

Amendment 1 to Council Bill 56-2018

BY: Jon Weinstein

Legislative Day No: 11  
Date: July 27, 2018

Amendment No. 1

1           *(This amendment would ensure that studies and subsequent actions from the Administration are*  
2           *transparent to the public. Also, this amendment would clarify that the Hearing Examiner and*  
3           *Board of Appeals are not to hear any cases or take any final action on cases in the watersheds*  
4           *during the effective period and would require that notice is given to applicants.)*

5  
6  
7           On page 3, in line 3, after “consider” insert “, share with the public,”.

8  
9           On page 3, immediately following line 22, insert the following:

10          “**Section 4. And Be It Further Enacted** by the County Council of Howard County,  
11          Maryland that the Hearing Authority shall not hear or take final action on any  
12          application or petition related to the zoning or development of a property that drains, in  
13          whole or in part, to the Tiber Branch Watershed or the Plumtree Branch Watershed  
14          during the Effective Period. This prohibition shall not apply to any appeal of an  
15          administrative decision which is not related to zoning or development nor shall it apply  
16          to any enforcement action.”.

17  
18          Renumber the remainder of the section accordingly.

19  
20          On page 3, in line 29, before “and” insert “share findings as they become available with  
21          the public,”.

22  
23          On page 6, strike beginning with “The” in line 19, through the period in line 23.

24  
25          On page 6, immediately following line 28, insert the following:

26          “F. Notice. During the Effective Period, the Department of Planning and Zoning shall  
27          notify any current or future applicant in the development review process, any

1 current or future petitioner to the Zoning Board, or any current or future applicant  
2 to the Hearing Authority of this Act and of the potential for changes to County law  
3 that might become applicable to the plans under the development review process  
4 before a Permit is issued.”

5  
6 On page 6, in line 29, strike “F. Permitting deadlines” and substitute “G. Deadlines”. In  
7 the same line, strike “review”.

8  
9 On page 6, after “Permit”, insert “, application, or petition”.

10  
11 Renumber the remainder of this section accordingly.

ADOPTED 7/27/18 as amended  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Feldman

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Amendment No. 1

1 (This amendment would clarify that the Hearing Examiner and Board of Appeals are not to hear  
2 any cases or take any final action on cases in the watersheds during the effective period and  
3 would require that notice is given to applicants)  
4  
5

6 On page 1, in line 2, immediately following the period, insert the following:

7 “Also, this amendment would clarify that the Hearing Examiner and Board of Appeals  
8 are not to hear any cases or take any final action on cases in the watersheds during the  
9 effective period and would require that notice is given to applicants.”

10  
11 On page 1, immediately following line 6, insert following:

12 “On page 3, immediately following line 22, insert the following:

13 “Section 4. And Be It Further Enacted by the County Council of Howard County,  
14 Maryland that the Hearing Authority shall not hear or take final action on any  
15 application or petition related to the zoning or development of a property that drains, in  
16 whole or in part, to the Tiber Branch Watershed or the Plumtree Branch Watershed  
17 during the Effective Period. This prohibition shall not apply to any appeal of an  
18 administrative decision which is not related to zoning or development nor shall it apply  
19 to any enforcement action.”.

20  
21 Renumber the remainder of the section accordingly.”.

22  
23 On page 1, in line 10, insert the following:

24 “On page 6, strike beginning with “The” in line 19, through the period in line 23.

25  
26 On page 6, immediately following line 28, insert the following:

1 “F. Notice. During the Effective Period, the Department of Planning and Zoning shall  
2 notify any current or future applicant in the development review process, any current  
3 or future petitioner to the Zoning Board, or any current or future applicant to the  
4 Hearing Authority of this Act and of the potential for changes to County law that  
5 might become applicable to the plans under the development review process before a  
6 Permit is issued.”  
7

8 On page 6, in line 29, strike “F. Permitting deadlines” and substitute “G. Deadlines”. In  
9 the same line, strike “review”.  
10

11 On page 6, after “Permit”, insert “, application, or petition”.  
12

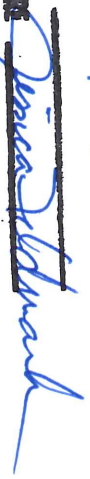
13 Renumber the remainder of this section accordingly.”  
14

ADOPTED

7/27/18

PALED

SECRETARY



Amendment 2 to Council Bill 56-2018

BY: Greg Fox  
Calvin Ball  
Jon Weinstein  
Jen Terrasa

Legislative Day No: 11  
Date: 7/27/18

Amendment No. 2

1 (This amendment would add the Plumtree Branch watershed to the provisions of the Act and  
2 insert the attached map as Exhibit B).  
3  
4  
5

