

Amendment 92 to Council Bill No. 28 -2023

BY: Deb Jung

Legislative Day 11

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Amendment No. 92

(This Amendment makes the following changes to HoCo by Design Chapter 2:

*Chapter 2: Growth
and Conservation
Framework*

- *Removes a sentence that forecasts pent up housing demand under Market Demand Projections;*
- *Removes a paragraph about demands for homes and jobs;*
- *Removes a reference to hybrid scenario being used to create the FLUM and specified the four scenarios and concepts that were used;*
- *Adds a paragraph about the four development scenarios;*
- *Removes a reference to “ground truthing” with respect to the availability of land and infrastructure demands;*
- *Removes a paragraph about the County’s existing job-housing ratio;*
- *Removes sentences about the pace of growth with respect to the 2040 target date;*
- *Adds a statement to a paragraph about the County’s ecological health, climate change mitigation, and the preservation of natural resources requesting that those goals be incorporated into the Zoning Regulations and Subdivision Regulations;*
- *Removes a paragraph about the activity centers creating opportunities for significant environmental benefits;*
- *Moves Village Activity Centers from “Areas to Transform” to “Areas to Strengthen” in graphic;*
- *Clarifies that passive open space is for recreational and amenities in multi-family housing areas;*
- *Removes a statement about recommendations about the FLUM’s long-term vision;*
- *Removes sentence about the FLUM not following parcel boundaries and replaces it with a sentence that clarifies that map is not intended to prescriptive at a parcel level; and*
- *Clarifies that the FLUM map is intended for demonstration purposes.)*

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following
2 pages as indicated in this Amendment:

- 3 • Chapter 2: Growth and Conservation Framework: 10, 11, 15, 16, 22, 31, 32, 33, and 37.

1 • Chapter 2: Growth and Conservation Framework: include page 15.1 after page 15.

2

3 Correct all page numbers, numbering, and formatting within this Act to accommodate this

4 amendment.

5

Undeveloped, Unprotected Land

The wide distribution and relatively small size of undeveloped parcels in the County—approximately 2% of all land in the County—means there are limited opportunities to alter their intended impact on the landscape beyond what is planned under current zoning district assignments. Unless they are purchased or placed under easement for permanent preservation, it is likely that undeveloped land in the County will develop and look very similar to existing adjacent properties.

However, a significant amount of the undeveloped and unprotected land in the County remains undeveloped due to capacity constraints, including parcel shape and size, as well as environmental features, such as streams, wetlands, floodplains, and steep slopes. Given the higher proportion of environmental constraints on remaining undeveloped parcels, their potential for development will be limited.

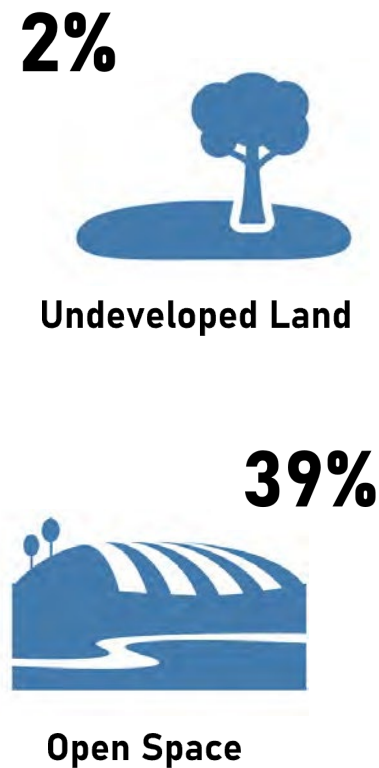
If fully developed, these parcels could accommodate 2,024 new dwelling units and 4,210 new employees. The project team considered the limited capacity of this undeveloped, unprotected land in crafting recommendations for the General Plan.

