

Introduced	<u>7/8/16</u>
Public Hearing	<u>7/18/16</u>
Council Action	<u>11/9/16</u>
Executive Action	<u>11/14/16</u>
Effective Date	<u>1/14/17</u>

## County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 8

### Bill No. 53 -2016

Introduced by the Chairperson at the request of the County Executive

AN ACT amending *PlanHoward 2030*, the general plan for Howard County, in order to amend the number of housing unit allocations available to developers of new residential units in Downtown Columbia for the period 2015 - 2030; and generally relating to planning, zoning and land use in Howard County.

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Introduced and read first time July 8, 2016. Ordered posted and hearing scheduled.  
 By order Jessica Feldmark  
 Jessica Feldmark, 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 July 18, 2016.

Tabled 7/29/16  
Extended & tabled 9/16/16  
Extended & tabled 10/5/16  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

This Bill was read the third time on November 9, 2016 and Passed ✓, Passed with amendments ✓, Failed \_\_\_\_\_.

By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 12<sup>th</sup> day of November, 2016 at 5 a.m./p.m.

By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Approved / Vetoed by the County Executive Nov 14, 2016

Allan H. Kittleman  
 Allan H. Kittleman, 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           **WHEREAS**, this Act amends certain provisions of *PlanHoward 2030*, the general plan  
2 for Howard County, in order to align with amendments made to the Downtown Columbia Plan, a  
3 General Plan Amendment, that accomplish the goals of providing a broad spectrum of affordable  
4 housing in Downtown Columbia; and

5  
6           **WHEREAS**, on May 10, 2016, the Howard County Planning Board recommended  
7 approval of the *PlanHoward 2030* amendments included in this Act and the Downtown  
8 Columbia Plan amendments with modifications.

9  
10           **NOW, THEREFORE,**

11  
12       ***Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that*  
13 *PlanHoward2030 is hereby amended as follows and as more specifically shown in the attached*  
14 *pages:*

15           1.       *Text on page 74 is amended as follows:*

16  
17           **Downtown Columbia.** These allocations are based on the Downtown Columbia  
18 Plan adopted in 2010, AND SUBSEQUENTLY AMENDED IN 2016. The annualized  
19 pace of growth shown in Figure 6-10 is based on the housing unit allocation chart  
20 adopted by the County Council. FIGURE 6-10.1 REPRESENTS THE EXTRAPOLATED  
21 ALLOCATIONS SPECIFIC TO DOWNTOWN COLUMBIA THROUGH 2030 AND BEYOND.  
22 Over the 16-year allocation period from 2015 through 2030, [[3,750]]4,519  
23 Downtown Columbia allocations are available. [[Including the 950 allocations  
24 that were made available in the 2013 and 2014 allocation years in previous  
25 allocation charts, a total of 4,700 of the 5,500 ultimate approved Downtown units  
26 will be allocated, reflecting the maximum units allowed in the first two of the  
27 three total growth phases in the Downtown Plan.]]

28  
29           2.       *Remove figure 6-10, Howard County APFO Allocations Chart, from PlanHoward*

1                   2030 and substitute a revised Figure 6-10 as attached to this Act.

2  
3   **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that the  
4   Director of the Department of Planning and Zoning may correct obvious errors, capitalization,  
5   spelling, grammar, headings and similar matters and may publish this amendment to PlanHoward  
6   2030 by adding or amending covers, title pages, a table of contents, and graphics to improve  
7   readability.

8  
9   **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland,  
10   that this amendment be attached to and made part of PlanHoward 2030.

11  
12   **Section 4. And Be it Further Enacted** by the County Council of Howard County, Maryland that  
13   if any provision of this Act or the application thereof to any person or circumstance is held  
14   invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other  
15   provisions or any other application of this Act which can be given effect without the invalid  
16   provision or application, and for this purpose the provisions of this Act are severable.

17  
18   **Section 45. And Be It Further Enacted** by the County Council of Howard County, Maryland,  
19   that this Act shall become effective 61 days after its enactment.

**Figure 6-10  
Howard County APFO Allocations Chart**

<b>Year</b>	<b>Downtown Columbia</b>	<b>Growth and Revitalization</b>	<b>Established Communities</b>	<b>Green Neighborhood</b>	<b>Rural West</b>	<b>Total County</b>
2015	400	1,200	400	150	100	2,250
2016	350	1,200	400	150	100	2,200
2017	300	1,200	400	150	100	2,150
2018	100	1,200	400	150	100	1,950
2019	288	1,200	400	150	100	2,138
2020	284	1,200	400	150	100	2,134
2021	440	1,200	400	150	100	2,290
2022	390	1,200	400	150	100	2,240
2023	340	1,200	400	150	100	2,190
2024	265	1,200	400	150	100	2,115
2025	240	1,200	400	150	100	2,090
2026	240	1,200	400	150	100	2,090
2027	210	1,200	400	150	100	2,090
2028	220	1,200	400	150	100	2,070
2029	210	1,200	400	150	100	2,060
2030	212	1,200	400	150	100	2,062
<b>20 Year Totals</b>	<b>4,519</b>	<b>19,200</b>	<b>6,400</b>	<b>2,400</b>	<b>1,600</b>	<b>34,119</b>