6 On the title page, in lines 3 and 7 of the title, after “Watershed”, insert “or the Plumtree  
7 Branch Watershed”.

8  
9 On page 2, immediately following line 30 insert the following:

10 “WHEREAS, the Plumtree Branch and its tributaries constitute the natural drainage for  
11 the Plumtree Branch Watershed to the Little Patuxent River; and

12  
13 WHEREAS, the Plumtree Branch Watershed is home to many neighborhoods, including  
14 but not limited to Valley Mede, Chatham, Nob Hill, and Dunloggin, and contains various  
15 land uses including older and newer commercial and residential developments, public  
16 facilities, State and County road networks, and unimproved property; and

17  
18 WHEREAS, the Plumtree Branch and its tributaries are, in some areas, in close  
19 proximity to roads, private properties, and homes in the floodplain that have been  
20 severely damaged by repeated flooding; and

21  
22 WHEREAS, after the catastrophic flooding in the Plumtree Branch Watershed in July  
23 2016, the Maryland State Highway Administration (SHA) in coordination with the  
24 Howard County Department of Public Works (DPW) conducted a Hydraulic and

ADOPTED

FAILED

SIGNATURE

7/27/18

Jessica Feldman

1 Hydrologic (H&H) analysis of the Plumtree Branch area, along with other analyses of the  
2 July 2016 flood event in Ellicott City, entitled, “Valley Mede Hydrology/Hydraulic  
3 Study and Concept Mitigation Analysis for Plumtree Branch and Little Plumtree  
4 Branch,” which evaluated stormwater management options (storage via ponds) and  
5 conveyance improvements (culvert upsizing and replacement, additional storm drain)  
6 that could provide a significant reduction in discharges and water surface elevations for  
7 the 100-year and more frequent storm events; and

8  
9 **WHEREAS,** the increased severity and frequency of flooding in the Plumtree Watershed  
10 has led to homes flooding, roads flooding, damage to culverts and storm drain  
11 infrastructure, and public safety concerns warranting the need for the County to study,  
12 make recommendations, and consider implementation of best practices in the watershed;  
13 and”.

14  
15 On page 3, in lines 1 and 4, after “Watershed”, insert “or the Plumtree Branch  
16 Watershed”.

17  
18 On page 3, in lines 10, 16, 21, and 28, after “*Watershed*”, insert “or the Plumtree Branch  
19 Watershed”.

20  
21 On page 3, in line 10, after the first “*to*” insert “the”.

22  
23 On page 3, in line 10, strike “*map*” and substitute “maps”. On the same page, in line 11,  
24 immediately following “*A*”, insert “and Exhibit B, respectively”.

25  
26 On page 3, in line 29, strike the first “*the*” and substitute “each”.

27  
28 On page 4, in line 4, after “*Analysis*” insert “and Valley Mede Hydrology/Hydraulic  
29 Study and Concept Mitigation Analysis for Plumtree Branch and Little Plumtree

1                    Branch".

2  
3                    On page 4, in lines 8, 10, 13, 15, 19, and 25 after "*Watershed*", insert "or the Plumtree  
4                    Branch Watershed".

5  
6                    On page 4, in lines 11, 23 and 28, strike "*Watershed*" and substitute "Watersheds".

7  
8                    On page 4, strike line 20 and substitute "An analysis of creating a special benefits  
9                    district for the Tiber Branch Watershed and for the Plumtree Branch Watershed,  
10                    respectively, or".

11  
12                    On page 5, in line 1, after "*Watershed*", insert "and Plumtree Branch Watershed".

13  
14                    On page 5, in line 4, after "*Watershed*", insert "and the Plumtree Branch Watershed".

15  
16                    On page 5, in line 6, after the period, insert the following:  
17                    "*Also, based on the 2016 Valley Mede Hydrology/Hydraulic Study and Concept*  
18                    *Mitigation Analysis, development in the Plumtree Branch Watershed may have*  
19                    *contributed to flooding events in the Watershed.*"

20  
21                    On page 5, in line 8, strike "*Watershed*", and substitute "respective Watersheds".

22  
23                    On page 5, in line 9, before the period, insert ", Valley Mede, and Dunloggin".

24  
25                    On page 5, in lines 15 and 17, strike "*Watershed*", and substitute "respective  
26                    Watersheds".

27  
28                    On page 5, in line 18, after "*City*", insert ", Valley Mede, and Dunloggin".  
29

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9

On page 5, in lines 7, 14, 23, 28, and 31, after “*Watershed*”, insert “*or the Plumtree Branch Watershed*”.