Land Preservation: Parkland, Open Space, and Farmland

Howard County has proactively preserved open space and farmland for decades. Today, about 39% of all land in the County is protected. Over half of this land is permanently preserved through environmental and agricultural preservation easements. The Agricultural Land Preservation Program has preserved over 23,000 acres of farmland through a combination of preservation easements purchased by the County, the dedication of agricultural preservation parcels as provided by the County’s Zoning Regulations, and preservation easements purchased by the Maryland Agricultural Land Preservation Foundation. Over 9,000 acres of environmental preservation easements have been placed on land in the Rural West through the Zoning Regulations.

Additionally, about 25,000 acres of state, Washington Suburban Sanitary Commission (WSSC), and county parks and open space make up over a third of preserved land in the County. Columbia Association’s 3,600 acres of open space comprises an additional 6% of preserved land in the County.

The General Plan retains all preserved parkland, open space, and easements in the County existing today, and presents opportunities for further conservation of environmental, agricultural, and open space land.



deMAND For Land: twenty year Market Potential

Despite a limited supply of available undeveloped land, Howard County continues to see a high demand for residential and commercial growth. RCLCO Real Estate Advisors conducted a Market Research and Demand Forecast (the Forecast) to inform HoCo By Design. The Forecast found that the County has reached an inflection point, whereby land constraints and affordability challenges could impact the ability to accommodate future residential and commercial growth. It also found that the economic vitality of the County is directly tied to its desirability as a place to live and work, which must be maintained over time. Most high-paying and fast-growing industries are booming either in response to population and job bases (like healthcare, education, and publishing), or as a result of national economic and industry trends (like technology, professional services, and food services). To sustain the economic growth that has been historically enjoyed and to maintain a competitive edge over other markets, the County must continue to invest in housing, infrastructure, placemaking, job creation, and other activities that make it a desirable place for people and employers to call home.

Market Demand Projections

The Forecast projected market-driven demand for new retail, office, industrial, residential, and hotel room space in the absence of land, regulation, or other constraints. It concluded that there is a strong market in Howard County for commercial uses, with potential to add up to 59,000 jobs between 2020 and 2040. Additionally, there is a future demand for 31,000 new homes to accommodate the 28,000 new households associated with that job growth (allowing for a vacancy factor). ~~The Forecast also identified a current “pent up” demand for 20,000 more housing units, attributed to those who work in Howard County but live elsewhere in the region.~~



Housing

Current Total
116,000 Homes

Projected Demand
31,000 New Homes



Employment

Current Total
223,000 Jobs

Projected Demand
59,000 New Jobs



Commercial

Current Total
12.2M Sq.Ft
4,000 Hotel Rooms

Projected Demand
16.5M Sq. Ft.
1,000 Hotel Rooms

Source: RCLCO Market Research and Demand Forecast (2020)



Job Demand vs. Existing Capacity

There are 656 acres of undeveloped nonresidential land in Howard County (including land zoned for office, retail, flex, industrial, and warehouse uses) which could accommodate about 28,000 new jobs. Over 20 years, this equates to an average of 1,400 jobs per year. Over the last 10 years, the County gained about 3,000 new jobs per year, with much of this growth attributable to the most recent Base Realignment and Closure (BRAC) and the associated expansion of Fort Meade.

