

Introduced	<u>5-03-2021</u>
Public Hearing	<u>5-17-2021</u>
Council Action	<u>6-07-2021</u>
Executive Action	<u>6-08-2021</u>
Effective Date	<u>8-08-2021</u>

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 7

Bill No. 42 -2021

Introduced by: Deb Jung

AN ACT requiring the Department of Planning and Zoning, in collaboration with specified County agencies, to establish a system of data collection; requiring the Department of Planning and Zoning, in collaboration with specified County agencies, to recommend actions to improve the retention of existing forest areas and effectiveness of mitigation measures; and generally relating to the Forest Conservation Act.

Introduced and read first time May 3, 2021. Ordered posted and hearing scheduled.
 By order Michelle R. Harrod
 Michelle R. Harrod, 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 May 17, 2021.
 By order Michelle R. Harrod
 Michelle R. Harrod, Administrator

This Bill was read the third time on June 7, 2021 and Passed Passed with amendments _____, Failed _____.
 By order Michelle R. Harrod
 Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8 day of June, 2021 at 12:30 a.m./p.m.
 By order Michelle R. Harrod
 Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive June 8, 2021
Calvin Ball
 Calvin Ball, 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 *By renumbering:*

4 *Title 16 – Planning, Zoning and Subdivisions and Land Development Regulations*
5 *Subtitle 12. Forest Conservation*
6 *Section 16.1219 “Severability” to be Section 16.1220 “Severability”*
7

8 *By adding:*

9 *Title 16 – Planning, Zoning and Subdivisions and Land Development Regulations*
10 *Subtitle 12. Forest Conservation*
11 *Section 16.1219 “Data Collection, Analysis, and Reporting Requirements”*
12

13 **HOWARD COUNTY CODE**

14 **Title 16 – Planning, Zoning and Subdivision and Land Development Regulations**
15 **Subtitle 12. Forest Conservation.**
16

17 **SEC. 16.1219. DATA COLLECTION, ANALYSIS, AND REPORTING REQUIREMENTS.**
18

19 (A) *DATA COLLECTION.* THE DEPARTMENT SHALL ESTABLISH A SYSTEM OF DATA COLLECTION:

- 20 (1) IN COLLABORATION WITH THE DEPARTMENT OF RECREATION AND PARKS AND THE OFFICE
21 OF COMMUNITY SUSTAINABILITY;
- 22 (2) TO MEASURE THE EFFECTIVENESS OF THE FOREST CONSERVATION REGULATIONS ADOPTED
23 IN ACCORDANCE WITH THIS SUBTITLE; AND
- 24 (3) THAT INCLUDES DATA ON RETENTION OF EXISTING FOREST AND DATA ON MITIGATION
25 MEASURES.

26 (B) *ANALYSIS AND REPORTING REQUIREMENTS.* (1) THE DEPARTMENT SHALL COLLABORATE WITH
27 THE DEPARTMENT OF RECREATION AND PARKS AND THE OFFICE OF COMMUNITY
28 SUSTAINABILITY IN CARRYING OUT THIS SUBSECTION.

29 (2) IN ACCORDANCE WITH SECTION 22.1000 OF THIS CODE, THE DEPARTMENT SHALL
30 REPORT ON A THREE-YEAR BASIS TO THE COUNTY COUNCIL ON THE DATA COLLECTED UNDER

1 SUBSECTION (A) OF THIS SECTION AND AN ANALYSIS OF THE DATA TO RECOMMEND ACTIONS, IF
2 APPLICABLE, TO IMPROVE THE RETENTION OF EXISTING FOREST AND EFFECTIVENESS OF
3 MITIGATION MEASURES.

4 (3) THE THREE-YEAR REPORTING PERIOD SHALL END IN DECEMBER, AND THE REPORTS SHALL
5 BE ISSUED TO THE COUNTY COUNCIL ON OR BEFORE MARCH 31 FOLLOWING THE REPORTING
6 PERIOD.

7
8 **SEC. ~~[[16.1219.]] 16.1220. SEVERABILITY.~~**

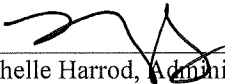
9 If any section, subsection, sentence, clause, phrase or portion of this subtitle is held invalid
10 by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and
11 independent provision; and the invalidity shall not affect the validity of the remaining portions of
12 the subtitle and for this purpose, the provisions of this Act are declared severable.

13
14 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that in accordance***
15 *with Section 22.1000 of the Code, the Department of Planning and Zoning shall submit an initial*
16 *report on the analysis required under this Act, to cover the period from enactment of Council Bill 62-*
17 *2019 to 18 months after enactment of this Act, no later than 21 months after the enactment of this Act.*
18 *The first three-year report, pursuant to Section 16.1219(b)(2) of this Act, shall be due by March 31,*
19 *2026. Thereafter, in accordance with Section 22.1000 of the Code, the Department of Planning and*
20 *Zoning shall report on the analysis required under this Act on or before March 31 following the*
21 *reporting period.*

22
23 ***Section 3. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall***
24 *become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 8, 2021.

 for MRH
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council