

Introduced 9/4/18  
Public hearing 9/17/18  
Council action 10/1/18  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 12

**BILL NO. 70 – 2018**

**Introduced by: Jennifer Terrasa**

**AN ACT** requiring the Zoning Counsel to appear at Planning Board Hearings to support adherence to the Downtown Columbia Plan where there are requests to approve certain plans or aspects of development in Downtown Columbia; and generally relating to Zoning Counsel and development in Downtown Columbia.

Introduced and read first time September 4, 2018. 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 September 17, 2018.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on October 1, 2018 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 \_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2018

\_\_\_\_\_  
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 *Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard County*  
2 *Code is hereby amended as follows:*

3  
4 *By Amending:*

5  
6 *Title 16. "Planning, Zoning and Subdivisions and Land Development Regulations"*

7  
8 *Subtitle 10. "Zoning Counsel"*

9 *Section 16.1000. "Zoning Counsel."*  
10  
11

12 **HOWARD COUNTY CODE**

13  
14 **Title 16. PLANNING, ZONING AND SUBDIVISIONS AND LAND DEVELOPMENT**  
15 **REGULATIONS**

16  
17 **Subtitle 10. Zoning Counsel.**

18  
19 **Section 16.1000. Zoning Counsel.**

20 (a) The County Council may employ a Zoning Counsel on a part-time, contractual basis. The  
21 Zoning Counsel shall be a member in good standing of the Bar of the Maryland Court of  
22 Appeals and at the time of appointment shall have been actively engaged in the general  
23 practice of law for at least five years.

24 (b) A decision to enter into a contract with an individual to perform the duties of Zoning Counsel  
25 shall be made by an affirmative vote of at least three Councilmembers. A decision to terminate  
26 a Zoning Counsel's contract shall be made by an affirmative vote of at least four  
27 Councilmembers.

28 (c) The Zoning Counsel shall: [[appear at all Zoning Board hearings on requests for piecemeal  
29 zoning map amendments for the purposes of producing evidence and testimony supporting  
30 comprehensive rezoning and facilitating the compilation of a complete record.]]

31 (1) APPEAR AT ALL ZONING BOARD HEARINGS ON REQUESTS FOR PIECEMEAL ZONING MAP  
32 AMENDMENTS FOR THE PURPOSES OF PRODUCING EVIDENCE AND TESTIMONY SUPPORTING  
33 COMPREHENSIVE REZONING AND FACILITATING THE COMPILATION OF A COMPLETE RECORD;  
34 AND

1 (2) APPEAR AT ALL PLANNING BOARD HEARINGS ON DEVELOPMENT PLANS FOR DOWNTOWN  
2 COLUMBIA FOR THE PURPOSES OF PRODUCING EVIDENCE AND TESTIMONY SUPPORTING  
3 ADHERENCE TO THE DOWNTOWN COLUMBIA PLAN AND FACILITATING THE COMPILATION  
4 OF A COMPLETE RECORD IN THE FOLLOWING MATTERS:

5 A. REQUESTS FOR ANY FORM OF ALTERNATIVE COMPLIANCE OR ADJUSTMENT TO THE  
6 LOCATION OR TIMING OF A REQUIRED COMMUNITY ENHANCEMENT PROGRAM OR  
7 PUBLIC AMENITY (CEPPA); OR

8 B. REQUESTS FOR FLEXIBILITY IN THE DOWNTOWN REVITALIZATION PHASING  
9 PROGRESSION TO TAKE ADVANTAGE OF MAJOR OR UNIQUE EMPLOYMENT OR ECONOMIC  
10 DEVELOPMENT OPPORTUNITIES OR EVOLVING LAND USE CONCEPTS; OR

11 C. REQUESTS TO ALLOW BUILDING HEIGHTS WHICH EXCEED THE LIMITS PROVIDED IN THE  
12 MAXIMUM BUILDING HEIGHT PLAN; OR

13 D. REQUESTS FOR ANY OTHER ADJUSTMENT TO OR FLEXIBILITY FROM THE DOWNTOWN  
14 COLUMBIA PLAN OR THE APPROVAL CRITERIA SPECIFIED IN THE ZONING REGULATIONS.

