

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 7

Resolution No. 89 -2016

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

A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2017 pursuant to the Adequate Public Facilities Act of Howard County.

Introduced and read first time June 6, 2016.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on June 20, 2016.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on July 8, 2016.

Certified By Jessica Feldmark
Jessica Feldmark, 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 16.1102(b) of the Howard County Code, the Adequate
2 Public Facilities Act of Howard County, requires the Department of Planning and Zoning
3 to prepare and update a Housing Unit Allocation Chart that incorporates General Plan
4 projections for the number of housing unit allocations available to be granted in the
5 County each year; and

6
7 **WHEREAS**, Section 16.1102(b) also provides that the Housing Unit Allocation
8 Chart shall be adopted by Resolution of the County Council; and

9
10 **WHEREAS**, the Department of Planning and Zoning has prepared the Housing
11 Unit Allocation Chart, attached to this Resolution as Exhibit A, and has submitted it to
12 the Council for adoption.

13
14 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard
15 County, Maryland, this 8th day of July, 2016 that the County Council
16 adopts the Housing Unit Allocation Chart attached to this Resolution as Exhibit A and
17 incorporated herein.

EXHIBIT A

**HOWARD COUNTY HOUSING UNIT ALLOCATION CHART
SUMMARY OF PLANNING REGIONS**

Allocation Chart

Region	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Growth and Revitalization	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Established Communities	341	366	378	400	400	400	400	400	400	400
Green Neighborhood	283	255	203	150	150	150	150	150	150	150
Rural West	128	125	129	100	100	100	100	100	100	100
Shared G & R and Est.Comm (1)	366	320	96	0	0	0	0	0	0	0
Total	2,318	2,266	2,006	1,850	1,850	1,850	1,850	1,850	1,850	1,850

(1) Per Sec. 16.1110(o)(4) of APFO any unused allocations from the Growth & Revitalization and the Established Communities areas may be combined and redistributed using the rolling average into a single allocation category that may be used by development projects in either geographic area.

DOWNTOWN COLUMBIA ALLOCATIONS BASED ON GENERAL PLAN AND ZONING PERFORMANCE REQUIREMENTS**

	Remaining Phase I		Phase II								Remaining Phase II	Phase III
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028		
Downtown Columbia Revitalization	629	437	513	350	300	225	200	200	200	179	350	800

**Implementation of the residential component of the Downtown Columbia Plan extends beyond the horizon of this housing unit allocation chart. It includes the rolling average from previously adopted allocation charts to maintain downtown revitalization phasing progression as adopted in the Downtown Columbia Plan. Note that 390 allocations have already been granted in the 2013 allocation year, 267 in the 2015 allocation year, 160 in the 2016 allocation year, and 300 in the 2018 allocation year. Including those and the allocations above the total adds up 5,500 units.

FW: CR89 and CR90

Feldmark, Jessica

Sent: Wednesday, June 22, 2016 12:06 PM**To:** Ball, Calvin B; Fox, Greg; Greg Fox (Greg.Fox@Constellation.com); Weinstein, Jon; Sigaty, Mary Kay; Terrasa, Jen**Cc:** Wimberly, Theo; Sayers, Margery; Clay, Mary; Knight, Karen; McLeod, Kate; Pruum, Kimberly; Smith, Gary**Attachments:** APF Task Force Review Com~1.xlsx (17 KB)

Council Members,

Carl contacted me yesterday to follow up on the discussion of APFO at your hearing Monday evening. I suggested that an analysis of how the task force's recommendation would impact the charts might be helpful. Please see attached.

Thanks,
Jess

Jessica Feldmark
Administrator
Howard County Council
410-313-3111
jfeldmark@howardcountymd.gov

From: Delorenzo, Carl
Sent: Wednesday, June 22, 2016 11:31 AM
To: Feldmark, Jessica
Cc: Bronow, Jeff; Sager, Jennifer
Subject: CR89 and CR90

Jessica,

As the County Council considers how it would like to proceed with CR89 and CR90, Jeff Bronow and I prepared a table that includes all of the recommendations passed by the APF Review Task Force and their effect on either the Housing Unit Allocation Chart or the Open/Closed Chart. Please let us know if you'd like further detail. This document is print-ready.

Thank you,
CD.

