

Introduced June 1, 2009
Public hearing June 15, 2009, July 20, 2009
Council action Sept 1, 2009
Executive action Sept 4, 2009
Effective date Nov 5, 2009

County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # 7

BILL NO. 29-2009 (ZRA - 102)

**Introduced by: The Chair
at the request of the Wilde Lake Business Trust**

AN ACT amending the Howard County Zoning Regulations to allow the owner of any portion of a Village Center in the New Town zoning district to petition to amend certain approved development plans for the owner's property; establishing public notice, information, and justification requirements for such petitions; establishing standards to be used by the Zoning Board in evaluating and considering such petitions; and generally relating to the New Town zoning district.

Introduced and read first time June 1, 2009. Ordered posted and hearing scheduled.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on June 15, 2009 and concluded on July 20, 2009.

Tabled July 6, 2009
Extend life 30 days and
re-tabled July 30, 2009

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time Sept 1, 2009 and Passed ✓, Passed with amendments ✓, Failed ✓.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 2 day of September, 2009 at 2 p.m.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Approved vetoed by the County Executive on September 4, 2009.

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.
Strikethrough indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be it enacted by the County Council of Howard County, Maryland, that new*
2 *Numbers 168 through ~~170~~ 171 172, of Subsection A, of Section 103 "Definitions", and new*
3 *Subsections F "Village Center Redevelopment, Major" and Subsection G "Village Center*
4 *Redevelopment, Minor" of Section 125 "NT (New Town) District", are hereby added to the*
5 *Howard County Zoning Regulations, to read as follows:*

Howard County Zoning Regulations

SECTION 103: Definitions

12 168. VILLAGE CENTER, NEW TOWN AMENITY AREA – A USABLE OUTDOOR LANDSCAPED
13 AREA SUCH AS A PLAZA, COURTYARD, GARDEN OR SIMILAR AREA WHICH IS DESIGNED TO
14 BE OPEN TO THE PUBLIC AND EASILY ACCESSIBLE.

16 ~~168~~ 169. VILLAGE CENTER COMMUNITY PLAN – AN ADVISORY PLAN WHICH HAS BEEN
17 DEVELOPED BY THE COMMUNITY AND ENDORSED BY THE VILLAGE BOARD.

19 ~~168~~ ~~169~~ 170. VILLAGE CENTER, NEW TOWN – A MIXED-USE DEVELOPMENT IN THE NEW
20 TOWN DISTRICT WHICH IS IN A LOCATION DESIGNATED ON THE NEW TOWN
21 PRELIMINARY DEVELOPMENT PLAN AS A "VILLAGE CENTER", WHICH IS DESIGNED TO BE
22 A COMMUNITY FOCAL POINT AND GATHERING PLACE FOR THE SURROUNDING VILLAGE
23 NEIGHBORHOODS BY INCLUDING THE FOLLOWING ITEMS:

25 A. AN OUTDOOR, PUBLIC, VILLAGE GREEN, PLAZA OR SQUARE, WHICH HAS BOTH
26 HARDSCAPE AND SOFTSCAPE ELEMENTS. THIS PUBLIC SPACE SHALL BE
27 DESIGNED TO FUNCTION AS AN ACCESSIBLE, PRIMARILY PEDESTRIAN-ORIENTED
28 PROMENADE CONNECTING THE VARIOUS VILLAGE CENTER BUILDINGS AND
29 SHALL INCLUDE PUBLIC SEATING FEATURES;

31 B. STORES, SHOPS, OFFICES OR OTHER COMMERCIAL USES WHICH PROVIDE
32 OPPORTUNITIES TO FULFILL THE DAY-TO-DAY NEEDS OF THE VILLAGE
33 RESIDENTS, SUCH AS FOOD STORES, SPECIALTY STORES, SERVICE AGENCIES,

1 FINANCIAL INSTITUTIONS, PERSONAL SERVICES, MEDICAL SERVICES, AND
2 RESTAURANTS;

3
4 C. SPACE FOR COMMUNITY USES AND/OR INSTITUTIONAL USES; AND

5
6 ~~D. IF APPROPRIATE TO SUPPORT AND ENHANCE OTHER USES IN THE VILLAGE~~
7 ~~CENTER, RESIDENTIAL USES.~~

8
9 D. RESIDENTIAL USES, TO THE EXTENT APPROPRIATE TO SUPPORT AND
10 ENHANCE, BUT NOT OVERWHELM, OTHER USES IN THE VILLAGE CENTER.

11
12 ~~169 170~~ 171. VILLAGE CENTER REDEVELOPMENT, MAJOR - A REDEVELOPMENT OF A NEW
13 TOWN VILLAGE CENTER THAT INCLUDES ANY PROPOSAL TO ADD RESIDENTIAL USES, OR
14 ~~TO ESTABLISH NEW USES THAT ARE NOT CURRENTLY PERMITTED;~~ MAKE A CHANGE IN
15 THE PERMITTED LAND USE CATEGORIES SET FORTH IN THE CHART CONTAINED IN
16 SECTION 125.A.8 OF THE REGULATIONS. WITHIN THE BOUNDARIES OF A NEW TOWN
17 VILLAGE CENTER, FOR WHICH AN AMENDMENT TO THE NEW TOWN PRELIMINARY
18 DEVELOPMENT PLAN IS REQUIRED IN ACCORDANCE WITH SECTION 125.F.

19
20 ~~170 171~~ 172. VILLAGE CENTER REDEVELOPMENT, MINOR - A REDEVELOPMENT OF A NEW
21 TOWN VILLAGE CENTER WHICH IS NOT A MAJOR VILLAGE CENTER REDEVELOPMENT, IN
22 ACCORDANCE WITH SECTION 125.G., AND WHICH REQUIRES APPROVAL IN ACCORDANCE
23 WITH SECTIONS 125.C., 125.D., OR 125.E. AS APPROPRIATE.

24
25
26 **SECTION 125: NT (New Town) Districts**

27
28
29 F. VILLAGE CENTER REDEVELOPMENT, MAJOR

30
31 ~~1. ANY PROPERTY OWNER OF ANY PORTION OF A VILLAGE CENTER MAY PETITION TO~~
32 ~~AMEND AN APPROVED PRELIMINARY DEVELOPMENT PLAN, COMPREHENSIVE SKETCH~~
33 ~~PLAN, FINAL DEVELOPMENT PLAN AND/OR SITE DEVELOPMENT PLAN IN ACCORDANCE~~

1 WITH THIS SECTION, FOR THAT PORTION OF LAND WHICH THEY OWN. THE OWNER
2 ("PETITIONER") MAY PROPOSE AMENDMENTS TO THE APPROVED PRELIMINARY
3 DEVELOPMENT PLAN, COMPREHENSIVE SKETCH PLAN, FINAL DEVELOPMENT PLAN AND
4 SITE DEVELOPMENT PLAN TO ALLOW ANY USE OR DENSITY, SUBJECT TO THE FOLLOWING
5 LIMITATIONS:

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

16
17 A. THE AMENDMENT SHALL COMPLY WITH SECTION 125.A.5.A. CONCERNING M-2
18 AND R-MH USES;

19
20 B. USES NOT CURRENTLY PERMITTED BY THE ZONING REGULATIONS ARE
21 PROHIBITED; AND

22
23 C. THE AMENDMENT SHALL COMPLY WITH SECTION 125.A.4. CONCERNING THE
24 MAXIMUM RESIDENTIAL DENSITY OF 2.5 DWELLING UNITS PER ACRE IN THE NT
25 DISTRICT; AND

26
27 D. ANY MAJOR VILLAGE CENTER MIXED-USE REDEVELOPMENT SHALL BE
28 CONSIDERED TO BE A "COMMERCIAL" USE IN THE CHART CONTAINED IN SECTION
29 125A.8. OF THE REGULATIONS FOR PURPOSES OF CALCULATING COMPLIANCE
30 WITH THE CHART'S REQUIREMENTS AS TO THE MINIMUM AND MAXIMUM
31 PERCENTAGE OF "COMMERCIAL" IN THE TOTAL AREA OF THE NEW TOWN
32 DISTRICT. THE VILLAGE CENTER REDEVELOPMENT SHALL NOT RESULT IN A NET
33 LOSS OF OPEN SPACE.

