

Introduced 11/02/09  
Public hearing See below  
Council action 2/01/10  
Executive action 2/03/10  
Effective date 4/06/10

## County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # 15

### BILL NO. 59 – 2009 (ZRA – 113)

Introduced by: The Chair  
at the request of General Growth Properties

AN ACT amending the Howard County Zoning Regulations to create a new Downtown Columbia revitalization process in the New Town District; defining new terms; establishing a new residential density for Downtown Columbia; establishing new land use percentages for open space in Downtown Columbia; ~~establishing an affordable housing provision for Downtown Columbia revitalization; requiring that a certain minimum percentage of the dwelling units permitted under the Downtown Columbia revitalization process be moderate income housing units; specifying the application of this Act to property currently improved pursuant to certain types of approved development plans; providing that the obligation to provide a Community Enhancement Program or Public Amenity is not triggered by the development of arts, cultural, and community uses, or by development of a parcel consisting only of up to a certain size of commercial floor area;~~ establishing new off-street parking requirements for Downtown Columbia revitalization; and generally relating to the New Town zoning district.

Introduced and read first time November 2, 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 November 14, 2009 and concluded on January 20, 2010.

additional public hearings 11/16/09, 11/18/09.  
Extended 30 days and tabled 12/7/09.

Remove from table, substantive amendments 1, 2 and 3 passed, and tabled 1/4/2010  
Public hearings 1/19/2010 and 1/20/2010.

By order

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

This Bill was read the third time February 1, 2010 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 3<sup>rd</sup> day of February, 2010 at 11:00 a.m./p.m.

By order

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

Approved/vetoed by the County Executive on February 3, 2010

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 subsection F*  
2 *of Section 125 "NT (New Town) District" (as enacted by Council Bill 29-2009) of the Howard*  
3 *County Zoning Regulations, is hereby renumbered to Subsection I.*

4  
5 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that new*  
6 *Numbers 38 through 60, of Subsection A, of Section 103 "Definitions" is hereby added; Section*  
7 *125 "NT (New Town) District" is hereby amended; Subsection B "Layout and Location", and*  
8 *Subsection E. "Permitted Reductions in Off-Street Parking Requirements." of Section 133 "Off-*  
9 *Street Parking and Loading Facilities" of the Howard County Zoning Regulations, are hereby*  
10 *amended to read as follows:*

## 11 12 13 **Howard County Zoning Regulations**

### 14 **SECTION 103: Definitions**

15  
16 38. DOWNTOWN ARTS, CULTURAL AND COMMUNITY USE: LAND AREAS, USES AND FACILITIES  
17 ESTABLISHED FOR CULTURAL, CIVIC, RECREATION, EDUCATIONAL, ENVIRONMENTAL,  
18 ENTERTAINMENT OR COMMUNITY USE OR BENEFIT, WHETHER OR NOT ENCLOSED AND WHETHER  
19 PUBLICLY OR PRIVATELY OWNED OR OPERATED FOR PROFIT, INCLUDING, BUT NOT LIMITED TO,  
20 LIBRARIES, FIRE STATIONS, SCHOOLS, MUSEUMS, GALLERIES, ARTISTIC WORK, AND TRANSIT  
21 FACILITIES. EATING, SEATING AND GATHERING AREAS THAT ARE ACCESSORY TO THESE USES  
22 ARE PERMITTED.

23  
24 39. DOWNTOWN ARTS AND ENTERTAINMENT PARK: A CONTIGUOUS AREA INCLUDING A LARGE  
25 OUTDOOR AMPHITHEATER WHICH MAY BE SURROUNDED BY A VARIETY OF SMALLER INDOOR OR  
26 OUTDOOR ARTISTIC AND PERFORMANCE SPACES, MUSEUMS, GALLERIES AND SIMILAR CULTURAL  
27 OR EDUCATIONAL USES IN A PARK-LIKE SETTING. ANCILLARY USES SUCH AS FOOD VENDORS,  
28 GIFT SHOPS, SMALL RESTAURANTS AND SUPPORTING INFRASTRUCTURE SUCH AS UTILITIES,  
29 PUBLIC AND PRIVATE ROADWAYS, MULTI-MODAL CIRCULATION SYSTEMS ADJACENT TO PUBLIC  
30 AND PRIVATE ROADWAYS, SURFACE PARKING LOTS, PARKING STRUCTURES, AND UNDERGROUND  
31 PARKING ARE ALSO PERMITTED.  
32

- 1 40. DOWNTOWN CEPPA IMPLEMENTATION CHART: THE CHART AND ASSOCIATED TEXT AND  
2 FLEXIBILITY PROVISIONS CONTAINED IN THE DOWNTOWN COLUMBIA PLAN WHICH IDENTIFY THE  
3 PHASING FOR DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES.  
4
- 5 41. DOWNTOWN COLUMBIA: THE FOLLOWING RECORDED FINAL DEVELOPMENT PLAN PHASES:  
6 PHASE 4, PHASE 4-A-5, PHASE 21, PHASE 47-A-7, PHASE 52, PHASE 62-A-1, PHASE 95, PHASE  
7 101-A, PHASE 105, PHASE 111-A-1, PHASE 115, PHASE 121, PHASE 122-A, PHASE 139-A-3,  
8 PHASE 140-A-1, PHASE 192-A, PHASE 211, PHASE 217-A-1, PHASE 219, PHASE 234, AND THE  
9 AREA WITHIN THE DESCRIBED LIMITS INCLUDED IN EXHIBIT A OF THE APPENDIX IN THESE  
10 REGULATIONS.  
11
- 12 42. DOWNTOWN COLUMBIA PLAN: THE GENERAL PLAN AMENDMENT FOR DOWNTOWN COLUMBIA  
13 ~~AS APPROVED BY THE COUNTY COUNCIL ON (APPROVAL DATE):~~ APPROVED BY COUNTY COUNCIL  
14 BILL NO. 58-2009.  
15
- 16 43. DOWNTOWN COMMUNITY COMMONS: AMENITY SPACES SUCH AS PLAZAS, PROMENADES,  
17 GREENS, GARDENS, SQUARES AND OTHER PEDESTRIAN-ORIENTED AREAS, WHETHER PUBLICLY OR  
18 PRIVATELY OWNED, THAT ARE INTENDED FOR COMMUNITY INTERACTION AND MAY INCLUDE  
19 SPACES FOR SEATING, WALKING, EATING, GATHERING, FOUNTAINS, PUBLIC ART, WAY-FINDING  
20 SIGNAGE, KIOSKS, OR OTHER SIMILAR PUBLIC AMENITIES. DOWNTOWN COMMUNITY COMMONS  
21 CAN ALSO INCLUDE WALKWAYS THAT ARE DESIGNED TO ENHANCE AND BE AN INTEGRAL PART  
22 OF THE ADJACENT AMENITY SPACE, BUT SHALL NOT INCLUDE ANY DRIVE LANE FOR VEHICULAR  
23 TRAFFIC SUCH AS PRIVATE STREETS, ALLEYS AND PUBLIC ROADWAYS FOR AUTOMOTIVE USE.  
24 DOWNTOWN COMMUNITY COMMONS MUST BE GENERALLY ACCESSIBLE BY THE PUBLIC WITHOUT  
25 CHARGE. INCLUDED IN THIS CATEGORY ARE DOWNTOWN NEIGHBORHOOD SQUARES.  
26 DOWNTOWN COMMUNITY COMMONS MAY BE INTEGRATED INTO OR DEVELOPED AS A PART OF  
27 OTHER USES AND MAY INCLUDE UNDERGROUND PARKING, UTILITIES AND OTHER  
28 INFRASTRUCTURE SUPPORTING DOWNTOWN REVITALIZATION.  
29
- 30 44. DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES (CEPPA): THE  
31 SPECIFIC FEASIBILITY STUDIES, IMPROVEMENT AND MANAGEMENT ORGANIZATIONS,  
32 ENVIRONMENTAL ENHANCEMENT PROGRAMS, AND PHYSICAL IMPROVEMENTS IDENTIFIED IN THE  
33 DOWNTOWN CEPPA IMPLEMENTATION CHART CONTAINED IN THE DOWNTOWN COLUMBIA PLAN.  
34
- 35 45. DOWNTOWN ENVIRONMENTAL ENHANCEMENT: ~~ENVIRONMENTAL RESTORATION OR~~

1        ~~ENHANCEMENT OF AN AREA WITHIN DOWNTOWN COLUMBIA COMPRISED OF AT LEAST ONE~~  
2        ~~CONTIGUOUS ACRE INCLUDING SUCH THINGS AS~~ RESTORATION: PROJECTS WITHIN DOWNTOWN  
3        COLUMBIA THAT ARE IDENTIFIED IN COLUMBIA TOWNCENTER MERRIWEATHER AND CRESCENT  
4        ENVIRONMENTAL ENHANCEMENTS STUDY OR BEST MANAGEMENT PRACTICES FOR SYMPHONY  
5        STREAM AND LAKE KITTAMAQUONDI WATERSHEDS INVOLVING FOREST RESTORATION AND  
6        ENHANCEMENT, REFORESTATION AND AFFORESTATION, WETLAND ENHANCEMENT, AND STREAM  
7        RESTORATION ACTIVITIES.

- 8  
9        46. DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA: AN AREA WITHIN DOWNTOWN  
10       COLUMBIA MEETING THE DEFINITION IN THE HOWARD COUNTY LAND DEVELOPMENT  
11       REGULATIONS OF EITHER A FLOODPLAIN, STEEP SLOPE, STREAM OR WETLAND BUFFERS.
- 12  
13       47. DOWNTOWN MAXIMUM BUILDING HEIGHT PLAN: THE PLAN WHICH GRAPHICALLY REPRESENTS  
14       THE MAXIMUM BUILDING HEIGHT REQUIREMENTS FOR ALL DOWNTOWN REVITALIZATION, AS  
15       DEPICTED IN THE DOWNTOWN COLUMBIA PLAN.
- 16  
17       48. DOWNTOWN MIXED-USE: A LAND-USE DESIGNATION THAT PERMITS ANY USE OR COMBINATION  
18       OF USES PERMITTED UNDER SECTION 125.A.9.B. INCLUDING SUPPORTING INFRASTRUCTURE,  
19       SUCH AS UTILITIES, PUBLIC AND PRIVATE ROADWAYS, MULTI-MODAL CIRCULATION SYSTEMS  
20       ADJACENT TO PUBLIC AND PRIVATE ROADWAYS, SURFACE PARKING LOTS, PARKING STRUCTURES,  
21       AND UNDERGROUND PARKING.
- 22  
23       49. DOWNTOWN NEIGHBORHOOD CONCEPT PLAN: A CONCEPT PLAN SHOWING AN INDIVIDUAL  
24       NEIGHBORHOOD IDENTIFIED IN THE DOWNTOWN COLUMBIA PLAN THAT DEPICTS A GENERAL  
25       LAYOUT FOR PROPOSED PUBLIC AND PRIVATE STREETS, BLOCK SIZES AND CONFIGURATIONS,  
26       MAXIMUM BUILDING HEIGHTS AND PROPOSED DOWNTOWN COMMUNITY ~~COMMONS:~~ COMMONS  
27       AS CONTEXT FOR THE EVALUATION OF THE FINAL DEVELOPMENT PLANS.
- 28  
29       50. DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES: URBAN DESIGN GUIDELINES FOR AN  
30       INDIVIDUAL NEIGHBORHOOD IDENTIFIED IN THE DOWNTOWN COLUMBIA PLAN.
- 31  
32       51. DOWNTOWN NEIGHBORHOOD SQUARE: AN OUTDOOR AMENITY SPACE COMPRISED OF NOT LESS  
33       THAN 25,000 CONTIGUOUS SQUARE FEET, EXCLUSIVE OF BIKE PATHS AND REQUIRED SIDEWALKS  
34       THAT MIGHT BE LOCATED ALONG ITS PERIMETER. A DOWNTOWN NEIGHBORHOOD SQUARE MAY  
35       BE COVERED OR PARTIALLY COVERED.
- 36

- 1 52. DOWNTOWN NET NEW: AS APPLICABLE, THE NUMBER OF DWELLINGS, HOTEL AND MOTEL  
2 ROOMS, AND THE AMOUNT OF GROSS FLOOR AREA OF COMMERCIAL OFFICE AND COMMERCIAL  
3 RETAIL USES THAT ARE PERMITTED UNDER THE DOWNTOWN REVITALIZATION APPROVAL  
4 PROCESS AFTER (EFFECTIVE DATE) IN EXCESS OF THE NUMBER OF DWELLINGS, HOTEL AND  
5 MOTEL ROOMS, AND GROSS FLOOR AREA OF COMMERCIAL OFFICE AND COMMERCIAL RETAIL  
6 USES THAT ARE SHOWN ON A SITE DEVELOPMENT PLAN FOR PROPERTY LOCATED WITHIN  
7 DOWNTOWN COLUMBIA THAT WAS APPROVED PRIOR TO [EFFECTIVE DATE].
- 8  
9 53. DOWNTOWN OPEN SPACE PRESERVATION PLAN: A PLAN INCLUDED IN THE DOWNTOWN  
10 COLUMBIA PLAN DELINEATING ALL LAND IN DOWNTOWN COLUMBIA DESIGNATED AS OPEN  
11 SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE) THAT IS  
12 REQUIRED TO RETAIN ITS EXISTING CHARACTER AS: DOWNTOWN ENVIRONMENTALLY SENSITIVE  
13 LAND; DOWNTOWN PARKLAND; DOWNTOWN COMMUNITY COMMONS; OR A DOWNTOWN ARTS  
14 AND ENTERTAINMENT PARK, AS SPECIFIED IN SECTION 125.A.9.H.
- 15  
16 54. DOWNTOWN PARKLAND: AN AREA GENERALLY ACCESSIBLE BY THE PUBLIC WITHOUT CHARGE  
17 FOR ACTIVE AND/OR PASSIVE RECREATION PURPOSES WHICH CONSISTS PRIMARILY OF  
18 VEGETATED AREAS WITH A NATURAL CHARACTER, MORE FORMAL LAWNS, GARDENS AND  
19 WALKS, PEDESTRIAN CONNECTIONS, MINOR ACTIVE STRUCTURED RECREATION USES SUCH AS  
20 URBAN PLAYGROUNDS, PUBLIC ART, FOUNTAINS AND MINIMAL STRUCTURES SUCH AS CAFES AND  
21 OUTDOOR DINING AREAS, GAZEBOS, PAVILIONS, OUTDOOR STAGES, AND KIOSKS.
- 22  
23 55. DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM: A PLAN AND ASSOCIATED  
24 TEXT INCLUDED IN THE DOWNTOWN COLUMBIA PLAN DEPICTING EXISTING AND PROPOSED  
25 PRIMARY AMENITY AND NATURAL SPACES IN DOWNTOWN COLUMBIA.
- 26  
27 56. DOWNTOWN PUBLIC ART: ORIGINAL OUTDOOR ARTWORK WHICH IS ACCESSIBLE TO THE PUBLIC.
- 28  
29 57. DOWNTOWN REVITALIZATION: A FORM OF DEVELOPMENT REQUIRED IN DOWNTOWN COLUMBIA  
30 AFTER (EFFECTIVE DATE) IN COMPLIANCE WITH THE APPLICABLE PROVISIONS OF SECTION 125  
31 THAT MUST ~~BE CONSISTENT~~ CONFORM WITH THE RECOMMENDATIONS OF THE DOWNTOWN  
32 COLUMBIA PLAN.
- 33  
34 58. DOWNTOWN REVITALIZATION PHASING PLAN: A PHASING PLAN INCLUDED IN THE DOWNTOWN  
35 COLUMBIA PLAN IDENTIFYING ADDITIONAL DEVELOPMENT RIGHTS BY PHASE FOR DOWNTOWN  
36 REVITALIZATION.

1  
2 59. DOWNTOWN SIGNATURE BUILDING: AN EXISTING OR PROPOSED STRUCTURE WHICH REQUIRES  
3 PREMIERE ATTENTION TO ITS ARCHITECTURAL DESIGN BECAUSE OF ITS CULTURAL SIGNIFICANCE  
4 OR PROMINENT LOCATION IN RELATIONSHIP TO THE PUBLIC REALM, SUCH AS ITS POSITION ON A  
5 STREET OR OPEN SPACE, OR AS THE TERMINUS OF A VISTA.

6  
7 60. DOWNTOWN-WIDE DESIGN GUIDELINES: GENERAL URBAN DESIGN GUIDELINES FOR DOWNTOWN  
8 REVITALIZATION ADOPTED BY THE HOWARD COUNTY COUNCIL.

9  
10  
11 **SECTION 125: NT (New Town) Districts**  
12

13 A. **Definitions, Requirements and Restrictions Applicable to NT Districts**

- 14 1. As used herein, the term "New Town" means an unincorporated city, town or village  
15 which:
- 16 a. Is designated and planned as an economically and culturally self-sufficient  
17 community with a population of at least 20,000 inhabitants; and
- 18 b. Is so designed and planned as to meet all of the requirements specified in this Section  
19 125.
- 20 ~~2. As used herein, the terms "New Town District," "NT District" or "the District" means the~~  
21 ~~land zoned for the erection of a New Town under the provisions of this Section 125.~~
- 22 2. AS USED HEREIN:
- 23
- 24 a. THE TERMS "NEW TOWN DISTRICT", "NT DISTRICT", AND "THE DISTRICT" MEAN  
25 THE LAND ZONED FOR THE ERECTION OF A NEW TOWN UNDER THE PROVISIONS OF  
26 THIS SECTION 125.
- 27
- 28 b. WHEN A PROVISION IN THIS SECTION REQUIRES THAT AN ACTION "WILL CONFORM",  
29 "CONFORM WITH", "CONFORMS WITH", OR "CONFORMS TO" THE DOWNTOWN  
30 COLUMBIA PLAN OR ANY PART OF THE PLAN, THE ACTION BEING TAKEN SHALL

FURTHER, AND NOT BE CONTRARY TO, THE FOLLOWING ITEMS IN THE DOWNTOWN  
COLUMBIA PLAN:

(1) POLICIES;

(2) TIMING AND IMPLEMENTATION OF THE PLAN;

(3) TIMING OF DEVELOPMENT;

(4) DEVELOPMENT PATTERNS;

(5) LAND USES; AND

(6) DENSITIES AND INTENSITIES.

3. No NT District shall be created except by the procedure set forth herein. Each NT District must contain a total area of at least 2,500 contiguous acres. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights-of-way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 125. No NT District shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 125 thereof. The tenant under a lease having a term of not less than 75 years shall be deemed to be the holder of the beneficial title to the land covered by the lease for the purpose of this Section 125.

4. No NT District shall have a greater overall [[population]] RESIDENTIAL density than that produced by the TOTAL COMBINED number of dwellings permitted [[herein.]] IN THIS SECTION 125.A.4 AND IN SECTION 125.A.9. The maximum number of dwellings permitted [[within an NT District]] UNDER THE DOWNTOWN REVITALIZATION APPROVAL PROCESS IS ESTABLISHED IN SECTION 125.A.9. THE MAXIMUM NUMBER OF DWELLINGS PERMITTED THAT ARE NOT SUBJECT TO THE DOWNTOWN REVITALIZATION APPROVAL PROCESS IS ESTABLISHED BY THIS SECTION AND shall be calculated by multiplying the total number of acres within the [[entire]] NT District [[[without excluding any areas regardless of their use) by the average number of dwellings per acre permitted with the

NT District as specified in the "Final Development Plan," as hereinafter defined; provided, however, that in no event shall the number of dwellings per acre permitted in any NT District exceed two and one half. Within each NT District the following additional density]] BY TWO AND ONE-HALF. FOR DEVELOPMENT THAT IS NOT SUBJECT TO THE DOWNTOWN REVITALIZATION APPROVAL PROCESS, THE FOLLOWING DEVELOPMENT restrictions shall apply:

- a. In areas designated "single family -- low density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by two.
- b. In areas designated "single family -- medium density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by four.
- c. In areas designated "Apartments" on the Final Development Plan the maximum number of apartments permitted shall relate to the overall total number of apartments in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by 15.

5. The use of land within NT Districts shall be limited to those uses specified in the "Final Development Plan," provided, however, that:

- a. No uses permitted only in the R-MH or M-2 Districts under these Regulations may be permitted in an NT District; and
- b. Attached or semi-detached dwellings may be erected only in areas designated "DOWNTOWN REVITALIZATION," OR "apartments" ON [[the]] A Final Development Plan[, and]]. WITHIN AREAS DESIGNATED "DOWNTOWN REVITALIZATION" SUCH UNITS SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 125.A.9. WITHIN AREAS DESIGNATED "APARTMENTS" SUCH UNITS MUST BE PROVIDED:

- (1) In groups having no more than 10 dwellings attached to one another if attached on the sides, or 16 dwellings if attached back to back; and



1                   (2)     In such numbers so as not to exceed 10 dwellings for each acre of such  
2                             use, calculated by multiplying the number of acres so designated by 10;  
3                             and  
4

5                   (3)     In such physical relation to each other and to other uses as may be  
6                             specifically approved on a subdivision layout submitted as part of the  
7                             Final Development Plan.  
8

9           6.     Except for accessory uses as hereinafter provided, no structure within an NT District shall  
10                   be:

11                   a.    Erected except in accordance with the Final Development Plan, or  
12

13                   b.    Used for any purpose other than the use designated for it on the Final Development  
14                             Plan.  
15

16           7.     Except as otherwise provided in the Final Development Plan, the following restrictions  
17                   shall be applicable to NT Districts:  
18

19                   a.    Access shall be provided from every use site to a public street or to a system of  
20                             common streets and ways connecting with the public street system.  
21

22                   b.    The off-street parking requirements of Section 133 of these Regulations shall be  
23                             applicable.  
24

25                   c.    The accessory use provisions of Section 110 shall be applicable to all residential uses  
26                             within the NT District.  
27

28                   d.    The provisions of Section 128 (Supplementary Zoning District Regulations) shall  
29                             apply to the NT District except for those provisions which specifically exclude the  
30                             NT District.  
31

32           Subject to any additional specific permitted uses of land which may be designated on an approved  
33           Final Development Plan pursuant to Section 125.C.3.d of these Regulations, if an approved Final  
34           Development Plan designates POR, B-1, B-2, SC or M-1 District uses or any combination thereof for  
35           a specific area, then the general permitted uses for such area shall be those uses permitted as a matter  
36

of right in those districts. However, the bulk regulations for those districts regulating the location of structures, height limitations, setback provisions, minimum lot sizes, and coverage requirements shall not apply inasmuch as the controls therefore shall be included in the Final Development Plan approved by the Planning Board as provided under [[Section 125.C of]] these Regulations.

