels located the U.S. Route 1 Corridor that are zoned CE, CAC, OR TOD, or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual;
- (b) On parcels on which age-restricted adult housing is to be constructed pursuant to a conditional use; [[and]]
- (c) On redevelopment parcels located in [[new]] NEW Town Village Centers with boundaries proposed by a property owner or established by the Zoning Board or County Council[.]; AND

1 (d) ON PARCELS IN THE DOWNTOWN COLUMBIA REVITALIZATION PROCESS.

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Sec. 16.1503. Guidelines and principles.

The panel is to apply ~~[[architectural]]~~ ARCHITECTURAL, landscape architecture, and urban design principles in order to achieve the following objectives in a proposed plan:

(a) *Site planning* which creates attractive visual and functional relationships of the on-site design elements and between the site and the surrounding area;

(b) *Buildings and other structures* which are spatially and visually integrated into and suitable for the site and surrounding area;

(c) *Architectural features* which articulate the structures, create an identity for the development while being in harmony with the adjacent and surrounding built environment, and are consistent with the:

- (1) Design requirements of the Route 1 Manual;
- (2) Criteria of a conditional use, as applicable; ~~[[or]]~~
- (3) New Town Village Center design guidelines, as applicable;
- (4) DOWNTOWN-WIDE DESIGN GUIDELINES, AS APPLICABLE; OR
- (5) DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES, AS APPLICABLE;

(d) *Open space* which provides visual functional integration of the streetscape, public spaces, and pedestrian connections and transportation connections;

(e) *Landscaping* which enhances the architectural and site design, works with the natural features of the site, provides adequate screening, and defines spaces on the site; and

1 (f) Design objectives in the Route 1 Manual, compatibility criteria for age-restricted adult
2 housing set forth in Section 131.N.1 of the Howard County Zoning Regulations, [[or]] the
3 design guidelines for the appropriate [[new]] NEW Town Village Center, OR THE DOWNTOWN-
4 WIDE DESIGN GUIDELINES OR THE DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES FOR
5 DOWNTOWN COLUMBIA REVITALIZATION.
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8 **Sec. 16.1504. Review required; recommendations; condition of decision.**
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10 (a) *Recommendations.* The panel shall make recommendations consistent with the Route
11 1 Manual, compatibility criteria for age-restricted adult housing, [[or new]] NEW Town
12 Village Center design guidelines OR DOWNTOWN-WIDE DESIGN GUIDELINES OR DOWNTOWN
13 NEIGHBORHOOD DESIGN GUIDELINES FOR DOWNTOWN COLUMBIA REVITALIZATION regarding:

- 14 (1) The design for buildings, vehicular circulation and access, pedestrian access and
15 linkages, parking, loading, dumpsters, exterior mechanical units, existing trees,
16 landscaping, and walls and fences;
- 17 (2) Building scale and massing in relation to and compatible with the surrounding area;;
- 18 (3) Building architectural style, materials, entrances, windows, roof design, and colors;
- 19 (4) Open space on the site including pathways, public spaces, amenity areas, and similar
20 features;
- 21 (5) The design of exterior lighting devices and potential disturbances to the public and
22 adjacent properties; and
- 23 (6) The location, size, and design of the exterior signs.

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25 (b) *Director May Consider Recommendations.* The Director of the Department of
26 Planning and Zoning may consider the panel's recommendations in making a final decision on
27 a plan or as a condition of plan approval in connection with those matters included in
28 subsection (a) of this section based on design requirements contained in the Route 1 Manual.
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1 (c) *Hearing Authority May Consider Recommendations.* The hearing authority may
2 consider the panel's recommendations in making a final decision on a conditional use or as a
3 condition of conditional use approval for age-restricted adult housing in connection with those
4 matters included in subsection (a) of this section based on the guidelines and principles set
5 forth in section 16.1503 of this subtitle.

6
7 (d) *Zoning Board and Planning Board May Consider Recommendations.* The Zoning
8 Board and Planning Board may consider the panel's recommendations in making a final
9 decision on a Village Center Redevelopment Plan or as a condition of plan approval in
10 connection with those matters included in subsection (a) of this section based on the
11 appropriate [[new]] NEW Town Village Center design guidelines.

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13 (E) *COUNTY COUNCIL MAY CONSIDER RECOMMENDATIONS.* THE COUNTY COUNCIL MAY
14 CONSIDER THE PANEL'S RECOMMENDATIONS IN ADOPTING THE DOWNTOWN-WIDE DESIGN
15 GUIDELINES FOR USE IN THE DOWNTOWN COLUMBIA REVITALIZATION PROCESS.

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17 (F) *PLANNING BOARD MAY CONSIDER RECOMMENDATIONS.* THE PLANNING BOARD MAY
18 CONSIDER THE PANEL'S RECOMMENDATIONS IN MAKING A FINAL DECISION ON NEIGHBORHOOD
19 DESIGN GUIDELINES AND SITE DEVELOPMENT PLAN APPROVALS FOR DOWNTOWN COLUMBIA
20 REVITALIZATION.

21
22 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that***
23 ***this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 4, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council