

Amendment 1 to Amendment 103 to Council Bill No. 28 -2023

BY: Liz Walsh

Legislative Day 12

Date: 10/11/2023

Amendment No. 1

(This Amendment to Amendment 103 amends the EH-2 Policy Statement 7th Implementing Action to apply to residential fossil fuel infrastructure.)

- 1 Substitute page 1 of Amendment 103 with the attachment to this Amendment to Amendment.
- 2
- 3 Substitute the pages EH-15 and IMP-16 attached to Amendment 103 with the pages EH-15 and
- 4 IMP-16 attached to this Amendment to Amendment.
- 5

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Date: 10/11/2023

Amendment No. 103

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

- Chapter 3: Ecological Health*
- *Amends the EH-2 Policy Statement to integrate climate change mitigation goals into programs receiving County funds and amends the Implementing Actions to accelerate implementation of the Howard County Climate Action Plan and ensure County agency policies align with the plan, accelerate inclusion of on-site renewable power generation at appropriate locations, and refuse permitting to expand or extend residential fossil fuel infrastructure;*
 - *Amends the EH-5 Policy Statement Implementing Actions to accelerate completion of the flooding vulnerability assessment and revise capital project priorities accordingly and accelerate the use of green stormwater infrastructure;*
 - *Amends the EH-11 Policy Statement Implementing Actions to require the County to incorporate environmentally sensitive site development and property management practices on County properties;*
- Chapter 11: Implementation*
- *Amends the EH-2 Policy Statement to integrate climate change mitigation goals into programs receiving County funds and amends the Implementing Actions to accelerate implementation of the Howard County Climate Action Plan and ensure County agency policies align with the plan, accelerate inclusion of on-site renewable power generation at appropriate locations, and refuse permitting to expand or extend residential fossil fuel infrastructure;*
 - *Amends the EH-5 Policy Statement Implementing Actions to accelerate completion of the flooding vulnerability assessment and revise capital project priorities accordingly and accelerate the use of green stormwater infrastructure;*
 - *Amends the EH-11 Policy Statement Implementing Actions to require the County to incorporate environmentally sensitive site development and property management practices on County properties.)*



Protecting Sensitive Environmental Resources

The County Subdivision and Land Development Regulations and Zoning Regulations contain significant provisions for the protection of sensitive environmental resources when properties are developed. This section discusses regulatory protections for water resources, steep slopes, and rare, threatened and endangered species, as well as three zoning districts specifically designed to protect sensitive resources. Additional protective measures for forests and stormwater management requirements are addressed in later, separate sections.

Water Resources and Steep Slopes

Water resources include rivers, wetlands, floodplains, ponds, lakes, and groundwater. These are vital natural resources that provide drinking water, stormwater management, pollution abatement, floodwater storage, and recreation, as well as important habitat for a wide variety of plant and animal species.

To protect water quality and habitat within streams, the County Subdivision and Land Development Regulations require the following undisturbed streamside buffer areas:

- 75 to 100 feet along perennial streams in residential zoning districts;
- 50 feet along perennial streams in non-residential zoning districts; and
- 50 feet along intermittent streams in all zoning districts.

The regulations also require a 25-foot undisturbed buffer around nontidal wetlands. Additionally, most wetlands in the County are found within the 100-year floodplain, which is protected from disturbance.

County regulations also protect steep slopes of 25% or greater when there is a contiguous area of 20,000 square feet or larger. Disturbing steep slopes can generate excessive erosion and sedimentation that can be difficult to contain even with enhanced sediment and erosion control practices, and once disturbed steep slopes can be difficult to stabilize. This can be especially problematic when these slopes are adjacent to water bodies. When slopes of 15% or greater occur in conjunction with highly erodible soils, these erosion problems are intensified.

To provide the greatest benefit, stream and wetland buffers should be wide enough to allow adequate filtering of overland stormwater runoff, include adjacent steep slopes and highly erodible soils, and be forested. The use of a floodplain buffer can improve resilience to flooding by accounting for future changes in the floodplain due to changing weather patterns (increased rainfall), increased development, or outdated mapping.