[[

8. Each New Town District must provide each of the following uses in the following proportions:

|  | (1) Minimum<br>Percentage of<br>Total Area of the<br>District | (2) Maximum<br>Percentage of<br>Total Area of the<br>District |
|--|---|---|
| Open Space Uses  | 36%   | N/A   |
| Single Family – Low Density  | 10%   | N/A   |
| Single Family – Medium Density   | 20%   | N/A   |
| Apartments   | N/A   | 13%   |
| Commercial (POR, B-1, B-2 and SC uses)   | 2%  | 10%   |
| Industrial Uses (M-1 uses)   | 10%   | 20%   |
| Other uses presently permitted in any zoning district other than those permitted only in R-MH or M-2 Districts | N/A   | 15%   |
| Note: N/A means Not Applicable   |   |   |

Each New Town District must also provide adequate public transportation facilities and public water and sewer systems in the areas shown on the Final Development Plan. As used in this Section the term "open space uses" is defined as being those uses which do not involve any extensive coverage of land with structures, as, for example, all lands devoted to raising of crops, agricultural uses, parks, playing fields, golf courses and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses. Open land designated for residential uses shall be considered qualified as "open space use" only if it is held for the common use of the public or persons residing in the particular locality within the community, and if it is larger than two acres in size. For the purpose of meeting the 36 percent requirement

imposed above:

- a. The term "open space uses" shall not include parking lots, streets, rights-of-way, amusement parks, golf driving ranges which are not ancillary to a golf course, or drive-in movies.
- b. All lands approved and credited as open space use on the Final Development Plan of the NT District shall be conclusively presumed to satisfy the requirements of this Section.

9. Anything in other Sections of these regulations to the contrary notwithstanding, there shall be no restrictions upon the use of, or on the erection of structures on, land within an NT District, other than such as are provided in the various subsections of this Section or in such other Sections of these regulations as are expressly stated to be applicable by the various provisions of this Section. Nothing herein shall render inapplicable any regulation of the County relating to construction requirements and/or subdivision approval to the extent that any of the same are not inconsistent with the provisions of this Section.]]

8. A. EACH NEW TOWN DISTRICT MUST PROVIDE EACH OF THE FOLLOWING USES IN THE FOLLOWING PROPORTIONS:

|                                       | (1) MINIMUM<br>PERCENTAGE OF<br>TOTAL AREA OF<br>THE<br>DISTRICT | (2) MAXIMUM<br>PERCENTAGE OF<br>TOTAL AREA OF<br>THE DISTRICT |
|---------------------------------------|--|---|
| OPEN SPACE USES                       | 36%  | N/A   |
| SINGLE FAMILY – LOW DENSITY           | 10%  | N/A   |
| SINGLE FAMILY – MEDIUM DENSITY        | 20%  | N/A   |
| APARTMENTS                            | N/A  | 13%   |
| COMMERCIAL (POR B-1, B-2 AND SC USES) | 2%   | 10%   |
| INDUSTRIAL USES (M-1 USES)            | 10%  | 20%   |

|  | (1) MINIMUM<br>PERCENTAGE OF<br>TOTAL AREA OF<br>THE<br>DISTRICT | (2) MAXIMUM<br>PERCENTAGE OF<br>TOTAL AREA OF<br>THE DISTRICT |
|--|--|---|
| OTHER USES PRESENTLY PERMITTED IN ANY<br>ZONING DISTRICT OTHER THAN THOSE PERMITTED<br>ONLY IN R-MH OR M-2 DISTRICTS | N/A  | 15%   |
| NOTE: N/A MEANS NOT APPLICABLE   |  |   |

- B. EXCEPT AS PROVIDED IN SECTION 125.A.8.C. BELOW, THE LAND USE PERCENTAGES IN SECTION 125.A.8.A. DO NOT APPLY TO DOWNTOWN REVITALIZATION. HOWEVER FOR PURPOSES OF DETERMINING AND MAINTAINING COMPLIANCE WITH THE LAND USE PERCENTAGES CHART IN SECTION 125A.8. FOR AREAS IN THE NEW TOWN DISTRICT OUTSIDE OF DOWNTOWN COLUMBIA, LAND USES RECORDED ON FINAL DEVELOPMENT PLANS WITHIN DOWNTOWN COLUMBIA PRIOR TO THE EFFECTIVE DATE SHALL CONTINUE TO BE INCLUDED WHEN CALCULATING THE LAND USE PERCENTAGES IN THIS CHART.
- C. UPON RECORDATION OF A FINAL DEVELOPMENT PLAN WITHIN DOWNTOWN COLUMBIA, ENVIRONMENTALLY SENSITIVE LAND AREAS THAT ARE DESIGNATED "OPEN SPACE" ON THE FINAL DEVELOPMENT PLAN WILL BE CREDITED TOWARDS THE MINIMUM PERCENTAGE OF OPEN SPACE USES IN SECTION 125.A.8.A. ABOVE.
- D. EACH NEW TOWN DISTRICT MUST ALSO PROVIDE ADEQUATE PUBLIC TRANSPORTATION FACILITIES AND PUBLIC WATER AND SEWER SYSTEMS IN THE AREAS SHOWN ON THE FINAL DEVELOPMENT PLAN.
- E. AS USED IN THIS SECTION THE TERM "OPEN SPACE USES" IS DEFINED AS BEING THOSE USES WHICH DO NOT INVOLVE ANY EXTENSIVE COVERAGE OF LAND WITH STRUCTURES, AS, FOR EXAMPLE, ALL LANDS DEVOTED TO RAISING OF CROPS, AGRICULTURAL USES, PARKS, PLAYING FIELDS, GOLF COURSES AND ANY OTHER OUTDOOR RECREATIONAL USES (WHETHER ANY SUCH USES BE PUBLICLY OWNED OR PRIVATELY OWNED OR OPERATED FOR PROFIT), AS WELL AS ALL LANDS COVERED BY LAKES, RIVERS OR STREAMS, AND ALL LANDS DEVOTED TO PUBLIC

1 OR COMMUNITY USES. OPEN LAND DESIGNATED FOR RESIDENTIAL USES SHALL  
2 BE CONSIDERED QUALIFIED AS "OPEN SPACE USE" ONLY IF IT IS HELD FOR THE  
3 COMMON USE OF THE PUBLIC OR PERSONS RESIDING IN THE PARTICULAR  
4 LOCALITY WITHIN THE COMMUNITY, AND IF IT IS LARGER THAN TWO ACRES IN  
5 SIZE. FOR THE PURPOSE OF MEETING THE 36 PERCENT REQUIREMENT IMPOSED  
6 ABOVE:

7  
8 (1) THE TERM "OPEN SPACE USES" SHALL NOT INCLUDE PARKING LOTS,  
9 STREETS, RIGHTS-OF-WAY, AMUSEMENT PARKS, GOLF DRIVING RANGES  
10 WHICH ARE NOT ANCILLARY TO A GOLF COURSE, OR DRIVE-IN MOVIES.

11  
12 (2) ALL LANDS APPROVED AND CREDITED AS OPEN SPACE USE ON THE FINAL  
13 DEVELOPMENT PLAN OF THE NT DISTRICT SHALL BE CONCLUSIVELY  
14 PRESUMED TO SATISFY THE REQUIREMENTS OF THIS SECTION.

15  
16 9. DOWNTOWN REVITALIZATION.

17  
18 aA. APPLICABILITY. TO IMPLEMENT THE RECOMMENDATIONS OF THE DOWNTOWN  
19 COLUMBIA PLAN, NEW DEVELOPMENT OR REDEVELOPMENT OF ANY PROPERTY  
20 LOCATED WITHIN DOWNTOWN COLUMBIA THAT ~~IS OCCURS PURSUANT TO A~~  
21 ~~FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT~~  
22 APPROVED AFTER (EFFECTIVE DATE) MUST COMPLY WITH ALL PROVISIONS  
23 APPLICABLE TO DOWNTOWN REVITALIZATION- REVITALIZATION, EXCEPT AS  
24 PROVIDED IN SECTION 125 A.9.F. DOWNTOWN REVITALIZATION SHALL REQUIRE  
25 APPROVAL OF: (I). A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
26 AMENDMENT, AND (II). A SITE DEVELOPMENT PLAN.

27  
28 bB. USES. THE FOLLOWING USES ARE PERMITTED UNDER THE DOWNTOWN  
29 REVITALIZATION APPROVAL PROCESS: ALL USES PERMITTED IN THE POR, B-1,  
30 B-2 AND SC ZONING DISTRICTS, DOWNTOWN ARTS, CULTURAL AND COMMUNITY  
31 USES AND DWELLINGS. STRUCTURES MAY BE DEVELOPED WITH INDIVIDUAL OR  
32 MULTIPLE USES. SECTION 125.A.8.A. DOES NOT APPLY TO DOWNTOWN  
33 REVITALIZATION.

34  
35 eC. DEVELOPMENT LEVELS. THE FOLLOWING MAXIMUM DEVELOPMENT LEVEL

LIMITS APPLY TO DOWNTOWN COLUMBIA FOR DOWNTOWN REVITALIZATION,  
EXCEPT AS QUALIFIED BY SECTIONS 125.A.9.F.(1), (2) AND (3).

- (1) THE MAXIMUM NUMBER OF DOWNTOWN NET NEW DWELLINGS PERMITTED IS 5,500 DWELLINGS. THE NUMBER OF DWELLINGS PERMITTED UNDER THE DOWNTOWN REVITALIZATION APPROVAL PROCESS, UP TO A MAXIMUM 5,500 DOWNTOWN NET NEW DWELLINGS, SHALL BE IN ADDITION TO THE OVERALL RESIDENTIAL DENSITY ESTABLISHED BY SECTION 125.A.4.
- (2) THE MAXIMUM AMOUNT OF DOWNTOWN NET NEW COMMERCIAL OFFICE DEVELOPMENT PERMITTED IS 4,300,000 SQUARE FEET OF GROSS FLOOR AREA.
- (3) THE MAXIMUM NUMBER OF DOWNTOWN NET NEW HOTEL AND MOTEL ROOMS PERMITTED IS 640 ROOMS.
- (4) THE MAXIMUM AMOUNT OF DOWNTOWN NET NEW COMMERCIAL RETAIL DEVELOPMENT PERMITTED IS 1,250,000 SQUARE FEET OF GROSS FLOOR AREA.
- (5) THE MAXIMUM DEVELOPMENT LEVELS PERMITTED ABOVE FOR DOWNTOWN REVITALIZATION SHALL BE IN ADDITION TO THE NUMBER OF DWELLINGS AND GROSS FLOOR AREA OF NONRESIDENTIAL USES SHOWN ON A SITE DEVELOPMENT PLAN APPROVED PRIOR TO (EFFECTIVE DATE).

~~dD. DOWNTOWN COMMUNITY COMMONS. DOWNTOWN COMMUNITY COMMONS SHALL BE LOCATED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DOWNTOWN COLUMBIA PLAN AND SECTION 125.A.9.H. EACH NEIGHBORHOOD IDENTIFIED ON A DOWNTOWN NEIGHBORHOOD CONCEPT PLAN AND THE APPLICABLE FINAL DEVELOPMENT PLAN SHALL INCLUDE A DOWNTOWN NEIGHBORHOOD SQUARE IN ADDITION TO OTHER APPROPRIATE DOWNTOWN COMMUNITY COMMONS RECOMMENDED IN THE DOWNTOWN COLUMBIA PLAN AND AS DETERMINED BY THE PLANNING BOARD. LAND ON WHICH DOWNTOWN COMMUNITY COMMONS IS PROPOSED MUST BE DESIGNATED ON THE FINAL DEVELOPMENT PLAN, AND THE FEE SIMPLE OWNER OF THE LAND MUST SIGN THE~~

1 ~~FINAL DEVELOPMENT PLAN. DOWNTOWN COMMUNITY COMMONS MAY BE~~  
2 ~~LOCATED WITHIN AREAS DESIGNATED OPEN SPACE USE UNDER A PREVIOUSLY~~  
3 ~~APPROVED FINAL DEVELOPMENT PLAN.~~

4 ~~eED.~~ OFF-STREET PARKING. OFF-STREET PARKING AND LOADING FACILITIES WITHIN  
5 DOWNTOWN COLUMBIA MUST BE PROVIDED IN ACCORDANCE WITH THE  
6 PROVISIONS FOR DOWNTOWN REVITALIZATION IN SECTION 133.E.3.

7 ~~fEE.~~ PREVIOUSLY DEVELOPED PROPERTIES.

8 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THESE REGULATIONS,  
9 ANY PREVIOUSLY DEVELOPED PROPERTY THAT IS THE SUBJECT OF A  
10 FINAL DEVELOPMENT PLAN APPROVED ON OR BEFORE (EFFECTIVE  
11 DATE) THAT AUTHORIZED DEVELOPMENT IN EXCESS OF THE FLOOR AREA  
12 OF IMPROVEMENTS THAT EXISTED ON THE PROPERTY ON (EFFECTIVE  
13 DATE) MAY CONTINUE TO BE DEVELOPED AND USED IN ACCORDANCE  
14 WITH THE TERMS AND REQUIREMENTS ON THE APPROVED FINAL  
15 DEVELOPMENT PLAN, SUBJECT TO THE APPROVAL OF A SITE  
16 DEVELOPMENT PLAN PURSUANT TO SECTION 125.H. BUILDINGS AND  
17 OTHER IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED UNDER  
18 THIS PROVISION SHALL NOT BE DEEMED NONCONFORMING OR  
19 NONCOMPLYING AND MAY BE CONSTRUCTED, USED, MAINTAINED AND  
20 REPAIRED IN ACCORDANCE WITH THE TERMS AND REQUIREMENTS OF  
21 THE EXISTING FINAL DEVELOPMENT PLAN. ANY PROPERTY CURRENTLY  
22 IMPROVED WITH A BUILDING AND ANY ASSOCIATED PARKING LOTS  
23 PURSUANT TO A RECORDED FINAL DEVELOPMENT PLAN AND AN  
24 APPROVED SITE DEVELOPMENT PLAN AS OF (EFFECTIVE DATE), MAY  
25 CONTINUE TO BE USED IN ACCORDANCE WITH THE TERMS AND  
26 REQUIREMENTS ON THE FINAL DEVELOPMENT PLAN, BUT ONLY TO THE  
27 SAME SIZE AND DIMENSIONS IN THE SAME LOCATION AS SHOWN ON THE  
28 APPROVED SITE DEVELOPMENT PLAN, EXCEPT FOR MINOR CHANGES TO  
29 THE SITE DEVELOPMENT PLAN, WHICH SHALL BE GOVERNED BY  
30 SECTION 125G.

31 (2) DEMOLITION OF EXISTING IMPROVEMENTS THAT ARE LOCATED WITHIN

1 DOWNTOWN COLUMBIA THAT OCCURS AFTER [EFFECTIVE DATE] SHALL  
2 RESULT IN THE CREATION OF A DEMOLITION DEVELOPMENT CREDIT  
3 EQUAL TO THE NUMBER OF DWELLINGS AND GROSS FLOOR AREA  
4 DEVOTED TO NONRESIDENTIAL USES THAT WERE DEMOLISHED. A  
5 DEMOLITION DEVELOPMENT CREDIT: (I) MAY BE USED ANYWHERE  
6 WITHIN DOWNTOWN COLUMBIA; AND (II) SHALL NOT BE LIMITED BY OR  
7 COUNTED AGAINST RECOMMENDED DEVELOPMENT LEVELS IN THE  
8 DOWNTOWN COLUMBIA PLAN OR THE MAXIMUM LEVEL OF  
9 DEVELOPMENT PERMITTED BY SECTION 125.A.9.C.

- 10 (3) ANY EXISTING STRUCTURE OR IMPROVEMENT THAT IS LOCATED WITHIN  
11 DOWNTOWN COLUMBIA THAT IS DESTROYED BY FIRE, FLOOD OR OTHER  
12 CALAMITY MAY BE RESTORED TO THE SAME SIZE AND DIMENSIONS IN  
13 THE SAME LOCATION AS THE DESTROYED STRUCTURE IN ACCORDANCE  
14 WITH THE PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN, PROVIDED  
15 THAT A BUILDING PERMIT IS ISSUED WITHIN TWO (2) YEARS FROM THE  
16 DATE SUCH STRUCTURE WAS DESTROYED AND RECONSTRUCTION BEGINS  
17 WITHIN SIX (6) MONTHS AFTER ISSUANCE OF THE BUILDING PERMIT. THE  
18 PLANNING BOARD MAY APPROVE AN EXTENSION FOR GOOD CAUSE  
19 SHOWN UP TO A MAXIMUM TWO ADDITIONAL YEARS TO OBTAIN A  
20 BUILDING PERMIT AND BEGIN CONSTRUCTION. STRUCTURES AND  
21 IMPROVEMENTS CONSTRUCTED UNDER THIS SECTION 125.A.9.F(3)  
22 SHALL NOT BE LIMITED BY OR COUNTED AGAINST DEVELOPMENT LEVELS  
23 IN THE DOWNTOWN COLUMBIA PLAN OR THE MAXIMUM DOWNTOWN  
24 NET NEW LEVEL OF DEVELOPMENT PERMITTED BY SECTION 125.A.9.C.

25 ~~GGF.~~ ADDITIONAL REQUIREMENTS

- 26 ~~(1) AT LEAST 15% OF THE DWELLING UNITS PERMITTED UNDER THE~~  
27 ~~DOWNTOWN REVITALIZATION PROCESS SHALL BE MODERATE INCOME~~  
28 ~~HOUSING UNITS.~~

- 29 ~~(121)~~ THE MAXIMUM BUILDING HEIGHT PERMITTED FOR DOWNTOWN  
30 REVITALIZATION SHALL BE CONSISTENT WITH CONFORM TO THE  
31 BUILDING HEIGHT SHOWN ON THE DOWNTOWN MAXIMUM BUILDING



HEIGHT PLAN AND SHALL NOT EXCEED TWENTY STORIES.

~~(22) ANY DOWNTOWN REVITALIZATION DEVELOPMENT SHALL INCLUDE A  
SPECIFIC PROGRAM FOR PROVIDING DOWNTOWN PUBLIC ART, WHICH IS  
FUNDED BY THE DEVELOPER BASED ON THE FOLLOWING SCHEDULE:~~

~~(A) RESIDENTIAL CONSTRUCTION: THREE HUNDRED TWENTY-FIVE  
DOLLARS (\$325.00) PER DOWNTOWN NET-NEW DWELLING UNIT.~~

~~(B) COMMERCIAL CONSTRUCTION: TWENTY-FIVE CENTS (\$.25) PER  
SQUARE FOOT OF DOWNTOWN NET-NEW GROSS FLOOR AREA.~~

~~(C) THE FOLLOWING CONSTRUCTION PROJECTS ARE NOT SUBJECT TO  
THE REQUIREMENTS OF THIS SECTION:~~

~~1. CONSTRUCTION OF MODERATE INCOME HOUSING UNITS.~~

~~2. CONSTRUCTION OF PLACES OF WORSHIP AND THEIR  
ACCESSORY USES.~~

~~3. RENOVATIONS TO EXISTING OR CONSTRUCTION OF NEW  
CULTURAL FACILITIES WHICH INCLUDE FACILITIES  
LOCATED WITHIN A DOWNTOWN ARTS AND  
ENTERTAINMENT PARK, DOWNTOWN ARTS, CULTURAL  
AND COMMUNITY USES, AND DOWNTOWN COMMUNITY  
COMMONS.~~

~~4. PARKING STRUCTURES.~~

~~5. RENOVATIONS TO EXISTING BUILDINGS OR STRUCTURES  
REQUIRED BY GOVERNMENT MANDATED CODE  
COMPLIANCE CONSTRUCTION PROJECTS, SUCH AS  
PROJECTS EXCLUSIVELY DESIGNED FOR COMPLIANCE  
WITH THE AMERICANS WITH DISABILITIES ACT  
("ADA"), THE MARYLAND ACCESSIBILITY CODE, THE  
NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)  
LIFE SAFETY CODE, AND/OR FIRE SPRINKLER RETROFITS.~~

~~(D) THE DOWNTOWN PUBLIC ART PROGRAM REQUIRED BY THIS SECTION MAY PROVIDE FOR (I) THE INSTALLATION OF DOWNTOWN PUBLIC ART IN PUBLICLY ACCESSIBLE LOCATIONS IN DOWNTOWN COLUMBIA; (II) A MONETARY DONATION TO THE COLUMBIA TOWN CENTER PARTNERSHIP RECOMMENDED BY THE DOWNTOWN COLUMBIA PLAN FOR THE PURPOSE OF PROVIDING AND COORDINATING THE PROVISION OF DOWNTOWN PUBLIC ART; OR (III) A COMBINATION OF THE ABOVE. DOWNTOWN PUBLIC ART MAY BE PROVIDED BY COMBINING THE DOWNTOWN PUBLIC ART EXPENDITURE REQUIREMENTS OF TWO OR MORE DOWNTOWN REVITALIZATION PROJECTS.~~

**(E) THE DOWNTOWN PUBLIC ART EXPENDITURE REQUIRED BY THIS SECTION SHALL BE ADJUSTED ANNUALLY TO REFLECT THE INCREASE OR DECREASE IN THE BUILDER'S COST INDEX (BCI) AS PUBLISHED BY ENGINEERING NEWS-RECORD, PUBLISHED BY THE MCGRAW-HILL COMPANIES.**

**(32) ANY DOWNTOWN REVITALIZATION DEVELOPMENT SHALL PROVIDE FOR ART IN THE COMMUNITY THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION COST.**

**(A) ART MUST BE PROVIDED:**

1. ON SITE;
2. ON OTHER PROPERTY LOCATED WITHIN DOWNTOWN REVITALIZATION DEVELOPMENT PROVIDED WITH THE WRITTEN CONSENT OF THE OWNER OF THE FEE SIMPLE PROPERTY; OR
3. THE PETITIONER MAY PAY A FEE IN-LIEU OF PROVIDING ART ON-SITE THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION COST.