1
2 2. VILLAGE CENTER COMMUNITY PLANNING PROCESS
3

4 A. NOTICE OF INTENT TO DEVELOP - AT LEAST 60 DAYS PRIOR TO THE REQUIRED
5 INITIAL PRE-SUBMISSION MEETING, THE PETITIONER SHALL DELIVER TO THE
6 BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION (THE "VILLAGE
7 BOARD") OF SAID VILLAGE CENTER AND THE DEPARTMENT OF PLANNING AND
8 ZONING A NOTICE OF INTENT TO DEVELOP.
9

10 B. VILLAGE CENTER COMMUNITY PLAN - WITHIN THE ENSUING 60 DAY PERIOD
11 FROM THE NOTICE OF INTENT TO DEVELOP, THE VILLAGE BOARD MAY CREATE OR
12 UPDATE A VILLAGE CENTER COMMUNITY PLAN, AS FOLLOWS :
13

14 (1.) A VILLAGE CENTER COMMUNITY PLAN MAY INCLUDE BUT IS NOT
15 LIMITED TO:
16

- 17 A. THE BOUNDARIES OF THE VILLAGE CENTER ;
18 B. PLANNING AND DESIGN CONCEPTS;
19 C. MINIMA, MAXIMA, PRECISE VALUES, AND SPECIFIC REQUIREMENTS
20 CONCERNING, BUT NOT LIMITED TO, VILLAGE CENTER AMENITY
21 AREAS, BUILDING HEIGHTS, BULK REQUIREMENTS, PARKING,
22 DENSITY, AND PERMITTED USES;
23 D. WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL REVIEW AS
24 DESIGNATED IN THE VILLAGE COVENANTS; AND
25 E. IDENTIFICATION OF ANY HISTORICAL OR SIGNATURE ASPECTS OF THE
26 VILLAGE CENTER.
27

28 (2.) THE VILLAGE BOARD MAY REQUEST ASSISTANCE FROM HOWARD COUNTY
29 GOVERNMENT .
30

31 (3.) A VILLAGE CENTER COMMUNITY PLAN MAY BE SUBMITTED TO THE
32 DEPARTMENT OF PLANNING AND ZONING AND, IF SUBMITTED, IS AVAILABLE

1 TO THE PUBLIC IN ACCORDANCE WITH THE MARYLAND PUBLIC
2 INFORMATION ACT.

3
4 (C.) VILLAGE CENTER CONCEPT PLANNING WORKSHOP - AT LEAST ONE WEEK AFTER
5 THE NOTICE OF INTENT TO DEVELOP AND AT LEAST 30 DAYS BEFORE THE FIRST
6 PRE-SUBMISSION COMMUNITY MEETING, THE PETITIONER SHALL INITIATE AND
7 PARTICIPATE IN A VILLAGE CENTER CONCEPT PLANNING WORKSHOP, AS
8 FOLLOWS:

9
10 (1.) THE WORKSHOP WILL BE HELD IN ACCORDANCE WITH THE PROCEDURAL AND
11 NOTICE PROVISIONS OF HOWARD COUNTY CODE SECTION 16.128; AND

12
13 (2.) THE PURPOSE OF THE VILLAGE CENTER CONCEPT PLANNING WORKSHOP IS TO
14 FACILITATE A COLLABORATIVE PLANNING DISCUSSION WHICH MAY INCLUDE
15 BUT NOT BE LIMITED TO THE FOLLOWING:

- 16
17 A. VILLAGE CENTER BOUNDARIES;
18 B. ANY COMMUNITY REDEVELOPMENT VISIONS OR EXISTING VILLAGE
19 CENTER COMMUNITY PLANS;
20 C. PLANNING AND DESIGN CONCEPTS; AND
21 D. APPROPRIATE USES.
22

23 (D) THE RESULTS OF THE WORKSHOP SHOULD BE USED BY THE PETITIONER TO CREATE
24 THE CONCEPT PLAN AND BY THE VILLAGE BOARD TO CREATE OR UPDATE ITS
25 VILLAGE CENTER COMMUNITY PLAN.

26
27 (E) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO PRECLUDE A VILLAGE
28 BOARD FROM ADOPTING A VILLAGE CENTER COMMUNITY PLAN PRIOR TO THE
29 FILING OF A NOTICE OF INTENT TO DEVELOP.
30

1 2 3. PRE-SUBMISSION COMMUNITY MEETINGS AND REQUESTS FOR
2 COMMUNITY RESPONSE STATEMENTS
3

4 A. PRIOR TO PETITIONING TO AMEND THE PRELIMINARY DEVELOPMENT PLAN, THE
5 PETITIONER IS REQUIRED TO HOLD A PRE-SUBMISSION COMMUNITY MEETING IN
6 ACCORDANCE WITH HOWARD COUNTY CODE SECTION 16.128. IN ADDITION TO
7 THE WRITTEN NOTICE REQUIREMENTS OF HOWARD COUNTY SECTION 16.128(C),
8 THE 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
12 THE GEOGRAPHIC BOUNDARIES OF THE VILLAGE CENTER AS PROPOSED
13 BY THE PETITIONER; AND
14

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

18 ALTHOUGH SECTION 16.205 ORDINARILY REQUIRES ONLY ONE PRE-SUBMISSION
19 COMMUNITY MEETING, A PETITIONER FOR A MAJOR VILLAGE CENTER
20 REDEVELOPMENT PROPOSAL IS REQUIRED TO HOLD A MINIMUM OF TWO SUCH
21 MEETINGS, THE SECOND OF WHICH SHALL BE HELD AT LEAST 30 DAYS AFTER THE
22 INITIAL MEETING, ALLOWING THE PETITIONER TO ADDRESS ANY CONCERNS OR
23 SUGGESTIONS EXPRESSED AT THE INITIAL MEETING.
24

25 SUBSEQUENT TO THE FIRST PRE-SUBMISSION COMMUNITY MEETING AND PRIOR
26 TO FILING THE PETITION, THE PETITIONER SHALL PRESENT THE CONCEPT PLAN
27 AND PROPOSED DESIGN GUIDELINES TO THE DESIGN ADVISORY PANEL FOR
28 EVALUATION IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION
29 16.1500 OF THE COUNTY CODE. THE DESIGN ADVISORY PANEL
30 RECOMMENDATIONS SHALL BE FORWARDED TO THE PLANNING BOARD AND THE
31 ZONING BOARD FOR THEIR CONSIDERATION OF THE MAJOR VILLAGE CENTER
32 REDEVELOPMENT.
33

1 B. WITHIN TWO DAYS AFTER ITS ACCEPTANCE OF A PETITION FOR A MAJOR VILLAGE
2 CENTER REDEVELOPMENT, THE DEPARTMENT OF PLANNING AND ZONING SHALL
3 SEND A NOTICE TO THE VILLAGE BOARD OF THE VILLAGE IN WHICH THE VILLAGE
4 CENTER PETITIONING FOR REDEVELOPMENT IS LOCATED. THE NOTICE SHALL
5 REQUEST THAT THE VILLAGE BOARD SUBMIT A COMMUNITY RESPONSE
6 STATEMENT OUTLINING ITS COMMENTS ON THE REDEVELOPMENT PROPOSAL.
7 THE NOTICE SHALL DIRECT THE VILLAGE BOARD TO:

8
9 ~~(1) ADDRESS ITS COMMENTS IN TERMS OF ANY SPECIFIC APPROVAL~~
10 ~~CRITERIA THE VILLAGE BOARD RECOMMENDS BE INCLUDED BY THE~~
11 ~~ZONING BOARD IN ITS DECISION ON THE MAJOR VILLAGE CENTER~~
12 ~~REDEVELOPMENT; AND~~

13
14 ~~(2) PROVIDE ITS RESPONSES TO THE SECTION 125.F.3.A.(6) CRITERIA:~~

15
16 (1) PROVIDE ITS RESPONSES TO THE SECTION 125.F.4.A.(8) CRITERIA:

17
18 (2) ADDRESS ITS COMMENTS IN TERMS OF ANY OTHER SPECIFIC APPROVAL
19 CRITERIA THE VILLAGE BOARD RECOMMENDS BE CONSIDERED BY THE
20 ZONING BOARD IN ITS DECISION ON THE MAJOR VILLAGE CENTER
21 REDEVELOPMENT; AND

22
23 (3) PROVIDE A RESPONSE REGARDING:

24 (A) THE BOUNDARY OF THE VILLAGE CENTER PROPOSED BY THE
25 PETITIONER;

26 (B) PLANNING AND DESIGN CONCEPTS, INCLUDING BUT NOT LIMITED TO
27 HOW IT FITS INTO THE SURROUNDING AREA;

28 (C) WHETHER THE PETITION IS IN HARMONY WITH A VILLAGE CENTER
29 COMMUNITY PLAN, IF ONE EXISTS;

30 (D) MINIMA, MAXIMA, PRECISE VALUES, AND/OR SPECIFIC
31 REQUIREMENTS CONCERNING, BUT NOT LIMITED TO, VILLAGE
32 CENTER AMENITY AREAS, BUILDING HEIGHTS, BULK REQUIREMENTS,
33 PARKING, DENSITY, AND/OR PERMITTED USES; AND

1 (E) WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL REVIEW AS
2 DESIGNATED IN THE VILLAGE COVENANTS.