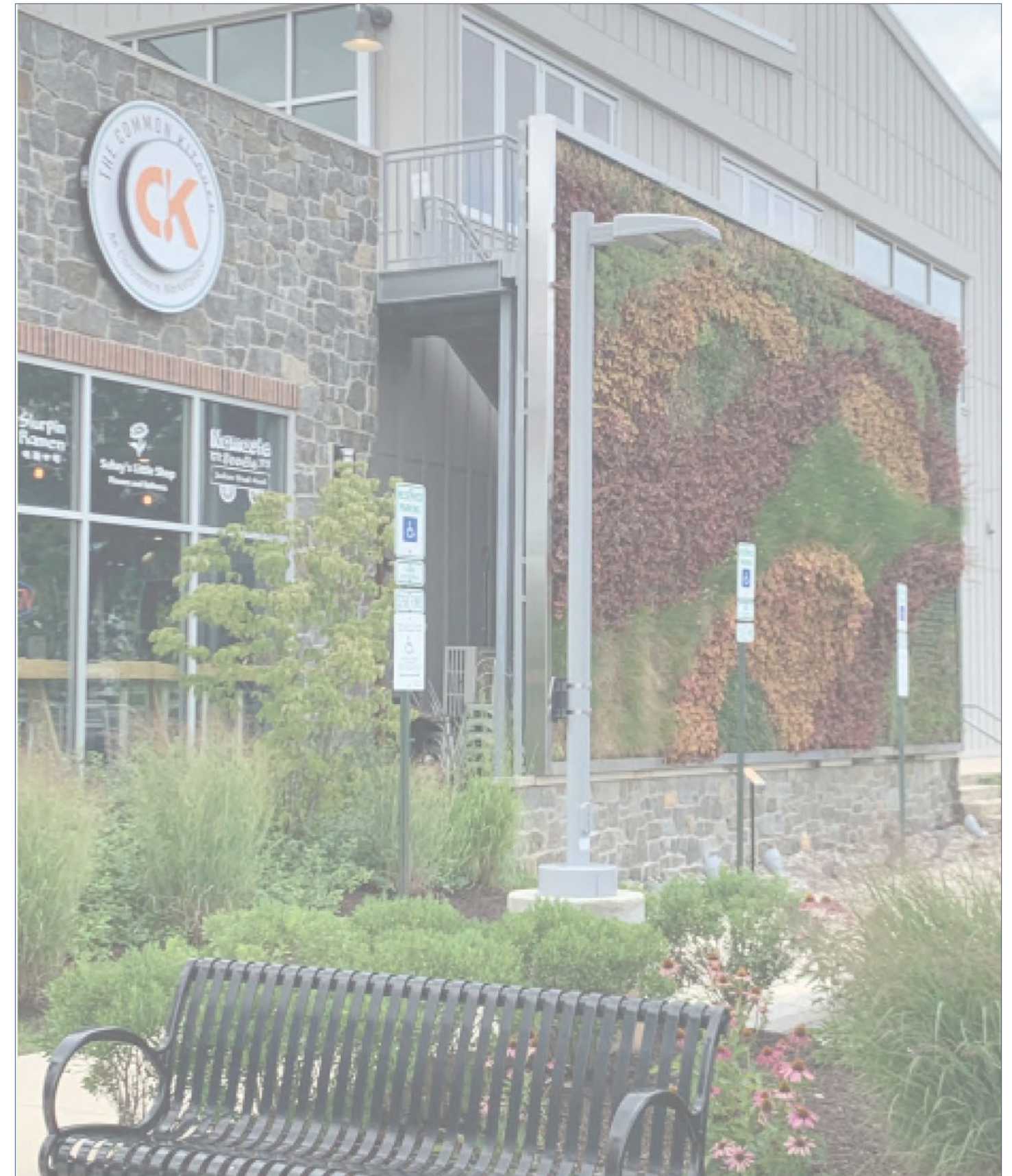
The 59,000 new jobs estimated in the Forecast represent an average annual addition of 2,950 new jobs per year over the next two decades. This growth is more than twice what could be accommodated within existing land use constraints. To meet this future demand, land use changes will need to occur in the County.

Housing Demand vs. Existing Capacity

The Forecast observed that the existing jobs-housing ratio in Howard County is much lower than in nearly every other nearby county. This has created a “pent up” demand of approximately 20,000 more households that would prefer to live in Howard County if options were available to them. Combined with the market demand of 31,000 units associated with projected job growth, there is housing demand for over 50,000 new housing units over the next 20 years.

The current estimated land use capacity for new housing in Howard County, as outlined in the various land use categories above, is only 15,200 units. This is far less than the 50,000-unit demand suggested by the Forecast. Land use changes will also need to occur in the County to accommodate this residential demand.

The findings in the Forecast establish what is possible—a ceiling—in terms of market demand. To determine the optimal growth targets HoCo By Design should assume, DPZ evaluated the findings against the General Plan’s vision, the FLUM, the timing and location of infrastructure, and budgetary factors.