15 THE ZONING COUNSEL SHALL ALSO APPEAR AT A PLANNING BOARD HEARING ON ANY  
16 SUCH REQUEST WHICH MAY BE SUBMITTED INDEPENDENT OF A PROPOSED DEVELOPMENT  
17 PLAN.

18 (d) In the performance of these duties the Zoning Counsel may:

19 (1) Present evidence and witnesses;

20 (2) Examine and cross-examine witnesses;

21 (3) Present argument; and

22 (4) Take any other action necessary to perform these duties.

23 (e) The budget for the Zoning Counsel shall be included in the County Council budget.

24 (f) The Zoning Counsel may retain expert witnesses and compensate them to the extent that the  
25 Council budget includes funds for such compensation.

26 (g) The Zoning Counsel shall be available:

1 (1) To any person interested in any zoning matter to advise as to procedures before a County  
2 agency or board, provided that when doing so the Zoning Counsel does not engage in the  
3 practice of law or render individual legal advice; and

4 (2) To any group to speak about zoning procedures in the County.

5 (h) The Zoning Counsel shall attend certain presubmission community meetings, as necessary.  
6 The County Council shall determine whether or not the Zoning Counsel shall attend certain  
7 presubmission community meetings to advise any person or group of procedural matters.

8 (i) The Zoning Counsel:

9 (1) Does not represent the County, any government agency or any private party;

10 (2) Is not a party and does not have a right of appeal in connection with any case before the  
11 Board of Appeals;

12 (3) May not represent any client involving land use in Howard County; and

13 (4) May not represent any client before the PLANNING BOARD, Zoning Board or Board of  
14 Appeals for one year after leaving the Office of Zoning Counsel.

15 (i) On or before July 1 of each year, the Zoning Counsel shall submit to the Council  
16 and the County Executive a report on the activities of the office in the past year.

17  
18 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall*  
19 *become effective 61 days after its enactment.*

**Sayers, Margery**

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**From:** Christopher J. Alleva <jens151@yahoo.com>  
**Sent:** Wednesday, September 19, 2018 7:58 AM  
**To:** CouncilMail  
**Subject:** Testimony CB 70-2018  
**Attachments:** Your Way.docx

Here is the testimony I gave at the Public Hearing on September 17, 2018.

Thanks so much.

Chris Alleva

## Your Way- Ode to Howard County Council 2018

Music by: [Claude François](#) and [Jacques Revaux](#), Lyrics by Paul Anka, Pronoun transposition by Chris Alleva

Delivered by Chris Alleva 10848 Harmel Dr. Columbia, MD 21044

September 17, 2018 Public Hearing

And now, the end is near

And so you face the final curtain

And to your friends you'll say it clear

You'll state your case, of which your certain

You've lived a life that's full

And traveled each and ev'ry highway

And more, much more than this, you did it your way

Regrets, you've had a few

But then again, too few to mention

You did what you had to do , You saw it through without exemption

You planned each charted course, each careful step along the highway

And more, much more than this, you did it your way

Yes, there were times, I'm sure you knew

When you bit off more than you could chew

And through it all, when there was doubt

you ate it up and spit it out

you faced it all and stood tall and did it your way

For what is a man, what has he got?

If not yourself, then ye has naught

The right to say the things you feel and not the words of one who kneels

The record shows you took the blows and did it your way!

## **Council Bill 70**

Testimony of Jervis Dorton 5963 Gales Lane, Columbia 21045

Madame Chair and Council Members

I am here to testify in support of CB 70.