3
4 ~~C. TO BE ELIGIBLE TO HAVE ITS COMMENTS ADDRESSED IN THE TECHNICAL STAFF~~
5 ~~REPORT ON THE MAJOR VILLAGE CENTER REDEVELOPMENT, THE VILLAGE~~
6 ~~BOARD SHALL SUBMIT ITS COMMUNITY RESPONSE STATEMENT TO THE~~
7 ~~DEPARTMENT OF PLANNING AND ZONING NO LATER THAN 45 DAYS AFTER THE~~
8 ~~DATE OF THE NOTICE. C. IF THE COMMUNITY RESPONSE STATEMENT IS~~
9 ~~SUBMITTED TO THE DEPARTMENT OF PLANNING AND ZONING WITHIN 45 DAYS~~
10 ~~AFTER THE DATE OF THE NOTICE, THE COMMUNITY RESPONSE STATEMENT SHALL~~
11 ~~BE CONSIDERED BY THE DEPARTMENT AS THE TECHNICAL STAFF REPORT IS~~
12 ~~BEING PREPARED. A SUBMITTED COMMUNITY RESPONSE STATEMENT BECOMES~~
13 ~~PART OF THE PUBLIC RECORD FOR THE MAJOR VILLAGE CENTER~~
14 ~~REDEVELOPMENT CASE, AND WILL BE FORWARDED TO THE PLANNING BOARD~~
15 ~~PRIOR TO ITS INITIAL MEETING ON THE ZONING BOARD CASE.~~

16
17 ~~3~~ 4. PETITION INFORMATION

18
19 A. THE PETITION FOR AMENDMENT OF THE PRELIMINARY DEVELOPMENT PLAN
20 SHALL BE TO THE ZONING BOARD AND SHALL CONTAIN THE FOLLOWING INFORMATION:

21
22 (1) THE INFORMATION SET FORTH IN HOWARD COUNTY ZONING
23 REGULATIONS SECTIONS 125.B.1.A, B AND C AND 125.B.2.

24
25 (2) A GENERAL DESCRIPTION OF THE GEOGRAPHIC BOUNDARIES, AS
26 PROPOSED BY THE PETITIONER, OF THE VILLAGE CENTER WHICH IS THE SUBJECT MATTER OF THE
27 PETITION.

28
29 (3) A COPY OF ANY COVENANTS AND/OR DEED RESTRICTIONS OF RECORD.

30
31 (3 4) A DESCRIPTION OF THE VILLAGE CENTER INCLUDING, THE NAMES OF ALL
32 PROPERTY OWNERS WITHIN THE VILLAGE CENTER, THE EXISTING BUILDINGS AND USES WITHIN THE
33 VILLAGE CENTER, AND THE PROPOSED BUILDINGS AND USES.
34

1 (4 5) A CONCEPT PLAN THAT SETS FORTH AN INFORMATIVE, CONCEPTUAL
2 AND SCHEMATIC REPRESENTATION OF THE PROPOSED REDEVELOPMENT IN A SIMPLE, CLEAR AND LEGIBLE
3 MANNER THAT PROVIDES INFORMATION INCLUDING, BUT NOT LIMITED TO THE GENERAL SITE LAYOUT,
4 PROPOSED BUILDING TYPES AND USES, PROPOSED NUMBER OF DWELLING UNITS, SQUARE FOOTAGE FOR
5 NON-RESIDENTIAL PROJECTS, PARKING AND TRAFFIC, ~~PEDESTRIAN~~ PEDESTRIAN/BICYCLE CIRCULATION,
6 ~~PROPOSED OPEN SPACE~~ VILLAGE CENTER AMENITY AREA(S), EXTERIOR LIGHTING AND PUBLIC
7 TRANSPORTATION OPPORTUNITIES, GENERAL LOCATION AND SIZE OF SIGNAGE, LANDSCAPE CONCEPT,
8 ANY SIGNIFICANT CHANGES TO TOPOGRAPHY AND SURFACE DRAINAGE, AND THE GENERAL LOCATION OF
9 NATURAL FEATURES. IN ADDITION, THE CONCEPT PLAN SHALL ALSO COMPLY WITH THE PLAN
10 INFORMATION REQUIREMENTS SPECIFIED IN SECTION 100.G.2.A OF THE ZONING REGULATIONS.

11
12 (5 6) PROPOSED DESIGN GUIDELINES WHICH WILL BE IMPOSED UPON THE
13 MAJOR VILLAGE CENTER REDEVELOPMENT AND VILLAGE CENTER; ~~AND~~

14
15 (6 7) COMMENT ON WHETHER THE PROPOSED REDEVELOPMENT IS IN HARMONY
16 WITH THE VILLAGE CENTER COMMUNITY PLAN; AND

17
18 (6 7 8) A JUSTIFICATION STATEMENT WHICH IDENTIFIES THE IMPACTS OF THE
19 PROPOSED MAJOR VILLAGE CENTER REDEVELOPMENT ON THE NATURE AND PURPOSE OF THE VILLAGE
20 CENTER AND ITS RELATION TO THE SURROUNDING COMMUNITY. THE JUSTIFICATION STATEMENT SHALL
21 ~~ADDRESS~~ DEMONSTRATE HOW THE VILLAGE CENTER REDEVELOPMENT MEETS THE FOLLOWING
22 CRITERIA:

23
24 A. THE MAJOR VILLAGE CENTER REDEVELOPMENT WILL FOSTER ORDERLY GROWTH
25 AND PROMOTE THE PURPOSES OF THE VILLAGE CENTER IN ACCORDANCE WITH
26 THE PLANNED CHARACTER OF THE NT DISTRICT;

27
28 B. THE AMOUNT OF COMMERCIAL BUSINESS FLOOR AREA CONTAINED IN THE
29 VILLAGE CENTER REDEVELOPMENT IS APPROPRIATE TO PROVIDE RETAIL AND
30 COMMERCIAL SERVICE TO THE VILLAGE CENTER AS A LOCATION FOR
31 CONVENIENT, DIVERSE COMMERCIAL BUSINESS USES WHICH SERVE THE LOCAL
32 NEIGHBORHOODS OF THE VILLAGE AND SURROUNDING LOCAL COMMUNITY;

33

1 C. THE MAJOR VILLAGE CENTER REDEVELOPMENT WILL FOSTER THE PURPOSE OF A
2 VILLAGE CENTER AS A COMMUNITY FOCAL POINT PROVIDING GOOD
3 OPPORTUNITIES FOR COMMUNITY INTERACTION AND COMMUNICATION;
4

5 D. THE LOCATIONS AND THE RELATIVE PROPORTIONS OF THE PERMITTED USES FOR
6 COMMERCIAL BUSINESSES, DWELLINGS, AND OPEN SPACE USES, AND THE
7 PROJECT DESIGN WILL ENHANCE THE EXISTING DEVELOPMENT SURROUNDING
8 THE MAJOR VILLAGE CENTER REDEVELOPMENT;
9

10 E. THE MAJOR VILLAGE CENTER REDEVELOPMENT PROVIDES ACCESSIBLE USEABLE
11 LANDSCAPED AREAS SUCH AS COURTYARDS, PLAZAS OR SQUARES;
12

13 F. THE MAJOR VILLAGE CENTER REDEVELOPMENT IS COMPLIANT WITH ALL
14 APPLICABLE ENVIRONMENTAL POLICIES AND REQUIREMENTS, AND PROVIDES
15 NEW ENVIRONMENTAL IMPROVEMENTS TO THE REDEVELOPMENT AREA
16 THROUGH THE USE OF METHODS SUCH AS, BUT NOT LIMITED TO, GREEN
17 BUILDING STANDARDS, WATER CONSERVATION, NATURAL DRAINAGE SYSTEMS,
18 THE PLANTING OF NATIVE VEGETATION, THE REMOVAL OF EXISTING INVASIVE
19 PLANTS, THE IMPROVEMENT OF STORMWATER DEFICIENCIES, AND FOLLOWING
20 LOW IMPACT DEVELOPMENT PRACTICES;
21