StrAtEGy For Growth And ConservAtion

With continued strong demand for new housing and nonresidential growth, but a limited supply of undeveloped land, the County must optimize land use so that it can sustain a strong economy while maintaining the high quality of life to which county residents and businesses are accustomed.

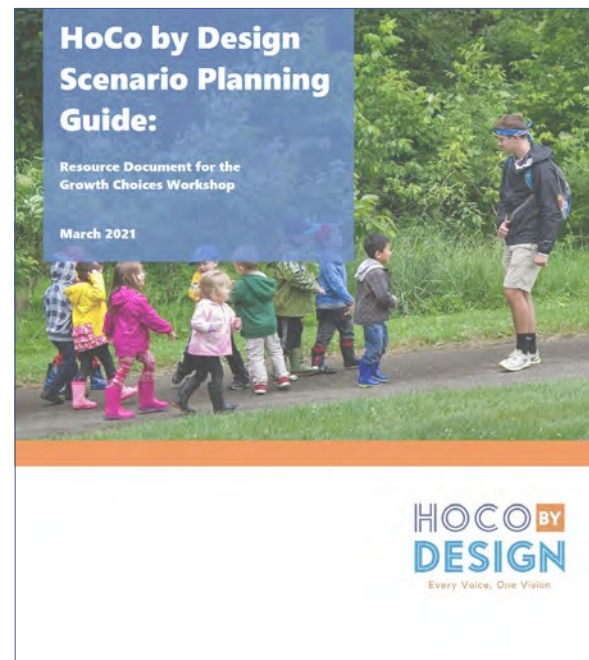
Scenario Planning

To assess potential strategies for growth and conservation, and evaluate their effects, the HoCo By Design process included a scenario planning component that allowed stakeholders to evaluate several alternative futures for the County. Participants were asked to share their reactions to impacts and evaluate trade-offs for different themes and values voiced by the community. This scenario planning exercise generated future alternatives while considering emerging trends and the community's desires for growth and conservation.

To create the growth scenarios, HoCo By Design used information and data from land use and other physical assessment documents on existing conditions in the County. This data was combined with thoughts, ideas, and opinions collected from community outreach events to prepare four distinct scenarios. Building upon the assessment of existing land supply in the Land Supply section on page 7, the project team used CommunityViz software to model potential future year growth and conservation patterns, and measure potential impacts of each scenario.

In addition to scenario development, the HoCo By Design CommunityViz model assessed specific impacts and issues that arose during the General Plan process. These included an evaluation of opportunities and constraints related to expanding the Planned Service Area, and potential impacts and opportunities to preserve environmental features, such as the Green Infrastructure Network.

The HoCo By Design Scenario Planning Guide and a series of Growth Choices Workshop events held in March and April 2021 presented these four alternative futures for feedback. ~~Based on the impacts analysis of the scenarios, as well as community and PAC feedback, a final preferred hybrid scenario was crafted—represented by the HoCo By Design Future Land Use Map (FLUM).~~



~~The four scenarios included the following: Concept A with 18,762 units, Concept B 23,707, Concept C 28,897, and Concept D 36,585. HoCo By Design is built upon Concept C, described in the Scenario Planning Guide as the most aggressive condition. What should also be taken into consideration is that there are 7,080 units in process, 27,000 units identified by the FLUM, and 7,000 units anticipated through redevelopment at Gateway bringing total future growth targets to 41,080 housing units. These units would further increase the planned growth above the greatest number of housing units contemplated in Concept D. Gateway has been identified as a Regional Activity Center, which that will be determined through a future master planning process (please see the Economic Prosperity chapter for more information).~~

The ~~HoCo By Design Future Land Use Map (FLUM)~~ was modeled in CommunityViz ~~as a form of "ground truthing" to ensure that the County has land available to support the hybrid scenario and to identify infrastructure demands for informed decision making.~~ A fiscal impact analysis was also conducted to determine the long-term impacts on the County's budget for each of the growth scenarios and the FLUM. More information on these specific analyses can be found in the HoCo By Design Scenario Planning Guide.¹

¹ A copy of the Scenario Planning Guide is available from the Department of Planning and Zoning.

