

# County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 2

## Resolution No. 21 -2013

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION approving schedules for various charges related to the Watershed Protection and Restoration Fee including the impervious unit rate and the amounts for certain credit, reimbursement and assistance programs.

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Introduced and read first time February 4, 2013.

By order Stephen LeGendre  
Stephen LeGendre, Administrator

Read for a second time at a public hearing on February 19, 2013.

Tabled March 4, 2013

By order Stephen LeGendre  
Stephen LeGendre, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on March 28, 2013.

Certified By Stephen LeGendre  
Stephen LeGendre, 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 for the County to  
2 levy and fix an annual Watershed Protection and Restoration Fee (the “Fee”) on all improved  
3 property in the County; and  
4

5           **WHEREAS**, the Fee shall be based on the amount of impervious area on a property that  
6 exists as of March 1; and  
7

8           **WHEREAS**, Section 20.1105 of the Howard County Code provides for an adjustment of  
9 the Fee through the use of credits when an investment in an on-site stormwater best management  
10 practice reduces the impact on the public stormwater management system; and  
11

12           **WHEREAS**, Section 20.1106 of the Howard County Code provides for an adjustment of  
13 the Fee through the use of a one-time reimbursement when an on-site stormwater management  
14 practice is completed and functioning as designed; and  
15

16           **WHEREAS**, Section 20.1109 of the Howard County Code provides for a Watershed  
17 Protection and Restoration Fee Assistance Program to assist residential property owners who  
18 meet certain qualifications; and  
19

20           **WHEREAS**, Section 20.1104 of the Howard County Code provides that the County  
21 Council shall adopt by resolution a schedule of rates that shall include:

- 22           (1)     The impervious unit rate that may be based on certain variables relative to a  
23                   property’s characteristics;
- 24           (2)     Rates for credits awarded under Section 20.1105;
- 25           (3)     Rates for reimbursements awarded under Section 20.1106; and
- 26           (4)     Rates for reimbursements awarded under the Watershed Protection and  
27                   Restoration Fee assistance program.

28  
29           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
30 Maryland this 28<sup>th</sup> day of March, 2013 that it adopts the attached schedules  
31 for:



- 1           (1)    The impervious unit rate that may be based on certain variables relative to a
- 2                    property's characteristics;
- 3           (2)    Rates for credits awarded under Section 20.1105;
- 4           (3)    Rates for reimbursements awarded under Section 20.1106; and
- 5           (4)    Rates for reimbursements awarded under the Watershed Protection and
- 6                    Restoration Fee assistance program.

7

8           **AND BE IT FURTHER RESOLVED** that the schedules shall be effective July 1, 2013  
9 and shall continue in effect until changed or repealed by subsequent resolution of the County  
10 Council.



## **IMPERVIOUS UNIT RATE**

*These charges are set pursuant to Sections 20.1103 and 20.1104 of the Howard County Code which provide for the County Council to adopt, by resolution, a schedule of rates including the impervious unit rate.*

~~\$7.80~~ \$15.00 per impervious unit

Per section 20.1101 of the Howard County Code, an impervious unit is 500 square feet.





## CREDITS

*These rates are set pursuant to Sections 20.1104 and 20.1105 of the Howard County Code which provide for the County Council to adjust the Watershed Protection and Restoration fee through the use of credits.*

1. The maximum credit for any property is 50% of the Watershed Protection and Restoration Fee.
2. Properties subject to a Site Development Plan that was filed on or after January 1, 2003 are eligible for a credit of 50% of the Watershed Protection and Restoration Fee.
3. A property owner is eligible for a credit of 50% of the Watershed Protection and Restoration Fee if the property is subject to (a) a National Pollutant Discharge Elimination System (NPDES) permit regulating stormwater or (b) an industrial stormwater permit that requires the management of 20% of the uncontrolled impervious area on the parcel.
34. A property owner may be eligible for credits for best management practices that reduce the impact on the public stormwater management system including, without limitation, rain gardens, conservation landscaping, sheet flow to conservation areas, urban tree canopies, permeable pavers, removing pavement, green roofs, cisterns, dry wells and any other practice as defined in the 2000 Maryland Stormwater Design Manual.
45. To compute the fee subject to a credit:

The impervious area treated by the stormwater BMP facility will be multiplied by 0.5 and deducted from the total amount of impervious area on the property that is subject to the fee. The Watershed Protection and Restoration fee will then be readjusted accordingly.