**(B) ART MAY BE PROVIDED IN COMBINATION WITH OTHER DOWNTOWN REVITALIZATION DEVELOPMENTS.**

1 (C) EACH IN-LIEU FEE MUST BE PAID PRIOR TO ISSUANCE OF A USE AND OCCUPANCY PERMIT  
2 FOR THE FIRST BUILDING IN THE PROJECT THAT GENERATES THE REQUIREMENT, AND THE  
3 COLLECTED FUNDS MUST BE USED TO PROVIDE ART ON PROPERTY WITHIN DOWNTOWN  
4 REVITALIZATION DEVELOPMENTS.

5  
6 (D) IF THE VALUE OF THE ART PROVIDED ON SITE OR IN COMBINATION WITH OTHER PROJECTS  
7 EXCEEDS 1% OF THE BUILDING CONSTRUCTION COST, THEN THE EXCESS VALUE BEYOND  
8 1% CAN BE CREDITED TOWARDS THE REQUIREMENTS OF THIS SUBSECTION FOR A  
9 SUBSEQUENT FINAL DEVELOPMENT PLAN SUBJECT TO THE PROCEDURES AND  
10 REQUIREMENTS SET FORTH IN THIS SUBSECTION.

11  
12 (E) THE FOLLOWING CONSTRUCTION PROJECTS ARE NOT SUBJECT TO THE REQUIREMENTS OF  
13 THIS SECTION:

- 14 1. CONSTRUCTION OF MODERATE INCOME HOUSING UNITS.
- 15 2. CONSTRUCTION OF PLACES OF WORSHIP AND THEIR ACCESSORY USES.
- 16 3. RENOVATIONS TO EXISTING OR CONSTRUCTION OF NEW CULTURAL FACILITIES  
17 WHICH INCLUDE FACILITIES LOCATED WITHIN A DOWNTOWN ARTS AND  
18 ENTERTAINMENT PARK, DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES,  
19 AND DOWNTOWN COMMUNITY COMMONS.
- 20 4. PARKING STRUCTURES.
- 21 5. RENOVATIONS TO EXISTING BUILDINGS OR STRUCTURES REQUIRED BY  
22 GOVERNMENT MANDATED CODE COMPLIANCE CONSTRUCTION PROJECTS, SUCH AS  
23 PROJECTS EXCLUSIVELY DESIGNED FOR COMPLIANCE WITH THE AMERICANS WITH  
24 DISABILITIES ACT ("ADA"), THE MARYLAND ACCESSIBILITY CODE, THE  
25 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) LIFE SAFETY CODE, AND/OR  
26 FIRE SPRINKLER RETROFITS.

27  
28  
29  
30  
31  
32  
33 HG. OPEN SPACE PRESERVATION AND ENHANCEMENT  
34

- (1) FOR THE PURPOSE OF ENHANCING, PRESERVING, CONSERVING AND INCREASING OPEN SPACE FOR ENJOYMENT BY THE PUBLIC, ALL LAND DESIGNATED AS CREDITED OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE) AND DEPICTED ON THE DOWNTOWN OPEN SPACE PRESERVATION PLAN SHALL, EXCEPT AS PROVIDED WITHIN THIS SECTION, RETAIN ITS CHARACTER AS ONE OF THE FOLLOWING FOUR LAND TYPES, AS DEPICTED ON THE DOWNTOWN OPEN SPACE PRESERVATION PLAN:
- (A) DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA.
  - (B) DOWNTOWN PARKLAND.
  - (C) DOWNTOWN COMMUNITY COMMONS.
  - (D) DOWNTOWN ARTS AND ENTERTAINMENT PARK.
- (2) CONSTRUCTION OF IMPROVEMENTS THAT ARE INCLUDED WITHIN ONE OF THE FOUR ABOVE LAND TYPE DEFINITIONS IN SECTION 103.A IS DEEMED TO ~~BE~~ CONFORM TO AND DOES NOT CHANGE THE CHARACTER OF THE LAND TYPE AS DESIGNATED ON THE DOWNTOWN OPEN SPACE PRESERVATION PLAN.
- (3) THERE SHALL BE NO NET LOSS OF EXISTING DOWNTOWN COMMUNITY COMMONS AS DEPICTED ON THE DOWNTOWN OPEN SPACE PRESERVATION ~~PLAN~~ AND PLAN.
- (4) NEW DOWNTOWN COMMUNITY COMMONS SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:
- (A) A MINIMUM OF 5 PERCENT OF THE LAND LOCATED WITHIN DOWNTOWN COLUMBIA THAT HAS NOT PREVIOUSLY BEEN DESIGNATED AS EITHER (I) OPEN SPACE OR (II) PUBLIC RIGHT OF WAY AS SHOWN ON THE DOWNTOWN OPEN SPACE PRESERVATION PLAN SHALL BE PROVIDED AS NEW DOWNTOWN COMMUNITY COMMONS LAND.
  - (B) ~~LAND~~ DOWNTOWN COMMUNITY COMMONS MAY BE LOCATED WITHIN AREAS DESIGNATED AS OPEN SPACE UNDER A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN. HOWEVER, LAND COUNTED TOWARD THE MINIMUM REQUIREMENT FOR NEW DOWNTOWN COMMUNITY COMMONS LAND SHALL NOT INCLUDE ANY ENVIRONMENTALLY SENSITIVE LAND OR

1 LAND DESIGNATED AS CREDITED OPEN SPACE ON A RECORDED FINAL  
2 DEVELOPMENT PLAN FOR THE PURPOSE OF FULFILLING THE 36 PERCENT  
3 MINIMUM OPEN SPACE REQUIREMENT IN THE NT DISTRICT.

4 (C) NEW DOWNTOWN COMMUNITY COMMONS SHALL BE INCLUDE SITES OF  
5 A CHARACTER AND LOCATION THAT ~~IS~~ ARE GENERALLY CONSISTENT  
6 WITH THE AMENITY SPACES SHOWN ON THE DOWNTOWN PRIMARY  
7 AMENITY SPACE FRAMEWORK DIAGRAM AND OTHER SITES WHICH SHALL  
8 BE IDENTIFIED AND IMPROVED TO ENHANCE NEIGHBORHOOD  
9 DEVELOPMENT.

10 (D) EXCEPT FOR ANY NEIGHBORHOOD COMPRISED ENTIRELY OF LAND  
11 RECORDED AS OPEN SPACE PRIOR TO (EFFECTIVE DATE), EACH  
12 NEIGHBORHOOD SHALL INCLUDE AT LEAST ONE DOWNTOWN  
13 NEIGHBORHOOD SQUARE. AT LEAST ONE DOWNTOWN COMMUNITY  
14 COMMONS THAT MEETS THE DEFINITION OF DOWNTOWN NEIGHBORHOOD  
15 SQUARE IN SECTION 103.A. AND ALL THE PROVISIONS OF THIS SECTION  
16 SHALL BE COMPLETED AND DEEDED TO HOWARD COUNTY FOR PUBLIC  
17 LAND AS DESCRIBED IN THE DOWNTOWN COLUMBIA PLAN; AND

18 (E) THE BOUNDARIES OF ALL EXISTING AND NEW DOWNTOWN COMMUNITY  
19 COMMONS SHALL BE DELINEATED ON THE PROPOSED FINAL  
20 DEVELOPMENT PLAN WITH THE TOTAL LAND AREA OF EACH.

21 (F) NEW DOWNTOWN COMMUNITY COMMONS MUST BE CONSTRUCTED  
22 PRIOR TO OCCUPANCY OF MORE THAN 50% OF ALL EXISTING AND  
23 PROPOSED BUILDINGS HAVING A FACADE ADJACENT TO THE SPACE, OR IN  
24 ACCORDANCE WITH A PHASING PLAN APPROVED AS PART OF THE FINAL  
25 DEVELOPMENT PLAN.

26 (G) EACH FINAL DEVELOPMENT PLAN SHALL DESIGNATE 5% OF THE AREA  
27 THAT HAS NOT BEEN PREVIOUSLY DESIGNATED AS EITHER OPEN SPACE  
28 OR PUBLIC RIGHT-OF-WAY AS DOWNTOWN COMMUNITY COMMONS;  
29 EXCEPT THAT IF MORE THAN 5% IS DESIGNATED AS DOWNTOWN  
30 COMMUNITY COMMONS ON ANY GIVEN FINAL DEVELOPMENT PLAN, THE  
31 EXCESS BEYOND 5% CAN BE CREDITED TOWARDS THE DOWNTOWN  
32 COMMUNITY COMMONS OBLIGATION ON A SUBSEQUENT FINAL  
33 DEVELOPMENT PLAN WITH THE WRITTEN CONSENT OF THE FEE SIMPLE  
34 OWNER OF THE LAND ON WHICH THE DOWNTOWN COMMUNITY

COMMONS TO BE CREDITED IS LOCATED.

(4) EXCEPT AS PROVIDED BELOW, THERE SHALL BE NO NET LOSS IN THE TOTAL AREA OF EXISTING DOWNTOWN PARKLAND AS DEPICTED ON THE DOWNTOWN OPEN SPACE PRESERVATION PLAN AND ONLY DOWNTOWN PARKLAND USES ARE PERMITTED:

(A) IN EXCHANGE FOR THE USE OF DOWNTOWN PARKLAND FOR ANY OTHER USE, INCLUDING OTHER OPEN SPACE USES, EACH ACRE OF DOWNTOWN PARKLAND OR PORTION THEREOF BEING DEVELOPED MUST BE REPLACED WITH ONE ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND, ~~OR SHALL REQUIRE THE DOWNTOWN ENVIRONMENTAL ENHANCEMENT OF EITHER:~~

~~(i) ONE HALF ACRE OF NEWLY DESIGNATED DOWNTOWN PARKLAND;~~  
~~OR~~

~~(ii) TWO ACRES OF NON DOWNTOWN PARKLAND THAT IS DESIGNATED OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE).~~

(B) ANY AREA NEWLY DESIGNATED AS DOWNTOWN PARKLAND IN EXCHANGE FOR EXISTING DOWNTOWN PARKLAND MUST CONSIST OF AT LEAST ONE CONTIGUOUS ACRE.

(C) DOWNTOWN ENVIRONMENTALLY SENSITIVE LAND AREA RECORDED AFTER (EFFECTIVE DATE) MAY NOT BE EXCHANGED TO REPLACE DOWNTOWN PARKLAND.

(5) LAND DESIGNATED AS OPEN SPACE ON A FINAL DEVELOPMENT PLAN RECORDED PRIOR TO (EFFECTIVE DATE) ON WHICH A PUBLIC FACILITY SUCH AS A LIBRARY OR FIRE STATION HAS BEEN CONSTRUCTED MAY BE DESIGNATED AS DOWNTOWN MIXED-USE ON AN AMENDED FINAL DEVELOPMENT PLAN, BUT MAY ONLY BE REDEVELOPED AFTER A REPLACEMENT PUBLIC FACILITY IS OPERATING AT AN

1 ALTERNATIVE LOCATION WITHIN DOWNTOWN COLUMBIA.

- 2
- 3 (6) ALL TYPES OF DOWNTOWN OPEN SPACE SHOULD BE DESIGNED AND MAINTAINED
- 4 TO FURTHER THE SUSTAINABILITY GOALS FOR DOWNTOWN COLUMBIA, AS
- 5 DESCRIBED IN THE DESIGN GUIDELINES AND SUSTAINABILITY FRAMEWORK,
- 6 THROUGH INNOVATIVE DESIGN, CONSTRUCTION AND ENVIRONMENTAL
- 7 ENHANCEMENTS AND REHABILITATION.
- 8

9 HH. PHASING AND IMPLEMENTATION.

- 10 (1) NO PERMIT FOR LAND DISTURBANCE ACTIVITY IN ~~PHASE 2 OR PHASE 3~~
- 11 ANY PHASE OF THE DOWNTOWN REVITALIZATION PHASING PLAN SHALL
- 12 BE ISSUED FOR DOWNTOWN REVITALIZATION UNLESS (I) THE
- 13 COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES
- 14 (CEPPAS) HAVE BEEN PROVIDED IN ACCORDANCE WITH THE
- 15 DOWNTOWN CEPPA IMPLEMENTATION CHART AND CEPPA FLEXIBILITY
- 16 PROVISIONS, EXCEPT AS PROVIDED IN SECTION 125 I.2. AND (II) SITE
- 17 DEVELOPMENT PLANS SECTION 125 A.9.I.2 AND (II) BUILDING PERMITS
- 18 HAVE BEEN APPROVED FOR AT LEAST THE MINIMUM LEVELS OF
- 19 DEVELOPMENT IDENTIFIED IN THE DOWNTOWN REVITALIZATION
- 20 PHASING PLAN FOR THE PRECEDING PHASE FOR RETAIL, OFFICE,
- 21 RESIDENTIAL AND HOTEL LAND USE TYPES.

- 22 (2) IN NO CASE SHALL THE OBLIGATION TO PROVIDE A COMMUNITY
- 23 ENHANCEMENT, PROGRAM OR PUBLIC AMENITY (CEPPA) BE
- 24 TRIGGERED:

25 (A) BY THE DEVELOPMENT OR CONSTRUCTION OF DOWNTOWN

26 ARTS, CULTURAL AND COMMUNITY USES; USES, DOWNTOWN

27 COMMUNITY COMMONS, OR DOWNTOWN PARKLAND; OR

28

29 (B) WHEN THE DEVELOPMENT OF A PARCEL OF RECORD AN

30 INDIVIDUAL PARCEL OF LAND SHOWN ON A PLAT OR DEED

31 RECORDED AMONG THE COUNTY LAND RECORDS AS OF

32 (EFFECTIVE DATE) CONSISTS ONLY OF UP TO A TOTAL OF 10,000

33 SQUARE FEET OF COMMERCIAL FLOOR AREA AND NO OTHER

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(3) IF A SPECIFIC CEPPA IDENTIFIED IN THE DOWNTOWN CEPPA IMPLEMENTATION CHART CANNOT BE PROVIDED BECAUSE: (I) THE CONSENT OF THE OWNER OF THE LAND ON WHICH THE CEPPA IS TO BE LOCATED OR FROM WHOM ACCESS IS REQUIRED CANNOT REASONABLY BE OBTAINED; (II) ALL NECESSARY PERMITS OR APPROVALS CANNOT REASONABLY BE OBTAINED FROM APPLICABLE GOVERNMENTAL AUTHORITIES; OR (III) FACTORS EXIST THAT ARE BEYOND THE REASONABLE CONTROL OF THE PETITIONER, THEN THE PLANNING BOARD SHALL (I) REQUIRE THE PETITIONER TO POST SECURITY WITH THE COUNTY IN AN AMOUNT SUFFICIENT TO COVER THE COST OF THE ORIGINAL CEPPA; OR (II) APPROVE AN ALTERNATE CEPPA COMPARABLE TO THE ORIGINAL AND APPROPRIATE TIMING FOR SUCH ALTERNATE CEPPA OR ALTERNATIVE TIMING FOR THE ORIGINAL CEPPA. IN APPROVING AN ALTERNATE COMPARABLE CEPPA OR TIMING, THE PLANNING BOARD MUST CONCLUDE THE ALTERNATE COMPARABLE CEPPA OR TIMING: (I) DOES NOT RESULT IN PIECEMEAL



1 DEVELOPMENT INCONSISTENT WITH THE PLAN; (II) ADVANCES THE  
2 PUBLIC INTEREST; AND (III) CONFORMS WITH THE GOALS OF THE  
3 DOWNTOWN PLAN.

4 ~~(3)~~(4) A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
5 AMENDMENT MAY ALSO PROPOSE ADJUSTMENTS TO THE DOWNTOWN  
6 REVITALIZATION PHASING PLAN AND/OR THE DOWNTOWN CEPPA  
7 IMPLEMENTATION CHART TO TAKE ADVANTAGE OF A MAJOR OR UNIQUE  
8 EMPLOYMENT, ECONOMIC DEVELOPMENT OR EVOLVING LAND USE  
9 CONCEPT OR OPPORTUNITY. THE PLANNING BOARD MAY APPROVE A  
10 REQUEST TO ADJUST THE DOWNTOWN REVITALIZATION PHASING PLAN  
11 OR THE DOWNTOWN CEPPA IMPLEMENTATION CHART UNDER THIS  
12 PROVISION ONLY IF SUCH APPROVAL WOULD (I) NOT BE DETRIMENTAL  
13 TO THE OVERALL VISION FOR DOWNTOWN COLUMBIA EXPRESSED IN THE  
14 DOWNTOWN COLUMBIA PLAN; (II) NOT CREATE AN ADVERSE  
15 COMMUNITY OR ECONOMIC IMPACT; AND (III) ESTABLISH A REASONABLE  
16 SCHEDULE FOR COMPLETION OF ANY REQUESTED COMPARABLE  
17 ALTERNATIVE CEPPA.  
18

19 10. ANYTHING IN OTHER SECTIONS OF THESE REGULATIONS TO THE CONTRARY  
20 NOTWITHSTANDING, THERE SHALL BE NO RESTRICTIONS UPON THE USE OF, OR ON THE  
21 ERECTION OF STRUCTURES ON, LAND WITHIN AN NT DISTRICT, OTHER THAN SUCH AS ARE  
22 PROVIDED IN THE VARIOUS SUBSECTIONS OF THIS SECTION OR IN SUCH OTHER SECTIONS  
23 OF THESE REGULATIONS AS ARE EXPRESSLY STATED TO BE APPLICABLE BY THE VARIOUS  
24 PROVISIONS OF THIS SECTION. NOTHING HEREIN SHALL RENDER INAPPLICABLE ANY  
25 REGULATION OF THE COUNTY RELATING TO CONSTRUCTION REQUIREMENTS AND/OR  
26 SUBDIVISION APPROVAL TO THE EXTENT THAT ANY OF THE SAME ARE NOT INCONSISTENT  
27 WITH THE PROVISIONS OF THIS SECTION.  
28

29 B. Procedure for Creation of NT Districts

30 4. The beneficial owner of any tract of land in Howard County meeting the requirements of  
31 Section 125 may petition the Howard County Zoning Board to designate the property  
32 described in the petition as an NT District. The petition shall contain:

- 1           a.     The exact name and address of the petitioner and a reference to the liber and folio  
2                 of the Land Records of Howard County at which the deed conveying the property  
3                 in question to the petitioner is recorded. If the petitioner is not the legal as well as  
4                 beneficial owner of the property, the petition shall:
- 5                 (1)     So state;
- 6                 (2)     List the exact name and address of the legal title-holder and give a  
7                 reference to the liber and folio of the Land Records of Howard County at  
8                 which the deed conveying the property to the legal title holder is  
9                 recorded; and  
10                (3)     Contain a written assent to the petition signed by the legal title holder.
- 11
- 12           b.    A metes and bounds description of the property covered by the petition and a survey  
13                 thereof demonstrating that the same meets the requirements of Section 125.A.3.
- 14
- 15           c.    A Preliminary Development Plan of the property covered by the petition. As used in  
16                 this Section the term "Preliminary Development Plan" shall mean a generalized  
17                 drawing or series of drawings of the proposed New Town, with appropriate text  
18                 materials, setting forth:
- 19                 (1)     The major planning assumptions and objectives, including the projected  
20                 population, the planned development schedule, the method of assuring  
21                 that all open space uses will be permanently maintained and devoted to  
22                 open space uses, the proposed public transit system routes and method of  
23                 operation, and the facilities for the proposed cultural activities of the  
24                 New Town;
- 25                 (2)     The proposed general layout of major roads and highways stating  
26                 projected average daily traffic flows;
- 27                 (3)     A statement of the number of acres within the proposed NT District  
28                 intended to be devoted to:
- 29
- 30
- 31
- 32
- 33
- 34
- 35

- 1 (a) Residential uses, broken down into the number of acres to be  
2 used for each of the following specific residential uses:  
3 Single-family -- low density areas;  
4 Single-family -- medium density areas;  
5 Apartment areas;  
6  
7 (b) Employment uses (i.e. any use involving the employment of  
8 individuals, including office buildings, private schools, hospitals,  
9 institutions, commercial undertakings, industrial enterprises, and  
10 all other forms of business, professional or industrial operations);  
11 and  
12  
13 (c) Open space uses.  
14  
15 (4) The general location of the uses referred to in subparagraph (3) above,  
16 including proposed sites for recreational uses, schools, parks and other  
17 public or community uses and, to the extent the petitioner has determined  
18 locations for commercial uses at the time of the filing of the Preliminary  
19 Development Plan, including a separate designation of commercial areas;  
20  
21 (5) A description of the proposed drainage, water supply, sewerage and other  
22 utility facilities including projected flows; and  
23  
24 (6) A statement of the intended overall maximum density of population of  
25 the proposed NT District, expressed in terms of the average number of  
26 dwellings per acre.

27 5. The Preliminary Development Plan shall indicate the location and nature of any  
28 commercial uses in relation to residential areas. All proposed and identified commercial  
29 or industrial uses shall be indicated on the drawings in areas marked "Employment  
30 Centers," defined as those areas shown on the Preliminary Development Plan which the  
31 petitioner proposes to develop for employment uses.

32 6. The Zoning Board shall consider the following guides and standards in reviewing the

petition: the appropriateness of the location of the NT District as evidenced by the General Plan for Howard County; the effect of such District on properties in the surrounding vicinity; traffic patterns and their relation to the health, safety and general welfare of the County; the physical layout of the County; the orderly growth of the County; the availability of essential services; the most appropriate use of the land; the need for adequate open spaces for light and air; the preservation of the scenic beauty of the County; the necessity of facilitating the provision of adequate community utilities and facilities such as public transportation, fire fighting equipment, water, sewerage, schools, parks and other public requirements, population trends throughout the County and surrounding metropolitan areas and more particularly within the area considered; the proximity of large urban centers to the proposed NT District; the road building and road widening plans of the State and County, particularly for the area considered; the needs of the County as a whole and the reasonable needs of the particular area considered; the character of the land within the District and its peculiar suitability for particular uses; and such other matters relevant and pertinent to the relationship of the District to the comprehensive zoning plan of the area.