As an architect and planner, I have testified five times in the last two years at Planning Board Meetings and Hearings. The attendance of the Zoning Council proposed on page 2 “at all Planning Board Hearings on development plans for Downtown Columbia for the purpose of producing evidence and testimony supporting adherence to the Downtown Columbia Plan” is of profound importance. Provisions C and D pertaining to limits on building height and any other adjustments to the Downtown Columbia Plan resonate with me particularly. I am concerned with our built environment ie. the maintenance of the three-dimensional form of Downtown created by the Maximum Building Height Plan, the Street Framework Diagram, and the Primary Amenity Space Framework in the Downtown Columbia Plan and the streetscape and architecture requirements of the Design Guidelines.

I have testified against changes proposed by Howard Hughes and others on five occasions in the last two years without success. The Planning Board simply followed recommendations in DPZ’s and Technical Staff Report. In 2008 and 2009 the County oversaw 9 Public Charretts and 11 Public Meetings, the results of which are reflected in the 2010 Downtown Columbia Plan consequently **NO** change should be entertained without public endorsement being sought via a similarly extensive process, and certainly not simply left to the judgement of DPZ.

I am a design professional, not a lawyer, and find facing the opposition of the Petitioner, DPZ and the Office of Law at Hearings intimidating and exasperating. The support of the Zoning Council will make for more informed testimony on my part and invaluable help in framing replies to cross examination.

Approval of CB 70 will be a giant-step forward in conducting equitable Public Hearings.

**Sayers, Margery**

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**From:** Sigaty, Mary Kay  
**Sent:** Wednesday, September 26, 2018 3:15 PM  
**To:** Jeryl Baker; Geoffrey Klopp; Joel Broida; Kevin Fitzgerald; Kirsten Coombs; Lin Eagan; Lynn Foehrkolb  
**Cc:** CouncilMail  
**Subject:** RE: CB70-2018

Good afternoon all,

Thank you for your input on Council Bill 70-2018.

Sincerely.....MK

--

Mary Kay Sigaty  
 Councilperson  
 Howard County Council, District 4

3430 Court House Drive  
 Ellicott City, MD 21043  
 (410) 313-2001

**From:** Jeryl Baker <villagemanager@columbiatowncenter.org>  
**Sent:** Wednesday, September 26, 2018 2:00 PM  
**To:** CouncilMail <CouncilMail@howardcountymd.gov>; Geoffrey Klopp <geoff.klopp@gmail.com>; Joel Broida <jbroida1@gmail.com>; Kevin Fitzgerald <kevinafitzgerald@outlook.com>; Kirsten Coombs <kcoombs1209@gmail.com>; Lin Eagan <Lin.eagan@ca-board.org>; Lynn Foehrkolb <lfoehrkolb@yahoo.com>  
**Subject:** CB70-2018

Dear County Council,  
 It is with unanimous opinion that the Town Center Board of Directors submit the attached letter regarding CB70-2018.

*Jeryl Baker*

Village Manager, Executive Director

Town Center Community Association  
 Historic Oakland Manor  
 5430 Vantage Point Road  
 Columbia, MD 21044  
 410-730-4744 phone  
 410-730-1823 fax

[villagemanager@columbiatowncenter.org](mailto:villagemanager@columbiatowncenter.org)

[www.columbiatowncenter.org](http://www.columbiatowncenter.org)

[www.historic-oakland.com](http://www.historic-oakland.com)



## Sayers, Margery

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**From:** Jeryl Baker <villagemanager@columbiatowncenter.org>  
**Sent:** Wednesday, September 26, 2018 2:00 PM  
**To:** CouncilMail; Geoffrey Klopp; Joel Broida; Kevin Fitzgerald; Kirsten Coombs; Lin Eagan; Lynn Foehrkolb  
**Subject:** CB70-2018  
**Attachments:** September 2018 CB 70.pdf

Dear County Council,  
It is with unanimous opinion that the Town Center Board of Directors submit the attached letter regarding CB70-2018.

