

**Amendment 1 to Amendment 105
to Council Bill No. 28-2023**

BY: Christiana Rigby

**Legislative Day 12
Date: October 11, 2023**

(This amendment adds a planning effort for the reuse of any quarry site that ceases operation during the planning horizon of HoCo By Design.)

1 Substitute page 1 of Amendment 105 with the attached page 1 to this Amendment to Amendment.

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3 Substitute the attached pages EP-61 and IMP-35 of Amendment 105 with the attached pages EP-61
4 and IMP-35 to this Amendment to Amendment.

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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, and adds a planning effort for the reuse of any quarry site that ceases operation during the planning horizon for HoCo By Design;
- Adds the Policy Statement and Implementing Action that were removed from Chapter 3 as a new EP-14 Policy Statement and Implementing Action, and adds a required exploration of future reuse of sites;
- 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, and adds a required exploration of future reuse of sites.)

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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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** For any activities that cease during the planning horizon for HoCo By Design, 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.
2. Explore opportunities for the future reuse of quarry sites.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EP-12 - Reduce regulatory barriers to diversified agricultural operations in both the Rural West and the East.		
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
EP-13 - Review transportation planning and road development and maintenance standards to reduce transportation barriers to farming.		
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
EP-14 - Continue to balance the potential for mineral resource extraction with other land uses.		
<u>1. Continue to allow mineral resource extraction as a conditional use in the Zoning Regulations in appropriate locations.</u>	DPZ	Ongoing
<u>2. Explore opportunities for the future reuse of quarry sites.</u>	DPZ	Mid-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
DN-1 - Increase opportunities for missing middle housing through the creation and use of zoning tools and incentives.		
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"> 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. b. Smaller lot sizes (lot width and lot area). c. Density-based tools such as transfer of development rights or density bonuses. d. Tax incentives for developers and/or land owners. e. Flexible development standards such as maximum building size or lot coverage. 	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