The petition shall be granted only if the Zoning Board affirmatively finds:

- a. That the petition complies with the provisions of these Regulations;
- b. That a New Town District should be located at the proposed site; and
- c. That the Preliminary Development Plan constitutes a general land use plan for the area covered thereby, designed to meet the objectives set forth in these Regulations.

7. If the petition is granted, the Zoning Board shall by Decision and Order approve the Preliminary Development Plan and shall create a New Town District covering all of the land included in the petition. If the proposed NT District contains more than 2,500 acres, the creation of the District may be accomplished by rezoning all of the land included in the petition at one time or, in the discretion of the Zoning Board, by rezoning the same in phases. If this latter course is taken:

- a. The area included in the first such phase shall be at least 2,500 acres, and each additional phase shall be of such size and at such location or locations as will permit effective and economic development of the portion so zoned as a part of the New

- 1 Town shown on the Preliminary Development Plan; and
- 2 b. The overall density restrictions, the density restrictions as to particular use areas, and  
3 the restrictions as to the maximum and minimum areas devoted to particular uses  
4 shall be applied with respect to the entire area shown on the Preliminary  
5 Development Plan and not merely with respect to the area of the phase so zoned.
- 6 8. If the petition is granted as above provided:
- 7 a. A copy of the Preliminary Development Plan shall be certified as approved by the  
8 Zoning Board and a verified copy of the same shall be forwarded to the Department  
9 of Planning and Zoning and the petitioner;
- 10 b. No further permanent improvements involving any new primary uses shall thereafter  
11 be erected on and no new primary uses made of, any part of the land within the new  
12 NT District prior to the approval of the Final Development Plan (or the phase thereof  
13 covering such development) as hereinafter provided, except for such as may be  
14 specifically approved by the Planning Board, but the petitioner shall discontinue any  
15 such use and demolish any such improvements so permitted by the Planning Board if  
16 such use and such improvements are not ultimately permitted by the Final  
17 Development Plan.
- 18 9. If the Zoning Board has approved a petition to create a NT District, then at any time  
19 thereafter the original petitioner may file a new petition to add to the NT District  
20 additional land which is owned by the petitioner and adjacent to the existing NT District.  
21 The new petition shall be subject to all the provisions of this Section, except that the  
22 minimum area requirement of Section 125.A.3 shall not apply.
- 23
- 24 C. Comprehensive Sketch Plan [[and Final Development Plan]]
- 25
- 26 1. EXCEPT AS PROVIDED IN SECTION 125.E.1.(A), WITHIN [[within]] 30 days following  
27 notification of the approval of the preliminary development plan, the petitioner shall  
28 notify the Planning Board of the target date for the presentation to the Planning Board of  
29 a proposed Final Development Plan of the NT district PURSUANT TO SECTION 125.D  
30 BELOW, or of the first phase of a proposed Final Development Plan, if the petitioner  
31 desires to develop the NT district in separate geographical segments.

- 1           2.     Promptly following the giving of such notice to the Planning Board, the petitioner shall  
2           [[commence the preparation of a proposed Final Development Plan. The Final  
3           Development Plan process shall be initiated by the filing]] FILE with the Department of  
4           Planning and Zoning for Planning Board approval of a Comprehensive Sketch Plan for  
5           that geographical phase of the NT District which the petitioner elects to develop.
- 6           3.     As used herein, the term "Comprehensive Sketch Plan" shall mean a drawing or series of  
7           drawings, at an appropriate scale, of generally either one inch equals 200 feet or one inch  
8           equals 100 feet, setting forth:
- 9           a.     The approximate boundaries and approximate acreage for each of the proposed  
10           land uses in sufficient detail to graphically illustrate the application of the  
11           adopted master Final Development Plan criteria to the area encompassed by the  
12           Comprehensive Sketch Plan.
- 13           b.     The location of all existing and proposed public streets, roads, and utilities.
- 14           c.     The location of open space within which recreational, school, park and other  
15           public or community uses are permitted.
- 16           d.     Text material (criteria) regulating the following:
- 17                   (1)     The general locations for all structures.
- 18                   (2)     The permitted "general use" or "specific use" as hereinafter defined, for  
19                   each land use area, except that no uses shall be specified which are  
20                   permitted only in R-MH or M-2 Districts.
- 21                   Where the criteria designate the use for a particular structure, lot or  
22                   parcel, as "uses permitted in a District" (e.g., "uses permitted in a B-1  
23                   District"), then the structure, lot or parcel may be used for all uses  
24                   permitted in the particular district by the several Sections of these  
25                   regulations, the use so designated being herein referred to as a "general  
26                   use."
- 27                   Where, however, the criteria designate a structure, lot or parcel for a  
28                   specific use or uses (e.g., "gasoline station") the structure, lot or parcel  
29                   must be used for those specific uses only, the use(s) so designated being

herein referred to as “specific use(s).”

- (3) Height limitations, parking requirements, front, side and rear yard areas, setback provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvements or types of improvements.

4. The Planning Board shall hold a public hearing prior to the approval of a Comprehensive Sketch Plan under the following conditions:

a. If the Comprehensive Sketch Plan includes land which borders on property not within the New Town District (unless the owners of all lands abutting the New Town District land covered by the Comprehensive Sketch Plan shall sign a written waiver of the right to be heard in connection with the request for approval of said plan).

b. If the Comprehensive Sketch Plan deviates from the approved Preliminary Development Plan in any of the following particulars:

(1) If the overall maximum density of population within the NT District exceeds that stated in the Preliminary Development Plan; or

(2) If the number of acres to be devoted to the permitted employment uses shall be increased more than 10 percent, or the number of acres to be devoted to permitted residential uses shall be decreased by more than 10 percent, from that stated in the Preliminary Development Plan; or

(3) If the proposed Comprehensive Sketch Plan shows a use of land in the NT District within 300 feet of any outside boundary thereof which differs from that shown on the Preliminary Development Plan, unless the owners of all land abutting the NT District and within 300 feet of the land in the NT District, the use of which is to be changed, sign a written waiver of the right to be heard in connection with such change in use. If a public hearing is required to be held for any of the above three deviations from the Preliminary Development Plan, such hearing shall be limited to the particular deviation(s) which required the hearing, and the Planning Board shall require publication of Notice of Hearing

1 and posting of the property.

- 2 c. If the criteria submitted as a part of the Comprehensive Sketch Plan include a  
3 gasoline service station among the specified land uses.

- 4 5. In acting upon a Comprehensive Sketch Plan, the Planning Board shall be guided by  
5 Section 125 of these Regulations and shall particularly consider:

- 6 a. The adequacy of the roads serving the proposed development and any proposed  
7 mitigation, in accordance with the Adequate Public Facilities Ordinance (Title  
8 16, Subtitle 11 of the Howard County Code).

- 9 b. The location and adequacy of public utility and community facilities, including  
10 recreational uses and school properties, in relation to the density and distribution  
11 of population.

- 12 c. The location, extent and potential use of open space in the form of greenbelts,  
13 walkways, parkways, park land, etc., as it affects the general amenity of the  
14 community.

- 15 d. The impact of the proposed commercial and industrial uses on the residential  
16 uses within the NT District or adjacent thereto.

- 17  
18 6. After review of the material submitted in light of the General Plan, and after carefully  
19 considering public agency comments, petitioner's testimony, public hearing testimony  
20 and the factors set forth in Section 125.C.5 above, the Planning Board shall:

- 21  
22 a. Approve the Comprehensive Sketch Plan as submitted by the petitioner; or

- 23  
24 b. Approve the Comprehensive Sketch Plan as changed by the Planning Board; or

- 25  
26 c. Reject the Comprehensive Sketch Plan in its entirety.

- 27  
28 7. The Planning Board shall not unreasonably disapprove or change a proposed  
29 Comprehensive Sketch Plan. The fact that the proposed Comprehensive Sketch Plan is  
30 not in conformity with the Preliminary Development Plan shall be sufficient ground for  
31 disapproval or change. The Planning Board shall approve no Comprehensive Sketch Plan  
32 which varies the areas of uses below the minimum or above the maximum percentages  
33 for particular uses specified herein.



1  
2 D. FINAL DEVELOPMENT PLAN – GENERAL PROVISIONS.

3  
4 4. [[8. Upon arrival of]] If a comprehensive sketch plan[[,]] OR COMPREHENSIVE SKETCH  
5 PLAN AMENDMENT IS REQUIRED, UPON ITS APPROVAL, the petitioner may submit a Final  
6 Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT to the Department of  
7 Planning and Zoning for approval by the Planning Board [[covering]]. THE PETITION  
8 MAY COVER all or a portion of the land covered by the comprehensive sketch plan.  
9 The drawings shall delineate the various land use areas by courses and distances. The text  
10 (criteria) shall be that which was approved by the Planning Board as part of the  
11 Comprehensive Sketch Plan.

12  
13 2. [[9.]] The Final Development Plan shall be considered by the Planning Board at a public  
14 meeting. In acting upon the Final Development Plan, the Planning Board shall be guided  
15 by the approved Comprehensive Sketch Plan, and comments received from the various  
16 public agencies which reviewed the Final Development Plan, and shall not unreasonably  
17 disapprove or change the Final Development Plan. THE PROVISIONS OF THIS SECTION  
18 125.D.2 DO NOT APPLY TO DOWNTOWN REVITALIZATION.

19  
20 3. [[10.]] At the time of the approval of the Final Development Plan, the Planning Board  
21 may provide for the subsequent approval by it of a Site Development Plan pertaining to  
22 the property which is the subject matter of such Final Development Plan. SITE  
23 DEVELOPMENT PLAN APPROVAL IS ALSO REQUIRED FOR ALL DOWNTOWN  
24 REVITALIZATION. SITE DEVELOPMENT PLAN [[such subsequent]] approval shall not be a  
25 condition precedent to the approval and recordation of the Final Development Plan with  
26 respect to which a Site Development Plan is to be submitted, but shall be in addition to  
27 any administrative approvals required by the subdivision and land development  
28 regulations. Land use decisions made by the Planning Board as part of the approval of a  
29 Final Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT shall not be  
30 subject to review or further consideration as part of the subsequent Site Development  
31 Plan process.

32 4. [[11.]] In applying the provisions of this Section, where the proposed Final Development  
33 Plan is submitted in phases, the overall population density and the acres devoted to  
34 particular uses shall be recomputed by the Department of Planning and Zoning upon the

1 consideration of each successive phase of proposed Final Development Plan so as to  
2 include all prior phases, but in making these recomputations, the gross area of the entire  
3 NT district covered by the preliminary development plan shall be considered and not  
4 merely the area of the segments covered by the prior phases of the proposed Final  
5 Development Plan and the current phase being submitted for approval. THE PROVISIONS  
6 OF THIS SECTION 125.D.4 DO NOT APPLY TO DOWNTOWN REVITALIZATION.

7 5. [[12.]] If the Planning Board shall disapprove the proposed Final Development Plan OR  
8 FINAL DEVELOPMENT PLAN AMENDMENT (or any phase thereof) or shall fail to approve  
9 or disapprove the same within [[60]] 120 days after submission, then the petitioner, at his  
10 election, may take an appeal as permitted by law or may submit the proposed Final  
11 Development Plan OR FINAL DEVELOPMENT PLAN AMENDMENT (or the phase thereof in  
12 question) directly to the zoning board. If the petitioner pursues the latter course, the  
13 zoning board shall hold a public hearing on the proposed Final Development Plan OR  
14 FINAL DEVELOPMENT PLAN AMENDMENT (or the phase thereof in question), shall require  
15 publication and posting of the property and shall ask for recommendations from the  
16 Planning Board, all as in the case of the hearing on the preliminary development plan.  
17 After such hearing, the zoning board may approve, with or without changes, or  
18 disapprove the proposed Final Development Plan OR FINAL DEVELOPMENT PLAN  
19 AMENDMENT (or the phase, thereof in question). In making this decision, the zoning  
20 board shall consider the matters set forth herein.

21 6. [[13.]] Upon approval of the Final Development Plan OR FINAL DEVELOPMENT PLAN  
22 AMENDMENT (or upon the approval of each phase thereof if submitted on a separate  
23 segment basis) the same shall be recorded among the land records of Howard County and  
24 the provisions thereof as to land use shall bind the property covered with the full force  
25 and effect of specific zoning regulations. After such recordation, no new structure shall  
26 be built, no new additions to existing structures made, and no change in primary use  
27 effected different from that permitted in the Final Development Plan OR FINAL  
28 DEVELOPMENT PLAN AMENDMENT except by an amendment to the Final Development  
29 Plan.

30 7. [[14.]] UNLESS OTHERWISE PROVIDED IN A DOWNTOWN IMPLEMENTATION PHASING  
31 PLAN APPROVED AS PART OF A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT  
32 PLAN AMENDMENT, [[if]] IF construction has not been commenced and completed to the

1 extent of 25 percent of the ground floor area of a structure shown on the final  
2 development plan within five years after the date of the approval thereof (or the date of  
3 the approval of the last phase thereof if submitted in phases), then the approval shall be  
4 void and the entire matter resubmitted to the Planning Board for reconsideration in light  
5 of existing circumstances to the same extent as if the same were simply a proposed final  
6 development plan; provided, however, that the zoning board may grant not more than two  
7 extensions of time of one year each to be added to said five year period if it considers  
8 such extension to be proper after the receipt and consideration of a report and  
9 recommendation from the Planning Board with respect to such extension or extensions.

10 8. [[15.]] Any construction which has been commenced shall not be subject to  
11 reconsideration upon any resubmission of a final development plan under this Section,  
12 and the [[zoning]] PLANNING Board shall make no changes in the final development plan  
13 except in relation to areas where construction has not been commenced. During any such  
14 reconsideration, the property covered by the final development plan shall continue to be  
15 bound until such plan is changed or disapproved in the manner described above.

16 9. [[16.]] If the Planning Board has denied a land use which was shown on a final  
17 development plan OR FINAL DEVELOPMENT PLAN AMENDMENT and which would be a  
18 conditional use in any other zoning district, a petition for the same land use on the same  
19 parcel shall not be accepted for consideration by the Planning Board for a period of 12  
20 months from the date of said denial except on grounds of new evidence or proof of  
21 changed conditions found to be valid by the Planning Board.

22 10. EXCEPT WHERE EXPRESSLY MADE INAPPLICABLE, THE PROVISIONS OF THIS SECTION  
23 125.D ALSO APPLY TO DOWNTOWN REVITALIZATION.

24 E. FINAL DEVELOPMENT PLAN – DOWNTOWN REVITALIZATION.

25 1. A. ~~THE FOLLOWING DEVELOPMENT REVIEW PROCESS IS REQUIRED FOR ALL~~  
26 ~~DOWNTOWN REVITALIZATION. THE FEE SIMPLE OWNER OF ANY PROPERTY~~  
27 ~~LOCATED IN DOWNTOWN COLUMBIA MAY SUBMIT A FINAL DEVELOPMENT PLAN~~  
28 ~~OR FINAL DEVELOPMENT PLAN AMENDMENT TO THE DEPARTMENT OF~~  
29 ~~PLANNING AND ZONING FOR APPROVAL BY THE PLANNING BOARD AT ANY TIME.~~  
30 ~~AN AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN OR ANY~~  
31 ~~APPLICABLE COMPREHENSIVE SKETCH PLAN IS NOT REQUIRED, AND ANY~~

1 PREVIOUSLY APPROVED PRELIMINARY DEVELOPMENT PLAN AND  
2 COMPREHENSIVE SKETCH PLAN DO NOT APPLY.

3  
4 B. THE PETITION SHALL INCLUDE A DOWNTOWN NEIGHBORHOOD CONCEPT PLAN  
5 COVERING AN ENTIRE NEIGHBORHOOD OF DOWNTOWN COLUMBIA AS DEPICTED  
6 IN THE DOWNTOWN COLUMBIA PLAN. THE NEIGHBORHOOD CONCEPT PLAN  
7 MUST SHOW HOW THE DEVELOPMENT PROPOSED IN THE FINAL DEVELOPMENT  
8 PLAN IS CONSISTENT WITH THE OVERALL PLAN FOR THE NEIGHBORHOOD AS  
9 DESCRIBED IN THE DESIGN GUIDELINES AND DEPICTED ON THE STREET AND  
10 BLOCK PLAN; EXHIBIT F: DOWNTOWN MAXIMUM BUILDING HEIGHT PLAN;  
11 EXHIBIT G: PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM; AND EXHIBIT H:  
12 STREET FRAMEWORK DIAGRAM OF THE DOWNTOWN COLUMBIA PLAN. THE  
13 FINAL DEVELOPMENT PLAN MUST INCLUDE AN EXPLANATION AND RATIONALE  
14 FOR ANY CHANGE FROM THE ABOVE DOWNTOWN COLUMBIA PLAN EXHIBITS OR  
15 ANY PREVIOUSLY APPROVED NEIGHBORHOOD CONCEPT PLAN. LIMITED CHANGE  
16 TO BUILDING HEIGHT IS ALLOWED BASED ON COMPATIBILITY, CHARACTER AND  
17 HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND OPEN SPACES IN  
18 THE AREA. IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR  
19 DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.

20  
21 C. NOT LATER THAN TEN DAYS AFTER THE FILING OF A PETITION, THE PETITIONER  
22 MUST MAIL NOTICE OF THE FILING OF THE PETITION AND A COPY OF THE  
23 PROPOSED NEIGHBORHOOD CONCEPT PLAN TO THE OWNER OF EACH PROPERTY  
24 LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN NEIGHBORHOOD AS  
25 REFLECTED ON THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND  
26 TAXATION PUBLIC RECORDS. ANY FAILURE TO RECEIVE THE PROPOSED  
27 NEIGHBORHOOD CONCEPT PLAN SHALL NOT BE CAUSE FOR POSTPONEMENT OF  
28 THE HEARING IF THE PETITION HAS BEEN PROPERLY ADVERTISED.

29  
30 D. EACH APPROVED NEIGHBORHOOD CONCEPT PLAN MUST BE RECORDED WITH THE  
31 FINAL DEVELOPMENT PLAN.

32  
33 2. PRIOR TO FILING A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
34 AMENDMENT FOR DOWNTOWN REVITALIZATION THAT PROPOSES ANY USE:  
35

- 1           A. ~~A PRESUBMISSION COMMUNITY MEETING IS REQUIRED USING THE SAME~~  
2                     ~~PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE~~  
3                     ~~SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. IN ADDITION,~~  
4                     ~~NOTICE IN ACCORDANCE WITH SECTIONS 16.128(B) – (G) MUST ALSO BE~~  
5                     ~~GIVEN TO EACH VILLAGE BOARD AND THE COLUMBIA ASSOCIATION.~~
- 6           B. ~~THE PETITIONER IS REQUIRED TO SUBMIT MORE DETAILED PROPOSED~~  
7                     ~~DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES FOR REVIEW BY THE~~  
8                     ~~DESIGN ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN~~  
9                     ~~ACCORDANCE WITH THE APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE~~  
10                    ~~15 OF THE COUNTY CODE. THE DESIGN ADVISORY PANEL SHALL BASE~~  
11                    ~~ITS REVIEW AND RECOMMENDATIONS ON THE DOWNTOWN-WIDE DESIGN~~  
12                    ~~GUIDELINES.~~

13  
14  
15       3. ~~THE PETITION SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR THE~~  
16           ~~LAND AREA COVERED BY THE PLAN:~~

- 17           A. ~~BOUNDARIES OF THE PROPERTY COVERED BY THE PLAN.~~
- 18  
19           B. ~~EXISTING TOPOGRAPHY, WOODLANDS, AND 100-YEAR FLOODPLAIN AREAS.~~
- 20  
21           C. ~~A CONTEXT PLAN SHOWING EXISTING ROAD CONNECTIONS, MAJOR PEDESTRIAN~~  
22                     ~~NETWORKS, LAND USES AND MAJOR STORM WATER MANAGEMENT FACILITIES~~  
23                     ~~AND OPEN SPACE WITHIN THE ENTIRE PLAN AREA AND ADJOINING LAND WITHIN~~  
24                     ~~500 FEET.~~
- 25  
26           D. ~~TOTAL ACREAGE WITHIN THE AREA COVERED BY THE PLAN.~~
- 27  
28           E. ~~LOCATION OF DEVELOPED PARCELS AND UNDEVELOPED LAND.~~
- 29  
30           F. ~~SUMMARY OF ALL EXISTING DEVELOPMENT AND ALL DEVELOPMENT SHOWN ON~~  
31                     ~~APPROVED SITE DEVELOPMENT PLANS FOR THE AREA COVERED BY THE PLAN;~~  
32                     ~~THE SQUARE FOOTAGE OF PROPOSED OFFICE SPACE, RETAIL/SERVICE SPACE, AND~~  
33                     ~~ANY OTHER NON-RESIDENTIAL USES; THE NUMBER OF PROPOSED HOTEL AND~~  
34                     ~~MOTEL ROOMS; AND THE NUMBER OF PROPOSED DWELLING UNITS UNITS, BOTH~~  
35                     ~~MARKET RATE AND MODERATE INCOME HOUSING.~~