~~Despite a projected demand for 31,000 new homes and 59,000 new jobs, the HoCo By Design Future Land Use Map plans to accommodate up to 27,000 new residential units through 2040 (this includes approximately 3,500 units in the 2023-2025 pipeline). HoCo By Design also accounts for a minimum of 35,000 new jobs. This jobs projection does not account for new jobs created by the Gateway Regional Activity Center, which will be determined through a future master planning process (please see the Economic Prosperity chapter for more information). The targets for 2040 represent a slower pace of growth compared to the growth targets over the past decade, as projected in the last General Plan, PlanHoward 2030. The slower and steadier pace of growth represented in HoCo By Design acknowledges the limited remaining undeveloped land in the County, market shifts in housing types and financing opportunities, and the need for strategic redevelopment within focused areas of the County as activity centers.~~

The FLUM focuses new growth into redevelopment areas, which account for approximately 1.5% of the County's already-developed land. This approach addresses high demand for housing and commercial growth ~~while significantly reducing potential impacts on infrastructure, maximizes the potential for infrastructure investments, and maintains the character of existing neighborhoods throughout the County.~~

More information on growth management, including growth targets and potential infrastructure demands, can be found in the Supporting Infrastructure and Managing Growth chapters.

Planned Service Area and Tiers

The Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236), adopted by the Maryland General Assembly, required local jurisdictions to adopt Growth Tiers by December 31, 2012. These Tiers designate certain areas for different types of development depending on specific characteristics such as sewerage service, agricultural use, forest and green space, and locally designated growth areas.

SB 236 required local jurisdictions to classify land into one of the following four Growth Tiers, as defined in the legislation.

- Tier I: designated growth area served by public sewer
- Tier II: designated for future extension of public sewer services
- Tier III: not planned for sewer service, not dominated by agricultural or forest, and planned for large lot development
- Tier IV: not planned for sewer service, dominated by agricultural and forest land planned for resource protection

The intent of the legislation was to protect the Chesapeake Bay and its associated rivers and streams by limiting the amount of development served by septic systems. Accordingly, major subdivisions in Tier IV areas (five or more lots in Howard County) are prohibited. While SB 236 established Tier definitions, the final land designations and the development of a local Growth Tiers map were left up to local jurisdictions. To meet SB 236 requirements, the Howard County Council adopted a Growth Tiers map in April 2013 as part of PlanHoward 2030. The County intends to maintain the current Tiers map and used it as a basis for the FLUM.

In coordination with Growth Tiers, the Planned Service Area (PSA) outlines the areas of the County served by public water and sewer services. The PSA is also important because it serves as Howard County's designated growth boundary, or Priority Funding Area, per the State's Smart Growth Act.

In the future, there may be situations where minor PSA adjustments may be appropriate. A PSA revision requires a General Plan Amendment. Any requests for a General Plan Amendment for expansion of the PSA should be denied unless:

- The proposed expansion of the PSA is intended to provide for a public or institutional use such as a religious facility, philanthropic institution, academic school, or low- and moderate-income housing, such as missing middle or older adult housing; or
- The proposed expansion of the PSA includes a zoning proposal that is consistent with the General Plan.

Public sewer and water infrastructure capacity and costs of the above must be analyzed to confirm the feasibility and availability of scheduled capacity.

Expansions of the PSA boundary are limited to the following:

1. Properties adjoining the existing PSA boundary without including an intervening privately owned parcel;
2. The minimum area necessary to serve the proposed use. Development of the parcel consistent with the PSA boundary amendment is required after approval of the General Plan Amendment and prior to the inclusion of the parcel into the Metropolitan District; and
3. The particular use proposed at the time of expansion with a deadline for the completion of the improvements for the proposed use and connection to the public water and/or sewerage system. If the proposed use is not actually constructed and connected to the public water and/or sewerage system by the deadline specified, the PSA expansion shall be null and void, and the PSA automatically shall revert to its pre-existing location.

GCF-1 Policy Statement

Provide limited and predictable Planned Service Area expansions.