County regulations require sediment and erosion control practices comply with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control when development or forestry activities will result in clearing and grading. These practices prevent sediment and other pollutants from leaving a disturbed site and entering nearby water bodies during storm events. The requirements for sediment and erosion control should be reviewed to ensure they are adequate for changing precipitation patterns, especially short-duration, high-intensity storms.

EH-2 Policy Statement

Seek to integrate Integrate climate change mitigation and adaptation goals into all county programs and policies receiving county funds, including the Howard County Public School System.

Implementing Actions

1. Ensure- Accelerate implementation of the Howard County Climate Action Plan update continues to maximize opportunities to mitigate and adapt to climate change with clear goals and strategies and ensure that the programs and policies of each department and agency are aligned with the plan's goals and strategies.
2. Evaluate and enhance opportunities where needed for climate change mitigation and adaptation measures in the Subdivision and Land Development Regulations and Zoning Regulations, such as natural resource protection and the provision of renewable energy.
3. Enhance county design requirements for county infrastructure and public and private buildings, to ensure these structures will be resilient under projected future weather patterns and minimize resource consumption.
4. Review and update county Green Building requirements for opportunities to enhance the sustainability of public and private buildings.
5. Identify and ensure economically-vulnerable communities, businesses, and households have the resources necessary for mitigation and adaptation measures.
6. Accelerate inclusion of on-site renewable power generation on appropriate existing and new rooftops, canopies and covers.
7. Refuse permitting to expand or extend residential fossil fuel infrastructure on county land.



Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
GCF-1 - Provide limited and predictable Planned Service Area expansions.		
1. Planned Service Area expansions should include a development proposal that is consistent with the General Plan.	DPZ	Ongoing
2. Any Planned Service Area expansion shall establish a transition that is compatible with and enhances surrounding communities, and provides an environmental benefit.	DPZ	Ongoing
3. Any Planned Service Area expansion shall meet the criteria above.	DPZ	Ongoing
EH-1 - Continue to support the County's ecological health.		
1. Integrate the goals of protecting and restoring the County's ecological health when updating county programs and policies.	OCS DPZ DPW DRP HCHD	Mid-Term
2. Ensure adequate funding for programs and measures to protect and restore the County's ecological health.	OCS DRP DPW HSCD Elected	Ongoing
3. Create a dedicated funding source, as was done for the Agricultural Land Preservation Program, for environmental programs.	DPZ OCS Elected Officials OOB	Mid-Term
4. Establish a natural resource protection goal for the County and each major watershed to help protect biodiversity and mitigate climate change.	OCS DPZ	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EH-2 - Seek to integrate Integrate climate change mitigation and adaptation goals into all county programs and policies receiving county funds, including the Howard County Public School System.		
1. Ensure Accelerate implementation of the Howard County Climate Action Plan update continues to maximize opportunities to mitigate and adapt to climate change with clear goals and strategies <u>and ensure that the programs and policies of each department and agency are aligned with the plan's goals and strategies</u>	OCS	Mid-Term
2. Evaluate and enhance opportunities where needed for climate change mitigation and adaptation measures in the Subdivision and Land Development Regulations and Zoning Regulations, such as natural resource protection and the provision of renewable energy.	DPZ OCS	Ongoing
3. Enhance county design requirements for county infrastructure and public and private buildings, to ensure these structures will be resilient under projected future weather patterns and minimize resource consumption.	DPW DILP OCS DPZ Private Partners	Ongoing
4. Review and update county Green Building requirements for opportunities to enhance the sustainability of public and private buildings.	DILP DPW DPZ OCS Private Partners	Mid-Term
5. Identify and ensure economically-vulnerable communities, businesses, and households have the resources necessary for mitigation and adaptation measures.	DCRS OEM OHRE OCS DPW HCHD HCEDA	Ongoing
6. <u>Accelerate inclusion of on-site renewable power generation on appropriate existing and new rooftops, canopies and covers.</u>	DILP DPW DPZ OCS	Ongoing
7. <u>Refuse permitting to expand or extend residential fossil fuel infrastructure on county land.</u>	DILP DPW DPZ OCS	Ongoing