

Amendment 5 to Amendment 58 to Council Bill No. 32- 2013

BY: Jennifer Terrasa

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Amendment No. 5 to Amendment No. 58

(This amendment adds the requirement that a preliminary equivalent sketch plan be submitted and approved by the Planning Board in the R-H-ED District. This amendment also permits the Planning Board to reserve the right to review the Site Development Plan in the R-H-ED District.)

1 On page 8, line 4, add new sections 111.1.F and 111.1.G:

2 **F. APPROVAL OF THE PRELIMINARY EQUIVALENT SKETCH PLAN BY PLANNING BOARD**

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4 1. FOR DEVELOPMENTS IN THE R-H-ED DISTRICT REQUIRING A SKETCH PLAN, A
5 PRELIMINARY EQUIVALENT SKETCH PLAN MUST BE APPROVED BY THE PLANNING
6 BOARD.

7 2. PRIOR TO PLANNING BOARD APPROVAL, THE PRELIMINARY SKETCH PLAN WILL
8 BE EVALUATED BY THE DESIGN ADVISORY PANEL IN ACCORDANCE WITH THE
9 PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE COUNTY CODE. THE
10 DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE INCLUDED IN THE
11 TECHNICAL STAFF REPORT PRODUCED BY THE DEPARTMENT OF PLANNING AND
12 ZONING AND FORWARDED TO THE PLANNING BOARD OF ITS CONSIDERATION.

13 3. THE PLANNING BOARD, BEFORE ACTING UPON THE PRELIMINARY EQUIVALENT
14 SKETCH PLAN, SHALL REVIEW COMMENTS FROM THE DEPARTMENT OF PLANNING
15 AND ZONING AND THE SUBDIVISION REVIEW COMMITTEE AND SHALL HOLD A
16 PUBLIC MEETING.

17 4. A PRELIMINARY EQUIVALENT SKETCH PLAN SUBMITTED FOR REVIEW SHALL
18 INCLUDE ALL OF THE INFORMATION REQUIRED BY THE SUBDIVISION AND LAND
19 DEVELOPMENT REGULATIONS OF THE HOWARD COUNTY CODE AS WELL AS THE
20 FOLLOWING INFORMATION:

1 A. THE EXISTING ENVIRONMENTAL AND HISTORIC RESOURCES OF THE SITE,
2 INCLUDING: STREAMS, WETLANDS AND THEIR BUFFERS; EXTENT AND
3 QUALITY OF EXISTING VEGETATION, ESPECIALLY TREE COVER, STEEP
4 SLOPES; HISTORIC STRUCTURES AND THEIR LANDSCAPE SETTING; AND THE
5 SCENIC QUALITIES OF THE SITE.

6 B. THE LOCATION OF PROPOSED IMPROVEMENTS IN RELATION TO THE
7 RESOURCES CITED ABOVE.

8 C. THE LOCATION AND AMOUNT OF SENSITIVE AREAS WHICH WILL BE
9 DISTURBED BY STRUCTURES, PAVED SURFACES, AND INFRASTRUCTURE, IF
10 ANY, AND PLANS FOR MINIMIZING SUCH DISTURBANCES.

11 D. THE LOCATION AND AMOUNT OF GRADING AND CLEARING.

12 E. PLANS FOR MINIMIZING SITE DISTURBANCE AND PRESERVING THE
13 EXISTING TOPOGRAPHY, VEGETATION AND LANDSCAPE CHARACTER.

14 F. DOCUMENTATION INDICATING HOW THE PROPOSED DEVELOPMENT WILL
15 COMPLY WITH THE REQUIREMENTS OF THE HOWARD COUNTY FOREST
16 CONSERVATION PROGRAM.

17 G. THE PROPOSED CONSTRUCTION PRACTICES AND POST-CONSTRUCTION
18 SITE MAINTENANCE STRATEGIES TO MINIMIZE DEVELOPMENT IMPACTS ON
19 FOREST AND OTHER RESOURCES.