22 G. THE MAJOR VILLAGE CENTER REDEVELOPMENT FOSTERS PEDESTRIAN AND
23 BICYCLE ACCESS; AND
24

25 H. PUBLIC TRANSIT OPPORTUNITIES ARE APPROPRIATELY INCORPORATED INTO THE
26 ~~DEVELOPMENT~~ VILLAGE CENTER REDEVELOPMENT;

27
28 I. THE VILLAGE CENTER REDEVELOPMENT IS COMPATIBLE WITH THE
29 SURROUNDING COMMUNITY; AND
30

31 I J. THE VILLAGE CENTER WILL CONTINUE TO MEET THE DEFINITION OF A NEW OWN
32 VILLAGE CENTER.
33

34 4 5. ZONING BOARD ACTION

- 1 A. IN ITS EVALUATION OF THE PROPOSED MAJOR VILLAGE CENTER REDEVELOPMENT, THE
2 ZONING BOARD SHALL MAKE FINDINGS ON THE FOLLOWING:
3
- 4 1. WHETHER THE PETITION COMPLIES WITH THE APPLICABLE GENERAL GUIDES AND
5 STANDARDS SET FORTH IN HOWARD COUNTY ZONING REGULATIONS SECTION
6 125.B.3;
7
- 8 2. WHETHER THE PROPOSED MAJOR VILLAGE CENTER REDEVELOPMENT COMPLIES
9 WITH THE SPECIFIC DEFINITION FOR A NEW TOWN VILLAGE CENTER;
10
- 11 3. WHETHER THE PETITION COMPLIES WITH THE MAJOR VILLAGE CENTER
12 REDEVELOPMENT CRITERIA IN SECTION 125.F.4.A.(8); AND
13
- 14 4. REGARDLESS OF THE ZONING BOARD'S FINDINGS ON SUBSECTIONS 4.A.1
15 THROUGH 3 ABOVE, WHETHER THE PETITIONER'S ~~PROPOSED PROPERTY IS WITHIN~~
16 THE APPROPRIATE BOUNDARIES OF THE NEW TOWN VILLAGE CENTER, ~~OR SOME~~
17 ~~OTHER PROPOSED BOUNDARIES, ARE THE APPROPRIATE BOUNDARIES FOR THE~~
18 ~~VILLAGE CENTER.~~
19
- 20 B. REGARDLESS OF WHETHER THE ZONING BOARD CONDITIONALLY APPROVES OR DENIES
21 THE PETITION, IT SHALL MAKE A DECISION ON THE VILLAGE CENTER BOUNDARIES.
22
- 23 C. THE PETITION SHALL BE GRANTED ONLY IF THE ZONING BOARD FINDS THAT THE
24 PETITION COMPLIES WITH THESE REGULATIONS AND THAT THE AMENDMENT TO THE
25 PRELIMINARY DEVELOPMENT PLAN SHALL BE PERMITTED AT THE PROPOSED SITE.
26
- 27 D. IF THE ZONING BOARD APPROVES THE PETITION, THE DECISION AND ORDER OF THE
28 ZONING BOARD SHALL:
29
- 30 1. APPROVE ~~THE~~ DESIGN GUIDELINES FOR THE VILLAGE CENTER;
31
- 32 2. APPROVE ~~THE~~ A CONCEPT PLAN; ~~AND~~
33

1 3. ESTABLISH MINIMA, MAXIMA, PRECISE VALUES ~~OR AND~~ SPECIFIC REQUIREMENTS
2 ~~CONCERNING AMENITY AREAS, BUILDING HEIGHT(S); CONCERNING, BUT NOT~~
3 ~~LIMITED TO, VILLAGE CENTER AMENITY AREAS, BUILDING HEIGHTS, BULK~~
4 ~~REQUIREMENTS, PARKING, DENSITY AND PERMITTED USES-; AND~~
5

6 4 ESTABLISH THE VILLAGE CENTER BOUNDARIES.
7

8 E. IN THE DECISION AND ORDER, THE ZONING BOARD MAY MAKE ANY AMENDMENTS OR
9 MODIFICATIONS TO THE PROPOSED BOUNDARIES OF THE VILLAGE CENTER, THE
10 PROPOSED DESIGN GUIDELINES AND THE PROPOSED CONCEPT PLAN AND MAY ESTABLISH
11 ANY OTHER CRITERIA WHICH IT DEEMS TO BE APPROPRIATE. ALL LATER APPROVALS AND
12 DECISIONS FOR THE PROPERTIES INCLUDED IN THE CONCEPT PLAN ARE BOUND BY AND
13 MUST BE CONSISTENT WITH THE DECISION AND ORDER OF THE ZONING BOARD.
14

15 F. IF THE PETITION IS GRANTED, REPRODUCIBLE COPIES OF ALL APPROVED PLANS, AND
16 COPIES OF ALL APPROVED SUPPORTING DOCUMENTS SUCH AS ANY DEVELOPMENT
17 GUIDELINES AND STANDARDS AND THE DESIGN GUIDELINES, SHALL BE CERTIFIED AS
18 APPROVED BY THE ZONING BOARD AND VERIFIED COPIES OF THE SAME SHALL BE
19 FORWARDED TO THE DEPARTMENT OF PLANNING AND ZONING , THE VILLAGE BOARD,
20 AND THE PETITIONER. ALL PARTIES NOTIFIED PURSUANT TO SECTION 125.F.2, AND ANY
21 OTHER PROPERTY OWNER WITHIN THE BOUNDARIES DECIDED BY THE ZONING BOARD,
22 SHALL BE PROVIDED WITH NOTICE OF THE ZONING BOARD'S DECISION.
23

24 G. IF THE ZONING BOARD DENIES THE PETITION, IT MAY MAKE A DECISION ON THE VILLAGE
25 CENTER BOUNDARIES.
26

27 § 6. IF THE AMENDMENT ~~OF TO~~ THE PRELIMINARY DEVELOPMENT PLAN IS APPROVED BY THE ZONING
28 BOARD, THEN THE PETITIONER IS AUTHORIZED TO SUBMIT THE AMENDMENTS TO THE
29 COMPREHENSIVE SKETCH PLAN AND FINAL DEVELOPMENT PLAN IN ACCORDANCE WITH
30 HOWARD COUNTY ZONING REGULATIONS SECTION 125.C. ~~HOWEVER, PRIOR TO THE SUBMITTAL~~
31 ~~OF THE COMPREHENSIVE SKETCH PLAN TO THE PLANNING BOARD, THE PETITIONER SHALL~~
32 ~~PRESENT A SKETCH PLAN OR ITS EQUIVALENT TO THE DESIGN ADVISORY PANEL FOR ITS~~
33 ~~EVALUATION IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE~~
34 ~~COUNTY CODE. THE DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE FORWARDED TO~~

1 ~~THE PLANNING BOARD FOR ITS CONSIDERATION OF THE COMPREHENSIVE SKETCH PLAN FOR THE~~
2 ~~MAJOR VILLAGE CENTER REDEVELOPMENT AND THE ASSOCIATED SUBSEQUENT PLANS.~~

3
4 6 7. IF THE COMPREHENSIVE SKETCH PLAN AND FINAL DEVELOPMENT PLAN ARE APPROVED IN
5 ACCORDANCE WITH HOWARD COUNTY ZONING REGULATIONS SECTION 125.F.5, THEN THE
6 PETITIONER IS AUTHORIZED TO SUBMIT A SITE DEVELOPMENT PLAN IN ACCORDANCE WITH
7 HOWARD COUNTY ZONING REGULATIONS SECTION 125.E.

8
9 7 8. ADDITIONAL PLANNING BOARD REVIEW CRITERIA FOR MAJOR VILLAGE CENTER
10 REDEVELOPMENTS

11
12 IN ADDITION TO THE ESTABLISHED CRITERIA USED BY THE PLANNING BOARD IN ITS EVALUATION
13 AND APPROVAL OF COMPREHENSIVE SKETCH PLANS, FINAL DEVELOPMENT PLANS, AND SITE
14 DEVELOPMENT PLANS, FOR MAJOR VILLAGE CENTER REDEVELOPMENT PROPOSALS THE
15 PLANNING BOARD SHALL MAKE FINDINGS ON WHETHER THE COMPREHENSIVE SKETCH PLAN,
16 FINAL DEVELOPMENT PLAN, AND SITE DEVELOPMENT PLAN IS IN CONFORMANCE WITH ALL THE
17 FINDINGS AND CONCLUSIONS OF THE ZONING BOARD DECISION AND ORDER FOR THE MAJOR
18 VILLAGE CENTER REDEVELOPMENT.