- 1  
2 G. ~~THE APPROXIMATE LOCATION AND TOTAL LAND AREA OF THE FOLLOWING~~  
3 ~~EXISTING AND/OR PROPOSED LAND USES:~~
- 4  
5 (1) ~~DOWNTOWN COMMUNITY COMMONS.~~  
6  
7 (2) ~~DOWNTOWN PARKLAND.~~  
8  
9 (3) ~~DOWNTOWN ARTS AND ENTERTAINMENT PARK.~~  
10  
11 (4) ~~ENVIRONMENTALLY SENSITIVE AREAS.~~  
12  
13 (5) ~~DOWNTOWN MIXED USE.~~  
14
- 15 H. ~~THE GENERAL LOCATION OF EXISTING AND PROPOSED DOWNTOWN SIGNATURE~~  
16 ~~BUILDINGS.~~
- 17  
18 I. ~~GENERAL VEHICULAR CIRCULATION SYSTEM SHOWING EXISTING AND PROPOSED~~  
19 ~~STREETS AND THE APPROXIMATE LOCATION OF ANY PROPOSED TRANSIT ROUTES~~  
20 ~~AND FACILITIES.~~
- 21  
22 J. ~~LAYOUT OF THE EXISTING AND PROPOSED PEDESTRIAN AND BICYCLE~~  
23 ~~CIRCULATION SYSTEMS.~~
- 24  
25 K. ~~CONCEPTUAL STORM WATER MANAGEMENT PLAN.~~
- 26  
27 L. ~~TEXT MATERIAL REGULATING THE FOLLOWING:~~
- 28  
29 (1) ~~MAXIMUM NUMBER AND UNIT TYPES OF DOWNTOWN NET NEW~~  
30 ~~DWELLINGS.~~
- 31  
32 (2) ~~MAXIMUM GROSS FLOOR AREA OF DOWNTOWN NET NEW COMMERCIAL~~  
~~OFFICE USES AND COMMERCIAL RETAIL USES.~~
- 33  
34 (3) ~~MAXIMUM NUMBER OF DOWNTOWN NET NEW HOTEL ROOMS.~~  
35 (4) ~~MAXIMUM BUILDING HEIGHTS.~~

1 ~~(5) — MAXIMUM SIZE OF A RETAIL USE FOOTPRINT.~~

2  
3 ~~(6) — A NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN, CONSISTENT WITH~~  
4 ~~THE DOWNTOWN REVITALIZATION PHASING PLAN AND THE DOWNTOWN~~  
5 ~~CEPPA IMPLEMENTATION CHART APPROVED AS PART OF THE~~  
6 ~~DOWNTOWN COLUMBIA PLAN, WHICH ADDRESSES THE~~  
7 ~~IMPLEMENTATION SCHEDULE AND BENCHMARKS FOR THE FOLLOWING:~~

8  
9 ~~(A) THE BALANCE OF USES WITHIN EACH IMPLEMENTATION PHASE.~~

10 ~~(B) THE PHASING OF DOWNTOWN MIXED-USE DEVELOPMENT.~~

11  
12 ~~(C) THE PHASING OF DOWNTOWN COMMUNITY COMMONS SPACES.~~

13  
14 ~~(D) THE PHASING OF THE TRANSPORTATION AND CIRCULATION~~  
15 ~~FACILITIES.~~

16  
17 ~~(E) THE PHASING OF THE REQUIRED INFRASTRUCTURE INCLUDING~~  
18 ~~PUBLIC WATER AND SEWER.~~

19  
20 ~~(F) TRANSPORTATION AND CIRCULATION FACILITIES.~~

21 ~~(G) ENVIRONMENTAL RESTORATION.~~

22  
23 ~~(H) DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES.~~

24  
25 ~~(I) ANY OTHER ITEMS AS SPECIFIED IN THE DOWNTOWN CEPPA~~  
26 ~~IMPLEMENTATION CHART.~~

27  
28 ~~(7) — A TRAFFIC STUDY AS SPECIFIED IN THE HOWARD COUNTY ADEQUATE~~  
29 ~~PUBLIC FACILITIES ACT FOR THE EVALUATION OF THE ADEQUACY OF~~  
30 ~~TRANSPORTATION FACILITIES.~~

31  
32 ~~(8) — A DESCRIPTION OF THE DOWNTOWN COMMUNITY COMMONS THAT WILL~~  
33 ~~BE INCLUDED IN THE DEVELOPMENT.~~

34  
35 ~~(9) — AN EXPLANATION OF HOW THE PROPOSED DEVELOPMENT ADDRESSES~~

1 THE ENVIRONMENTAL CONCEPTS OF CHAPTER 3 OF THE DOWNTOWN  
2 COLUMBIA—A COMMUNITY VISION REPORT, AND SPECIFICALLY  
3 ADDRESSING THE CONCEPTS OF GREEN BUILDINGS AND GREEN SITE  
4 DESIGN.

5  
6 (10) ~~THE LOCATIONS AND DESCRIPTIONS OF EXISTING SITES, PUBLIC ART,~~  
7 ~~AND BUILDINGS OR STRUCTURES WHICH MAY HAVE SPECIAL~~  
8 ~~SIGNIFICANCE ON AN HISTORIC OR CULTURAL BASIS, AND AN~~  
9 ~~EXPLANATION OF THE METHODS EMPLOYED TO RETAIN AND PRESERVE~~  
10 ~~THESE ITEMS.~~

11 (11) ~~A DESCRIPTION OF THE DOWNTOWN PUBLIC ART PROGRAM THAT IS IN~~  
12 ~~COMPLIANCE WITH SECTION 125.A.9.G.(2), AND ANY PROPOSED PUBLIC~~  
13 ~~ART.~~

14 (12) ~~A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF~~  
15 ~~DEVELOPMENT APPROVED AND BUILT TO DATE UNDER SECTION 125.A.9;~~  
16 ~~AND (II) THE STATUS OF ANY DOWNTOWN COMMUNITY ENHANCEMENTS,~~  
17 ~~PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND,~~  
18 ~~DOWNTOWN COMMUNITY COMMONS AND INFRASTRUCTURE AS~~  
19 ~~ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN.~~

20 (13) ~~A DESCRIPTION OF THE PLAN FOR PROVIDING THE REQUIRED MODERATE~~  
21 ~~INCOME HOUSING UNITS. THE PLAN SHALL PROPOSE:~~

- 22  
23 (A) ~~THAT AT LEAST 15% OF THE DWELLING UNITS SHALL BE~~  
24 ~~MODERATE INCOME HOUSING UNITS PROVIDED ON SITE; OR~~  
25 (B) ~~AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME~~  
26 ~~HOUSING UNITS, AS PERMITTED BY SECTION 13.402 OF THE~~  
27 ~~HOWARD COUNTY CODE.~~

28  
29 M. ~~DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES THAT ADDRESS THE~~  
30 ~~FOLLOWING MUST BE SUBMITTED FOR AN INDIVIDUAL NEIGHBORHOOD WITH THE~~  
31 ~~FIRST FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT~~  
32 ~~PROPOSING NET NEW DEVELOPMENT WITHIN THAT NEIGHBORHOOD:~~  
33



- (1) ~~URBAN DESIGN, INCLUDING SCALE AND MASSING, BLOCK CONFIGURATION, PARKING AND SERVICE FUNCTIONS, BUILDING ENTRANCES, AND STREET LIGHTING AND FURNITURE.~~
- (2) ~~STREET DESIGN AND FRAMEWORK.~~
- (3) ~~DOWNTOWN COMMUNITY COMMONS AND DOWNTOWN PARKLAND.~~
- (4) ~~ARCHITECTURAL DESIGN.~~
- (5) ~~GREEN BUILDING AND GREEN SITE DESIGN; AND~~

N. ~~DOWNTOWN NEIGHBORHOOD CONCEPT PLAN.~~

~~3. THE PLANNING BOARD SHALL CONSIDER THE FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT AT A PUBLIC HEARING. THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY THE PETITION BASED ON WHETHER THE PETITION SATISFIES THE FOLLOWING CRITERIA:~~

- ~~AA. THE DOWNTOWN NEIGHBORHOOD CONCEPT PLAN IS CONSISTENT WITH THE DOWNTOWN WIDE DESIGN GUIDELINES AND THE DOWNTOWN COLUMBIA PLAN STREET AND BLOCK PLAN, DOWNTOWN MAXIMUM BUILDING HEIGHTS PLAN, DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, DOWNTOWN OPEN SPACE PRESERVATION PLAN, AND STREET FRAMEWORK DIAGRAM OR THAT ANY PROPOSED CHANGE(S) WILL NOT BE DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN REVITALIZATION. LIMITED CHANGE TO BUILDING HEIGHT IS ALLOWED BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND OPEN SPACES IN THE AREA. IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.~~
- ~~bB. THE FINAL DEVELOPMENT PLAN IS CONSISTENT WITH THE DOWNTOWN REVITALIZATION PHASING PLAN, THE DOWNTOWN MAXIMUM BUILDING HEIGHTS~~

1 PLAN, THE DOWNTOWN CEPPA IMPLEMENTATION CHART AND FLEXIBILITY  
2 PROVISIONS, THE DOWNTOWN OPEN SPACE PRESERVATION PLAN, THE  
3 DOWNTOWN PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, AND THE  
4 AFFORDABLE HOUSING PROVISIONS OF THE DOWNTOWN COLUMBIA PLAN.

5 ~~eC.~~ THE FINAL DEVELOPMENT PLAN, WHEN CONSIDERED IN THE CONTEXT OF  
6 SURROUNDING PLANNED OR EXISTING DEVELOPMENT, PROVIDES A BALANCED  
7 MIX OF HOUSING, JOBS, COMMERCIAL SERVICES AND ENTERTAINMENT USES  
8 THROUGHOUT EACH PHASE.

9 ~~d.~~ IF HOUSING IS PROPOSED, A VARIETY OF HOUSING CHOICES WILL BE PROVIDED  
10 AT DIFFERING PRICE LEVELS WHEN CONSIDERED IN THE CONTEXT OF  
11 SURROUNDING EXISTING OR PLANNED DEVELOPMENT.

12 ~~D.~~ IF HOUSING IS PROPOSED THE PLAN INCLUDES :

13 ~~(A)~~ AT LEAST 15% OF THE DWELLING UNITS SHALL BE MODERATE  
14 INCOME HOUSING UNITS PROVIDED ON SITE; OR

15 ~~(B)~~ AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME  
16 HOUSING UNITS, AS PERMITTED BY SECTION 13.402 OF THE HOWARD  
17 COUNTY CODE.

18 ~~eE.~~ THE PEDESTRIAN NETWORK WILL CREATE CONVENIENT CONNECTIONS  
19 THROUGHOUT THE SUBJECT AREA AND CONNECT, WHEREVER POSSIBLE, TO  
20 EXISTING AND PLANNED SIDEWALKS AND PATHS ADJOINING THE DEVELOPMENT.  
21

22 ~~fF.~~ THE FINAL DEVELOPMENT PLAN WILL PROTECT LAND COVERED BY LAKES,  
23 STREAMS OR RIVERS, FLOOD PLAINS AND STEEP SLOPES, PROVIDE CONNECTIONS,  
24 WHERE POSSIBLE, TO EXISTING AND PLANNED OPEN SPACE WITHIN THE  
25 NEIGHBORHOOD AND IN SURROUNDING AREAS, AND PROVIDE APPROPRIATE  
26 LAND FOR DOWNTOWN COMMUNITY COMMONS.

27 ~~gG.~~ THE FINAL DEVELOPMENT PLAN WILL BE COMPATIBLE WITH EXISTING AND  
28 PLANNED VICINAL LAND USES. IN MAKING THIS DETERMINATION, THE  
29  
30  
31  
32

1                    ~~PLANNING BOARD SHALL CONSIDER:~~

2                    (1)    ~~THE USE OF AN EXISTING OR PLANNED ROAD ON THE EDGE OF THE PLAN~~  
3                    ~~AREA AS A SEPARATION BETWEEN DIFFERENT LAND USES;~~

4                    (2)    ~~THE SIZE OF BUILDINGS ALONG THE EDGES OF THE PLAN AREA THROUGH~~  
5                    ~~LIMITS ON BUILDING HEIGHT OR OTHER REQUIREMENTS;~~

6                    (3)    ~~THE PROTECTION OR ESTABLISHMENT OF LANDSCAPE FEATURES ON THE~~  
7                    ~~BOUNDARY OF THE PLAN AREA. THIS MAY INCLUDE PROTECTION OF~~  
8                    ~~EXISTING VEGETATION OR GRADE CHANGES THAT PROVIDE A NATURAL~~  
9                    ~~SEPARATION, OR LANDSCAPE DESIGN STANDARDS APPLICABLE TO AN~~  
10                   ~~EDGE WHERE SPECIFIED TYPES OF LAND USES ADJUT;~~

11                   (4)    ~~THE CHARACTER OF NEARBY PROPERTIES AS ENVISIONED BY THE~~  
12                   ~~ADOPTED GENERAL PLAN FOR THE AREA; AND~~

13                   (5)    ~~THE ADOPTED DOWNTOWN COLUMBIA PLAN RECOMMENDATIONS FOR~~  
14                   ~~HEIGHT, BUILDING MASSING AND SCALE.~~

15                   h.    ~~THE FINAL DEVELOPMENT PLAN WILL BE SERVED BY ADEQUATE PUBLIC~~  
16                   ~~FACILITIES, INCLUDING ANY PROPOSED MITIGATION OR DEVELOPMENT STAGING~~  
17                   ~~IN ACCORDANCE WITH THE ADEQUATE PUBLIC FACILITIES ACT (TITLE 16,~~  
18                   ~~SUBTITLE 11 OF THE HOWARD COUNTY CODE).~~

19                   i.    ~~THE FINAL DEVELOPMENT PLAN IS PROTECTIVE OF ENVIRONMENTALLY~~  
20                   ~~SENSITIVE FEATURES AND PROVIDES A PROPORTIONAL LEVEL OF~~  
21                   ~~ENVIRONMENTAL RESTORATION IN ACCORDANCE WITH THE DOWNTOWN~~  
22                   ~~COLUMBIA PLAN.~~

23                   j.    ~~IF APPLICABLE, THE FINAL DEVELOPMENT PLAN IS PROTECTIVE OF EXISTING~~  
24                   ~~SITES, PUBLIC ART, AND BUILDINGS OR STRUCTURES WHICH MAY HAVE SPECIAL~~  
25                   ~~SIGNIFICANCE ON AN HISTORIC OR CULTURAL BASIS.~~

26                   k.    ~~IF APPLICABLE, THE NEIGHBORHOOD DESIGN GUIDELINES SUBMITTED WITH THE~~  
27                   ~~FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT OFFER~~  
28                   ~~SUFFICIENT DETAIL TO GUIDE THE APPEARANCE OF THE NEIGHBORHOOD OVER~~

1 TIME, AND PROMOTE DESIGN FEATURES THAT ARE ACHIEVABLE AND  
2 APPROPRIATE FOR DOWNTOWN REVITALIZATION IN ACCORDANCE WITH THE  
3 DESIGN MANUAL OF THE DOWNTOWN COLUMBIA PLAN.

4 l. KEY LOCATIONS FOR DOWNTOWN PUBLIC ART ARE IDENTIFIED, IN COMPLIANCE  
5 WITH SECTION 125.A.9.G.(2); AND

6 m. THE FINAL DEVELOPMENT PLAN IS CONSISTENT WITH THE NEIGHBORHOOD  
7 CONCEPT PLAN.

8 2. ~~AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY THE~~  
9 ~~PLANNING BOARD ON A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN~~  
10 ~~AMENDMENT, THE PETITIONER MAY WITHDRAW THE PETITION.~~

11 3. ~~PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN SHALL BE REQUIRED FOR~~  
12 ~~ALL DOWNTOWN REVITALIZATION.~~

13 1. REQUIRED PROCESS FOR DOWNTOWN REVITALIZATION AND RELATION TO PRIOR  
14 ADOPTED NEW TOWN DOCUMENTS

15 THE FOLLOWING DEVELOPMENT REVIEW PROCESS IS REQUIRED FOR ALL DOWNTOWN  
16 REVITALIZATION, WITH THE EXCEPTION OF DOWNTOWN ENVIRONMENTAL RESTORATION  
17 PROJECTS THAT ARE NOT PART OF A PLAN THAT INCLUDES OTHER USES. THE FEE SIMPLE  
18 OWNER OF ANY PROPERTY LOCATED IN DOWNTOWN COLUMBIA USING THE DOWNTOWN  
19 REVITALIZATION PROCESS SHALL SUBMIT A FINAL DEVELOPMENT PLAN OR FINAL  
20 DEVELOPMENT PLAN AMENDMENT TO THE DEPARTMENT OF PLANNING AND ZONING FOR  
21 APPROVAL BY THE PLANNING BOARD. AN AMENDMENT TO THE PRELIMINARY  
22 DEVELOPMENT PLAN OR ANY PREVIOUSLY APPROVED APPLICABLE COMPREHENSIVE  
23 SKETCH PLAN OR FINAL DEVELOPMENT PLAN IS NOT REQUIRED BECAUSE FINAL  
24 DEVELOPMENT PLANS FOR DOWNTOWN REVITALIZATION WILL SUPERSEDE PREVIOUS  
25 NEW TOWN DOCUMENTS.

26  
27 2. PRE-SUBMISSION REQUIREMENTS

28 PRIOR TO FILING A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
29 AMENDMENT IN EACH NEIGHBORHOOD FOR DOWNTOWN REVITALIZATION:

30  
31 A. A PRE-SUBMISSION COMMUNITY MEETING IS REQUIRED USING THE SAME

1 PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE SUBDIVISION  
2 AND LAND DEVELOPMENT REGULATIONS. IN ADDITION, NOTICE IN  
3 ACCORDANCE WITH SECTIONS 16.128(B) – (G) MUST ALSO GIVEN TO:

4  
5 (1) EACH VILLAGE BOARD;

6  
7 (2) THE COLUMBIA ASSOCIATION; AND

8  
9 (3) EACH PROPERTY LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN  
10 NEIGHBORHOOD AS REFLECTED ON THE MARYLAND STATE DEPARTMENT OF  
11 ASSESSMENTS AND TAXATION PUBLIC RECORDS. FOR CONDOMINIUM  
12 PROPERTIES, ONE COPY TO THE CONDOMINIUM ASSOCIATION SHALL BE  
13 DEEMED TO MEET THIS REQUIREMENT.

14  
15 THE CONCEPT PLANS AND MATERIALS REQUIRED UNDER SECTION 125.E.4.A. MUST  
16 BE PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING.

17  
18 B. THE PETITIONER IS REQUIRED TO SUBMIT PROPOSED DOWNTOWN  
19 NEIGHBORHOOD DESIGN GUIDELINES FOR REVIEW BY THE DESIGN ADVISORY  
20 PANEL, FOR ITS RECOMMENDATIONS IN ACCORDANCE WITH THE APPLICABLE  
21 PROVISIONS IN TITLE 16, SUBTITLE 15 OF THE COUNTY CODE. THE DESIGN  
22 ADVISORY PANEL SHALL BASE ITS REVIEW AND RECOMMENDATIONS ON THE  
23 DOWNTOWN-WIDE DESIGN GUIDELINES. FOR NEIGHBORHOODS WITH APPROVED  
24 DESIGN GUIDELINES, SUBSEQUENT FINAL DEVELOPMENT PLANS OR FINAL  
25 DEVELOPMENT PLAN AMENDMENTS THAT DO NOT PROPOSE MODIFICATIONS TO  
26 THE GUIDELINES DO NOT REQUIRE FURTHER DESIGN ADVISORY PANEL REVIEW.

27 3. FINAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS  
28 THE PETITION FOR A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
29 AMENDMENT SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR THE  
30 LAND AREA COVERED BY THE PLAN:

31 A. THE FOLLOWING NEIGHBORHOOD DOCUMENTS ARE ONLY BINDING ON PROPERTY  
32 INCLUDED WITHIN THE BOUNDARIES OF THE FINAL DEVELOPMENT PLAN AND  
33 ARE INTENDED TO PROVIDE A CONTEXT FOR EVALUATION OF THE INITIAL FINAL

1                    DEVELOPMENT PLAN AND GUIDANCE FOR FUTURE FINAL DEVELOPMENT PLAN  
2                    PETITIONS:

3  
4                    (1)    A NEIGHBORHOOD CONCEPT PLAN COVERING AN ENTIRE  
5                    NEIGHBORHOOD OF DOWNTOWN COLUMBIA AS DEPICTED ON EXHIBIT E:  
6                    THE NEIGHBORHOODS:

7                    (A)    A NEIGHBORHOOD CONCEPT PLAN MUST SHOW HOW THE PLAN  
8                    CONFORMS WITH THE NEIGHBORHOOD AS DESCRIBED IN THE  
9                    STREET AND BLOCK PLAN, THE NEIGHBORHOODS PLAN, THE  
10                   MAXIMUM BUILDING HEIGHT PLAN, THE PRIMARY AMENITY  
11                   SPACE FRAMEWORK DIAGRAM, THE STREET FRAMEWORK  
12                   DIAGRAM, THE BICYCLE AND PEDESTRIAN CIRCULATION PLAN,  
13                   AND THE DOWNTOWN OPEN SPACE PRESERVATION PLAN OF THE  
14                   DOWNTOWN COLUMBIA PLAN;

15                   (B)    THE NEIGHBORHOOD CONCEPT PLAN MUST REFLECT ANY  
16                   PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN FOR  
17                   DOWNTOWN REVITALIZATION, AND ANY APPROVED SITE  
18                   DEVELOPMENT PLAN FOR DOWNTOWN ENVIRONMENTAL  
19                   RESTORATION WITHIN THE SAME DOWNTOWN NEIGHBORHOOD;  
20                   AND

21                   (C)    EACH NEIGHBORHOOD CONCEPT PLAN THAT IS PART OF AN  
22                   APPROVED FINAL DEVELOPMENT PLAN MUST BE RECORDED WITH  
23                   THE FINAL DEVELOPMENT PLAN.

24  
25                   (2)    NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES  
26                   FOR NEW DEVELOPMENT OR REDEVELOPMENT, NEIGHBORHOOD SPECIFIC  
27                   DESIGN GUIDELINES MUST BE SUBMITTED FOR AN INDIVIDUAL  
28                   NEIGHBORHOOD WITH THE FINAL DEVELOPMENT PLAN AND SHALL  
29                   ADDRESS THE FOLLOWING:

30  
31                   (A)    URBAN DESIGN, INCLUDING SCALE AND MASSING, BLOCK  
32                   CONFIGURATION, PARKING AND SERVICE FUNCTIONS, BUILDING  
33                   ENTRANCES, AND STREET LIGHTING AND FURNITURE;

(B) STREET DESIGN AND FRAMEWORK;

(C) DOWNTOWN COMMUNITY COMMONS AND DOWNTOWN  
PARKLAND;

(D) ARCHITECTURAL DESIGN;

(E) GREEN BUILDING AND GREEN SITE DESIGN;

(F) PEDESTRIAN AND BICYCLE CIRCULATION FEATURES; AND

(G) SIGNAGE.