20 H. PROPOSED OPEN SPACE, EASEMENTS, AND OTHER FORMS OF PERMANENT
21 PROTECTION FOR SENSITIVE AREAS, FOREST CONSERVATION AREAS, OR
22 OTHER ON-SITE RESOURCES SUCH AS HISTORIC 36 STRUCTURES AND
23 SETTINGS.

24 5. THE PLANNING BOARD MAY APPROVE, APPROVE WITH MODIFICATIONS AND/OR
25 CONDITIONS ATTACHED, OR DISAPPROVE THE PRELIMINARY EQUIVALENT SKETCH
26 PLAN, STATING THE REASONS FOR ITS ACTION. THE PLANNING BOARD'S DECISION
27 SHALL BE BASED UPON THE CRITERIA GIVEN IN SUBSECTION 111.1.F.6 BELOW.

28 6. THE PLANNING BOARD MAY, AT THE TIME OF APPROVAL OF THE PRELIMINARY
29 EQUIVALENT SKETCH PLAN, REQUIRE THE SUBSEQUENT APPROVAL BY THE BOARD
30 OF A SITE DEVELOPMENT PLAN FOR ALL OR A PORTION OF THE DEVELOPMENT.

1 7. THE FOLLOWING CRITERIA SHALL BE USED IN EVALUATING PRELIMINARY
2 EQUIVALENT SKETCH PLANS:

3 A. THE PROPOSED LAY-OUT OF LOTS AND OPEN SPACE EFFECTIVELY
4 PROTECTS ENVIRONMENTAL AND HISTORIC RESOURCES.

5 B. BUILDINGS, PARKING AREAS, ROADS, STORM WATER MANAGEMENT
6 FACILITIES AND OTHER SITE FEATURES ARE LOCATED TO TAKE ADVANTAGE
7 OF EXISTING TOPOGRAPHY AND TO LIMIT THE EXTENT OF CLEARING AND
8 GRADING.

9 C. SETBACKS, LANDSCAPED BUFFERS, OR OTHER METHODS ARE PROPOSED
10 TO BUFFER THE DEVELOPMENT FROM EXISTING NEIGHBORHOODS OR ROADS,
11 ESPECIALLY FROM DESIGNATED SCENIC ROADS OR HISTORIC DISTRICTS.

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13 G. APPROVAL OF THE SITE DEVELOPMENT PLAN BY THE PLANNING BOARD

14 1. PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN IS REQUIRED IF:

15 A. A SKETCH PLAN IS NOT REQUIRED FOR THE DEVELOPMENT; OR B. THE
16 BOARD HAS RESERVED FOR ITSELF THE AUTHORITY TO APPROVE THE SITE
17 DEVELOPMENT PLAN; OR C. THE SITE DEVELOPMENT PLAN IS FOR THE
18 DEVELOPMENT OF BUILDINGS ON AN OPEN SPACE LOT; OR D. THE PROPOSED
19 DEVELOPMENT DIFFERS FROM THE APPROVED PRELIMINARY EQUIVALENT
20 SKETCH PLAN IN ONE OF THE FOLLOWING WAYS:

21 (1) THE LIMITS OF CLEARING AND GRADING ARE SUCH THAT THE
22 DEVELOPMENT WILL IMPACT A SIGNIFICANTLY LARGER AREA OF THE
23 SITE THAN INDICATED ON THE SKETCH PLAN.

24 (2) THE DEVELOPMENT WILL HAVE A GREATER ADVERSE IMPACT ON
25 ENVIRONMENTALLY SENSITIVE AREAS THAN INDICATED ON THE
26 SKETCH PLAN.

27 2. THE PLANNING BOARD MAY APPROVE, APPROVE WITH MODIFICATIONS
28 AND/OR CONDITIONS ATTACHED, OR DISAPPROVE THE SITE DEVELOPMENT
29 PLAN, STATING THE REASONS FOR ITS ACTION. THE PLANNING BOARD'S
30 DECISION SHALL BE BASED UPON THE CRITERIA LISTED IN SECTION
31 111.1.F.6 ABOVE.