**Figure 6-10.1 -- EXTRAPOLATED CURRENT CHART  
Howard County APFO Allocations Chart**

Year	Downtown Columbia	Max Phase I (1)			
2013	500				
2014	450				
2015	400				
2016	350				
2017	300				
2018	100				
2019	100				
2020	96	2,296			
2021	400				
2022	350				
2023	300				
2024	225				
2025	200				
2026	200				
2027	200				
2028	179				
2029	175				
2030	175				
			2,404		
				Cumulative Ph. I & II	
				4,700	
					Max Phase III & IV (1)
					1,544
					Cumulative Ph. I, II III, & IV
					6,244
Post 2030 (2)	1,544				
<b>Total</b>	<b>6,244</b>				

(1) The proposed changes to Figure 6-10 in *Plan Howard 2030* increase total residential units from 5,500 to 6,244. The 744 additional units are added with an additional Phase IV included in the Downtown Columbia Phasing Progression Chart. Figure 6-10.1 is an extrapolated chart showing the years before and after the 2015 to 2030 *Plan Howard 2030* housing unit allocation timeframe.

(2) Figure 6-10 in *Plan Howard 2030* only goes to the year 2030 given that is the end projection year of the plan. To reach the 6,244 units total an additional 1,544 units will need to be allocated for the years after 2030.

Amendment 1 to Council Bill No. 53-2016

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 19  
Date: November 9, 2016

Amendment No. 1

*(This amendment inserts an allocation chart specific to Downtown Columbia.)*

1 On page 1, in line 20, after "Council." insert "FIGURE 6-10.1 REPRESENTS THE EXTRAPOLATED  
2 ALLOCATIONS SPECIFIC TO DOWNTOWN COLUMBIA THROUGH 2030 AND BEYOND.".

3  
4 On page 2, in line 9, insert:

5 "Section 4. And Be it Further Enacted by the County Council of Howard County, Maryland  
6 that if any provision of this Act or the application thereof to any person or circumstance is held  
7 invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other  
8 provisions or any other application of this Act which can be given effect without the invalid  
9 provision or application, and for this purpose the provisions of this Act are severable."

10  
11 On page 2, in line 10, strike "4" and substitute "5".

12  
13 Insert Figure 6-10.1 and footnotes, as attached to this Amendment, after Figure 6-10, as attached  
14 to the Bill.

ADOPTED *as amended 11/9/16*  
FAILED  
SIGNATURE *Jessica Feldman*



**Figure 6-10.1 - EXTRAPOLATED PROPOSED CHART**  
**Howard County APFO Allocations Chart**

Year	Downtown Columbia	Max Phase I (1)	Max Phase II (1)	Cumulative Ph. I & II	Max Phase III (1)	Cumulative Ph. I, II & III
2013	500	2,672				
2014	450					
2015	400					
2016	350					
2017	300					
2018	100					
2019	288					
2020	284					
2021	440					
2022	390					
2023	340	2,797		5,469	931	6,400
2024	265					
2025	240					
2026	240					
2027	240					
2028	220					
2029	210					
2030	212					
Post 2030 (2)	931					
<b>Total</b>	<b>6,400</b>					

(1) The proposed changes to Figure 6-10 in *PlanHoward 2030* increase total residential units from 5,500 to 6,400. The 900 additional units are added to each phase proportionately. Figure 6-10.1 is an extrapolated chart.

(2) Figure 6-10 in *PlanHoward 2030* only goes to year 2030 given that it is the end projection year of the General Plan. To achieve 6,400 residential units, an additional 931 units are allocated for the years after 2030.





**Figure 6-10.1 -- EXTRAPOLATED CURRENT CHART  
Howard County APFO Allocations Chart**

Year	Downtown Columbia	Max Phase I (1)							
2013	500		2,296	Max Phase II (1)					
2014	450								
2015	400								
2016	350								
2017	300								
2018	100								
2019	100								
2020	96								
2021	400					2,404	Cumulative Ph. I & II	Max Phase III & IV (1)	Cumulative Ph. I, II III, & IV
2022	350								
2023	300								
2024	225								
2025	200								
2026	200								
2027	200								
2028	179								
2029	175								
2030	175								
Post 2030 (2)	1,544								
<b>Total</b>	<b>6,244</b>								

(1) The proposed changes to Figure 6-10 in *PlanHoward 2030* increase total residential units from 5,500 to 6,244. The 744 additional units are added with an additional Phase IV included in the Downtown Columbia Phasing Progression Chart. Figure 6-10.1 is an extrapolated chart showing the years before and after the 2015 to 2030 *PlanHoward 2030* housing unit allocation timeframe.

(2) Figure 6-10 in *PlanHoward 2030* only goes to the year 2030 given that is the end projection year of the plan. To reach the 6,244 units total an additional 1,544 units will need to be allocated for the years after 2030.