(3) NEIGHBORHOOD SPECIFIC IMPLEMENTATION DOCUMENT  
A NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN, IN CONFORMANCE  
WITH THE DOWNTOWN REVITALIZATION PHASING PLAN AND THE  
DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC  
AMENITIES IMPLEMENTATION CHART APPROVED AS PART OF THE  
DOWNTOWN COLUMBIA PLAN, WHICH ADDRESSES THE  
IMPLEMENTATION SCHEDULE AND BENCHMARKS FOR THE FOLLOWING:

(A) THE BALANCE OF USES WITHIN EACH IMPLEMENTATION PHASE;

(B) THE PHASING OF DOWNTOWN MIXED-USE DEVELOPMENT;

(C) THE PHASING OF DOWNTOWN COMMUNITY COMMONS SPACES;

(D) THE PHASING OF THE TRANSPORTATION AND CIRCULATION  
FACILITIES;

(E) THE PHASING OF THE REQUIRED INFRASTRUCTURE INCLUDING  
PUBLIC WATER AND SEWER;

(F) TRANSPORTATION AND CIRCULATION FACILITIES;

1  
2 (G) ENVIRONMENTAL RESTORATION;

3  
4 (H) DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES; AND

5  
6 (I) ANY OTHER ITEMS AS SPECIFIED IN THE DOWNTOWN  
7 COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC  
8 AMENITIES IMPLEMENTATION CHART;  
9

10 B. AN EXPLANATION AND RATIONALE FOR ANY CHANGE FROM THE DOWNTOWN  
11 COLUMBIA PLAN EXHIBITS OR ANY NEIGHBORHOOD DOCUMENTS AND  
12 MATERIALS THAT WERE PART OF A PREVIOUSLY APPROVED FINAL  
13 DEVELOPMENT PLAN. LIMITED CHANGE TO BUILDING HEIGHT IS ALLOWED  
14 BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF NEARBY EXISTING AND  
15 PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN SPACES IN THE AREA.  
16 HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR  
17 DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES;  
18

19 C. BOUNDARIES OF THE PROPERTY COVERED BY THE FINAL DEVELOPMENT PLAN;

20 D. EXISTING TOPOGRAPHY, WOODLANDS, AND 100-YEAR FLOODPLAIN AREAS;

21  
22 E. A CONTEXT PLAN SHOWING EXISTING ROAD CONNECTIONS, MAJOR PEDESTRIAN  
23 NETWORKS, LAND USES AND MAJOR STORM WATER MANAGEMENT FACILITIES,  
24 AND OPEN SPACE WITHIN THE ENTIRE PLAN AREA AND ADJOINING LAND WITHIN  
25 500 FEET;  
26

27 F. TOTAL ACREAGE WITHIN THE AREA COVERED BY THE PLAN;

28  
29 G. LOCATION OF DEVELOPED AND UNDEVELOPED LAND AND PARCELS;

30 H. FROM APPROVED SITE DEVELOPMENT PLANS FOR THE AREA COVERED BY THE  
31 PLAN;  
32

33 (1) SUMMARY OF ALL EXISTING AND APPROVED DEVELOPMENT;

34  
35 (2) THE SQUARE FOOTAGE OF PROPOSED OFFICE, RETAIL, AND HOTEL SPACE;



1  
2 (3) THE SQUARE FOOTAGE OF ANY OTHER NON-RESIDENTIAL USES;

3  
4 (4) THE NUMBER OF PROPOSED HOTEL AND MOTEL ROOMS; AND

5  
6 (5) THE NUMBER OF PROPOSED DWELLING UNITS;

7  
8 I. THE APPROXIMATE LOCATION AND TOTAL LAND AREA OF THE FOLLOWING  
9 EXISTING AND/OR PROPOSED LAND USES:

10  
11 (1) DOWNTOWN ARTS AND ENTERTAINMENT PARKS;

12 (2) DOWNTOWN COMMUNITY COMMONS;

13  
14 (3) DOWNTOWN ENVIRONMENTALLY SENSITIVE AREAS;

15  
16 (4) DOWNTOWN PUBLIC FACILITIES;

17  
18 (5) DOWNTOWN PARKLANDS; AND

19  
20 (6) DOWNTOWN MIXED-USES;

21  
22 J. THE GENERAL LOCATION OF EXISTING AND PROPOSED DOWNTOWN SIGNATURE  
23 BUILDINGS;

24  
25 K. TRAFFIC AND TRANSIT CIRCULATION SYSTEMS SHOWING EXISTING AND  
26 PROPOSED STREETS, ROUTES AND FACILITIES;

27  
28 L. A TRAFFIC STUDY AS SPECIFIED IN THE HOWARD COUNTY ADEQUATE PUBLIC  
29 FACILITIES ORDINANCE FOR THE EVALUATION OF THE ADEQUACY OF  
30 TRANSPORTATION FACILITIES;

31 M. AN EXPLANATION OF HOW THE PROPOSED DEVELOPMENT ADDRESSES THE  
32 ENVIRONMENTAL CONCEPTS OF THE DOWNTOWN COLUMBIA PLAN, AND  
33 SPECIFICALLY ADDRESSING THE CONCEPTS OF GREEN BUILDINGS AND GREEN  
34 SITE DESIGN;  
35

1           N.     THE LOCATIONS AND DESCRIPTIONS OF HISTORIC AND CULTURALLY SIGNIFICANT  
2           EXISTING SITES, BUILDINGS OR STRUCTURES, AND PUBLIC ART AND AN  
3           EXPLANATION OF THE METHODS PROPOSED TO RETAIN AND PRESERVE THESE  
4           ITEMS;

5  
6           O.     A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE ART  
7           IN THE COMMUNITY REQUIREMENT;

8  
9           P.     A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE  
10          AFFORDABLE HOUSING REQUIREMENT;

11  
12          Q.     LAYOUT OF THE EXISTING AND PROPOSED BICYCLE AND PEDESTRIAN  
13          CIRCULATION SYSTEMS;

14  
15          R.     CONCEPTUAL STORM WATER MANAGEMENT PLAN;

16  
17          S.     A PROPOSED PLAN FOR FULFILLING REQUIRED COMMUNITY ENHANCEMENTS,  
18          PROGRAMS AND PUBLIC AMENITIES APPLICABLE TO THE FINAL DEVELOPMENT  
19          PLAN; AND

20  
21          T.     TEXT MATERIAL REGULATING THE FOLLOWING:

22  
23           (1)    MAXIMUM NUMBER AND UNIT TYPES OF NET NEW DWELLINGS;

24  
25           (2)    MAXIMUM GROSS FLOOR AREA OF NET NEW COMMERCIAL OFFICE USES  
26           AND COMMERCIAL RETAIL USES;

27  
28           (3)    MAXIMUM NUMBER OF NET NEW HOTEL ROOMS;

29  
30           (4)    MAXIMUM BUILDING HEIGHTS;

31  
32           (5)    MAXIMUM SIZE OF A RETAIL-USE FOOTPRINT;

33  
34           (6)    A DESCRIPTION OF THE COMMUNITY COMMONS THAT WILL BE  
35           INCLUDED IN THE DEVELOPMENT;  
36

1                   (7) A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF  
2                   DEVELOPMENT APPROVED AND BUILT TO DATE UNDER SECTION 125.A.9,  
3                   AND (II) THE STATUS OF ANY COMMUNITY ENHANCEMENTS, PROGRAMS  
4                   AND PUBLIC AMENITIES, DOWNTOWN PARKLAND, DOWNTOWN  
5                   COMMUNITY COMMONS, AND INFRASTRUCTURE AS ADDRESSED IN THE  
6                   DOWNTOWN COLUMBIA PLAN;

7  
8                   (8) PROPOSED LOCATIONS FOR ENVIRONMENTAL RESTORATION; AND

9  
10                  (9) PROPOSED RESTRICTIONS, AGREEMENTS OR OTHER DOCUMENTS  
11                  INDICATING A PLAN TO HOLD, OWN, AND MAINTAIN IN PERPETUITY LAND  
12                  INTENDED FOR COMMON, QUASI-PUBLIC AMENITY USE AND PUBLIC ART  
13                  BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP.

14  
15           4.       PLANNING BOARD REVIEW AND APPROVAL CRITERIA

16  
17           THE PLANNING BOARD SHALL CONSIDER THE FINAL DEVELOPMENT PLAN OR FINAL  
18           DEVELOPMENT AMENDMENT AT A PUBLIC HEARING. THE PLANNING BOARD SHALL  
19           APPROVE, APPROVE WITH CONDITIONS, OR DENY THE PETITION BASED ON WHETHER THE  
20           PETITION SATISFIES THE FOLLOWING CRITERIA:

21  
22           A.   THE DOWNTOWN NEIGHBORHOOD CONCEPT PLAN, THE NEIGHBORHOOD SPECIFIC  
23           DESIGN GUIDELINES, AND THE NEIGHBORHOOD SPECIFIC IMPLEMENTATION PLAN  
24           CONFORM WITH THE DOWNTOWN-WIDE DESIGN GUIDELINES, THE DOWNTOWN  
25           COLUMBIA PLAN, THE STREET AND BLOCK PLAN, THE NEIGHBORHOODS PLAN,  
26           THE MAXIMUM BUILDING HEIGHTS PLAN, THE PRIMARY AMENITY SPACE  
27           FRAMEWORK DIAGRAM, THE STREET FRAMEWORK DIAGRAM, THE BICYCLE AND  
28           PEDESTRIAN PLAN, THE NEIGHBORHOODS PLAN, AND THE OPEN SPACE  
29           PRESERVATION PLAN, OR THAT ANY PROPOSED CHANGE(S) WILL NOT BE  
30           DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN  
31           REVITALIZATION. LIMITED CHANGE IN BUILDING HEIGHTS MAY BE APPROVED  
32           BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF NEARBY EXISTING AND  
33           PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN SPACES IN THE AREA.  
34           HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN  
35           REVITALIZATION EXCEED TWENTY STORIES.

- 1
- 2        B.    THE NEIGHBORHOOD DESIGN GUIDELINES SUBMITTED WITH THE FINAL
- 3        DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT OFFER
- 4        SUFFICIENT DETAIL TO GUIDE THE APPEARANCE OF THE NEIGHBORHOOD OVER
- 5        TIME, AND PROMOTE DESIGN FEATURES THAT ARE ACHIEVABLE AND
- 6        APPROPRIATE FOR DOWNTOWN REVITALIZATION IN ACCORDANCE WITH THE
- 7        DESIGN GUIDELINES AND THE DOWNTOWN COLUMBIA PLAN;
- 8
- 9        C.    THE FINAL DEVELOPMENT PLAN CONFORMS WITH THE NEIGHBORHOOD
- 10       DOCUMENTS, THE REVITALIZATION PHASING PLAN, THE COMMUNITY
- 11       ENHANCEMENTS, PROGRAMS, AND PUBLIC AMENITIES IMPLEMENTATION CHART
- 12       AND FLEXIBILITY PROVISIONS, THE DOWNTOWN-WIDE DESIGN GUIDELINES, THE
- 13       DOWNTOWN COLUMBIA PLAN, THE STREET AND BLOCK PLAN, THE
- 14       NEIGHBORHOODS PLAN, THE MAXIMUM BUILDING HEIGHTS PLAN, THE
- 15       PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, THE STREET FRAMEWORK
- 16       DIAGRAM, THE BICYCLE AND PEDESTRIAN PLAN, THE NEIGHBORHOODS PLAN,
- 17       AND THE OPEN SPACE PRESERVATION PLAN; PLAN. LIMITED CHANGE IN
- 18       BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY, CHARACTER
- 19       AND HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND
- 20       REDEVELOPMENT, AND OPEN SPACES IN THE AREA. HOWEVER, IN NO EVENT
- 21       SHALL THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION
- 22       EXCEED TWENTY STORIES;
- 23
- 24       D.    THE FINAL DEVELOPMENT PLAN, WHEN CONSIDERED IN THE CONTEXT OF
- 25       SURROUNDING PLANNED OR EXISTING DEVELOPMENT, PROVIDES A BALANCED
- 26       MIX OF HOUSING, EMPLOYMENT, AND COMMERCIAL AND ARTS AND CULTURAL
- 27       USES THROUGHOUT EACH PHASE;
- 28
- 29       E.    THE FINAL DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING
- 30       REQUIREMENT;
- 31
- 32       F.    THE BICYCLE, PEDESTRIAN, AND TRANSIT NETWORK CREATES CONVENIENT
- 33       CONNECTIONS THROUGHOUT THE SUBJECT AREA AND CONNECT, WHEREVER

1 POSSIBLE, TO EXISTING AND PLANNED SIDEWALKS, PATHS, AND ROUTES  
2 ADJOINING THE DEVELOPMENT;

3  
4 G. THE FINAL DEVELOPMENT PLAN PROTECTS LAND COVERED BY LAKES, STREAMS  
5 OR RIVERS, FLOOD PLAINS AND STEEP SLOPES, AND PROVIDES CONNECTIONS,  
6 WHERE POSSIBLE TO EXISTING AND PLANNED OPEN SPACE WITHIN THE  
7 NEIGHBORHOOD AND IN SURROUNDING AREAS;

8  
9 H. THE FINAL DEVELOPMENT PLAN PROVIDES THE LOCATION OF DOWNTOWN  
10 COMMUNITY COMMONS REQUIRED UNDER SEC. 125.A.9.H AS INDICATED IN THE  
11 NEIGHBORHOOD CONCEPT PLAN;

12  
13 I. THE FINAL DEVELOPMENT PLAN IS IN HARMONY WITH EXISTING AND PLANNED  
14 VICINAL LAND USES. IN MAKING THIS DETERMINATION, THE PLANNING BOARD  
15 SHALL CONSIDER, IF APPROPRIATE:

16  
17 (1) LANDSCAPE FEATURES ON THE BOUNDARY OF THE PLAN AREA, WHICH  
18 MAY INCLUDE PROTECTION OF EXISTING VEGETATION OR GRADE  
19 CHANGES THAT PROVIDE A NATURAL SEPARATION, OR LANDSCAPE  
20 PLANTING;

21  
22 (2) THE SIZE OF BUILDINGS ALONG THE EDGES OF THE PLAN AREA THROUGH  
23 LIMITS ON BUILDING HEIGHT OR OTHER REQUIREMENTS;

24  
25 (3) THE USE AND DESIGN OF NEARBY PROPERTIES AND

26  
27 (4) THE ADOPTED DOWNTOWN COLUMBIA PLAN RECOMMENDATIONS FOR  
28 HEIGHT, BUILDING MASSING AND SCALE, AND NEIGHBORHOOD  
29 CONNECTIVITY;

30  
31 J. THE DEVELOPMENT PROPOSED BY FINAL DEVELOPMENT PLAN IS SERVED BY  
32 ADEQUATE PUBLIC FACILITIES, INCLUDING ANY PROPOSED MITIGATION OR  
33 DEVELOPMENT STAGING IN ACCORDANCE WITH THE ADEQUATE PUBLIC

FACILITIES ORDINANCE(TITLE 16, SUBTITLE 11 OF THE HOWARD COUNTY  
CODE);

K. THE FINAL DEVELOPMENT PLAN PROTECTS ENVIRONMENTALLY SENSITIVE  
FEATURES AND PROVIDES ENVIRONMENTAL RESTORATION IN ACCORDANCE  
WITH THE DOWNTOWN COLUMBIA PLAN;

L. THE FINAL DEVELOPMENT PLAN PROTECTS ANY HISTORIC OR CULTURALLY  
SIGNIFICANT EXISTING SITES, BUILDINGS OR STRUCTURES, AND PUBLIC ART;

M. THE FINAL DEVELOPMENT PLAN PROPOSES AN APPROPRIATE PLAN TO SATISFY  
THE REQUIREMENT FOR ART IN THE COMMUNITY;

N. THE FINAL DEVELOPMENT PLAN PROVIDES A PLAN TO HOLD, OWN, AND  
MAINTAIN IN PERPETUITY LAND INTENDED FOR COMMON, QUASI-PUBLIC  
AMENITY USE AND PUBLIC ART THAT IS NOT PUBLICALLY OWNED, INCLUDING,  
WITHOUT LIMITATION, ANY DOWNTOWN COMMUNITY COMMONS, DOWNTOWN  
PARKLAND, DOWNTOWN ARTS, CULTURAL AND COMMUNITY USE, AND  
DOWNTOWN NEIGHBORHOOD SQUARE SHOWN ON THE FINAL DEVELOPMENT  
PLAN; AND

O. TO BETTER ENSURE CONFORMANCE WITH THE COMMUNITY ENHANCEMENTS,  
PROGRAMS AND PUBLIC AMENITIES PROVISIONS, THE FINAL DEVELOPMENT  
PLAN PROVIDES FOR A PLAN TO ESTABLISH MEMBERSHIP IN THE DOWNTOWN  
COLUMBIA PARTNERSHIP AND PAYMENT OF THE ANNUAL CHARGES. EACH  
FINAL DEVELOPMENT PLAN SHALL SHOW A CONSISTENT MEANS OF  
CALCULATING AND PROVIDING THE REQUIRED ANNUAL CHARGES.

5. WITHDRAWAL

AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY  
THE PLANNING BOARD ON A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
AMENDMENT, THE PETITIONER MAY WITHDRAW THE PETITION.

6. RECORDATION OF FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN

1 THE APPROVED FINAL DEVELOPMENT PLAN CONTAINING THE NEIGHBORHOOD CONCEPT  
2 PLAN, THE NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES AND THE NEIGHBORHOOD  
3 SPECIFIC IMPLEMENTATION PLAN SHALL BE RECORDED IN THE LAND RECORDS OF  
4 HOWARD COUNTY

5  
6 7. SITE DEVELOPMENT PLAN REQUIRED  
7 PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN SHALL BE REQUIRED FOR  
8 ALL DOWNTOWN REVITALIZATION.  
9

10 F. **[[D.]] Amendments to a Comprehensive Sketch Plan or Final Development Plan**

11  
12 1. **Amendments Submitted by Original Petitioner**

13 Except as allowed by Section **[[125.D.2 AND 125.E.3]]** 125.F.2 and 125.F.3 below, only  
14 the original petitioner for the new town district may propose amendments to an  
15 approved comprehensive sketch plan or Final Development Plan. A proposed  
16 COMPREHENSIVE SKETCH PLAN amendment shall be reviewed in accordance with  
17 Section 125.C above. A PROPOSED FINAL DEVELOPMENT PLAN AMENDMENT SHALL  
18 BE REVIEWED IN ACCORDANCE WITH SECTION 125.D. OR 125.E. AS APPLICABLE.  
19

20 2. **Additional Uses on Individual Lots in Residential Land Use Areas**

21 Within areas designated on a Comprehensive Sketch Plan for residential land use, any  
22 property owner may propose amendments to the Final Development Plan to allow a  
23 particular use on his or her property which is not allowed by the Final Development Plan  
24 criteria. No amendment shall be proposed which would either alter the land use  
25 designation established by the Comprehensive Sketch Plan or allow an increase in  
26 residential density. The proposed amendment shall be considered in accordance with the  
27 following procedures:  
28

29 a. The property owner shall submit the number of copies of the complete Final  
30 Development Plan as required by the Department of Planning and Zoning, with  
31 the proposed criteria amendments clearly noted on each copy, accompanied by  
32 an explanation of the request.

33 b. The proposal shall be considered by the Planning Board at a public hearing.  
34

1 c. The Planning Board shall approve, approve with modifications or deny the  
2 proposed amendments to the Final Development Plan, stating the reasons for its  
3 action. The Planning Board shall approve the request only if it finds that:

4  
5 (1) The use is consistent with the land use designation of the property as  
6 established on the recorded Final Development Plan and compatible with  
7 existing or proposed development in the vicinity.

8  
9 (2) The use will not adversely affect vicinal properties.

10 d. If the use is approved:

11  
12 (1) The Planning Board may provide for the subsequent approval by it of a  
13 Site Development Plan for the property which is the subject of the  
14 proposal; and

15 (2) Revised text for the Final Development Plan indicating the additional  
16 allowed use of the particular property shall be submitted by the applicant  
17 and recorded in the Land Records of Howard County.

18 3. THE FEE SIMPLE OWNER OF ANY PROPERTY LOCATED WITHIN DOWNTOWN COLUMBIA  
19 MAY PROPOSE AMENDMENTS TO AN APPROVED FINAL DEVELOPMENT PLAN IN  
20 ACCORDANCE WITH DOWNTOWN REVITALIZATION REQUIREMENTS.

21  
22 G. [[E.]] Site Development Plans – GENERAL PROVISIONS

23 1. Planning Board Approval

24 If the Planning Board reserved for itself the authority to approve a Site Development  
25 Plan AND for [[an area]] ALL DOWNTOWN REVITALIZATION, EXCEPT AS PROVIDED IN “2”  
26 AND “3” BELOW, no permit shall be issued for any use until the Site Development Plan is  
27 approved by the Planning Board. The Site Development Plan shall be considered at a  
28 public meeting. THE PETITIONER, TWO WEEKS PRIOR TO THE MEETING, SHALL POST THE  
29 PROPERTY IN A PROMINENT LOCATION AND PROVIDE ELECTRONIC NOTIFICATION TO ALL  
30 COLUMBIA VILLAGE BOARDS, THE COLUMBIA ASSOCIATION, HOWARD COUNTY  
31 COUNCIL MEMBERS AND PRESUBMISSION MEETING ATTENDEES WHO PROVIDED EMAIL  
32 ADDRESSES [[, except where a public hearing is required by Section 125.E.3 below]].