On page 6, in lines 6, 12, and 26, after “*Watershed*”, insert “*or the Plumtree Branch Watershed*”.

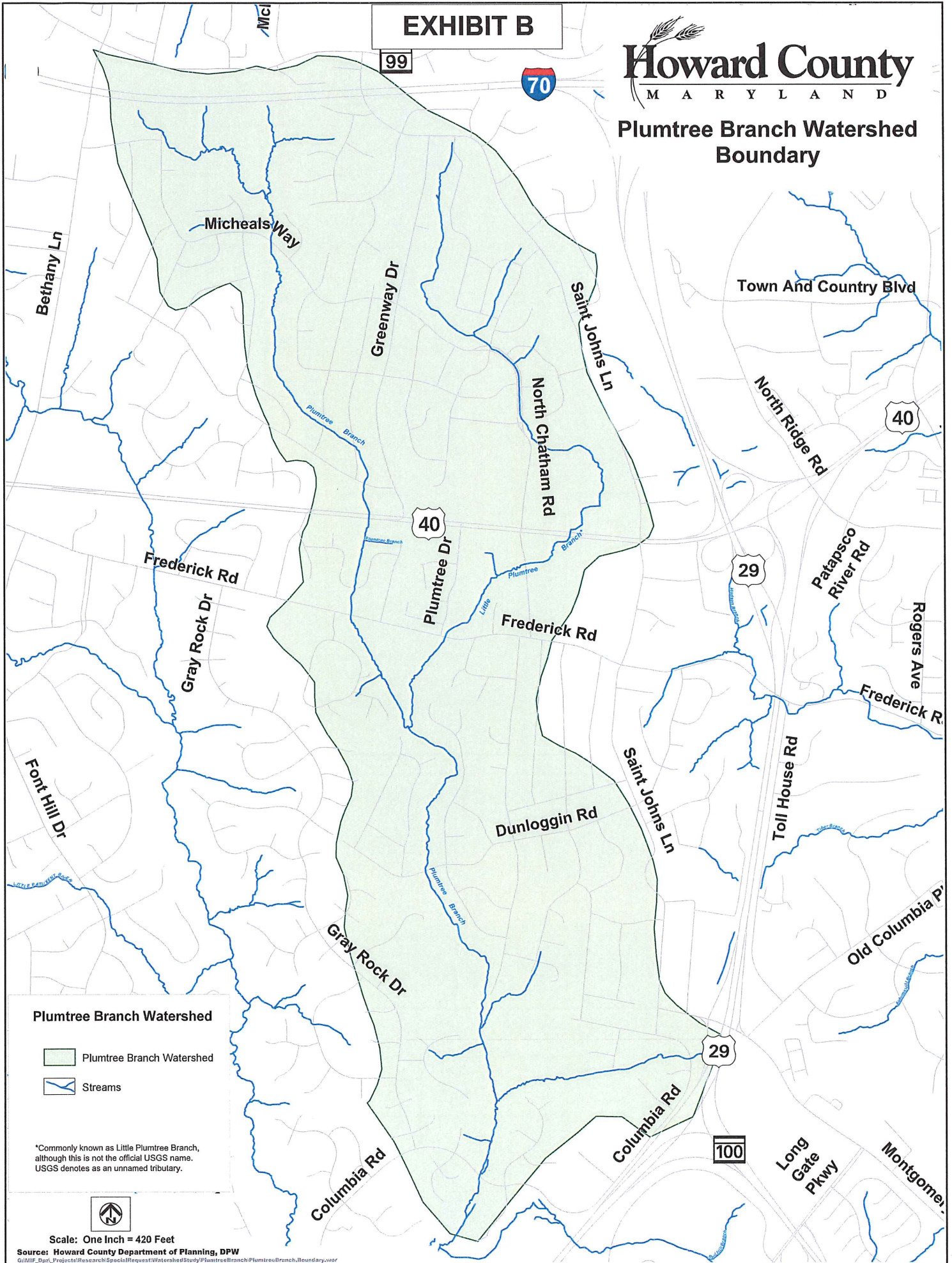
Attach Exhibit B attached to this amendment entitled, “Plumtree Branch Watershed Boundary” to the bill.



# EXHIBIT B



## Plumtree Branch Watershed Boundary



### Plumtree Branch Watershed

- Plumtree Branch Watershed
- Streams

\*Commonly known as Little Plumtree Branch, although this is not the official USGS name. USGS denotes as an unnamed tributary.



Scale: One Inch = 420 Feet