19
20
21 G. VILLAGE CENTER REDEVELOPMENT, MINOR

22
23 1. ~~UNLESS AN AMENDMENT TO THE APPROVED COMPREHENSIVE SKETCH PLAN AND THE~~
24 ~~APPROVED FINAL DEVELOPMENT PLAN IS REQUIRED UNDER SECTION 125.F, ANY~~
25 ~~PROPERTY OWNER OF ANY PORTION OF A VILLAGE CENTER MAY PETITION TO AMEND AN~~
26 ~~APPROVED SITE DEVELOPMENT PLAN FOR THAT PORTION OF LAND WHICH THEY OWN,~~
27 ~~SUBJECT TO PLANNING BOARD APPROVAL IN ACCORDANCE WITH SECTION 125.E.1 OF~~
28 ~~THE ZONING REGULATIONS AND SECTION 1.106 OF THE RULES OF PROCEDURE OF THE~~
29 ~~HOWARD COUNTY PLANNING BOARD.~~

30
31 2. ~~ANY PROPERTY OWNER OF ANY PORTION OF A VILLAGE CENTER MAY PETITION TO~~
32 ~~AMEND AN APPROVED COMPREHENSIVE SKETCH PLAN OR FINAL DEVELOPMENT PLAN~~
33 ~~FOR THAT PORTION OF LAND WHICH THEY OWN, BUT ONLY INVOLVING THE OPEN SPACE,~~
34 ~~COMMERCIAL, OR OTHER USES LAND USE CATEGORIES AS DESCRIBED IN THE SECTION~~

1 ~~125.A.8 CHART. SUCH AN AMENDMENT TO THE APPROVED COMPREHENSIVE SKETCH~~
2 ~~PLAN OR THE FINAL DEVELOPMENT PLAN SHALL COMPLY WITH THE FOLLOWING~~
3 ~~REQUIREMENTS:~~
4

5 ~~A. PRE-SUBMISSION COMMUNITY MEETINGS AND REQUESTS FOR COMMUNITY~~
6 ~~RESPONSE STATEMENTS~~
7

8 ~~(1) PRIOR TO PETITIONING TO AMEND THE PRELIMINARY DEVELOPMENT PLAN, THE~~
9 ~~PETITIONER IS REQUIRED TO HOLD A PRE-SUBMISSION COMMUNITY MEETING IN~~
10 ~~ACCORDANCE WITH HOWARD COUNTY CODE SECTION 16.128. IN ADDITION TO~~
11 ~~THE WRITTEN NOTICE REQUIREMENTS IN HOWARD COUNTY CODE SECTION~~
12 ~~16.128(C), THE PETITIONER SHALL ALSO NOTIFY IN WRITING:~~
13

14 ~~(A) ALL PROPERTY OWNERS IDENTIFIED IN THE RECORDS OF THE STATE~~
15 ~~DEPARTMENT OF ASSESSMENTS AND TAXATION OF PROPERTIES~~
16 ~~WITHIN THE GEOGRAPHIC BOUNDARIES OF THE VILLAGE CENTER AS~~
17 ~~PREVIOUSLY DETERMINED BY THE DEPARTMENT OF PLANNING AND~~
18 ~~ZONING; AND~~
19

20 ~~(B) THE BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION (THE~~
21 ~~"VILLAGE BOARD") OF SAID VILLAGE.~~
22

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

31 ~~(A) ADDRESS ITS COMMENTS IN TERMS OF ANY SPECIFIC APPROVAL~~
32 ~~CRITERIA THE VILLAGE BOARD RECOMMENDS BE INCLUDED BY THE~~
33 ~~PLANNING BOARD IN ITS DECISION ON THE MINOR VILLAGE CENTER~~
34 ~~REDEVELOPMENT; AND~~

(B) PROVIDE ITS RESPONSES TO THE SAME CRITERIA USED FOR MAJOR
VILLAGE CENTER REDEVELOPMENTS IN SECTION 125.F.3.A.(6).

~~TO BE ELIGIBLE TO HAVE ITS COMMENTS ADDRESSED IN THE TECHNICAL STAFF
REPORT ON THE MINOR VILLAGE CENTER REDEVELOPMENT, THE VILLAGE
BOARD SHALL SUBMIT ITS COMMUNITY RESPONSE STATEMENT TO THE
DEPARTMENT OF PLANNING AND ZONING NO LATER THAN 45 DAYS AFTER THE
DATE ON THE NOTIFICATION.~~

~~(3) A SUBMITTED COMMUNITY RESPONSE STATEMENT BECOMES PART OF THE
PUBLIC RECORD FOR THE MINOR VILLAGE CENTER REDEVELOPMENT CASE, AND
WILL BE FORWARDED TO THE PLANNING BOARD PRIOR TO ITS INITIAL MEETING
ON THE ZONING BOARD CASE.~~

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

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

(1) ALL PROPERTY OWNERS IDENTIFIED IN THE RECORDS OF THE STATE
DEPARTMENT OF ASSESSMENTS AND TAXATION OF PROPERTIES WITHIN

1 THE GEOGRAPHIC BOUNDARIES OF THE VILLAGE CENTER AS
2 PREVIOUSLY ESTABLISHED; AND

3
4 (2) THE BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION (THE
5 "VILLAGE BOARD") OF ALL VILLAGE CENTERS.

6
7 B. SUBSEQUENT TO THE PRE-SUBMISSION COMMUNITY MEETING AND PRIOR TO
8 FILING THE PETITION, THE PETITIONER SHALL PRESENT THE CONCEPT PLAN AND
9 THE DESIGN GUIDELINES TO THE DESIGN ADVISORY PANEL FOR EVALUATION IN
10 ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE
11 COUNTY CODE. THE DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE
12 FORWARDED TO THE PLANNING BOARD FOR THEIR CONSIDERATION OF THE
13 MINOR VILLAGE CENTER REDEVELOPMENT.

14
15 C. WITHIN TWO DAYS AFTER ITS ACCEPTANCE OF A PETITION FOR A MINOR VILLAGE
16 CENTER REDEVELOPMENT, THE DEPARTMENT OF PLANNING AND ZONING SHALL
17 SEND A NOTICE TO THE VILLAGE BOARD OF THE VILLAGE IN WHICH THE VILLAGE
18 CENTER PETITIONING FOR REDEVELOPMENT IS LOCATED. THE NOTICE SHALL
19 REQUEST THAT THE VILLAGE BOARD SUBMIT A COMMUNITY RESPONSE
20 STATEMENT OUTLINING ITS COMMENTS ON THE REDEVELOPMENT PROPOSAL.
21 THE NOTICE SHALL DIRECT THE VILLAGE BOARD TO:

22
23 (1) PROVIDE ITS RESPONSES TO THE SECTION 125.F.4.A.(8) CRITERIA;

24
25 (2) ADDRESS ITS COMMENTS IN TERMS OF ANY OTHER SPECIFIC APPROVAL
26 CRITERIA THE VILLAGE BOARD RECOMMENDS BE CONSIDERED BY THE
27 PLANNING BOARD IN ITS DECISION ON THE MINOR VILLAGE CENTER
28 REDEVELOPMENT; AND

29
30 (3) PROVIDE A RESPONSE REGARDING:

31
32 (A) PLANNING AND DESIGN CONCEPTS, INCLUDING BUT NOT LIMITED
33 TO HOW IT FITS INTO THE SURROUNDING AREA;
34

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

3
4 (C) MINIMA, MAXIMA, PRECISE VALUES, AND SPECIFIC
5 REQUIREMENTS CONCERNING, BUT NOT LIMITED TO, VILLAGE
6 CENTER AMENITY AREAS, BUILDING HEIGHTS, BULK
7 REQUIREMENTS, PARKING, DENSITY, AND PERMITTED USES; AND

8
9 (D) WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL REVIEW AS
10 DESIGNATED IN THE VILLAGE COVENANTS.

11
12 D. IF THE COMMUNITY RESPONSE STATEMENT IS SUBMITTED TO THE
13 DEPARTMENT OF PLANNING AND ZONING WITHIN 45 DAYS AFTER THE DATE
14 OF THE NOTICE, THE COMMUNITY RESPONSE STATEMENT SHALL BE
15 CONSIDERED BY THE DEPARTMENT AS THE TECHNICAL STAFF REPORT IS
16 BEING PREPARED. A SUBMITTED COMMUNITY RESPONSE STATEMENT
17 BECOMES PART OF THE PUBLIC RECORD FOR THE MINOR VILLAGE CENTER
18 REDEVELOPMENT CASE, AND WILL BE FORWARDED TO THE PLANNING BOARD
19 PRIOR TO ITS INITIAL MEETING OR HEARING ON THE CASE.