1  
2           **2.     Minor Additions and Modifications.**

3           Minor additions and modifications to Site Development Plans approved by the Planning  
4           Board and meeting the criteria below shall not require Planning Board approval. Also,  
5           minor new projects which have been granted a waiver of the Site Development Plan  
6           requirement by the Director of Planning and Zoning do not require Planning Board  
7           approval. However, all changes of use which require exterior site alterations shall  
8           require Planning Board approval.  
9

10          **3.     Minor Projects Not Requiring Planning Board Approval:**

- 11           a.     Minor additions to structures, with a floor area no larger than 10 percent of the  
12           existing floor area of the main floor, not to exceed 5,000 square feet.
- 13           b.     Minor new accessory structures if the location does not interfere with existing  
14           site layout (e.g. circulation, parking, loading, storm water management facilities,  
15           open space, landscaping or buffering).
- 16           c.     Minor additions to parking lots comprising no more than 25 percent of the  
17           original number of parking spaces required, not to exceed 25 spaces.
- 18           d.     Clearing or grading that does not exceed 5,000 square feet in area.
- 19           e.     House-type revisions to approved Site Development Plans for single-family  
20           detached developments and for no more than 25 percent of the total number of  
21           dwelling units on the Site Development Plans for single-family attached or  
22           apartment developments.
- 23           f.     Similar minor modifications as determined by the Department of Planning and  
24           Zoning.

25          **4.     Adjustments to Bulk Regulations for Individual Lots**

26           Upon the request of the owner of a particular lot, the Planning Board may approve  
27           parking, setback, height, lot coverage, or other bulk requirements for such lot or parcel  
28           which differ from those required by the applicable Final Development Plan, in  
29           accordance with the following procedures:

- 1 a. A public meeting shall be held on the Site Development Plan requiring the  
2 adjustment. If no Site Development Plan is available, an accurate plot plan drawn  
3 to scale shall be submitted for Planning Board review at the public meeting[.];
- 4 b. A Site Development Plan or plot plan submitted for review shall clearly indicate  
5 the requirement from which relief is sought and the requested relief, and shall be  
6 accompanied by a written statement explaining the reasons for the requested  
7 adjustment. .
- 8 c. In addition to the notice for public meetings required by the Planning Board's  
9 Rules of Procedure, the property that is the subject of the application shall be  
10 posted with the date, time, and place of the meeting for at least 15 days  
11 immediately before the public meeting.
- 12 d. The requested adjustment to the parking or bulk requirements shall be granted if  
13 the Planning Board finds that:
- 14 (1) The adjustment will not alter the character of the neighborhood or area in  
15 which the property is located, will not impair the appropriate use or  
16 development of adjacent property, and will not be detrimental to the  
17 public welfare; and
- 18 (2) The adjustment a) is needed due to practical difficulties or unnecessary  
19 hardships which arise in complying strictly with the Final Development  
20 Plan; and/or b) results in better design than would be allowed by strict  
21 compliance with the development criteria.
- 22
- 23 e. The Planning Board may approve, approve with conditions, or deny a requested  
24 adjustment.  
25

26 ~~H. SITE DEVELOPMENT PLAN - DOWNTOWN REVITALIZATION.~~

27

- 28 ~~1. EACH SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION SHALL INCLUDE A~~  
29 ~~STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF DEVELOPMENT APPROVED~~  
30 ~~AND BUILT, INCLUDING MODERATE INCOME HOUSING UNITS TO DATE UNDER SECTION~~  
31 ~~125.A.9; AND (II) THE STATUS OF ANY COMMUNITY ENHANCEMENTS, PROGRAMS AND~~  
32 ~~PUBLIC AMENITIES, DOWNTOWN PARKLAND, DOWNTOWN COMMUNITY COMMONS AND~~

1           ~~INFRASTRUCTURE AS ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN.~~

2  
3           ~~2. THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE~~  
4           ~~DEVELOPMENT PLAN THAT PROPOSES DOWNTOWN REVITALIZATION BASED ON WHETHER~~  
5           ~~THE PETITION SATISFIES THE FOLLOWING CRITERIA:~~

6           ~~A. THE DEVELOPMENT WILL BE CONSISTENT WITH THE ADOPTED DOWNTOWN~~  
7           ~~COLUMBIA PLAN.~~

8           ~~B. THE DEVELOPMENT WILL BE CONSISTENT WITH THE APPROVED FINAL~~  
9           ~~DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT INCLUDING~~  
10           ~~THE BULK REGULATIONS, DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES AND~~  
11           ~~THE NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN.~~

12           ~~C. THE DEVELOPMENT WILL BE COMPATIBLE WITH EXISTING AND PLANNED~~  
13           ~~ADJACENT LAND USES AS ESTABLISHED IN THE FINAL DEVELOPMENT PLAN OR~~  
14           ~~FINAL DEVELOPMENT PLAN AMENDMENT, WITH CONSIDERATION OF THE FINAL~~  
15           ~~LOCATION AND USE OF BUILDINGS AND STRUCTURES, BUILDING HEIGHT,~~  
16           ~~MASSING, LANDSCAPING, DOWNTOWN COMMUNITY COMMONS, DOWNTOWN~~  
17           ~~PARKLAND, PEDESTRIAN, BICYCLE AND VEHICULAR CIRCULATION SYSTEMS.~~

18           ~~D. THE DEVELOPMENT WILL BE WELL-ORGANIZED IN TERMS OF THE LOCATION OF~~  
19           ~~BUILDINGS AND STRUCTURES, DOWNTOWN COMMUNITY COMMONS,~~  
20           ~~LANDSCAPING, PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS, AND~~  
21           ~~OTHER DOWNTOWN REVITALIZATION FEATURES.~~

22           ~~E. IF THE DEVELOPMENT PROVIDES DOWNTOWN COMMUNITY COMMONS AND/OR~~  
23           ~~DOWNTOWN PARKLAND, THEY ARE REASONABLE AND APPROPRIATE GIVEN THE~~  
24           ~~LOCATION, SCALE AND ANTICIPATED INTENSITY OF ADJACENT USES IN~~  
25           ~~ACCORDANCE WITH THE DOWNTOWN COLUMBIA PLAN.~~

26           ~~F. THE MAXIMUM BUILDING HEIGHTS WILL BE CONSISTENT WITH THE FINAL~~  
27           ~~DEVELOPMENT PLAN.~~

28           ~~G. FOR ANY SITE DEVELOPMENT PLAN PROPOSING DOWNTOWN PUBLIC ART, THE~~  
29           ~~DOWNTOWN PUBLIC ART WILL BE CONSISTENT WITH THE DOWNTOWN PUBLIC~~  
30           ~~ART PROGRAM APPROVED WITH THE FINAL DEVELOPMENT PLAN OR FINAL~~  
31

1                    ~~DEVELOPMENT PLAN AMENDMENT APPROVAL.~~

2  
3            H.     ~~IF HOUSING IS INCLUDED THE DEVELOPMENT PROVIDES THE REQUIRED~~  
4                    ~~MODERATE INCOME HOUSING UNITS ONSITE OR IN ACCORDANCE WITH SECTION~~  
5                    ~~13.402 OF THE HOWARD COUNTY CODE.~~

6            3.     ~~MINOR ADJUSTMENTS TO THE GENERAL PEDESTRIAN CIRCULATION SYSTEM, ROAD~~  
7                    ~~NETWORK, BLOCK CONFIGURATION, AND DOWNTOWN COMMUNITY COMMONS SHOWN~~  
8                    ~~ON THE FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN MAY BE~~  
9                    ~~APPROVED AS A PART OF THE SITE DEVELOPMENT PLAN, PROVIDED THE ADJUSTMENT(S)~~  
10                  ~~ARE GENERALLY CONSISTENT WITH THE FINAL DEVELOPMENT PLAN AND WILL NOT BE~~  
11                  ~~DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN~~  
12                  ~~REVITALIZATION.~~

13            4.     ~~AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY THE~~  
14                    ~~PLANNING BOARD ON A SITE DEVELOPMENT PLAN, THE PETITIONER MAY WITHDRAW~~  
15                    ~~THE PETITION.~~

16  
17            H.     SITE DEVELOPMENT PLAN - DOWNTOWN REVITALIZATION.

18  
19            1.     PRESUBMISSION REQUIREMENTS.

20  
21            A.     PRIOR TO FILING A SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION  
22                    THAT PROPOSES ANY USE, A PRESUBMISSION COMMUNITY MEETING IS REQUIRED  
23                    USING THE SAME PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE  
24                    SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. IN ADDITION, NOTICE IN  
25                    ACCORDANCE WITH SECTIONS 16.128 (B) – (G) MUST ALSO BE GIVEN TO EACH  
26                    VILLAGE BOARD AND THE COLUMBIA ASSOCIATION.

27  
28            B.     THE PETITIONER IS REQUIRED TO SUBMIT THE SITE DEVELOPMENT PLAN FOR REVIEW  
29                    BY THE DESIGN ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN ACCORDANCE  
30                    WITH THE APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE 15 OF THE COUNTY CODE.  
31                    THE DESIGN ADVISORY PANEL SHALL BASE ITS REVIEW AND RECOMMENDATIONS  
32                    ON THE NEIGHBORHOOD DESIGN GUIDELINES.  
33

1           2. SITE DEVELOPMENT PLAN – SUBMISSION REQUIREMENTS

2           IN ADDITION TO THE SUBMISSION REQUIREMENTS IN SECTION 16.157 OF THE HOWARD  
3           COUNTY CODE, THE PETITION FOR A SITE DEVELOPMENT OR SITE DEVELOPMENT PLAN  
4           AMENDMENT SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR THE  
5           LAND AREA COVERED BY THE PLAN:

6  
7           A. THE APPLICABLE APPROVED FINAL DEVELOPMENT PLAN.

8  
9           B. A DEMONSTRATION OF HOW THE SITE DEVELOPMENT PLAN OR SITE DEVELOPMENT  
10          PLAN AMENDMENT WILL IMPLEMENT AND CONFORM TO THE APPROVED FINAL  
11          DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT, INCLUDING  
12          PROVISION OF ANY REQUIRED DOCUMENTATION RELATING TO HOW THE APPLICABLE  
13          FINAL DEVELOPMENT PLAN APPROVAL CRITERIA AND ANY IMPOSED CONDITIONS  
14          ARE MET BY THE SUBMITTED SITE DEVELOPMENT PLAN OR SITE DEVELOPMENT  
15          PLAN AMENDMENT.

16  
17          C. EACH SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION SHALL INCLUDE  
18          A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF DEVELOPMENT  
19          APPROVED AND BUILT, AND (II) THE STATUS OF ANY COMMUNITY ENHANCEMENTS,  
20          PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND, DOWNTOWN  
21          COMMUNITY COMMONS AND INFRASTRUCTURE AS ADDRESSED IN THE DOWNTOWN  
22          COLUMBIA PLAN.

23  
24        3. PLANNING BOARD REVIEW AND APPROVAL CRITERIA.

25  
26        THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE  
27        DEVELOPMENT PLAN THAT PROPOSES DOWNTOWN REVITALIZATION BASED ON WHETHER  
28        THE PETITION SATISFIES THE FOLLOWING CRITERIA:

29  
30        A. THE DEVELOPMENT CONFORMS WITH THE ADOPTED DOWNTOWN COLUMBIA PLAN.

31  
32        B. THE DEVELOPMENT IMPLEMENTS AND CONFORMS TO THE APPROVED FINAL  
33        DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT INCLUDING ALL  
34        APPLICABLE FINAL DEVELOPMENT PLAN APPROVAL CRITERIA AND CONDITIONS.

- 1
- 2 C. THE DEVELOPMENT IS WELL-ORGANIZED IN TERMS OF THE LOCATION OF BUILDINGS
- 3 AND STRUCTURES, DOWNTOWN COMMUNITY COMMONS, LANDSCAPING, PEDESTRIAN
- 4 AND VEHICULAR CIRCULATION SYSTEMS, AND OTHER DOWNTOWN REVITALIZATION
- 5 FEATURES.
- 6
- 7 D. IF THE DEVELOPMENT PROVIDES DOWNTOWN COMMUNITY COMMONS AND/OR
- 8 DOWNTOWN PARKLAND, THEY ARE REASONABLE AND APPROPRIATE GIVEN THE
- 9 LOCATION, SCALE AND ANTICIPATED INTENSITY OF ADJACENT USES IN ACCORDANCE
- 10 WITH THE DOWNTOWN COLUMBIA PLAN.
- 11
- 12 E. THE MAXIMUM BUILDING HEIGHTS WILL CONFORM TO THE FINAL DEVELOPMENT
- 13 PLAN.
- 14
- 15 F. THE DEVELOPMENT SATISFIES THE DOWNTOWN PUBLIC ART PROGRAM APPROVED
- 16 WITH THE FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT
- 17 APPROVAL.
- 18
- 19 G. THE SITE DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING REQUIREMENTS IN
- 20 ACCORDANCE WITH THE APPROVED FINAL DEVELOPMENT PLAN.
- 21
- 22 H. THE DEVELOPMENT SATISFIES THE ADEQUATE PUBLIC FACILITIES ORDINANCE, IF
- 23 APPLICABLE.
- 24
- 25 I. THE DEVELOPMENT INDICATES THE MANNER IN WHICH ANY LAND INTENDED FOR
- 26 COMMON OR QUASI-PUBLIC USE, BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP,
- 27 WILL BE HELD, OWNED AND MAINTAINED IN PERPETUITY FOR THE INDICATED
- 28 PURPOSES.
- 29
- 30 J. THE PETITION IS ACCOMPANIED BY DOCUMENTATION DEMONSTRATING MEMBERSHIP IN
- 31 THE DOWNTOWN COLUMBIA PARTNERSHIP INCLUDING THE REQUIRED ANNUAL
- 32 CHARGES.
- 33

1       4. MINOR ADJUSTMENTS TO THE GENERAL PEDESTRIAN, BICYCLE, AND TRANSIT CIRCULATION  
2       SYSTEM, ROAD NETWORK, BLOCK CONFIGURATION, AND DOWNTOWN COMMUNITY  
3       COMMONS SHOWN ON THE FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN  
4       MAY BE APPROVED AS A PART OF THE SITE DEVELOPMENT PLAN, PROVIDED THE  
5       ADJUSTMENT(S) GENERALLY CONFORMS WITH THE FINAL DEVELOPMENT PLAN AND WILL  
6       NOT BE DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN  
7       REVITALIZATION.

8  
9       5. AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION BY THE  
10      PLANNING BOARD ON A SITE DEVELOPMENT PLAN, THE PETITIONER MAY WITHDRAW THE  
11      PETITION.

12  
13      1. SITE DEVELOPMENT PLAN – DOWNTOWN ENVIRONMENTAL RESTORATION THAT IS  
14      NOT PART OF A FINAL DEVELOPMENT PLAN.

15  
16          1. THE PETITION FOR A SITE DEVELOPMENT PLAN FOR A DOWNTOWN ENVIRONMENTAL  
17          RESTORATION PROJECT THAT IS NOT PART OF A FINAL DEVELOPMENT PLAN SHALL MEET  
18          THE SUBMISSION REQUIREMENTS IN SECTION 16.157 OF THE HOWARD COUNTY CODE.

19  
20          2. PLANNING BOARD REVIEW AND APPROVAL CRITERIA.

21          THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE  
22          DEVELOPMENT PLAN THAT PROPOSES A DOWNTOWN ENVIRONMENTAL RESTORATION  
23          PROJECT BASED ON WHETHER THE PETITION SATISFIES THE FOLLOWING CRITERIA:

24  
25              a. THE PROJECT CONFORMS WITH THE ADOPTED DOWNTOWN COLUMBIA PLAN;  
26              AND

27  
28              b. THE PROJECT CONFORMS WITH THE DOWNTOWN-WIDE DESIGN GUIDELINES  
29              PERTAINING TO ENVIRONMENTAL RESTORATION.

30  
31              **SECTION 133: OFF-STREET PARKING AND LOADING FACILITIES**

32  
33      B.      Layout and Location

34              4.      Required minimum parking may be provided on a separate lot from the principal use if:

- a. For residential uses, the location and distribution of parking spaces complies with the Subdivision and Land Development Regulations.
- b. For nonresidential uses that are not a part of downtown revitalization, the major point of pedestrian access to the parking facility is within 400 feet of the entrance to the building [[:]]. THIS REQUIREMENT DOES NOT APPLY TO DOWNTOWN REVITALIZATION;
- c. The parking facility is within a zoning district in which the use being served by the parking facility is permitted;
- d. The parking facility is not separated from the use being served by a public street [[:]]. THIS REQUIREMENT DOES NOT APPLY TO DOWNTOWN REVITALIZATION; AND
- e. The parking facility is subject to recorded covenants or easements for parking, or other proof is provided that the continued use of the parking area is guaranteed throughout the life of the land use.

E. PERMITTED REDUCTIONS IN OFF-STREET PARKING REQUIREMENTS.

3. DOWNTOWN REVITALIZATION

OFF-STREET PARKING AND LOADING FACILITIES FOR DOWNTOWN REVITALIZATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING SHARED PARKING METHODOLOGY AND PARKING RATIOS:

- A. THE METHODOLOGY FOR DETERMINING THE SHARED PARKING DEMAND CONSISTS OF THE FOLLOWING STEPS AND IS DESCRIBED IN THE FOLLOWING PARAGRAPHS:
  - (1) DETERMINE INDIVIDUAL WEEKDAY AND WEEKEND PEAK PARKING RATIOS FOR EACH LAND USE.
  - (2) DETERMINE THE NUMBER OF RESERVED PARKING SPACES FOR EACH USE.
  - (3) SELECT TIME-OF-DAY AND MONTHLY PARKING VARIATION FACTORS.
  - (4) ADJUST PARKING RATIOS FOR MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS.
  - (5) CALCULATE THE HOURLY PARKING DEMAND FOR EACH SCENARIO



**WEEKDAYS AND WEEKENDS FOR EACH MONTH.**

**STEP 1: DETERMINE INDIVIDUAL WEEKDAY AND WEEKEND PEAK PARKING RATIOS FOR EACH LAND USE**

**TABLE 1 PRESENTS THE BASE PARKING RATIOS FOR WEEKDAYS AND WEEKENDS. THESE RATIOS MUST BE USED UNLESS THE PETITIONER PROVIDES REASONABLE JUSTIFICATION FOR USE OF ALTERNATIVE RATIO(S) THAT WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE. FOR LAND USES NOT LISTED IN TABLE 1, DATA FROM THE CURRENT EDITION OF "PARKING GENERATION" (ITE), "SHARED PARKING" (ULI), THE HOWARD COUNTY ZONING REGULATIONS, OR OTHER APPLICABLE SOURCES MAY BE USED.**

**STEP 2: DETERMINE THE NUMBER OF RESERVED PARKING SPACES FOR EACH USE**

**A SIGNIFICANT PROPORTION OF RESIDENTIAL PARKING SPACES ARE TYPICALLY RESERVED, DUE TO MARKET AND SECURITY REQUIREMENTS. SOME PORTION OF OFFICE, RETAIL, HOTEL, OR OTHER USES MAY REQUIRE RESERVED SPACES FOR SOME PORTION OF THE DAY. THESE RESERVED SPACES SHOULD BE OUTLINED AND SPECIFIED BY LAND USE ON AN HOURLY BASIS.**

**STEP 3: SELECT TIME-OF-DAY AND MONTHLY PARKING VARIATION FACTORS**

**THE TIME-OF-DAY ADJUSTMENT FACTORS FOR WEEKDAYS AND WEEKENDS ARE SHOWN IN TABLES 2 AND 3, RESPECTIVELY. TABLE 4 SHOWS THE MONTHLY ADJUSTMENT FACTORS FOR CUSTOMER AND VISITOR PARKING, WHILE TABLE 5 INCLUDES THE MONTHLY ADJUSTMENT FACTORS FOR EMPLOYEES. THESE TYPICAL FACTORS ARE TAKEN FROM THE ULI SHARED PARKING MANUAL AND MAY BE MODIFIED BASED ON OTHER PUBLISHED DATA OR INDEPENDENT STUDIES TO ENSURE ACCURACY FOR SPECIFIC LAND USES OR CIRCUMSTANCES.**

**STEP 4: ADJUST PARKING RATIOS FOR MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS**

**MODAL SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS WILL BE DIFFERENT FOR EACH DOWNTOWN REVITALIZATION DEVELOPMENT. MODAL SPLITS AND AUTO OCCUPANCY CAN BE DETERMINED THROUGH U.S. CENSUS JOURNEY-TO-WORK DATA, PATRON SURVEYS, OR OTHER LOCAL DATA, AND CAN BE ADJUSTED TO REFLECT FUTURE CONDITIONS.**

**NON-CAPTIVE ADJUSTMENTS REFLECT THE PROPORTION OF USERS THAT ARE NOT ALREADY PARKED NEARBY FOR A PRIMARY PURPOSE. THESE ADJUSTMENTS FOR CAPTIVE MARKET EFFECTS SHOULD ONLY BE APPLIED TO SIMULTANEOUS TRIPS, NOT SEQUENTIAL TRIPS. FOR EXAMPLE, AN OFFICE WORKER WHO WALKS ACROSS THE**

1 STREET FOR A SNACK DURING THE DAY IS PART OF THE CAPTIVE MARKET, WHILE A  
2 COUPLE WHO HAS DINNER BEFORE A MOVIE IS NOT. TABLE 6 INCLUDES SAMPLE NON-  
3 CAPTIVE ADJUSTMENT FACTORS FOR WEEKDAYS AND CAN BE MODIFIED BASED ON THE  
4 CHARACTERISTICS OF THE LAND USE AND SURROUNDINGS.

5 STEP 5: CALCULATE THE HOURLY PARKING DEMAND FOR EACH SCENARIO WEEKDAYS  
6 AND WEEKENDS FOR EACH MONTH

7 THE INDIVIDUAL PARKING DEMANDS FOR EACH LAND USE DURING EACH TIME PERIOD  
8 ARE THEN COMPUTED BY MULTIPLYING THE PARKING RATIOS (ADJUSTED FOR MODAL  
9 SPLIT, AUTO OCCUPANCY, AND CAPTIVE MARKET EFFECTS) BY THE TIME-OF-DAY AND  
10 MONTHLY VARIATION FACTORS. NO ADJUSTMENT FACTORS OR VARIATION FACTORS ARE  
11 APPLIED TO RESERVED PARKING SPACES.