Amendment 3 to Amendment No. 1 to Council Bill No. 53-2016

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 18  
Date: November 9, 2016

Amendment No. 3 to Amendment No. 1

(This Amendment to Amendment No. 1:

1. Adds a severability clause; and
2. Adds phase IV to the extrapolated chart.)

1 On page 1, in line 3, insert:

2 “On page 2, in line 9, insert:

3 “Section 4. And Be it Further Enacted by the County Council of Howard County, Maryland  
4 that if any provision of this Act or the application thereof to any person or circumstance is held  
5 invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other  
6 provisions or any other application of this Act which can be given effect without the invalid  
7 provision or application, and for this purpose the provisions of this Act are severable.”.

8

9 On page 2, in line 10, strike “4” and substitute “5”.”.

10

11 Remove Figure 6-10.1, and the related footnotes, from Amendment No. 1 and substitute a  
12 revised Figure 6-10.1, and related footnotes, as attached to this Amendment to Amendment No.

13 1.

ADOPTED 11/9/16  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Edwards

**Figure 6-10.1 -- EXTRAPOLATED CURRENT CHART  
Howard County APFO Allocations Chart**

Year	Downtown Columbia	Max Phase I (1)	Max Phase II (1)	Cumulative Ph. I & II	Max Phase III & IV (1)	Cumulative Ph. I, II III, & IV
2013	500	2,290	2,404	4,700	1,544	6,244
2014	450					
2015	400					
2016	350					
2017	300					
2018	100					
2019	100					
2020	96					
2021	400					
2022	350					
2023	300					
2024	225					
2025	200					
2026	200					
2027	200					
2028	179					
2029	175					
2030	175					
Post 2030 (2)	1,544					
<b>Total</b>	<b>6,244</b>					

(1) The proposed changes to Figure 6-10 in *Plan Howard 2030* increase total residential units from 5,500 to 6,244. The 744 additional units are added with an additional Phase IV included in the Downtown Columbia Phasing Progression Chart. Figure 6-10.1 is an extrapolated chart showing the years before and after the 2015 to 2030 *Plan Howard 2030* housing unit allocation timeframe.

(2) Figure 6-10 in *Plan Howard 2030* only goes to the year 2030 given that is the end projection year of the plan. To reach the 6,244 units total an additional 1,544 units will need to be allocated for the years after 2030.

Amendment 1 to Amendment No. 1 to Council Bill No. 53-2016

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 18  
Date: November 9, 2016

Amendment No. 1 to Amendment No. 1

*(This Amendment to Amendment No. 1 adds a severability clause into the Bill.)*

1 On page 1, in line 3, insert:

2 “On page 2, in line 9, insert:

3 “Section 4. And Be it Further Enacted by the County Council of Howard County, Maryland  
4 that if any provision of this Act or the application thereof to any person or circumstance is held  
5 invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other  
6 provisions or any other application of this Act which can be given effect without the invalid  
7 provision or application, and for this purpose the provisions of this Act are severable.”.

8

9 On page 2, in line 10, strike “4” and substitute “5”.

ADOPTED \_\_\_\_\_  
FAILED not introduced  
SIGNATURE Jessica Feldman

Amendment 2 to Amendment No. 1 to Council Bill No. 53-2016

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 18  
Date: November 9, 2016

Amendment No. 2 to Amendment No. 1

*(This Amendment to Amendment No. 1 adds phase IV to the extrapolated chart.)*

- 1 Remove Figure 6-10.1, and the related footnotes, from Amendment No. 1 and substitute a  
2 revised Figure 6-10.1, and related footnotes, as attached to this Amendment to Amendment No.  
3 1.

~~ADOPTED~~  
~~FAILED~~  
~~SIGNATURE~~ *not introduced*  
*Jessica Feldman*

**Figure 6-10.1 -- EXTRAPOLATED CURRENT CHART**  
**Howard County APFO Allocations Chart**

Year	Downtown Columbia	Max Phase I (1)				
2013	500					
2014	450					
2015	400					
2016	350					
2017	300					
2018	100					
2019	100					
2020	96	2,296	Max Phase II (1)			
2021	400					
2022	350					
2023	300					
2024	225					
2025	200					
2026	200					
2027	200					
2028	179					
2029	175					
2030	175					
Post 2030 (2)	1,544					
<b>Total</b>	<b>6,244</b>			2,404	Cumulative Ph. I & II 4,700	Max Phase III & IV (1) 1,544
						Cumulative Ph. I, II III, & IV 6,244

(1) The proposed changes to Figure 6-10 in *Plan Howard 2030* increase total residential units from 5,500 to 6,244. The 744 additional units are added with an additional Phase IV included in the Downtown Columbia Phasing Progression Chart. Figure 6-10.1 is an extrapolated chart showing the years before and after the 2015 to 2030 *Plan Howard 2030* housing unit allocation timeframe.

(2) Figure 6-10 in *Plan Howard 2030* only goes to the year 2030 given that is the end projection year of the plan. To reach the 6,244 units total an additional 1,544 units will need to be allocated for the years after 2030.