*Jeryl Baker*

Village Manager, Executive Director

Town Center Community Association  
Historic Oakland Manor  
5430 Vantage Point Road  
Columbia, MD 21044  
410-730-4744 phone  
410-730-1823 fax  
[villagemanager@columbiatowncenter.org](mailto:villagemanager@columbiatowncenter.org)  
[www.columbiatowncenter.org](http://www.columbiatowncenter.org)  
[www.historic-oakland.com](http://www.historic-oakland.com)



# Town Center Community Association

**BOARD OF DIRECTORS**

Lynn Foehrkolb  
Joel Broida  
Kirsten Coombs  
Kevin Fitzgerald  
Geoffrey Klopp

**COLUMBIA COUNCIL**

Lin Eagan

**TO:** Howard County Council

**FROM:** Town Center Community Association Board of Directors

**SUBJECT:** Position on CB 70

**DATE:** September 26, 2018

After careful consideration by the Town Center Board, we have come to the conclusion and strongly support the approval of CB 70. As you the County Council know the approved Downtown Columbia Plan is detailed and complex. In addition, the components are interrelated and dependent on each other.

Monitoring of the implementation of the relationship of the plan is essential. Further, any requests for modification or deviation from the plan, which have already been introduced have created the risk of creating damage to the overall plan over time.

Having the proposed Zoning Counsel in place to prevent or at the very least reduce damage to the overall plan is a step in the right direction. It is for these reasons that the Town Center Board supports the APPROVAL of CB 70.

September 17, 2018

Lisa Markovitz

for The People's Voice on CB 70-2018 Support

Thank you for addressing the duties of the Zoning Counsel. This is a position that already exists and is helpful to the public in Zoning Board matters. Broadening the scope and venue of this position makes sense and the subject matter of the Planning Board hearings (which are quasi-judicial, versus meetings), should not be limited.

Publicizing the availability and contact information of Zoning Counsel should be increased. The public should more readily know they can speak to Zoning Counsel regarding the process and ask questions about the legal aspects of a hearing. This information should be posted on the sites where the agenda are noted for these hearings, alongside the rules of procedure for these types of hearings.

Many may not realize that Zoning Counsel has already existed for some time. I found that very helpful when participating in piecemeal rezoning cases of the Zoning Board. This Zoning Counsel activity previously has not been a problem regarding the separation and understanding of duties of the Office of Law, Boards and Counsel in the past and should not cause any such issues in the expansion of the role of Zoning Counsel to the Planning Board. It is an increase in transparency and community service.

Thank you.



**HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Lisa Markowitz, have been duly authorized by  
*(name of individual)*

the People's Voice to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB 70-18 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Lisa Markowitz

Signature: 

Date: 9/17/18

Organization: the People's Voice

Organization Address: 3209 B Corporate Ct

Ellizott City MD 20622

Number of Members: 2314

Name of Chair/President: Lisa Markowitz

***This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.***

Date: 17 September 2018

Subject: HCCA Testimony on CB70-2018

Good Evening Madame Chairwoman and members of the county council. My name is Hiruy Hadgu and it is my privilege to testify on behalf of the Howard County Citizens Association, HCCA as its newest board member.

We are in unanimous favor of the proposed Bill that will begin to level the playing field for the residents of Howard County. We thank Councilwoman Terrasa for once again trying to look out for the tax payer! The scales for years have been unbalanced.

The county's quasi-judicial proceedings in front of the Planning and Zoning Board require change. On one side is the Petitioner, represented by a very experienced land-use and zoning attorney. The Petitioner is well-funded, has all the experts at his disposal, and the attorney is steeped in the arcane procedures of a court trial.

On the other side is the community stakeholder. This stakeholder is sometimes very knowledgeable of zoning and has perhaps served on various committees and task-forces related to zoning and land-use. Most times however, the community stakeholder has minimal knowledge of the issue and is not an attorney and yet s/he will serve as the pseudo attorney.

Passage of this Bill will no doubt help to bring a means of justice for all. After hopefully you pass this Bill, the Zoning Counsel process will be incorporated into both the Zoning and Planning Board Rules of Procedure. This would be especially appreciated since the last time these two documents were update was 2002 and 2007 respectively. HCCA has for years asked that these be updated. They are woefully outdated and require a review and revision.

