

Amendment 104 to Council Bill No. 28 -2023

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Legislative Day 11

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Amendment No. 104

(This Amendment makes the following changes to HoCo by Design Chapter 8 and Chapter 11:

Chapter 8: Public School Facilities: - *Amends the PS-3 Policy Statement Implementing Actions to add a revision of the County Code to consider school capacity when adopting ZRAs and add a revision of the Zoning Code to consider school capacity in cases before the Zoning Board; and*

Chapter 11: Implementation - *Amends the PS-3 Policy Statement Implementing Actions to add a revision of the County Code to consider school capacity when adopting ZRAs and add a revision of the Zoning Code to consider school capacity in cases before the Zoning Board.)*

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 8: Public School Facilities: 26;
- 4 • Chapter 11: Implementation: 52.

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6 Correct all page numbers, numbering, and formatting within this Act to accommodate this
7 amendment.

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Regulatory Process

The County's Subdivision and Land Development Regulations allow for land in a subdivision or building development to be reserved for public facilities, such as schools, if it is not being used as open space. The SAG explored this process as a tool to increasing the Land Bank. The SAG's discussions revealed that the regulations are not aligned well to current development patterns, HCPSS facilities and budget planning timelines, and the County's development review process. The SAG concluded that the reservation process should be evaluated, and regulation changes recommended to increase use of this tool. Further, these regulations were recently expanded to allow for reservation of buildings. If properly timed, such building reservations could allow HCPSS to purchase available properties in the near term with leaseback options to tenants to hold land or buildings for future school needs. Activity center redevelopment and Route 1 redevelopment provide excellent opportunities to exercise building reservations, especially in areas where existing commercial is struggling.

Finally, HCPSS staff have reported challenges with regulations, such as setback, height limits, and other bulk regulations, that limit the developable footprint for buildings, athletic fields, and other site amenities. The Zoning Regulations should be updated to allow for administrative approval of variances to bulk regulations as they relate to school facility development.

Co-locating Facilities

In the face of dwindling land supply, opportunities to co-locate school facilities with other public amenities, like libraries, park and recreational facilities, community centers, affordable housing, police or fire stations, and athletic fields, allow for optimal use of limited greenfield space and leverage additional funding opportunities. As Blueprint implementation is evaluated, government and commercial centers should be considered to house mandatory prekindergarten programs that are conveniently located, accessible, and/or create opportunities to provide wrap-around services to families and students. These options should be considered during the capital planning process and coordinated with HCPSS to ensure educational programming standards are maintained.

Finally, educational facilities can be integrated into mixed-use activity centers and can serve nearby residences through safe convenient pedestrian connections. Specifically, redevelopment of Gateway into a Regional Activity Center must thoroughly evaluate impacts to school capacity and ensure that the requisite number of schools are integrated and appropriately phased into the redevelopment program. A public-private partnership model may be considered as part of an innovation district design.



PS-3 Policy Statement

The County and Howard County Public School System (HCPSS) should collaborate on future school siting and develop tools that provide the flexibility needed to allow for alternative school designs, flexible site requirements, and adaptive reuse of underutilized properties.

Implementing Actions

1. Consider adaptive reuse of commercial real estate for school buildings or HCPSS office space.
2. Consider leasing space for early childhood or other HCPSS programming.
3. Evaluate integrating public prekindergarten into government and commercial centers that encourage convenience for working parents, increase access to communities, and/or create opportunities to provide wrap-around services to families and students.
4. Evaluate the efficacy of using smaller existing HCPSS-owned properties for regional programs and/or shared athletic facilities.
5. Examine alternative school design models that establish a variety of forms to maximize available land resources. This may include higher capacity buildings, smaller footprints, shared site amenities, modular design, and/or vertical construction.
6. Explore opportunities for co-location of school facilities with other public amenities, like libraries, parks, affordable housing, and athletic fields, to make use of limited greenfield space and leverage additional funding opportunities.
7. Ensure future redevelopment of Gateway into a Regional Activity Center includes a thorough evaluation of school capacity and that any deficiencies created through its redevelopment are mitigated by providing requisite school facilities.
8. Ensure development of activity centers includes a review of school capacity needs and opportunities to address those needs within the activity center.
9. [Revise the County Code to consider school capacity when adopting ZRAs and revise the Zoning Code to consider school capacity in cases before the Zoning Board.](#)

PS-4 Policy Statement

Revisions to the County's Zoning Regulations and Subdivision and Land Development Regulations should provide more flexibility for school site development and remove barriers to efficient use of school site property.