20
21
22 (4E.) PROCEDURES AND APPROVAL CRITERIA

23
24 A REQUEST FOR AN AMENDMENT TO AN APPROVED COMPREHENSIVE
25 SKETCH PLAN OR AN APPROVED FINAL DEVELOPMENT PLAN FOR A MINOR
26 VILLAGE CENTER REDEVELOPMENT SHALL BE REVIEWED IN ACCORDANCE
27 WITH THE SECTION 125.C REQUIREMENTS, EXCEPT THAT THE CRITERIA TO BE
28 USED IN THE PLANNING BOARD EVALUATION SHALL BE THE SAME AS THOSE
29 IN SECTION 125.F.4.A.(8), (A) THROUGH (J) THAT ARE NOT RELATED TO
30 RESIDENTIAL USES.

31
32
33 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,*
34 *that the remainder of Section 103 of the Zoning Regulations be renumbered accordingly.*

1
2 **Section 3. And be It Further Enacted by the County Council of Howard County, Maryland, that**
3 **the Department of Planning and Zoning shall evaluate and report to the County Council on the**
4 **Village Center Redevelopment, Major and Village Center Redevelopment, Minor subsections of**
5 **the NT (New Town) District Section within one year of issuance of use and occupancy permits**
6 **for the first plans approved under these subsections.**

7
8 **Section 3 4. And Be It Further Enacted by the County Council of Howard County, Maryland,**
9 **that the provisions of this Act shall become effective 61 days after enactment.**

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on Sept. 4, 2009.


Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

Amendment to Council Bill 29-2009

BY: Courtney Watson

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 12

1 *(This amendment would change all of the references on village center boundaries to require that*
2 *the boundaries be established by the County Council through a General Plan amendment)*
3
4
5

6 On page 3, in lines 16 and 17, strike "PROPOSED BY THE PETITIONER" and substitute
7 "PREVIOUSLY ADOPTED BY THE COUNTY COUNCIL IN THE GENERAL PLAN".
8

9 On page 4, strike lines 28 through 30, and substitute
10 "(2) A SPECIFIC DESCRIPTION OF THE GEOGRAPHIC BOUNDARIES OF THE VILLAGE
11 CENTER WHICH IS THE SUBJECT MATTER OF THE PETITION AS PREVIOUSLY ADOPTED BY THE
12 COUNTY COUNCIL IN THE GENERAL PLAN."
13

14 On page 6, in line 33, after "CENTER;", insert "AND".
15

16 On page 7, in line 2, strike "(6); AND" and substitute "(6).".
17

18 On page 7, strike lines 4 through 10, and renumber accordingly.
19

20 On page 7, in line 28, strike "THE PROPOSED BOUNDARIES OF THE VILLAGE CENTER,".
21

22 On page 9, in lines 31 and 32, strike "DETERMINED BY THE DEPARTMENT OF PLANNING
23 AND ZONING" and substitute "ADOPTED BY THE COUNTY COUNCIL IN THE GENERAL PLAN".

ADOPTED _____

FAILED Sept 1, 2009

SIGNATURE Stephen M. Seibert

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

ADOPTED Sept 1, 2009

FAILED

SIGNATURE Stephen C. Ball

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

1 VILLAGE BOARD TO:

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

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

8
9 (3) PROVIDE A RESPONSE REGARDING:

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

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

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

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

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

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty
Jennifer Terrasa
Calvin Ball

Legislative Day No: 10
Date: September 1, 2009

Amendment No. 18

1 *(This amendment would clarify the differences between a major village center redevelopment*
2 *and a minor village center redevelopment)*
3
4

5 On page 2, in line 4, strike "ESTABLISH NEW USES THAT ARE NOT CURRENTLY PERMITTED,"
6 and substitute "MAKE A CHANGE IN THE PERMITTED LAND USE CATEGORIES SET FORTH IN THE
7 CHART CONTAINED IN SECTION 125.A.8 OF THE REGULATIONS."
8
9
10

ADOPTED September 1, 2009

FAILED _____

SIGNATURE By, In McGehee

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 11

(This amendment clarifies language and makes a decision about Village Center Boundaries permissive.)

1
2 On page 7, in line 5, strike "PROPOSED" and substitute "PROPERTY IS WITHIN THE
3 APPROPRIATE".

4
5 On page 7, strike beginning with ", OR" in line 6 through "CENTER" in line 7.

6
7 On page 7, in line 21, strike "AND".

8
9 On page 7, in line 25, strike the period and substitute "; AND".

10
11 On page 7, immediately following line 25, insert:

12 "4. ESTABLISH THE VILLAGE CENTER BOUNDARIES."

13
14 On page 8, immediately following line 5, insert:

15 "G. IF THE ZONING BOARD DENIES THE PETITION, IT MAY MAKE A DECISION ON THE
16 VILLAGE CENTER BOUNDARIES."

ADOPTED Sept 1 2009

FAILED _____

SIGNATURE [Signature]

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amended Amendment No. 1

(This amendment would make various technical/stylistic changes to the bill).

On page 4, strike lines 4 through 9 in their entirety and substitute the following:

- "(1) PROVIDE ITS RESPONSES TO THE SECTION 125.F.3.A.(6) CRITERIA; AND
(2) ADDRESS ITS COMMENTS IN TERMS OF ANY OTHER SPECIFIC APPROVAL CRITERIA THE
VILLAGE BOARD RECOMMENDS BE CONSIDERED BY THE ZONING BOARD IN ITS DECISION
ON THE MAJOR VILLAGE CENTER REDEVELOPMENT; AND".

On page 5, in lines 20 and 30 and on page 6, in lines 4, 6, 9, and 18, strike "MAJOR". On page 6, in line 22, strike "DEVELOPMENT" and insert "VILLAGE CENTER REDEVELOPMENT".

On page 5, in line 26, after "VILLAGE", strike "CENTER".

On page 5, in line 28, before the semicolon, insert "AND SURROUNDING LOCAL COMMUNITY".

On page 6, in line 22, strike "DEVELOPMENT" and substitute "VILLAGE CENTER REDEVELOPMENT".

On page 7, in line 19, after "APPROVE", strike "THE".

On page 7, in line 21, after "APPROVE", strike "THE" and substitute "A".

On page 8, in line 7, after "AMENDMENT", strike "OF" and substitute "TO"

ADOPTED

FAILED

SIGNATURE

Sept 1, 2009

Calvin Ball

1 On page 9, in line 22, after "THE", strike "PRELIMINARY DEVELOPMENT PLAN" and
2 substitute "FINAL DEVELOPMENT PLAN AND/OR COMPREHENSIVE SKETCH PLAN".

3
4 ~~On page 9, strike lines 31 and 32, in their entirety, and substitute "PROPOSED BY THE~~
5 ~~PETITIONER; AND"~~.

6
7 On page 10, strike lines 29 and 30, in their entirety, and substitute "WILL BE FORWARDED
8 TO THE PLANNING BOARD PRIOR TO ITS INITIAL MEETING OR HEARING ON THE CASE."

**Amendment 1 to Amendment 1
Council Bill No. 29 -2009**

BY: The Chair

**Legislative Day No: 10
Date: September 1, 2009**

Amendment No. 1 to Amendment No. 1

(This amendment makes technical corrections and provides consistency with Amendments 2 and 7.)

1 On page 1, line 6, strike "AND".

2
3 On the same page, in line 9, delete the period and substitute ":AND".

4
5 On the same page, strike in their entirety lines 19 and 20.

6
7 On page 2, strike in their entirety lines 1 through 8.

8
9
10
11
12 ADOPTED Sept 1, 2009

13 FAILED _____

14 SIGNATURE Stephen B. Bickel

15

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 5

(This amendment would recognize a Village Center Community Plan and provide for a village center concept planning workshop).

On page 1, in line 2, strike "170" and substitute "171".

On page 1, immediately following line 11, insert:

"168. VILLAGE CENTER COMMUNITY PLAN – AN ADVISORY PLAN WHICH HAS BEEN DEVELOPED BY THE COMMUNITY AND ENDORSED BY THE VILLAGE BOARD."

Renumber the remainder of the section.