Implementing Actions

1. Planned Service Area expansions should include a development proposal that is consistent with the General Plan.
2. Any Planned Service Area expansions shall establish a transition that is compatible with and enhances surrounding communities, and provides an environmental benefit.
3. Any Planned Service Area expansion shall meet the criteria above.



Ecological Health Elevated as a Priority

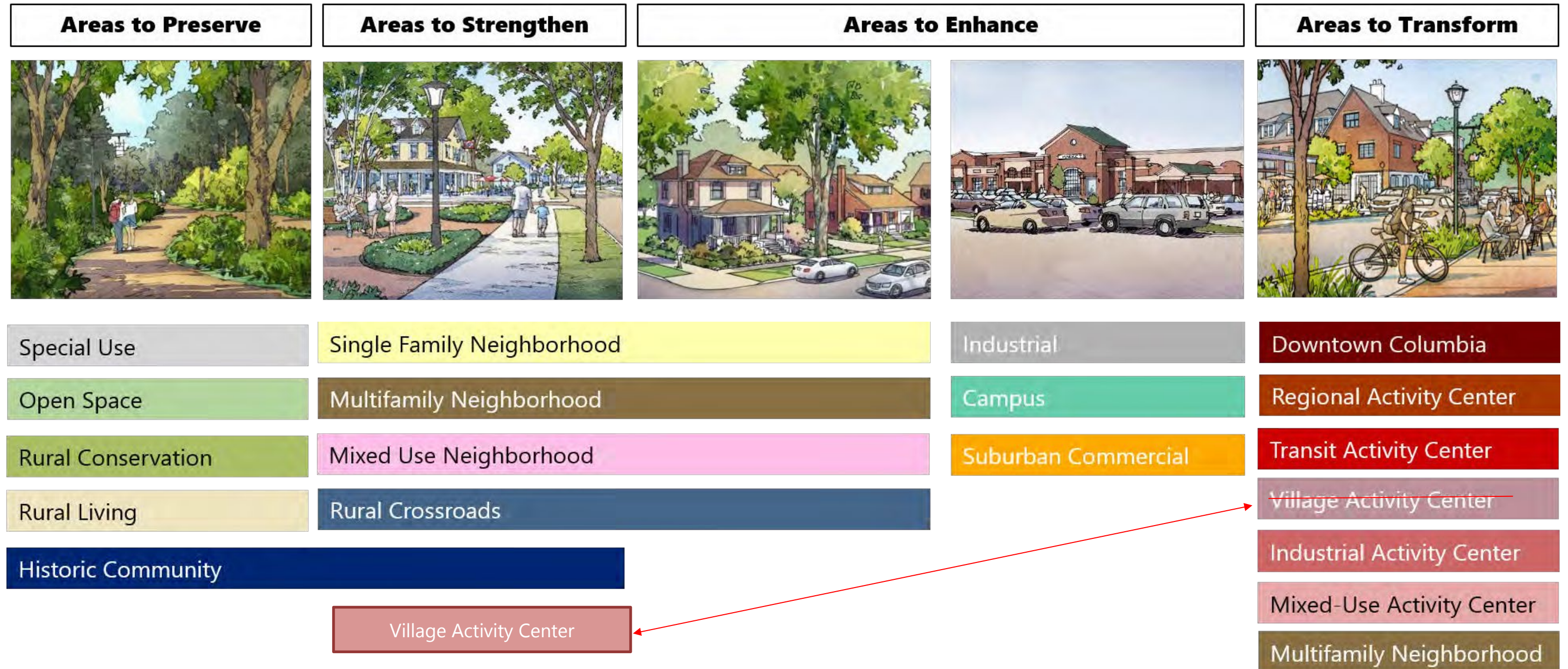
Throughout the planning process, HoCo By Design elevated equitable and sustainable growth and conservation alongside a desire to meet market demand. The General Plan's policies and implementing actions seek to sustain and improve the County's ecological health by emphasizing climate change mitigation and adaptation in addition to preservation and conservation of natural resources. [These goals will be incorporated into the Zoning Regulations and the Subdivision and Land Development Regulations.](#)

