



**Petition to Amend the Zoning Regulations
of Howard County**

Zoning Regulation Amendment Request

1. I (we), the undersigned, hereby petition the Zoning Board of Howard County to amend the Zoning Regulations of Howard County as follows:

To amend the definitions of "Parking Area, Parking Facility or Parking Use" and "Solar Collector, Rooftop" to ensure that solar canopies are permitted by right uses on parking structures.

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

2. **Petitioner's Name:** Christiana Rigby
Address: 3430 Court House Drive, Ellicott City, MD 21043
Phone:(W) 410-313-2001 **(H)** _____
Email Address: crigby@howardcountymd.gov

3. **Counsel for Petitioner:** David Moore
Counsel's Address: 3450 Court House Drive, Ellicott City, MD 21043
Counsel's Phone: 410-313-2100 **Email Address:** dmoore@howardcountymd.gov

4. **Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed:**

Howard County has a long history of renewable energy initiatives, including the installation of solar canopies in surface parking lots. Currently, ground-mounted solar canopies are not clearly defined as a 'parking use', which limits the locations and options for installation. Adding ground-mounted solar canopies as a parking use will expand opportunities for their installation. By increasing the number of businesses and individuals who can easily install and utilize solar canopies over parking lots, we can reduce greenhouse gas emissions and our carbon footprint, provide needed shade and heat protection areas, promote green energy, and make meaningful steps towards meeting our climate goals.

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 HOWARD COUNTY COUNCIL

[You may attach a separate document to respond to Section 4. If so, this document shall be titled "Response to Section 4"]

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County:

Policy 4.12 of the General Plan states that the County should, "Develop an energy plan that prepares for different future energy scenarios, examines options for various kinds of future energy sustainability, promotes conservation and renewable resources, and sets targets to reduce greenhouse gases. Additionally, Implementing Action d of Policy 4.12 reads, "Climate Action Plan. Implement the County's 2010 Climate Action Plan (referenced in Chapters 1, 3, and 12), which relates to future energy technology, such as wind, solar, geothermal, and other renewable sources."

The proposed ZRA will encourage the creation of additional solar power generating parking canopies in our community to support the policy actions above.

[You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5"]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A.

See attached Supplemental Statement

[You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6."]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s).

Public benefits to be gained by allowing solar power generating parking canopies in surface parking lots by right include:

- Increased access to renewable energy.
- Reduced carbon emissions.
- Renewable energy generation.

[You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7."]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no?

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

This proposed Zoning Regulation Amendment is seeking to permit solar canopies on all "Parking Area, Parking Facility or Parking Uses" that can have permanently attached canopy structures.

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. Provide the address, Tax Map, and Parcel Number for any parcel of land known to be affected by the amendment(s) that the Petitioner owns or has a legal or equitable interest in.

N/A

The Petitioner agrees to erect and maintain Planning Board meeting poster(s) on the affected parcels in accordance with the Affidavit of Posting provided by the Department of Planning and Zoning. The poster(s) must be erected no less than six weeks prior to the date of the Planning Board meeting and must be removed within seven days of the conclusion of the Planning Board meeting.

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

10. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition.

The State of Maryland has set the standard of getting to net zero emissions by 2045 and we will need multiple solutions and actions to meet these crucial climate action goals. Increasing access and remove barriers to solar canopy creation in surface parking lots is an action that will help us meet those goals.

[You may attach a separate document to respond to Section 10. If so, this document shall be titled "Response to Section 10."]


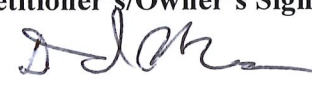
11. You must provide the full proposed text of the amendment(s) as a separate document entitled “Petitioner’s Proposed Text” that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the “Petitioner’s Proposed Text” to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.

12. The Petitioner certifies that no petition for the same or substantially the same proposal as herein contained for the subject property has been denied in whole or in part by the Zoning Board or has been withdrawn after the taking of evidence at a public hearing of the Zoning Board within twenty-four (24) months of the Zoning Board hearing unless so stated herein.

13. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling.

14. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

<p>Christiana Rigby</p> <hr/> <p>Petitioner’s/Owner’s Names</p> <hr/> <p>Petitioner’s/Owner’s Names</p> <hr/> <p>Petitioner’s/Owner’s Names</p> <p>David R. Moore</p> <hr/> <p>Counsel for Petitioner’s Names</p>	<p style="text-align: center;"></p> <hr/> <p>Petitioner’s/Owner’s Signature Date</p> <p style="text-align: right;">12/21/2022</p> <hr/> <p>Petitioner’s/Owner’s Signature Date</p> <hr/> <p>Petitioner’s/Owner’s Signature Date</p> <p style="text-align: center;"></p> <hr/> <p>Counsel for Petitioner’s Signature Date</p>
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[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

Fees

The Petitioner agrees to pay all fees* as follows:

Filing Fee\$ 2,500.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night:.....\$ 510.00

Public Notice Poster:..... \$ 25.00 (per poster)

*** The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.**

APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.