On page 3, immediately after line 4, insert the following:

"2. VILLAGE CENTER COMMUNITY PLANNING PROCESS

A. NOTICE OF INTENT TO DEVELOP - AT LEAST 60 DAYS PRIOR TO THE REQUIRED INITIAL PRE-SUBMISSION MEETING, THE PETITIONER SHALL DELIVER TO THE BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION (THE "VILLAGE BOARD") OF SAID VILLAGE CENTER AND THE DEPARTMENT OF PLANNING AND ZONING A NOTICE OF INTENT TO DEVELOP.

B. VILLAGE CENTER COMMUNITY PLAN - WITHIN THE ENSUING 60 DAY PERIOD FROM THE NOTICE OF INTENT TO DEVELOP, THE VILLAGE BOARD MAY CREATE OR UPDATE A VILLAGE CENTER COMMUNITY PLAN, AS FOLLOWS :

(1.) A VILLAGE CENTER COMMUNITY PLAN MAY INCLUDE BUT IS NOT LIMITED TO:

ADOPTED September 1, 2009

FAILED _____

SIGNATURE Stephen M. Henderson

- 1 A. THE BOUNDARIES OF THE VILLAGE CENTER ;
2 B. PLANNING AND DESIGN CONCEPTS;
3 C. MINIMA, MAXIMA, PRECISE VALUES, AND SPECIFIC
4 REQUIREMENTS CONCERNING, BUT NOT LIMITED TO,
5 VILLAGE CENTER AMENITY AREAS, BUILDING HEIGHTS,
6 BULK REQUIREMENTS, PARKING, DENSITY, AND PERMITTED
7 USES;
8 D. WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL
9 REVIEW AS DESIGNATED IN THE VILLAGE COVENANTS; AND
10 E. IDENTIFICATION OF ANY HISTORICAL OR SIGNATURE
11 ASPECTS OF THE VILLAGE CENTER.

12
13 (2.) THE VILLAGE BOARD MAY REQUEST ASSISTANCE FROM HOWARD
14 COUNTY GOVERNMENT .

15
16 (3.) A VILLAGE CENTER COMMUNITY PLAN MAY BE SUBMITTED TO THE
17 DEPARTMENT OF PLANNING AND ZONING AND, IF SUBMITTED, IS
18 AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE MARYLAND
19 PUBLIC INFORMATION ACT.

20
21 (C.) VILLAGE CENTER CONCEPT PLANNING WORKSHOP - AT LEAST ONE WEEK
22 AFTER THE NOTICE OF INTENT TO DEVELOP AND AT LEAST 30 DAYS BEFORE
23 THE FIRST PRE-SUBMISSION COMMUNITY MEETING, THE PETITIONER SHALL
24 INITIATE AND PARTICIPATE IN A VILLAGE CENTER CONCEPT PLANNING
25 WORKSHOP, AS FOLLOWS:

26
27 (1.) THE WORKSHOP WILL BE HELD IN ACCORDANCE WITH THE
28 PROCEDURAL AND NOTICE PROVISIONS OF HOWARD COUNTY
29 CODE SECTION 16.128; AND

30
31 (2.) THE PURPOSE OF THE VILLAGE CENTER CONCEPT PLANNING

1 WORKSHOP IS TO FACILITATE A COLLABORATIVE PLANNING
2 DISCUSSION WHICH MAY INCLUDE BUT NOT BE LIMITED TO THE
3 FOLLOWING:

4
5 A. VILLAGE CENTER BOUNDARIES;

6 B. ANY COMMUNITY REDEVELOPMENT VISIONS OR EXISTING
7 VILLAGE CENTER COMMUNITY PLANS;

8 C. PLANNING AND DESIGN CONCEPTS; AND

9 D. APPROPRIATE USES.

10
11 (D) THE RESULTS OF THE WORKSHOP SHOULD BE USED BY THE PETITIONER
12 TO CREATE THE CONCEPT PLAN AND BY THE VILLAGE BOARD TO
13 CREATE OR UPDATE ITS VILLAGE CENTER COMMUNITY PLAN.

14
15 (E) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO PRECLUDE A
16 VILLAGE BOARD FROM ADOPTING A VILLAGE CENTER COMMUNITY
17 PLAN PRIOR TO THE FILING OF A NOTICE OF INTENT TO DEVELOP.”.

18
19 Renumber the remainder of the section.

20
21 On page 5, in line 13, strike “AND”.

22
23 On page 5, immediately following line 14, insert the following:

24 “(6) COMMENT ON WHETHER THE PROPOSED REDEVELOPMENT IS IN HARMONY WITH THE
25 VILLAGE CENTER COMMUNITY PLAN; AND”.

26
27 Renumber the remainder of the section.

Amendment to Council Bill 29 - 2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No:9

Date: July 30, 2009

Amended Amendment No. 2

(This amendment clarifies certain language relating to community response statements by adding additional elements to the statement and requiring DPZ to consider the statement.)

- 1 On page 4, in line 7 strike "AND".
- 2 On page 4, in line 9 strike "CRITERIA." and insert
- 3 "CRITERIA; AND
- 4 (3) PROVIDE A RESPONSE REGARDING:
- 5 (A) THE BOUNDARY OF THE VILLAGE CENTER PROPOSED BY THE
- 6 PETITIONER;
- 7 (B) PLANNING AND DESIGN CONCEPTS, INCLUDING BUT NOT LIMITED
- 8 TO HOW IT FITS INTO THE SURROUNDING AREA;
- 9 (C) WHETHER THE PETITION IS IN HARMONY WITH A VILLAGE
- 10 CENTER COMMUNITY PLAN, IF ONE EXISTS;
- 11 (D) MINIMA, MAXIMA, PRECISE VALUES, AND/OR SPECIFIC
- 12 REQUIREMENTS CONCERNING, BUT NOT LIMITED TO, VILLAGE
- 13 CENTER AMENITY AREAS, BUILDING HEIGHTS, BULK REQUIREMENTS,
- 14 PARKING, DENSITY, AND/OR PERMITTED USES; AND
- 15 (E) WHETHER THE VILLAGE BOARD HAS ARCHITECTURAL REVIEW AS
- 16 DESIGNATED IN THE VILLAGE COVENANTS."
- 17
- 18 On page 4, strike lines 11 through "NOTICE." on line 15, and insert "C. IF THE
- 19 COMMUNITY RESPONSE STATEMENT IS SUBMITTED TO THE DEPARTMENT OF PLANNING AND
- 20 ZONING WITHIN 45 DAYS AFTER THE DATE OF THE NOTICE, THE COMMUNITY RESPONSE
- 21 STATEMENT SHALL BE CONSIDERED BY THE DEPARTMENT AS THE TECHNICAL STAFF
- 22 REPORT IS BEING PREPARED."

ADOPTED September 4, 2009

FAILED

SIGNATURE

Steve Jones

Amendment 1 to Amendment 2
Council Bill No. 29 -2009

BY: The Chair

Legislative Day No. 10
Date: September 1, 2009

Amendment No. 1 to Amendment No. 2

(This amendment provides consistency with Amendment 1.)

1 On page 1, strike the entirety of line 1.
2
3
4
5

6 REPTED September, 2009
7 FILED _____
8 SIGNATURE Stephane L. L...

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Co-Sponsor: Courtney Watson

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 3

(This amendment would make the following changes to the petition section of the bill:

- 1. require that the petition acknowledge any covenants of record;*
- 2. add lighting and bicycle circulation to the petition information;*
- 3. clarify in the petition information that the design guidelines also apply to the Village Center;*
- 4. clarify in the justification statement that the village center will continue to meet the definition of a New Town village center;*
- 5. clarify the criteria for the Zoning Board decision; and*
- 6. require that copies of the approved plan be forwarded to the Village Board).*

On page 4, immediately following line 31, insert:

"(3) A COPY OF ANY COVENANTS AND/OR DEED RESTRICTIONS OF RECORD."

Renumber the entire subsection accordingly.

On page 5, in line 6, strike "PEDESTRIAN" and substitute "PEDESTRIAN/BICYCLE", strike "OPEN SPACE" and substitute "VILLAGE CENTER AMENITY AREA(S)" and after the last comma, insert "EXTERIOR LIGHTING AND PUBLIC TRANSPORTATION OPPORTUNITIES,".

On page 5, in line 13, after "REDEVELOPMENT", insert "AND VILLAGE CENTER".

On page 6, in line 19, strike the "AND", and in line 22, strike the period and substitute "AND". On the same page, immediately following line 23 insert the following:

"(I) THE VILLAGE CENTER WILL CONTINUE TO MEET THE DEFINITION OF A NEW TOWN VILLAGE CENTER."