~~The FLUM's emphasis on redevelopment and the creation of focused activity centers will generate opportunities for significant environmental benefits, including natural resource conservation, enhanced stormwater management on redevelopment sites, an increase in open space around activity centers, more energy-efficient buildings, climate change mitigation measures such as increased tree canopy and solar energy, and the preservation of high-priority natural resources such as the Green Infrastructure Network.~~

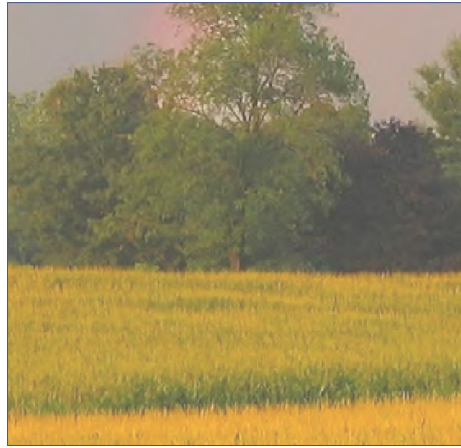
More information on ecological health, climate change, water resources, and other natural resources can be found in the Ecological Health chapter.

ChArActer AreA typoloGies

Each of the 18 character areas are described briefly on the pages below. Additional descriptions of the character areas and their typical lot size and building placement; open space and natural resources; building types and massing; transportation network; and street and block patterns are provided in Technical Appendix B: Character Areas.



Character Area Descriptions



SPECIAL USE

Land reserved for landfills, quarries, or other uses that are unique in the County and often guided by federal or state planning, permitting, and design guidelines, such as the Alpha Ridge Landfill & Recycling Center.

OPEN SPACE

Land dedicated for active or passive open space uses. For example, open space uses can include natural resource protection, parks, greenways, and combinations of trails and pathways [for recreational use and for amenity spaces in multi-family housing areas](#).

RURAL CONSERVATION

Land corresponding to the County's Rural Conservation (RC) Zoning District and characterized by large lots and a high degree of separation between buildings. Homes, farms, and farmettes are scattered throughout the countryside and integrated into the landscape. Several areas are preserved under agricultural or environmental easements.

RURAL LIVING

Land corresponding to the County's Rural Residential (RR) Zoning District and characterized by large lots or cluster lots surrounding open space and a high degree of separation between buildings. Homes, farms, and farmettes are scattered throughout the countryside and integrated into the landscape. Some areas are preserved under agricultural or environmental easements.

HISTORIC COMMUNITIES

Historic Communities include the Ellicott City Local and National Register Historic District, the Lawyers Hill Local and National Register Historic District, and the Savage Mill Historic National Register District. Each of these designated Historic Communities has a different character based on its original founding, historic growth, and site constraints, and may include several different land uses within the Historic Community.



SINGLE-FAMILY NEIGHBORHOOD

Land generally formed as subdivisions that currently includes a limited number of home choices (usually single-family detached or single-family attached homes).

MULTI-FAMILY NEIGHBORHOOD

Land generally formed as complexes or communities with a relatively uniform housing type and density throughout. They support residential development at varying densities in the suburban landscape and may contain one or more of the following housing types: apartments, townhomes, stacked townhomes, duplexes, triplexes, quadplexes, or cottage dwellings.

MIXED-USE NEIGHBORHOOD

Land offering the opportunity to live, work, shop, and play in a master-planned community that emphasizes a mix of uses; a small, but discernable, neighborhood activity center; and one or more neighborhoods connected to the small activity center by a network of pathways or walkable streets such as Maple Lawn and Turf Valley.

RURAL CROSSROADS

Small nodes of mixed-use areas focusing on commercial activity along rural highways at important intersections in older farming communities in the Rural West.