We would like to offer suggestions to improve this legislation.

First, one might wonder- if a Zoning Counsel is already a provision in the County code then how come the citizens have not received access to a through representing by one? It might be because as it stands, it is not a requirement, but an optional provision. We need to change a few "may" clauses to "shall".

Second, we think the provision in the existing code that requires the zoning attorney to wait one year before representing other clients before the zoning board or board of appeals is not sufficient to reduce a potential conflict of interest. This should be increased to three or four years.

Third, CB70 only addresses Downtown Columbia – Why? It should apply to all of Howard County. I was a witness to a hearing in front of the Planning Board involving Savage residents where they could have certainly used one.

It is important this Bill has sharp teeth to evoke the power of the Zoning Counsel. The current proceedings before the Planning Board are essentially perfunctory. The board merely goes along for the most part with the suggestions of the Department of Planning and Zoning.

We need an independent zoning counsel.

A zoning counsel will begin to level the playing field and allow the stakeholders to have a say in quality of life matters so we ask you to pass this bill with the suggested changes.

Thank You,

Hiruy Hadgu

HCCA Board of Directors



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Hiruy HAGDU, have been duly authorized by  
*(name of individual)*

Howard County Citizens Association to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB70-2018 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Hiruy HAGDU

Signature: Sh Kel for Hiruy HAGDU

Date: 17 Sept 18

Organization: HCCA

Organization Address: HCCA PO Box 89, ELLICOTT CITY MD 21041

Chair/President: Sh Kel

*Howard Hughes.*



Mary Kay Sigaty, Chairperson  
and Members of the Howard County Council  
George Howard Building  
3430 Court House Drive  
Ellicott city, Maryland 21043



September 17, 2018

Re: CB 70-2018

Dear Chairperson Sigaty and Members of the County Council:

On behalf of The Howard Research And Development Corporation ("HRD"), this letter expresses our opposition to Bill 70-2018. Please include this letter in the public hearing Record.

Bill 70-2018 inherently suggests the Howard County Planning Board has based prior decisions approving CEPPA flexibility on an incomplete record. This is factually incorrect. In our view, the suggestion also unjustly maligns the efforts of the Planning Board and the Department of Planning and Zoning.

In the Downtown Columbia Plan and Downtown Zoning Regulations approved by the County Council, authority was purposefully delegated to the Planning Board to, on a case-by-case basis, grant alternative timing for a particular CEPPA or to approve an alternative CEPPA and timing. In so doing, the County Council recognized that for the Downtown Columbia Plan to be successful, flexibility in its implementation would be needed to address specific circumstances that exist at a particular time.

The Planning Board has applied this flexibility in a thoughtful manner and without compromising the important public benefits provided by the CEPPAs. In fact, it was this flexibility, in part, that facilitated the accelerated transfer of Merriweather Post Pavilion to the Downtown Columbia Arts and Culture Commission. This transfer occurred many years, perhaps as much as a decade, ahead of the CEPPA schedule. Recent CEPPA flexibility also allowed the Planning Board to exchange the timing of two CEPPAs to accelerate the improvement and no-cost transfer to the County of important public space adjacent to the Lakefront.

Importantly, in exercising CEPPA flexibility, the Planning Board has allowed Downtown Revitalization to continue rather than to stall for specious reasons. The Planning Board's considered judgment in this regard has and will continue to yield important benefits to the County that are identified by the Downtown Columbia Plan and PlanHoward 2030, including the creation of additional residential units Downtown, including affordable housing; the transfer of Merriweather Post Pavilion to DCACC; the long-term protection and enhancement of environmental spaces; and the continued economic development that establishes Downtown Columbia as the County's Urban Center.



