

**Amendment 105 to Council Bill No. 28 -2023**

**BY: Liz Walsh**

**Legislative Day 11**  
**Date: October 2, 2023**

**Amendment No. 105**

*(This Amendment makes the following changes to HoCo by Design Chapter 3, Chapter 5, and Chapter 11:*

- Chapter 3: Ecological Health* - *Removes the entire section titled “Managing Mineral Resources”;*  
- *Removes the EH-13 Policy Statement and Implementing Action;*
- Chapter 5: Economic Prosperity* - *Adds the section titled “Managing Mineral Resources” that was removed from Chapter 3;*  
- *Adds the Policy Statement and Implementing Action that were removed from Chapter 3 as a new EP-14 Policy Statement and Implementing Action;*
- Chapter 11: Implementation* - *Removes the EH-13 Policy Statement and Implementing Action; and*  
- *Adds the Policy Statement and Implementing Action that were removed from Chapter 3 as a new EP-14 Policy Statement and Implementing Action.)*

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 3: Ecological Health: 58;  
4 • Chapter 5: Economic Prosperity: Create a new EP-61;  
5 • Chapter 11: Implementation: 22 and 35.

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

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## Bee City USA

In 2019, the County Executive signed an Executive Order designating Howard County as a Bee City USA, committing the County to support and encourage healthy pollinator habitat creation and enhancement. This Executive Order notes that bees and other pollinators are responsible for reproduction in almost 90% of the world's flowering plants, including fruits and vegetables, but they have experienced population declines in the United States due to habitat loss, poor nutrition, pesticides, parasites, diseases, and climate change. Under this Executive Order, the County agreed to work with the Howard County Conservancy to enhance understanding among county staff and the public about the vital role that pollinators play and what each person can do to sustain them. Identified techniques include developing and implementing a program to create or enhance pollinator-friendly habitat on public and private land, and adopting an integrated pest management plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.

### **EH-11 Policy Statement**

Encourage individual environmental stewardship in daily activities on private and public property.

### **Implementing Actions**

1. The County should continue to provide leadership by incorporating environmentally sensitive site development and property management practices on county properties.
2. Continue existing and expand current outreach programs to promote and assist private property owners with the implementation of stewardship practices.
3. Increase opportunities for student participation in environmental outreach and education and stewardship practices on school properties.

### **EH-12 Policy Statement**

Commit to and support the County's designation as a Bee City USA.

### **Implementing Actions**

1. Integrate pollinator-friendly practices into county policies, programs, and capital projects.
2. Incorporate improvements to the County's pest management policies and practices as they relate to pollinator conservation.
3. Develop and implement a program to create and enhance pollinator-friendly habitat on public and private land.

# Managing Mineral Resources

A 1981 Maryland Geological Survey study identified Howard County's principal mineral resources as sand and gravel, which are of great importance to the construction industry. These resources are confined mainly to the Coastal Plain portion of the County, specifically from the Howard and Anne Arundel County border westward to approximately midway between Route 29 and Interstate 95. The Maryland Geological Survey also indicates there is potential for crushed stone production west of Interstate 95, based on mineral resources endemic to the Piedmont region of Howard County, but locations were not identified.

The Maryland Department of the Environment (MDE) issues mining permits per the Surface Mining Act of 1975. MDE identifies three mining operations in Howard County—one in Marriottsville, and two in Jessup. However, one of the Jessup facilities is no longer mining. Both active facilities quarry stone or hard rock. Sand is no longer mined in Howard County.

Howard County's Zoning Regulations allow quarries as conditional uses in rural and industrial areas, subject to certain approvals and limitations. Pre- and post-extraction planning and ongoing management are required to ensure mining operations do not impact quality of life in adjacent neighborhoods. Existing infrastructure, such as roads, must be sufficient. Final use of a mined site is planned prior to any extraction. While it is not anticipated that quarry activities will cease during the planning horizon for HoCo By Design, if they do, a planning effort should be undertaken to identify potential reuse of the sites.

Industrially zoned areas, where mining is a conditional use, are primarily in the Route 1 Corridor and coincide with the Coastal Plain area of the County. This could afford potential opportunities for additional mining, if feasible, but such activities seem unlikely, given existing and planned development in the Corridor.

### **EH-13 Policy Statement**

Continue to balance the potential for mineral resource extraction with other land uses.

### **Implementing Actions**

1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.

# Managing Mineral Resources

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Howard County's Zoning Regulations allow quarries as conditional uses in rural and industrial areas, subject to certain approvals and limitations. Pre- and post-extraction planning and ongoing management are required to ensure mining operations do not impact quality of life in adjacent neighborhoods. Existing infrastructure, such as roads, must be sufficient. Final use of a mined site is planned prior to any extraction. While it is not anticipated that quarry activities will cease during the planning horizon for HoCo By Design, if they do, a planning effort should be undertaken to identify potential reuse of the sites.

Industrially zoned areas, where mining is a conditional use, are primarily in the Route 1 Corridor and coincide with the Coastal Plain area of the County. This could afford potential opportunities for additional mining, if feasible, but such activities seem unlikely, given existing and planned development in the Corridor.

Continue to balance the potential for mineral resource extraction with other land uses.