Future Land Use Map

The FLUM depicts preferred development types, locations, patterns, and intensities throughout the County and is based on empirical land use data that assumes the carrying capacity in each character area. It provides a physical framework to more effectively realize the plan's vision, including advancing the General Plan 'themes' of Ecological Health, County in Motion, Economic Prosperity, Dynamic Neighborhoods, and Quality By Design. ~~Recommendations for the FLUM set a long-term vision for a more diverse development portfolio that is forward-thinking, focused on economic development, and mindful of supporting infrastructure, promoting quality of life and balancing the fiscal impacts to the County.~~

Some areas of the FLUM reflect what currently exists. Some are more aspirational in nature; others are a mix of what exists and what could be in the future. Some character areas depicted on the map and described later in the Character Areas technical appendix articulate how a given area should look and feel, even if that is not the case today. Others seek to retain and advance the current character.

Realization of the FLUM is a long-term endeavor: it could take several decades before all the land in the planning area is developed, redeveloped, or preserved. Realization of the FLUM is dependent on the factors that influence growth described above, including the inclinations of individual property owners. Revisions to the FLUM may be needed to reflect changing realities in the future. Modifications to the FLUM should be evaluated against the vision and policies in HoCo By Design to determine if the proposed changes are consistent or if a General Plan amendment is needed. County officials should also evaluate proposed changes to the FLUM using an "if-then-what-else" approach to decision making, whereby potential ripple effects or unintended consequences associated with a proposed change are evaluated to see what else might be impacted as a result. For example, character areas assigned in the FLUM may need to be revised if the County or its partners decide to support a major economic development decision or if a regional or state transportation agency plans improvements for an area not previously anticipated in HoCo By Design.

Future Land Use Map Guidelines

The Future Land Use Map (FLUM) generally depicts the intended land use for an area. It is not a zoning map. A zoning map is parcel-specific and, combined with Zoning Regulations, establishes detailed requirements and development standards for setbacks, height, use, parking, and other attributes. By contrast, the FLUM is intended to provide generalized guidance for conservation and growth, and is considered in the context of other policies and recommendations in the General Plan. ~~The FLUM does not follow parcel boundaries, and its categories do not specify allowable uses or development standards. Even though specific parcel boundaries have been used in the FLUM to designate land uses, this map is not intended to be prescriptive at a parcel level.~~ This map is to be interpreted broadly using land use categories to evaluate desired character area objectives around the County and is intended for demonstration purposes only.

A printed copy of the FLUM is available by request from the Department of Planning and Zoning. Several important considerations, defined below, accompany the FLUM:

1. The FLUM envisions intended development types, patterns, and intensities for build out of the County. It should be considered aspirational in nature. It is not an existing land use map, although in many cases future development intended for an area is the same as what exists there today.
2. Intended zoning for a specific area should be guided by the FLUM and interpreted with guidance from the text in the General Plan, including the Character Areas technical appendix.
3. Some zoning districts in the County's Zoning Regulations may be compatible with more than one character area for the General Plan (or vice versa).
4. The FLUM can be amended. It is intended to be a dynamic map that is updated periodically in response to the evolving needs of or opportunities for the County. Requests to change the map are considered via General Plan Amendments (GPAs).

the development Regulations Assessment And the FLUM

In 2016, DPZ retained Clarion Associates, a national land use firm, to assess the County's current Zoning Regulations and Subdivision and Land Development Regulations. The Development Regulations Assessment engaged community members to explore strengths and weaknesses of existing land development regulations and recommendations for improvement. Through the process, nearly 500 community members participated in more than 40 meetings. This outreach and an online survey resulted in more than 700 comments.

From results of the evaluation and public engagement, the Development Regulations Assessment made recommendations on how to make these regulations more user-friendly, internally consistent, streamlined, and better aligned with County planning goals. The assessment proposed the creation of a Unified Development Ordinance that would provide all regulations within one easily accessible document, emphasizing user-friendly graphics and legibility. Additionally, the assessment included recommendations for new and existing uses and districts, district conversions or changes, and streamlined processes for the land development approval process.

The FLUM establishes greater predictability for the creation of a Unified Development Ordinance in line with the recommendations proposed in the Development Regulations Assessment. To provide greater specificity and guidance to the development of future regulations, HoCo By Design combines character areas, targeted focus area concepts, and a set of flexible policies developed through a design lens.