

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 7

(This amendment would:

- 1. remove the existing process option and require the owner of village center property to utilize the new process for redevelopment for all Major Village Center Redevelopments; and*
- 2. remove the existing process option for all Minor Village Center Redevelopments once village center boundaries are established.)*

On page 2, strike in their entirety lines 19 through 26, inclusive, and substitute:

“1. A PROPOSAL FOR A MAJOR VILLAGE CENTER REDEVELOPMENT IS NOT ELIGIBLE FOR CONSIDERATION UNDER THE PROCESS PROVIDED BY SUBSECTION B, C AND D OF THIS SECTION 125 AND SHALL BE FILED ONLY IN ACCORDANCE WITH THE PROCEDURES OF THIS SUBSECTION F. THE OWNER OF ANY PORTION OF A VILLAGE CENTER MAY PROPOSE A MAJOR VILLAGE CENTER REDEVELOPMENT BY FILING A PETITION TO AMEND AN APPROVED PRELIMINARY DEVELOPMENT PLAN, COMPREHENSIVE SKETCH PLAN, OR FINAL DEVELOPMENT PLAN FOR THE OWNER’S PROPERTY IN THE VILLAGE CENTER. THE OWNER (“PETITIONER”) MAY PROPOSE AMENDMENTS TO ALLOW ANY USE OR DENSITY, SUBJECT TO THE FOLLOWING LIMITATIONS:”.

On pages 9 and 10, strike in their entirety the lines beginning with line 3 on page 9 through line 30 on page 10, inclusive, and substitute:

“ 1. FOR A MINOR VILLAGE CENTER REDEVELOPMENT, IF THE VILLAGE CENTER BOUNDARIES HAVE NOT BEEN ESTABLISHED BY THE ZONING BOARD IN A MAJOR VILLAGE CENTER REDEVELOPMENT OR BY THE COUNTY COUNCIL IN A GENERAL PLAN AMENDMENT, THEN THE PROPERTY OWNER MAY DEVELOP USING THE PROVISIONS OF SUBSECTION C, D OR E, AS APPROPRIATE, OF THIS SECTION.

2. FOR A MINOR VILLAGE CENTER REDEVELOPMENT, IF THE VILLAGE CENTER BOUNDARIES HAVE BEEN ESTABLISHED BY THE ZONING BOARD OR THE COUNTY COUNCIL, THEN A

1 VILLAGE CENTER PROPERTY OWNER SHALL COMPLY WITH SECTION 125 C,D OR E. IF
2 PLANNING BOARD APPROVAL IS REQUIRED , THEN THE PETITIONER SHALL ALSO COMPLY
3 WITH THE FOLLOWING PROVISIONS:
4

5 A. THE PETITIONER IS REQUIRED TO HOLD A PRE-SUBMISSION COMMUNITY MEETING IN
6 ACCORDANCE WITH HOWARD COUNTY CODE SECTION 16.128. IN ADDITION TO THE
7 WRITTEN NOTICE REQUIREMENTS OF HOWARD COUNTY SECTION 16.128(C), THE
8 PETITIONER SHALL ALSO NOTIFY IN WRITING:
9

10 (1) ALL PROPERTY OWNERS IDENTIFIED IN THE RECORDS OF THE STATE
11 DEPARTMENT OF ASSESSMENTS AND TAXATION OF PROPERTIES WITHIN THE
12 GEOGRAPHIC BOUNDARIES OF THE VILLAGE CENTER AS PREVIOUSLY
13 ESTABLISHED; AND
14

15 (2) THE BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION (THE "VILLAGE
16 BOARD") OF ALL VILLAGE CENTERS.
17

18 B. SUBSEQUENT TO THE PRE-SUBMISSION COMMUNITY MEETING AND PRIOR TO FILING THE
19 PETITION, THE PETITIONER SHALL PRESENT THE CONCEPT PLAN AND THE DESIGN
20 GUIDELINES TO THE DESIGN ADVISORY PANEL FOR EVALUATION IN ACCORDANCE WITH
21 THE PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE COUNTY CODE. THE
22 DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE FORWARDED TO THE
23 PLANNING BOARD FOR THEIR CONSIDERATION OF THE MINOR VILLAGE CENTER
24 REDEVELOPMENT.
25

26 C. WITHIN TWO DAYS AFTER ITS ACCEPTANCE OF A PETITION FOR A MINOR VILLAGE CENTER
27 REDEVELOPMENT, THE DEPARTMENT OF PLANNING AND ZONING SHALL SEND A NOTICE
28 TO THE VILLAGE BOARD OF THE VILLAGE IN WHICH THE VILLAGE CENTER PETITIONING
29 FOR REDEVELOPMENT IS LOCATED. THE NOTICE SHALL REQUEST THAT THE VILLAGE
30 BOARD SUBMIT A COMMUNITY RESPONSE STATEMENT OUTLINING ITS COMMENTS ON
31 THE REDEVELOPMENT PROPOSAL. THE NOTICE SHALL DIRECT THE VILLAGE BOARD TO:

1
2 (1) PROVIDE ITS RESPONSES TO THE SECTION 125.F.3.A.(6) CRITERIA;

3
4 (2) ADDRESS ITS COMMENTS IN TERMS OF ANY OTHER SPECIFIC APPROVAL CRITERIA
5 THE VILLAGE BOARD RECOMMENDS BE CONSIDERED BY THE PLANNING BOARD
6 IN ITS DECISION ON THE MINOR VILLAGE CENTER REDEVELOPMENT; AND

7
8 (3) PROVIDE A RESPONSE REGARDING:

9
10 (A) PLANNING AND DESIGN CONCEPTS, INCLUDING BUT NOT LIMITED TO HOW
11 IT FITS INTO THE SURROUNDING AREA;

12
13 (B) WHETHER THE PETITION IS IN HARMONY WITH A VILLAGE CENTER
14 COMMUNITY PLAN, IF ONE EXISTS;

15
16 (C) MINIMA, MAXIMA, PRECISE VALUES, AND SPECIFIC REQUIREMENTS
17 CONCERNING, BUT NOT LIMITED TO, VILLAGE CENTER AMENITY AREAS,
18 BUILDING HEIGHTS, BULK REQUIREMENTS, PARKING, DENSITY, AND
19 PERMITTED USES; AND

20
21 (D) WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL REVIEW AS
22 DESIGNATED IN THE VILLAGE COVENANTS.

23
24 D. IF THE COMMUNITY RESPONSE STATEMENT IS SUBMITTED TO THE DEPARTMENT OF
25 PLANNING AND ZONING WITHIN 45 DAYS AFTER THE DATE OF THE NOTICE, THE
26 COMMUNITY RESPONSE STATEMENT SHALL BE CONSIDERED BY THE DEPARTMENT AS
27 THE TECHNICAL STAFF REPORT IS BEING PREPARED. A SUBMITTED COMMUNITY
28 RESPONSE STATEMENT BECOMES PART OF THE PUBLIC RECORD FOR THE MINOR VILLAGE
29 CENTER REDEVELOPMENT CASE, AND WILL BE FORWARDED TO THE PLANNING BOARD
30 PRIOR TO ITS INITIAL MEETING OR HEARING ON THE CASE.”.

31 Renumber the remainder of the section accordingly.