For DPZ office use only:

Hearing fee: \$ _____

Poster(s) fee: \$ _____

Total: \$ _____

Receipt No. _____

Make checks payable to the "Director of Finance"

PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

INSTRUCTIONS TO THE APPLICANT/PARTY OF RECORD

- As required by State Law, applicants are required to complete the AFFIDAVIT AS TO CONTRIBUTION that is attached, and if you have made a contribution as described in the Affidavit, please complete the DISCLOSURE OF CONTRIBUTION that is attached.
- If you are an applicant, Party of Record (i.e., supporter/protestant) or a family member and have made a contribution as described in the Affidavit, you must complete the DISCLOSURE OF CONTRIBUTION that is attached.
- Filed affidavits and disclosures will be available for review by the public in the office of the Administrative assistant to the Zoning Board during normal business hours.
- Additional forms may be obtained from the Administrative Assistant to the Zoning Board at (410-313-2395) or from the Department of Planning and Zoning.
- Completed form may be mailed to the Administrative Assistant to the Zoning Board at 3430 Courthouse Drive, Ellicott City, MD 21043.
- Pursuant to State Law, violations shall be reported to the Howard County Ethics Commission.

ZONING MATTER: _____

**AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND
BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS**

**As required by the Maryland Public Ethics Law
Annotated Code of Maryland, General Provisions Article
Sections 5-852 through 5-854**

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852
MARK EACH PARAGRAPH AS APPLICABLE

1. I, Christiana Rigby, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief HAVE / HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I AM / AM NOT currently **Engaging in Business** with an **Elected Official**.

2. I, the **Applicant** or a **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was

made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

Christiana Rigby

(Print full name)



(Sign full name & indicate legal capacity, if applicable)

12/21/2022

(Date)

ZONING MATTER: _____

DISCLOSURE OF CONTRIBUTION

**As required by the Maryland Public Ethics Law
Annotated Code of Maryland, General Provisions Article
Sections 5-852 through 5-854**

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.


Applicant or Party of Record: Christiana Rigby
(Print Full Name)

RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

Christiana Rigby
(Print full name)


(Sign full name & indicate legal capacity, if applicable)

12/21/2022
(Date)

SUPPLEMENT TO PETITION TO AMEND THE ZONING REGULATIONS OF HOWARD COUNTY

Christiana Rigby, Petitioner

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A.

This proposed ZRA is in harmony with the preservation and promotion of the health, safety and welfare of the community as set forth in 100.0.A. There are several additionally enumerated intents within that section of the zoning code that also provide justification for this ZRA.

100.0.A.3 states, "To promote the most beneficial relationship between the uses of land and structures, and the road system which serves these uses..." Allowing ground-mount solar canopies on parking lots by right would enhance existing parking lots by creating a better and higher use of those parking lots.

Finally, 100.0.A.7 states, "To ensure that all development and land uses protect or enhance the natural, environmental, historic, architectural and other landscape resources of the County, especially highly fragile and environmentally important features such as floodplains, wetlands or steep slopes." An increased number of ground-mounted solar canopies on parking lots in Howard County would help us reduce greenhouse gases, thereby helping to mitigate the effects of climate change. In addition, increasing access to renewable energy will improve our air quality and bolster our community.

Petitioners Proposed Text

SECTION 103.0: - Definitions

Terms used in these Zoning Regulations shall have the definition provided in any standard dictionary, unless specifically defined below or in any other provision of these Zoning Regulations:

Parking Area, Parking Facility or Parking Use: Any area of a lot or structure used for off-street parking and circulation of motor vehicles, including the area occupied by parking spaces, driveways, and vehicle stacking lanes (e.g. for a car wash or drive-through window). GROUND-MOUNTED PARKING CANOPIES SHALL BE CONSIDERED A PARKING USE. The following are not part of a parking area or parking use: loading docks; areas designated to be occupied by a vehicle during loading operations; fuel servicing spaces at a Motor Vehicle Fueling Facility; parking lot islands, any area used for outdoor display or storage of merchandise for sale or rent, including motor vehicles; and any area used for storage of inoperative motor vehicles.

Solar Collector, Rooftop: A solar collector or commercial solar collector and all supporting electrical and structural components that is attached to the rooftop of an existing structure, INCLUDING GROUND MOUNTED PARKING CANOPIES, or integrated into the building, where the solar panels themselves act as a building material or structural element.

Petitioners Proposed Text (How it Would Appear if Adopted)

SECTION 103.0: - Definitions

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