## **EP-14 Policy Statement**

### **Implementing Actions**

1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>EH-8 - Expand implementation of the Green Infrastructure Network Plan.</b>		
1. Integrate the Green Infrastructure Network Plan implementation actions into the relevant county plans and programs.	DPZ DRP OCS DPW	Ongoing
2. Consider use of an overlay zoning district or other regulatory measures to target resource protection measures for the Green Infrastructure Network.	DPZ	Mid-Term
3. Establish an easement or land purchase program to protect uncommitted parcels within the Green Infrastructure Network.	DPZ OCS	Mid-Term
4. Amend county design standards for roads, bridges, and culverts to facilitate safe passage for wildlife at county road crossings within the Green Infrastructure Network.	DPZ OCS DPW OOT	Mid-Term
5. Conduct studies of existing resource conditions and wildlife use within the network to enhance management of the Green Infrastructure Network.	DPZ OCS	Long-Term
6. Consider expansion of the Green Infrastructure Network to include smaller habitat areas that provide 'stepping stones' to the primary network.	DPZ OCS	Mid-Term
<b>EH-9 - Continue to promote agricultural land preservation, recognizing that uncommitted land in the Rural West is a diminishing resource.</b>		
1. Build on the successes of the Agricultural Land Preservation Program (ALPP) and continue acquiring land through the ALPP.	DPZ OCS	Ongoing
2. Continue to promote other land preservation options, such as the dedication of easements to the County through the subdivision process, the purchase of easements by the Maryland Agricultural Land Preservation Foundation program, and the donation of easements to nonprofit land trusts.	DPZ	Ongoing
3. Continue to implement the Agricultural Land Preservation Program easement stewardship activities to monitor compliance.	DPZ OCS	Ongoing
<b>EH-10 - Expand the scope of potential uses of the Agricultural Land Preservation Program Fund.</b>		
1. Work with various stakeholders to identify areas for the most appropriate and effective potential uses of the fund, including support for environmental programs, while ensuring continued funding of the ALPP.	DPZ OCS	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>EH-11 - Encourage individual environmental stewardship in daily activities on private and public property.</b>		
1. The County should continue to provide leadership by incorporating environmentally sensitive site development and property management practices on county properties.	DPW DRP DPZ	Ongoing
2. Continue existing and expand current outreach programs to promote and assist private property owners with the implementation of stewardship practices.	OCS DRP HSCD Private Property Owners	Ongoing
3. Increase opportunities for student participation in environmental outreach and education and stewardship practices on school properties.	HCPSS HSCD	Ongoing
<b>EH-12 - Commit to and support the County's designation as a Bee City USA.</b>		
1. Integrate pollinator-friendly practices into county policies, programs, and capital projects.	OCS DRP DPW DPZ	Mid-Term
2. Incorporate improvements to the County's pest management policies and practices as they relate to pollinator conservation.	OCS DRP	Ongoing
3. Develop and implement a program to create and enhance pollinator-friendly habitat on public and private land.	OCS DRP Private Partners	Mid-Term
<b>EH-13 - Continue to balance the potential for mineral resource extraction with other land uses.</b>		
<del>1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.</del>	<del>DPZ</del>	<del>Ongoing</del>

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>EP-12 - Reduce regulatory barriers to diversified agricultural operations in both the Rural West and the East.</b>		
1. Update the Zoning Regulations and other policies to promote agricultural expansion and diversification, especially for on-farm processing and other agribusiness opportunities.	DPZ OCS HCEDA	Mid-Term
2. Work with agricultural and community stakeholders to review and update the Zoning Regulations and other regulations to create more opportunities for agritourism.	DPZ OCS HCEDA DILP HCHD	Mid-Term
3. Reduce barriers to the burgeoning demand for on-farm breweries, wineries, cideries, meaderies, and distilleries.	DPZ OCS HCHD HCEDA	Mid-Term
<b>EP-13 - Review transportation planning and road development and maintenance standards to reduce transportation barriers to farming.</b>		
1. Improve rural road conditions by increasing overhead tree clearance and addressing passage at narrow bridges.	DPW OOT	Long-term
2. Reduce conflict between recreational, residential, commercial, and agricultural road uses.	OOT DPW	Long-term
<b>EP-14 - Continue to balance the potential for mineral resource extraction with other land uses.</b>		
<u>1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.</u>	DPZ	Ongoing

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
<b>DN-1 - Increase opportunities for missing middle housing through the creation and use of zoning tools and incentives.</b>		
1. Evaluate conditions where duplex and multiplex homes can be compatible with existing neighborhoods and permitted by-right in a greater number of residential and mixed-use zoning districts.	DPZ	Mid-Term
2. Identify and eliminate barriers in the Zoning Regulations and Subdivision and Land Development Regulations to housing stock diversification. Ensure that bulk regulations are realistic for these housing types and do not preclude their potential on existing lots.	DPZ	Mid-Term
3. Expand the types of housing allowed in the Zoning Regulations and Subdivision and Land Development Regulations to include missing middle housing types, such as stacked townhomes, cottage clusters, and multiplexes, and consider appropriate parking requirements for these housing types.	DPZ	Mid-Term
4. Evaluate and establish one or more the following zoning tools and incentives as potential opportunities to create missing middle housing: <ul style="list-style-type: none"> <li>a. Zoning overlays or floating zones that could be applied to activity centers, transportation corridors, or other areas that are appropriate for this housing type.</li> <li>b. Smaller lot sizes (lot width and lot area).</li> <li>c. Density-based tools such as transfer of development rights or density bonuses.</li> <li>d. Tax incentives for developers and/or land owners.</li> <li>e. Flexible development standards such as maximum building size or lot coverage.</li> </ul>	DPZ	Mid-Term
5. Establish regulations that disperse missing middle homes throughout the County so that neighborhoods contain a proportionate mix of different housing types and can balance other infrastructure needs.	DPZ DHCD	Mid-Term
6. Explore opportunities to work with public and private partners to build missing middle housing demonstration projects or provide models and designs for these housing types.	HCHC DHCD DPZ	Mid-Term