On page 7, in line 23, strike "OR" and substitute "AND". On the same page, in line 24

ADOPTED Sept. 1, 2009

FAILED

SIGNATURE Stephane LeGendre

1 strike "CONCERNING AMENITY AREAS, BUILDING HEIGHT(S)," and insert "CONCERNING, BUT NOT
2 LIMITED TO, VILLAGE CENTER AMENITY AREAS, BUILDING HEIGHTS, BULK REQUIREMENTS,".

3
4 On page 8, in line 5, after "ZONING", insert ", THE VILLAGE BOARD,". On the same line,
5 after the period, insert: "ALL PARTIES NOTIFIED PURSUANT TO SECTION 125.F.2, AND ANY OTHER
6 PROPERTY OWNER WITHIN THE BOUNDARIES DECIDED BY THE ZONING BOARD, SHALL BE PROVIDED
7 WITH NOTICE OF THE ZONING BOARD'S DECISION,".

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball
Co-Sponsor: Courtney Watson

Legislative Day No: 9
Date: July 30, 2009

Amendment No. 4

(This amendment would add a definition for Village Center Amenity Areas to the Zoning Regulations).

On page 1, in line 2, strike "170" and substitute "171".

On page 1, immediately following line 11, insert:

"168. VILLAGE CENTER, NEW TOWN AMENITY AREA – A USABLE OUTDOOR LANDSCAPED AREA SUCH AS A PLAZA, COURTYARD, GARDEN OR SIMILAR AREA WHICH IS DESIGNED TO BE OPEN TO THE PUBLIC AND EASILY ACCESSIBLE."

Renumber the remainder of the section.

ADOPTED Sept 1 2009
FAILED _____
APPROVED Stephanie Gosh

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Bail
Co-Sponsor: Courtney Watson

Legislative Day No: 9
Date: July 6, 2009

Amendment No. 6

1 *(This amendment changes where the Design Advisory Panel takes part in the redevelopment*
2 *process and removes certain references to the Panel).*

3
4 On page 3, after line 28, insert "SUBSEQUENT TO THE FIRST PRE-SUBMISSION COMMUNITY
5 MEETING AND PRIOR TO FILING THE PETITION, THE PETITIONER SHALL PRESENT THE CONCEPT PLAN
6 AND PROPOSED DESIGN GUIDELINES TO THE DESIGN ADVISORY PANEL FOR EVALUATION IN
7 ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE COUNTY CODE.
8 THE DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE FORWARDED TO THE PLANNING
9 BOARD AND THE ZONING BOARD FOR THEIR CONSIDERATION OF THE MAJOR VILLAGE CENTER
10 REDEVELOPMENT."

11
12 On page 8, in line 10 strike "HOWEVER," through the end of line 16.
13
14

ADOPTED Sept. 1, 2009
FAILED _____
SIGNATURE Stephane Land

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball
Co-Sponsor: Courtney Watson

Legislative Day No: 9
Date: July 30, 2009

Amendment No. 8

(This amendment would require any proposed development at Village Centers to adhere to the New Town land use chart found in Section 125.A.8 of the Zoning Regulations).

On page 2, in line 32, strike "AND".

On page 3, in line 3, strike the period and substitute "AND".

On page 3, immediately following line 4, insert

"D. ANY MAJOR VILLAGE CENTER MIXED-USE REDEVELOPMENT SHALL BE CONSIDERED TO BE A "COMMERCIAL" USE IN THE CHART CONTAINED IN SECTION 125A.8. OF THE REGULATIONS FOR PURPOSES OF CALCULATING COMPLIANCE WITH THE CHART'S REQUIREMENTS AS TO THE MINIMUM AND MAXIMUM PERCENTAGE OF "COMMERCIAL" IN THE TOTAL AREA OF THE NEW TOWN DISTRICT. THE VILLAGE CENTER REDEVELOPMENT SHALL NOT RESULT IN A NET LOSS OF OPEN SPACE."

ADOPTED September 1, 2009
FAILED _____
SIGNATURE Stephen M. LaBent

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 9

1 *(This amendment would require that the petitioner address the redevelopment's compatibility*
2 *with the surrounding community in its justification statement).*
3
4
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6 On page 6, in line 19, strike "AND". On the same page, in line 22, strike the
7 period, and substitute "AND".
8

9 On page 6, immediately following line 23, insert

10 "I. THE VILLAGE CENTER REDEVELOPMENT IS COMPATIBLE WITH THE SURROUNDING
11 COMMUNITY.".
12
13

14 ADOPTED September 1, 2009
15 FAILED _____
16 SIGNATURE Stephen L. Henderson

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 10

1 *(This amendment would require that all village boards be notified of a proposed Village Center*
2 *Redevelopment).*

3
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6 On page 3, in line 20, after "OF" strike "SAID" and insert "ALL". On the same line strike
7 "CENTER" and substitute "CENTERS".

8

ACCEPTED Sept. 1, 2009

FAILED _____

SIGNATURE Stephanie Herrin

Amendment to Council Bill 29-2009

BY: Courtney Watson

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 13

1 *(This amendment would require that the justification statement address preservation of*
2 *significant resources and features of the original village center).*

3
4
5
6 On page 6, in line 19, strike "AND". On the same page, in line 22, strike the
7 period, and substitute "AND".

8
9 On page 6, immediately following line 23, insert

10 "I. TO THE EXTENT FEASIBLE, THE VILLAGE CENTER REDEVELOPMENT PRESERVES ANY
11 SIGNIFICANT RESOURCES AND FEATURES OF THE ORIGINAL VILLAGE CENTER.".

ADOPTED _____
FAILED Sept. 1, 2009
SIGNATURE Stephane S. Gauthier

Amendment to Council Bill 29-2009

BY: Courtney Watson

Legislative Day No: 9

Date: July 30, 2009

Amended Amendment No. 14

(This amendment would specify in the Village Center definition that residential uses are secondary in a village center).

On page 1, strike lines 32 and 33, and substitute:

"D. ~~IF APPROPRIATE, SECONDARY RESIDENTIAL USES TO SUPPORT AND ENHANCE RESIDENTIAL~~
~~USES, TO THE EXTENT APPROPRIATE TO SUPPORT AND ENHANCE, BUT NOT OVERWHELM,~~
~~OTHER USES IN THE VILLAGE CENTER.~~".

ADOPTED Sept. 1, 2009

FAILED _____

SIGNATURE

Greg Lundberg

**Amendment 1 to Amendment 14
Council Bill No. 29 -2009**

BY: Mary Kay Sigaty

**Legislative Day No: 10
Date: September 1, 2009**

Amendment No. 1 to Amendment No. 14

(This amendment would specify in the Village Center definition that residential uses may not overwhelm the other enumerated uses in the definition.)

1 On page 1, in line 7, strike "IF APPROPRIATE, SECONDARY RESIDENTIAL USES TO SUPPORT AND
2 ENHANCE" and substitute "RESIDENTIAL USES, TO THE EXTENT APPROPRIATE TO SUPPORT AND
3 ENHANCE, BUT NOT OVERWHELM".
4
5
6
7

8 ADOPTED Sept. 1, 2009
9 FAILED _____
10 SIGNATURE Greg McCaskey

Amendment to Council Bill 29-2009

BY: Courtney Watson
Co-Sponsor : Jennifer Terrasa, Calvin Ball

Legislative Day No: 9
Date: July 30, 2009

Amendment No. 15

(This amendment would require an evaluation of the bill within one year of issuance of use and occupancy permits for the first plans approved under its provisions).

On page 11, after line 13, insert:

"Section 3. And be It Further Enacted by the County Council of Howard County, Maryland, that the Department of Planning and Zoning shall evaluate and report to the County Council on the Village Center Redevelopment, Major and Village Center Redevelopment, Minor subsections of the NT (New Town) District Section within one year of issuance of use and occupancy permits for the first plans approved under these subsections."

On the same page, in line 15, strike "3" and substitute "4".

ADOPTED

FAILED

13 - 40702

Sept. 1, 2009

Stephen M. Salter

Amendment to Council Bill 29-2009

BY: Mary Kay Sigaty, Jennifer Terrasa, Calvin Ball

Legislative Day No: 9

Date: July 30, 2009

Amendment No. 16

(This amendment clarifies that the project justification statement for a major village center redevelopment must demonstrate how the project meets the applicable criteria.)

- 1 On page 5, in line 18, delete "ADDRESS" and insert "DEMONSTRATE HOW THE VILLAGE
2 CENTER REDEVELOPMENT MEETS".
3
4

ADOPTED Sept 1, 2009

FAILED _____

SIGNATURE [Signature]