

Introduced Nov. 5, 2012
Public Hearing Nov. 19, 2012
Council Action Dec. 3, 2012
Executive Action Dec. 13, 2012
Effective Date _____

County Council Of Howard County, Maryland

2012 Legislative Session

Legislative Day No. 14

Bill No. 37 -2012

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

AN ACT amending *PlanHoward 2030*, the general plan for Howard County, by defining Growth Tiers, as required by the Maryland Sustainable Growth and Agricultural Preservation Act of 2012; specifying additional designated place types to correspond with the Growth Tiers; revising certain maps to reflect the additional designated place types; adding new text to describe Growth Tiers and adding new maps; and generally relating to planning, zoning and land use in Howard County.

Introduced and read first time November 5, 2012. Ordered posted and hearing scheduled.

By order Stephen M LeGendre
Stephen LeGendre, 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 November 19, 2012.

By order Stephen M LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on December 3, 2012 and Passed , Passed with amendments , Failed .

By order Stephen M LeGendre
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of December, 2012 at 12:00 ~~am~~ p.m.

By order Stephen M LeGendre
Stephen LeGendre, Administrator

~~Approved~~/Vetoed by the County Executive December 13 2012

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, during the 2012 legislative session, the Maryland General Assembly
2 enacted Senate Bill 236, The Sustainable Growth and Agricultural Preservation Act of 2012, that
3 requires local jurisdictions to adopt Growth Tiers by December 31, 2012; and
4

5 **WHEREAS**, the goal of Senate Bill 236 is to limit the disproportionate impacts of large
6 subdivisions and septic systems on our farm and forest land, streams, rivers and Chesapeake and
7 Coastal Bays; and
8

9 **WHEREAS**, the Howard County Council supports the intent of Senate Bill 236 to
10 minimize the impact that septic systems have on our environment and to protect and preserve our
11 farmlands and other sensitive areas; and
12

13 **WHEREAS**, for over 30 years Howard County has been a national leader in farmland
14 preservation and has been a model for many Maryland Counties by:

- 15 • Being one of the earliest Maryland Agricultural Land Preservation Foundation
16 participants;
- 17 • Being one of the first counties to establish its own local preservation program,
18 which creates perpetual easements on agricultural parcels;
- 19 • Being the first jurisdiction in the nation to implement innovative installment
20 purchase agreements as a means to acquire easements;
- 21 • Having over 40,000 acres preserved in the County (including parkland, open
22 space, Washington Suburban Sanitary Commission property, and obtaining
23 agricultural easements on over 20,000 acres of farmland);
- 24 • Appropriating approximately \$253 million in funding toward the County's
25 preservation efforts; and
26

27 **WHEREAS**, for over twenty years Howard County's pace of development has been
28 governed by its Adequate Public Facilities Ordinance, specifically, the Housing Unit Allocation
29 Chart, which has slowed the pace of development in the Rural West and reduced the General

1 Plan annual targets for residential completions by providing an orderly and predictable planning
2 environment; and

3
4 WHEREAS, Howard County's Density Exchange Option, a model throughout the
5 nation, will meet the Transfer of Development Rights provision for Senate Bill 236; and

6
7 **WHEREAS,** Growth Tiers designate certain areas for different types of development
8 depending on certain characteristics such as sewerage service, agricultural use, forest and green
9 space, and locally designated growth areas,

10
11 **WHEREAS,** in July of 2012, by passage of Council Bill No. 26-2012, the Howard
12 County Council adopted *PlanHoward2030*, a new general plan for Howard County, but deferred
13 the inclusion of the Growth Tiers; and

14
15 **WHEREAS,** the County Council, in accordance with State law, now wishes to amend
16 *PlanHoward2030* in order to include Growth Tiers.

17
18 **NOW, THEREFORE,**

19
20 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that*
21 *PlanHoward2030 is hereby amended as follows and as more specifically shown in the attached*
22 *pages:*

- 23 1. *Text is amended or added on pages ii, 66, 76, 77, and 80;*
24 2. *A new Map 6-2, Designated Place Types, is inserted on page 74 to replace Map*
25 *6-2 as contained in the adopted PlanHoward2030; and*
26 3. *A new Map 6-2.1, Uncommitted Land and Preserved Land in Western Howard*
27 *County, is inserted on page 76; and*
28 ~~34.~~ *A new Map 6-3, Sustainable Growth and Agricultural Preservation Act Growth*
29 *Tiers, is inserted on page 77 to replace Map 6-3 as contained in the adopted*
30 *PlanHoward2030.*

1
2 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that the
3 Director of the Department of Planning and Zoning may correct obvious errors, capitalization,
4 spelling, grammar, headings and similar matters and may publish this amendment to PlanHoward
5 2030 by adding or amending covers, title pages, a table of contents, and graphics to improve
6 readability.

7
8 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland,
9 that this amendment be attached to and made part of PlanHoward2030.

10
11 **Section 4. And Be It Further Enacted** by the County Council of Howard County, Maryland, that
12 this Act shall become effective 61 days after its enactment.