Implementing Actions

1. The Zoning Regulations update should allow administrative approval of zoning variances as they relate to school facility development.
2. Evaluate the applicability of the Subdivision and Land Development Regulations governing reservations of land for public facilities to determine appropriate changes that would increase utilization.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
QBD-8 - Expand documentation, protection, and education regarding the County's diverse historic resources.		
1. Research and create a mechanism similar to a historic landmarks program that can be used as a tool for identifying valuable historic resources and efforts to protect them.	DPZ	Long-term
2. Expand documentation efforts to include "recent past" buildings, such as those of significance in Columbia and other maturing areas.	DPZ	Long-term
3. Continue to update the Historic Sites Inventory through updated inventory forms for properties added in the 1970s, 1990s and for	DPZ	Ongoing
4. Create more thorough inventories of the County's historic resources and expand documentation of ethnicity, cultural context, and historic relevance to the County's history.	DPZ Non-profit Partners	Long-term
5. Work with nonprofit organizations to create opportunities for the Howard County community to learn about its historic sites, including telling all stories in the County.	DPZ DRP	Long-term
6. Explore grants for documentation of archeological resources, museum collections, and oral histories, and partner on this initiative with local preservation nonprofit organizations.	DPZ	Ongoing
7. Participate in a statewide effort to create one master state map of	DPZ	Long-term
PS-1 - The County, Howard County Public School System (HCPSS), and private sector should work collaboratively to identify school sites that meet the needs of the student population and anticipate future growth patterns.		
1. Examine alternatives to the Adequate Public Facilities Ordinance waiting periods whereby a development proposal offsets the potential impact to zoned schools through an additional voluntary mitigation payment.	DPZ	Mid-Term
2. Ensure coordination of HoCo By Design and the HCPSS capital planning so that school capacity projects are planned in activity center areas identified for transformation on the Future Land Use Map.	DPZ HCPSS	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
PS-2 - The County and Howard County Public School System should partner to leverage additional public and private resources to meet school facility needs and timing.		
1. Examine the costs and benefits of public-private partnership models to address near-term school facility acquisition, construction, and renovation needs, including long-term financial commitments and considerations.	HCPSS Private Partners	Mid-Term
2. Evaluate a trust fund for school site acquisition or partnerships with philanthropic organizations to purchase property and hold it for a short term until school facilities can be built.	HCPSS Private Property	Mid-Term
PS-3 - The County and Howard County Public School System (HCPSS) should collaborate on future school siting and develop tools that provide the flexibility needed to allow for alternative school designs, flexible site requirements, and adaptive reuse of underutilized properties.		
1. Consider adaptive reuse of commercial real estate for school buildings or HCPSS office space.	HCPSS	Mid-Term
2. Consider leasing space for early childhood or other HCPSS programming.	HCPSS	Mid-Term
3. Evaluate integrating public prekindergarten into government and commercial centers that encourage convenience for working parents, increase access to communities, and/or create opportunities to provide wrap-around services to families and students.	HCPSS	Mid-Term
4. Evaluate the efficacy of using smaller existing HCPSS-owned properties for regional programs and/or shared athletic facilities.	HCPSS	Mid-Term
5. Examine alternative school design models that establish a variety of forms to maximize available land resources. This may include higher capacity buildings, smaller footprints, shared site amenities, modular design, and/or vertical construction.	HCPSS	Long-term
6. Explore opportunities for co-location of school facilities with other public amenities, like libraries, parks, affordable housing, and athletic fields, to make use of limited greenfield space and leverage additional funding opportunities.	HCPSS All Agencies	Ongoing
7. Ensure future redevelopment of Gateway into a Regional Activity Center includes a thorough evaluation of school capacity and that any deficiencies created through its redevelopment are mitigated	DPZ HCPSS	Mid-Term
8. Ensure development of activity centers includes a review of school capacity needs and opportunities to address those needs within the activity center.	DPZ HCPSS Private Partners	Mid-Term
<u>9. Revise the County Code to consider school capacity when adopting ZRAs and revise the Zoning Code to consider school capacity in cases before the Zoning Board.</u>	<u>HCPSS Elected Officials</u>	<u>Mid-Term</u>