Carl DeLorenzo
Director of Policy & Programs
Howard County, Maryland
410-313-2172

APFO Recommendations Passed by the Task Force	Impact on Housing Unit Allocation and Open/Closed Chart if Recommendation is Considered
Convene an APFO review committee at a minimum at the conclusion of every General Plan cycle	None
Change the definition of 'minor' using the definition included in the subdivision regulations	None
Exempt MIHU units from allocations test; schools and roads test still applies; exemption does not apply in Downtown Columbia; cap exemption at amount of required MIHUs	None
Apply APFO tests at Environmental Concept Plan (ECP) stage rather than sketch plan stage of subdivision regulations process	None
Remove the allowance of shared allocations across Established Communities and Growth & Revitalization categories	Yes. This recommendation would only impact the Housing Unit Allocation Chart. The 'Shared G & R and Est.Comm (1)' column would be removed.
Allow additional new allocations for properties rezoned to a higher density in Established Communities to be taken from Growth and Revitalization planning area closest to rezoned project as determined by DPZ, except from Downtown Columbia	None. The recommendation only changes from which pot the specific rezoned property would take its allocations.
(1) Change program capacity at which a school is deemed open to 110%; (2) If projected enrollment lies between 110% and 115% of program capacity then developer can move forward if it pays a public school facilities surcharge double the amount in current law; if projected enrollment is over 115% and up to 120% of program capacity then developer can move forward if it pays a public school facilities surcharge triple the amount in current law; (3) The developer's wait time for the allocations and schools test combined shall not exceed 5 years contingent on the receipt of allocations within the 5 year time period; the last development plan shall be allowed to be processed at the developer's risk; (4) All existing Howard County dwelling units excluding MIHU and age-restricted dwelling units shall pay an annual fee (\$25 for apartment/condominium; \$50 for townhouse; \$75 for single family detached) that is dedicated to public school capital budget; (5) In an effort to identify efficiencies and better utilize existing space, HCPSS shall reduce its capital budget request by 2% per year for the next 5 fiscal years excluding revenue from the surcharge and the household fee in this motion	Yes. Though the numbers in the Open/Closed Chart would not change, how schools are coded would change. For example, in CR90, Talbot Springs ES has a utilization percentage of 113.3% and is deemed open because the chart is based on a program capacity of 115%. If program capacity changed to 110%, the Talbot Springs ES utilization percentage would not change, but its open/closed status would now be based on the various provisions in this recommendation.
Refer to 'Open/Closed Chart' as 'School Capacity Chart', use the term 'constrained' for those schools above the threshold percentage, and 'adequate' for those schools below the threshold	No changes on numbers, only on chart title
Amend the following provision: "A facility owned by Howard County or any agency thereof where essential County Government services are provided, including LIMITED TO police services, fire prevention and suppression services, emergency medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal."	None
Exempt age-restricted projects that incorporate continuing care and/or intermediate care services from the allocations test as these projects help our elderly population and reduce the need for other medical facilities	None
Exempt Downtown Columbia from the 300 unit annual allocation limit for a single elementary school district if the school region within which the school district resides is over 100% capacity	None
Include ECP in subdivision regulations	None
Increase Established Communities annual allocation from 400 to 600, decrease Growth and Revitalization annual allocation from 1,200 to 1,000 - contingent on elimination of shared allocation pool	Yes. This recommendation would only impact the Housing Unit Allocation Chart. Refer to Recommendation on Row 7.
Require the County to develop a plan of action to address DFRS' public water supply/cistern needs in the western portion of the county	None

APFO Recommendations Passed by the Task Force	Impact on Housing Unit Allocation and Open/Closed Chart if Recommendation is Considered
Raise CLV from 1500 to 1600 for Downtown Columbia in the Design Manual to be consistent with APFO	None
Request the County to review the feasibility of an energy test that contains a mitigation requirement based on optimal cost-to-efficiency ratios	None
Support DPZ's process of reviewing infill regulations to include such things as stormwater management and the density exchange program; urge that process is complete in 2016; fast track this motion if the County Council considers legislation on the subject prior to submission of the APF Task Force report	None



Howard County

Internal Memorandum

Subject: Testimony for Council Resolutions ____-2016 (APF Housing Unit Allocation Chart) and ____-2016 (Open/Closed Chart)

To: Lonnie Robbins
Chief Administrative Officer

From: ✓ Valdis Lazdins, Director
Department of Planning and Zoning

Date: June 13, 2016

The Department of Planning and Zoning supports adoption of the FY 2016 Adequate Public Facilities Council Resolutions:

Council Resolution No. ____-2016 – Housing Unit Allocation Chart for FY 2017

CR ____-2016 adopts a new Housing Unit Allocation Chart to implement the *PlanHoward 2030* housing allocation categories and covers a ten-year period beginning in APF test year 2019, as specified in Section 16.1110 of the APF regulations.

Council Resolution No. ____-2016 – Open/Closed School Charts for FY 2017

The Open/Closed School Charts for elementary school districts and regions and for middle school districts must be adopted with the new Housing Allocation Chart. It has been updated to reflect changes in enrollment projections and programmed capacity increases since the last chart was adopted. These charts cover a ten-year period beginning in the APF test year 2019. Five elementary school districts, one elementary school region, and three middle school districts are projected to be closed for APF test year 2019.

There are no new anticipated fiscal impacts associated with adoption of these Council resolutions. Please contact me if you have any questions at x4301.

cc: B. Diane Wilson, Chief of Staff
Jennifer Sager, Legislative Coordinator
Holly Sun, Budget Administrator
Jeffrey Bronow, Chief, Division of Research, DPZ