

Introduced 9/8/09
Public hearing 9/22/09
Council action 10/5/09
Executive action 10/7/09
Effective date 12/8/09

County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # 11

BILL NO. 42 - 2009

Introduced by: Mary Kay Sigaty, Jennifer Terrasa, and Calvin Ball

AN ACT amending the Howard County Code to require New Town Village Center redevelopments to be reviewed by the Design Advisory Panel; and generally relating to the Design Advisory Panel.

Introduced and read first time September 8, 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 September 22, 2009, and concluded on _____, 2009.

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

This Bill was read the third time October 5, 2009 and Passed ☒, Passed with amendments ☐, Failed ☐.

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

Scaled with the County Seal and presented to the County Executive for approval this 7th day of October, 2009 at 10:00 a.m.

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

Approved/vetoed by the County Executive on October 7, 2009.

Karl Ulman
Karl 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*
2 *Section 16.1500 "Short title; purpose", Section 16.1501 "Applicability.", Section 16.1503*
3 *"Guidelines and principles.", Section 16.1504 "Review required; recommendations;*
4 *condition of decision.", of Subtitle 15 "Design Advisory Panel", of Title 16 "Planning,*
5 *Zoning and Subdivision and Land Development Regulations", of the Howard County Code*
6 *are hereby amended to read as follows:*

7
8 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**
9 **Subtitle 15. Design Advisory Panel**

10
11 **Sec. 16.1500. Short title; purpose.**

12 (a) *Short Title.* This subtitle shall be known as the Design Advisory Panel Act.

13
14 (b) *Purpose.* There shall be a Howard County Design Advisory Panel ("panel") in order
15 to:

16
17 (1) Provide expert advice to the Director of the Department of Planning and Zoning
18 regarding plans for new development and redevelopment in designated areas
19 where there is a design manual that is adopted by the County Council including
20 without limitation, the U.S. Route 1 Corridor or in age-restricted adult housing
21 permitted by conditional use; [[and]]

22
23 (2) PROVIDE EXPERT ADVICE TO THE ZONING BOARD AND THE PLANNING BOARD
24 REGARDING PLANS FOR NEW TOWN VILLAGE CENTER REDEVELOPMENTS IN WHICH
25 VILLAGE CENTER BOUNDARIES HAVE BEEN PROPOSED BY A PROPERTY OWNER OR
26 ESTABLISHED BY THE ZONING BOARD OR BY THE COUNTY COUNCIL; AND

27
28 (3) Encourage excellence in architecture and site design, to improve design
29 compatibility with surrounding development, to promote revitalization, and to

1 enhance property values.

2
3 **Sec. 16.1501. Applicability.**
4

5 The Design Advisory Panel shall review and provide design advice for new development and
6 redevelopment projects:

7 (a) On parcels located the U.S. Route 1 Corridor that are zoned CE, CAC, OR TOD, or
8 that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design
9 Manual; [[and]]
10

11 (b) On parcels on which age-restricted adult housing is to be constructed pursuant to a
12 conditional use[.]; AND
13

14 (C) ON REDEVELOPMENT PARCELS LOCATED IN NEW TOWN VILLAGE CENTERS WITH
15 BOUNDARIES PROPOSED BY A PROPERTY OWNER OR ESTABLISHED BY THE ZONING
16 BOARD OR COUNTY COUNCIL.
17

18 **Sec. 16.1503. Guidelines and principles.**
19

20 The panel is to apply architectural landscape architecture, and urban design[[s]] principles
21 in order to achieve the following objectives in a proposed plan:
22

23 (a) *Site planning* which creates attractive visual and functional relationships of the on-site
24 design elements and between the site and the surrounding area;
25

26 (b) *Buildings and other structures* which are spatially and visually integrated into and
27 suitable for the site and surrounding area;
28

29 (c) *Architectural features* which articulate the structures, create an identity for the

development while being in harmony with the adjacent and surrounding built environment, and are consistent with the:

(1) Design requirements of the Route 1 Manual;[[or]]

(2) Criteria of a conditional use, as applicable; OR

(3) NEW TOWN VILLAGE CENTER DESIGN GUIDELINES, AS APPLICABLE;

(d) *Open space* which provides visual functional integration of the streetscape, public spaces, and pedestrian connections and transportation connections;

(e) *Landscaping* which enhances the architectural and site design, works with the natural features of the site, provides adequate screening, and defines spaces on the site; and

(f) *Design objectives* in the Route 1 Manual, [[or]] compatibility criteria for age-restricted adult housing set forth in section 131.N.1 Of the Howard County Zoning Regulations, OR THE DESIGN GUIDELINES FOR THE APPROPRIATE NEW TOWN VILLAGE CENTER.

Sec. 16.1504. Review required; recommendations; condition of decision.

(a) *Recommendations.* The panel shall make recommendations consistent with the Route 1 Manual, [[or]] compatibility criteria for age-restricted adult housing, OR NEW TOWN VILLAGE CENTER DESIGN GUIDELINES regarding:

(1) The design for buildings, vehicular circulation and access, pedestrian access and linkages, parking, loading, dumpsters, exterior mechanical units, existing trees, landscaping, and walls and fences;

(2) Building scale and massing in relation to and compatible with the surrounding

1 area;

2 (3) Building architectural style, materials, entrances, windows, roof design, and colors;

3 (4) Open space on the site including pathways, public spaces, amenity areas, and similar
4 features;

5 (5) The design of exterior lighting devices and potential disturbances to the public and
6 adjacent properties; and

7 (6) The location, size, and design of the exterior signs.
8

9 (b) *Director May Consider Recommendations.* The Director of the Department of
10 Planning and Zoning may consider the panel's recommendations in making a final decision on
11 a plan or as a condition of plan approval in connection with those matters included in
12 subsection (a) of this section based on design requirements contained in the Route 1 Manual.
13

14 (c) *Hearing Authority May Consider Recommendations.* The hearing authority may
15 consider the panel's recommendations in making a final decision on a conditional use or as a
16 condition of conditional use approval for age-restricted adult housing in connection with those
17 matters included in subsection (a) of this section based on the guidelines and principles set
18 forth in section 16.1503 of this subtitle.
19

20 (D) *ZONING BOARD AND PLANNING BOARD MAY CONSIDER RECOMMENDATIONS.* THE
21 ZONING BOARD AND PLANNING BOARD MAY CONSIDER THE PANEL'S RECOMMENDATIONS IN
22 MAKING A FINAL DECISION ON A VILLAGE CENTER REDEVELOPMENT PLAN OR AS A CONDITION
23 OF PLAN APPROVAL IN CONNECTION WITH THOSE MATTERS INCLUDED IN SUBSECTION (A) OF THIS
24 SECTION BASED ON THE APPROPRIATE NEW TOWN VILLAGE CENTER DESIGN GUIDELINES.
25

26 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that*
27 *this Act shall become effective 61 days after its enactment.*
28
29

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on October 7, 2009.

Stephen M. LeGendre
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