*Howard Hughes.*

Lastly, as a matter of course, the Planning Board accepts testimony and other evidence from multiple witnesses at its proceedings. The Planning Board allows citizens both for and against a particular application to testify, present photographs and other evidence and to cross-examine witnesses. Planning Board decisions are informed by DPZ staff, both in a written Report and Recommendation for each matter and in response to Board member questions in public session. Board decisions are also informed by the recommendations of the Design Advisory Panel. Moreover, Board members frequently question individual witnesses to gather additional information. In short, the need for zoning counsel to assure a complete record is contrary to our experience.

Thank you for your consideration.

Sincerely,



Greg Fitchitt  
Vice President



**LEAGUE OF WOMEN VOTERS OF HOWARD COUNTY, INC.**  
**LEAGUE OF WOMEN VOTERS OF HOWARD COUNTY EDUCATION FUND, INC.**  
5430 Vantage Point Road, Suite C, Columbia, MD 21044  
[www.lwvhowardmd.org](http://www.lwvhowardmd.org)  
[info@howard.lwvmd.org](mailto:info@howard.lwvmd.org)  
410-730-0142

## **CB 70-2018**

At its September 6th meeting, The Board of Directors of the League of Women Voters of Howard County voted to support CB-70. The League has had a long held position supporting a separate legal counsel for the Planning Department and the Planning Board. We believe the need is especially necessary as the Columbia Downtown Plan, a General Plan Amendment, is implemented.

During the course of the last few years, as the principal developer has presented Final Development Plans and Site Development Plans for phases of Downtown Development, there have been many requests for changes to the original plan. Some changes are to be expected, but we believe that since the Planning Board has decision responsibility for the Plan, a zoning counsel should be available to determine which requested changes veer too far from the original plan and should either be turned down, negotiated, or require an amendment to the General Plan Amendment by the County Council.

Thank you for your positive consideration of this legislation.

Linda Wengel  
League of Women Voters of Howard County Action Chair

September 16, 2018

TO: Howard County Council

FROM: Joan Lancos  
6110 Covington Road  
Columbia, MD 21044

RE: Council Bills 71-2018, 70-2018, 69-2018

I am unable to attend the County Council Hearing on September 17, 2018. Below is my testimony on three bills up for your consideration.

**Council Bill 71-2018**

Council Bill 71 would require that Planning Staff be available for questioning under oath at quasi-judicial Planning Board hearings. I am not sure what this bill is trying to accomplish. As a former Planning Board member, I often questioned Planning staff without fear that their responses were not truthful. Based on recent observations of public hearings, I don't know that allowing questioning of staff under oath by Planning Board members, lawyers representing petitioners or opponents, or the General Public would accomplish anything other than to delay and prolong cases before the Planning Board. In any event, any change of this significance should only be considered as part of the on-going Zoning Regulation Assessment. I request that you vote "NO" on Council Bill 71-2018.

**Council Bill 70-2018**

Council Bill 70 amends certain posting requirements for proposed community meetings. I attend many pre-submission community meetings. I think the meetings provide valuable insight and opportunity to neighbors regarding proposed development. Providing additional information that makes the sign posting more useful could be helpful. If the pre-submission process will be part of the Zoning Regulation Assessment, it may be beneficial to wait to make changes under that process. However, I am not opposed to Council Bill 70-2018.

**Council Bill 69-2018**

Council Bill 69 would require the Zoning Counsel appear at Planning Board hearings in support of adherence to the Downtown Columbia Plan. The NT zone was created to allow flexibility in final plans for the development of the planned community. The Planning Board was given the role of determining whether submitted Final Development Plans met the goal of the original design. The Section 125.0.E.4 specifically calls for flexibility in the review of FDPs in the Downtown Plan. I do not understand the need for the Zoning Counsel to appear at Planning Board hearings on development plans to assure adherence to a plan that is supposed to be flexible in its implementation. As a former Planning Board member, I believe this bill usurps the original intent and power given to the Planning Board when the NT zoned was first approved and re-affirmed under the Downtown Columbia Master Plan. I strongly encourage you to vote "NO" on Council Bill 69-2018.