## 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.

The County will grant reimbursements up to the maximum amounts listed below:

<b>Practice</b>	<b>Maximum Residential Reimbursement</b>	<b>Maximum Non-Residential Reimbursement</b>
Rain Garden	\$1,200 total	\$5,000 total – maximum reimbursement is \$1 per SF impervious area treated
Conservation Landscaping (Turf or Invasive Species Replacement)	\$250-\$750 total – maximum reimbursement is \$1 per SF; minimum treatment area is 250 SF	\$3,000 total – maximum reimbursement is \$3 per SF; minimum treatment area is 350 SF
Urban Tree Canopy	\$600 total – \$150 per tree; minimum 2 inch caliper (deciduous) or 6 feet tall (evergreen)	\$600 total – \$150 per tree; minimum 2 inch caliper (deciduous) or 6 feet tall (evergreen)
Permeable Pavers	\$1,200 total – minimum paver area of 100 SF	\$5,000 total – minimum paver area of 350 SF
Pavement Removal	\$600-\$1,200 – minimum amount removed is 100 SF	\$1,800-\$5,000 – minimum amount removed is 300 SF
Green Roof	\$1,200 – minimum area treated is 300 SF or ¼ roof retrofit	\$5,000 – minimum area treated is 300 SF or ¼ roof retrofit
Cisterns	\$500 – maximum reimbursement is \$1 per gallon stored; 250 gallon minimum	\$2,000 – maximum reimbursement is \$1 per gallon stored; 250 gallon minimum
Dry Wells	\$600	\$600



**WATERSHED PROTECTION AND RESTORATION FEE ASSISTANCE PROGRAM**

*These reimbursement rates are set pursuant to Sections 20.1104 and 20.1109 of the Howard County Code which provide for the County Council to adopt a rate for the amount of assistance provided under the Watershed Protection and Restoration Fee Assistance Program.*

60% of the Watershed Protection and Restoration Fee



Amendment 1 to Council Resolution No. 21-2013

BY: Calvin Ball

Legislative Day No. 5  
Date: March 28, 2013

Amendment No. 1

*(This amendment alters the impervious unit rate.)*

- 1 On the first page of the attachment, strike "\$7.80" and substitute "\$15.00".

DATE March 28, 2013  
BY Calvin M. Ball





Amendment 2 to Council Resolution No. 21-2013

BY: Mary Kay Sigaty

Legislative Day No. 5  
Date: March 28, 2013

Amendment No. 2

*(This amendment adds a reference to a best management practice.)*

- 1 On the second page of the attachment, in the third line of paragraph 3, after “landscaping,” insert
- 2 “sheet flow to conservation areas.”

ADOPTED March 28, 2013  
BY: \_\_\_\_\_  
RESOLUTION Gregory M. Gendron



Amendment B to Council Resolution No. 21-2013

BY: Mary Kay Sigaty

Legislative Day No. 5  
Date: March 28, 2013

Amendment No. B

*(This amendment authorizes a credit for the holder of certain permits.)*

- 1 On the second page of the attachment, insert a new paragraph (3) as follows:
- 2 “3. A property owner is eligible for a credit of 50% of the Watershed Protection and Restoration
- 3 Fee if the property is subject to (a) a National Pollutant Discharge Elimination System (NPDES)
- 4 permit regulating stormwater or (b) an industrial stormwater permit that requires the
- 5 management of 20% of the uncontrolled impervious area on the parcel.”
- 6
- 7 Renumber the subsequent paragraphs on the page.
- 8

ADOPTED March 28, 2013  
FILED \_\_\_\_\_  
SIGNATURE Stephen W. Ghera



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