12 THE SUM OF THE ADJUSTED PARKING DEMANDS FOR EACH LAND USE ARE THEN  
13 COMPARED FOR EACH SCENARIO (EACH HOUR OF EACH DAY OF EACH MONTH), AND THE  
14 MAXIMUM TOTAL PARKING DEMAND REPRESENTS THE SHARED PARKING REQUIREMENT  
15 FOR THE PROJECT.  
16  
17

Table I  
Howard County Shared Parking Methodology  
Base Parking Ratios

| Land Use   | Weekday |          | Weekend |          | Unit     |
|--|---------|----------|---------|----------|----------|
|  | Visitor | Employee | Visitor | Employee |          |
| General Retail/Personal Service                    | 2.90    | 0.70     | 3.20    | 0.80     | /ksf GLA |
| Shopping Center                                    | 3.20    | 0.80     | 3.60    | 0.90     | /ksf GLA |
| Restaurants, standard, and beverage establishments | 15.25   | 2.75     | 17.00   | 3.00     | /ksf GLA |
| Fast Food Restaurant                               | 12.75   | 2.25     | 12.00   | 2.00     | /ksf GLA |
| Cinema   | 0.19    | 0.01     | 0.26    | 0.01     | /seat    |
| Performing Arts Theater                            | 0.30    | 0.07     | 0.33    | 0.07     | /seat    |
| Health Club  | 6.60    | 0.40     | 5.50    | 0.25     | /ksf GLA |
| Hotel  | 0.90    | 0.25     | 1.00    | 0.18     | /room    |
| Restaurant/Lounge                                  | 10.00   |          | 10.00   |          | /ksf GLA |
| Conference Ctr/Banquet (20 to 50 sq ft/guest room) | 30.00   |          | 30.00   |          | /ksf GLA |
| Convention Space (>50 sq ft/guest room)            | 20.00   |          | 10.00   |          | /ksf GLA |
| Residential <sup>(1)</sup>                         | 0.15    | 1.50     | 0.15    | 1.50     | /unit    |
| General Office up to 100 ksf                       | 0.275   | 3.30     | 0.028   | 0.33     | /ksf GLA |
| General Office over 100 ksf                        | 0.20    | 2.60     | 0.02    | 0.26     | /ksf GLA |
| Medical/Dental Office                              | 3.00    | 1.50     | 3.00    | 1.50     | /ksf GLA |

Note(s): (1) 1.0 space reserved for residents' sole use; remainder may be shared.

(2) For all other land uses, data from the current edition of "Parking Generation" (ITE), "Shared Parking" (ULI), the Howard County Zoning Regulations or other applicable sources may be used.

**Table 2**  
**Howard County Shared Parking Methodology**  
**Time-of-Day Factors for Weekday Demand**

|   | 6 AM | 7 AM | 8 AM | 9 AM | 10 AM | 11 AM | 12 PM | 1 PM | 2 PM | 3 PM | 4 PM | 5 PM | 6 PM | 7 PM | 8 PM | 9 PM | 10 PM | 11 PM | 12 AM |
|---|------|------|------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|-------|-------|-------|
| Read/Shopping Center                                  | 1%   | 5%   | 15%  | 35%  | 65%   | 85%   | 95%   | 100% | 95%  | 90%  | 90%  | 95%  | 95%  | 95%  | 80%  | 50%  | 30%   | 10%   | 0%    |
| Employee  | 10%  | 15%  | 40%  | 75%  | 85%   | 95%   | 100%  | 100% | 100% | 100% | 100% | 95%  | 95%  | 95%  | 90%  | 75%  | 40%   | 15%   | 0%    |
| Customer  | 0%   | 0%   | 0%   | 0%   | 15%   | 40%   | 75%   | 100% | 65%  | 40%  | 50%  | 75%  | 95%  | 100% | 90%  | 100% | 95%   | 75%   | 0%    |
| Restaurants, standard, and beverage establishments    | 0%   | 20%  | 50%  | 75%  | 90%   | 90%   | 90%   | 90%  | 90%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 85%   | 35%   |
| Fast Food Restaurant                                  | 5%   | 10%  | 20%  | 30%  | 55%   | 85%   | 100%  | 100% | 90%  | 60%  | 55%  | 60%  | 85%  | 80%  | 50%  | 30%  | 20%   | 10%   | 5%    |
| Employee  | 15%  | 20%  | 30%  | 40%  | 75%   | 100%  | 100%  | 100% | 95%  | 70%  | 55%  | 70%  | 90%  | 90%  | 60%  | 40%  | 30%   | 20%   | 0%    |
| Customer  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 20%   | 45%  | 55%  | 55%  | 55%  | 60%  | 60%  | 80%  | 100% | 100% | 80%   | 65%   | 40%   |
| China   | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 0%    | 40%  | 60%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 70%   | 50%   |
| Employee  | 0%   | 0%   | 0%   | 0%   | 1%    | 1%    | 1%    | 1%   | 1%   | 1%   | 1%   | 1%   | 1%   | 25%  | 100% | 100% | 0%    | 0%    | 0%    |
| Performing Arts Theater                               | 0%   | 0%   | 0%   | 1%   | 1%    | 1%    | 1%    | 1%   | 1%   | 1%   | 1%   | 1%   | 1%   | 25%  | 100% | 100% | 0%    | 0%    | 0%    |
| Employee  | 0%   | 10%  | 10%  | 20%  | 30%   | 30%   | 30%   | 30%  | 30%  | 30%  | 30%  | 30%  | 100% | 100% | 100% | 100% | 30%   | 10%   | 5%    |
| Health Club   | 70%  | 60%  | 40%  | 70%  | 70%   | 80%   | 60%   | 70%  | 70%  | 80%  | 80%  | 90%  | 100% | 90%  | 80%  | 70%  | 35%   | 10%   | 0%    |
| Employee  | 75%  | 75%  | 75%  | 75%  | 75%   | 75%   | 75%   | 75%  | 75%  | 75%  | 75%  | 100% | 100% | 75%  | 50%  | 20%  | 20%   | 0%    | 0%    |
| Hotel   | 95%  | 95%  | 90%  | 80%  | 70%   | 65%   | 65%   | 65%  | 70%  | 70%  | 75%  | 80%  | 85%  | 85%  | 90%  | 95%  | 95%   | 100%  | 100%  |
| Restaurant/Lounge                                     | 0%   | 10%  | 30%  | 10%  | 10%   | 5%    | 100%  | 100% | 100% | 10%  | 10%  | 30%  | 55%  | 60%  | 70%  | 67%  | 60%   | 40%   | 30%   |
| Conference Center/Banquet (20 to 50 sq ft/guest room) | 0%   | 0%   | 30%  | 60%  | 60%   | 60%   | 65%   | 65%  | 65%  | 65%  | 65%  | 100% | 100% | 100% | 100% | 100% | 50%   | 0%    | 0%    |
| Convention Space (2-50 sq ft/guest room)              | 0%   | 0%   | 50%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 50%   | 0%    | 0%    |
| Employee  | 5%   | 30%  | 90%  | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 90%  | 50%  | 30%  | 20%  | 10%  | 0%    | 0%    | 0%    |
| Residential   | 100% | 90%  | 85%  | 80%  | 75%   | 70%   | 65%   | 70%  | 70%  | 70%  | 75%  | 85%  | 90%  | 97%  | 90%  | 99%  | 100%  | 100%  | 100%  |
| Employee  | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Reserved  | 0%   | 10%  | 20%  | 20%  | 20%   | 20%   | 20%   | 20%  | 20%  | 20%  | 20%  | 40%  | 100% | 100% | 100% | 100% | 100%  | 80%   | 50%   |
| Guest   | 0%   | 1%   | 20%  | 60%  | 15%   | 45%   | 100%  | 100% | 100% | 45%  | 10%  | 10%  | 5%   | 25%  | 1%   | 0%   | 0%    | 0%    | 0%    |
| Visitor   | 3%   | 3%   | 20%  | 95%  | 100%  | 90%   | 100%  | 100% | 100% | 100% | 95%  | 50%  | 25%  | 10%  | 7%   | 3%   | 1%    | 0%    | 0%    |
| Employee  | 0%   | 0%   | 90%  | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 90%  | 80%  | 67%  | 30%  | 15%  | 0%   | 0%    | 0%    | 0%    |
| Customer  | 0%   | 0%   | 0%   | 0%   | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Medical/Dental Office                                 | 0%   | 0%   | 40%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 67%  | 30%  | 15%  | 0%   | 0%    | 0%    | 0%    |

**Source: Shared Parking, Second Edition**

Table 3  
Howard County Shared Parking Methodology  
Time-of-Day Factors for Weekend Demand

|   | 6 AM | 7 AM | 8 AM | 9 AM | 10 AM | 11 AM | 12 PM | 1 PM | 2 PM | 3 PM | 4 PM | 5 PM | 6 PM | 7 PM | 8 PM | 9 PM | 10 PM | 11 PM | 12 AM |
|---|------|------|------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|-------|-------|-------|
| Retail/Shopping Center                                |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 1%   | 5%   | 10%  | 30%  | 50%   | 65%   | 80%   | 90%  | 100% | 100% | 95%  | 90%  | 80%  | 75%  | 65%  | 50%  | 35%   | 15%   | 0%    |
| Customer  | 10%  | 15%  | 40%  | 75%  | 85%   | 95%   | 100%  | 100% | 100% | 100% | 100% | 95%  | 85%  | 80%  | 75%  | 65%  | 45%   | 15%   | 0%    |
| Restaurants, standard, and beverage establishments    |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 0%   | 0%   | 0%    | 15%   | 50%   | 55%  | 45%  | 45%  | 45%  | 40%  | 30%  | 30%  | 100% | 90%  | 90%   | 90%   | 50%   |
| Customer  | 0%   | 20%  | 30%  | 60%  | 75%   | 75%   | 75%   | 75%  | 75%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 85%   | 50%   |
| Fast Food Restaurant                                  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 5%   | 10%  | 20%  | 30%  | 55%   | 85%   | 100%  | 100% | 95%  | 60%  | 55%  | 60%  | 85%  | 80%  | 50%  | 30%  | 20%   | 10%   | 5%    |
| Customer  | 15%  | 20%  | 30%  | 40%  | 75%   | 100%  | 100%  | 100% | 95%  | 70%  | 60%  | 70%  | 90%  | 90%  | 40%  | 30%  | 20%   | 20%   | 20%   |
| Cinema  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 20%   | 45%  | 55%  | 55%  | 55%  | 60%  | 60%  | 80%  | 100% | 100% | 100%  | 80%   | 50%   |
| Customer  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 50%   | 60%  | 60%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 70%   | 50%   |
| Performing Arts Theater                               |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 0%   | 1%   | 1%    | 1%    | 1%    | 17%  | 67%  | 67%  | 1%   | 1%   | 1%   | 25%  | 100% | 100% | 0%    | 0%    | 0%    |
| Customer  | 0%   | 0%   | 0%   | 1%   | 1%    | 1%    | 1%    | 100% | 100% | 100% | 30%  | 30%  | 100% | 100% | 100% | 100% | 30%   | 10%   | 5%    |
| Health Club   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 80%  | 45%  | 35%  | 50%  | 35%   | 50%   | 50%   | 30%  | 25%  | 30%  | 55%  | 100% | 95%  | 60%  | 30%  | 20%  | 20%   | 1%    | 0%    |
| Customer  | 50%  | 50%  | 50%  | 50%  | 50%   | 50%   | 50%   | 50%  | 50%  | 50%  | 75%  | 100% | 100% | 75%  | 50%  | 20%  | 20%   | 20%   | 0%    |
| Hotel   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 95%  | 95%  | 90%  | 80%  | 70%   | 70%   | 65%   | 65%  | 70%  | 70%  | 75%  | 80%  | 85%  | 85%  | 90%  | 95%  | 95%   | 100%  | 100%  |
| Guest   | 0%   | 0%   | 30%  | 10%  | 10%   | 5%    | 100%  | 100% | 33%  | 10%  | 10%  | 30%  | 55%  | 60%  | 70%  | 67%  | 60%   | 40%   | 30%   |
| Restaurant/Lounge                                     |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 30%  | 60%  | 60%   | 60%   | 65%   | 65%  | 65%  | 65%  | 65%  | 100% | 100% | 100% | 100% | 100% | 50%   | 0%    | 0%    |
| Customer  | 0%   | 0%   | 30%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 0%    | 0%    |
| Conference Center/Banquet (20 to 50 sq ft/guest room) |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 5%   | 30%  | 90%  | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 90%  | 75%  | 60%  | 55%  | 55%  | 55%  | 45%   | 45%   | 30%   |
| Customer  | 100% | 90%  | 85%  | 80%  | 75%   | 70%   | 65%   | 70%  | 70%  | 70%  | 75%  | 85%  | 90%  | 97%  | 98%  | 99%  | 100%  | 100%  | 100%  |
| Convention Space (>50 sq ft/guest room)               |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Residential   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 20%  | 20%  | 20%   | 20%   | 20%   | 20%  | 20%  | 20%  | 20%  | 40%  | 60%  | 100% | 100% | 100% | 100%  | 80%   | 50%   |
| Guest   | 0%   | 0%   | 20%  | 20%  | 20%   | 20%   | 20%   | 20%  | 20%  | 20%  | 20%  | 20%  | 20%  | 20%  | 20%  | 20%  | 20%   | 20%   | 0%    |
| Office  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 20%  | 60%  | 80%  | 90%   | 100%  | 90%   | 80%  | 60%  | 40%  | 20%  | 10%  | 5%   | 0%   | 0%   | 0%   | 0%    | 0%    | 0%    |
| Customer  | 0%   | 20%  | 60%  | 80%  | 90%   | 100%  | 90%   | 80%  | 60%  | 40%  | 20%  | 10%  | 5%   | 0%   | 0%   | 0%   | 0%    | 0%    | 0%    |
| Medical/Dental Office                                 |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 0%   | 0%   | 90%  | 90%  | 100%  | 100%  | 100%  | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 0%    |
| Customer  | 0%   | 0%   | 60%  | 100% | 100%  | 100%  | 100%  | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 0%    |

Source: Shared Parking, Second Edition

Table 4

## Howard County Shared Parking Methodology

## Monthly Adjustments for Customer/Visitor Parking

|  | Jan  | Feb  | Mar  | Apr  | May  | Jun  | Jul  | Aug  | Sep  | Oct  | Nov  | Dec  | Late<br>Dec |
|--|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
| Retail/Shopping Center                             | 56%  | 57%  | 64%  | 63%  | 66%  | 67%  | 64%  | 69%  | 64%  | 66%  | 72%  | 100% | 80%         |
| Restaurants, standard, and beverage establishments | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Fast Food Restaurant                               | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Cinema - Weekdays                                  | 27%  | 21%  | 20%  | 19%  | 27%  | 41%  | 55%  | 40%  | 15%  | 15%  | 25%  | 23%  | 100%        |
| Cinema - Weekends                                  | 71%  | 59%  | 67%  | 58%  | 71%  | 82%  | 92%  | 75%  | 51%  | 62%  | 78%  | 67%  | 100%        |
| Performing Arts Theater                            | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 100% | 100%        |
| Health Club  | 100% | 95%  | 85%  | 70%  | 65%  | 65%  | 65%  | 70%  | 80%  | 85%  | 85%  | 90%  | 95%         |
| Hotel  | 90%  | 100% | 100% | 100% | 90%  | 90%  | 100% | 100% | 75%  | 75%  | 75%  | 50%  | 100%        |
| Restaurant/Lounge                                  | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Conference Ctr/Banquet (20 to 50 sq ft/guest room) | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Convention Space (>50 sq ft/guest room)            | 75%  | 100% | 90%  | 55%  | 60%  | 50%  | 45%  | 75%  | 80%  | 85%  | 100% | 60%  | 0%          |
| Residential  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| General Office, Medical/Dental Office              | 100% | 100% | 100% | 100% | 100% | 100% | 95%  | 95%  | 100% | 100% | 100% | 100% | 80%         |

Source: Shared Parking, Second Edition

Table 5

## Howard County Shared Parking Methodology

## Monthly Adjustments for Employee/Resident Parking

|  | Jan  | Feb  | Mar  | Apr  | May  | Jun  | Jul  | Aug  | Sep  | Oct  | Nov  | Dec  | Late<br>Dec |
|--|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
| Retail/Shopping Center                             | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 90%  | 100% | 90%         |
| Restaurants, standard, and beverage establishments | 95%  | 95%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Fast Food Restaurant                               | 95%  | 95%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Cinema - Weekdays                                  | 50%  | 50%  | 50%  | 50%  | 50%  | 75%  | 75%  | 75%  | 50%  | 50%  | 50%  | 50%  | 100%        |
| Cinema - Weekends                                  | 80%  | 80%  | 80%  | 80%  | 80%  | 100% | 100% | 90%  | 80%  | 80%  | 80%  | 80%  | 100%        |
| Performing Arts Theater                            | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Health Club  | 100% | 100% | 95%  | 80%  | 75%  | 75%  | 75%  | 80%  | 90%  | 95%  | 95%  | 100% | 100%        |
| Hotel  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Residential  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| General Office, Medical/Dental Office              | 100% | 100% | 100% | 100% | 100% | 100% | 95%  | 95%  | 100% | 100% | 100% | 100% | 80%         |

Source: Shared Parking, Second Edition

**Table 6**  
**Howard County Shared Parking Methodology**  
**Non-Captive Adjustment Factors for Weekdays**

|  | Non-captive<br>Daytime |
|--|------------------------|
| Retail/Shopping Center                             | 90%                    |
| Employee   | 100%                   |
| Restaurants, standard, and beverage establishments | 90%                    |
| Employee   | 100%                   |
| Fast Food Restaurant                               | 50%                    |
| Employee   | 100%                   |
| Hotel  | 100%                   |
| Meeting/Banquet                                    | 60%                    |
| Employee   | 100%                   |
| General Office                                     | 100%                   |
| Employee   | 100%                   |
| Medical/Dental Office                              | 100%                   |
| Employee   | 100%                   |

*Source: Shared Parking, Second Edition*



1 ***Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that***  
2 ***the remainder of Section 103 of the Zoning Regulations be renumbered accordingly.***

3  
4 ***Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland, that***  
5 ***the attached Exhibit A "Metes and Bounds Description for Area Without a Recorded Final***  
6 ***Development Plan Reference" be inserted to the Appendix of the Zoning Regulations.***

7  
8 ***Section 5. And Be It Further Enacted by the County Council of Howard County, Maryland, that the***  
9 ***Department of Planning and Zoning, when codifying the provisions of Section 2 of this Act in the Zoning***  
10 ***Regulations, shall replace each reference to "effective date" with the specific date on which this Act takes***  
11 ***effect.***

12  
13 ***Section 56 . And Be It Further Enacted by the County Council of Howard County, Maryland,***  
14 ***that the provisions of this Act shall become effective 61 days after enactment.***

EXHIBIT A

**METES AND BOUNDS DESCRIPTION FOR AREA WITHOUT A RECORDED FINAL  
DEVELOPMENT PLAN REFERENCE**

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN HOWARD COUNTY, MARYLAND  
AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE RESIDUE OF THE 801.198 ACRE PARCEL OF LAND  
CONVEYED BY G & S ENTERPRISES, INC. TO THE HOWARD  
RESEARCH AND DEVELOPMENT CORPORATION BY DEED DATED  
OCTOBER 14, 1963 AND RECORDED AMONG THE LAND RECORDS OF  
HOWARD COUNTY IN LIBER 409, FOLIO 8, AND THE 53 ACRE PARCEL  
OF LAND CONVEYED BY SEBRING, INC. TO THE HOWARD RESEARCH  
AND DEVELOPMENT CORPORATION BY DEED DATED NOVEMBER 7,  
1963 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN  
LIBER 409, FOLIO 549.

MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
FOLLOWS:

BEGINNING AT A POINT ON THE EASTERN RIGHT-OF-WAY LINE  
OF BROKEN LAND PARKWAY, AS RECORDED IN PLAT NO. 6598  
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND,  
SAID POINT BEING ON THE SOUTHERN RIGHT-OF-WAY LINE OF  
LITTLE PATUXENT PARKWAY, ROUTE 175, WIDTH VARIES, AS  
RECORDED IN PLAT BOOK 12, PLAT NO. 60; THENCE DEPARTING SAID  
BROKEN LAND PARKWAY AND RUNNING WITH THE SOUTHERN  
LINES OF SAID LITTLE PATUXENT PARKWAY

174.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT,  
HAVING A RADIUS OF 676.29 FEET AND A CHORD BEARING AND  
DISTANCE OF SOUTH 87°37'00" EAST 173.56 FEET TO A POINT; THENCE

NORTH 85°00'39" EAST 665.90 FEET TO A POINT ON THE  
EASTERN LINE OF LOT 9B, AS RECORDED IN PLAT BOOK 15, PLAT NO.  
32; THENCE DEPARTING SAID LITTLE PATUXENT PARKWAY AND  
RUNNING WITH THE WESTERN LINE OF SAID LOT 9B

SOUTH 04°59'21" EAST 27.00 FEET TO A POINT BEING THE  
NORTHWEST CORNER OF THE EXTERIOR BOUNDARY OF LOT 23,  
COLUMBIA, TOWN CENTER, SECTION 1, AS RECORDED IN PLAT  
BOOKS 13535 AND 13536; THENCE DEPARTING SAID LOT 9B AND  
RUNNING WITH THE LINES OF SAID LOT 23

200.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
HAVING A RADIUS OF 260.75 FEET AND A CHORD BEARING AND  
DISTANCE OF SOUTH 17°00'39" WEST 195.36 FEET TO A POINT;  
THENCE  
SOUTH 39°00'39" WEST 20.04 FEET TO A POINT; THENCE  
358.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
HAVING A RADIUS OF 905.00 FEET AND A CHORD BEARING AND  
DISTANCE OF SOUTH 50°20'39" WEST 355.70 FEET TO A POINT;  
THENCE  
SOUTH 61°40'39" WEST 102.79 FEET TO A POINT; THENCE  
251.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT,  
HAVING A RADIUS OF 225.00 FEET AND A CHORD BEARING AND  
DISTANCE OF SOUTH 29°35'39" WEST 239.02 FEET TO A POINT;  
THENCE  
SOUTH 02°29'21" EAST 272.12 FEET TO A POINT; THENCE  
SOUTH 82°37'23" EAST 315.92 FEET TO A POINT; THENCE  
SOUTH 16°14'58" EAST 275.00 FEET TO A POINT; THENCE  
SOUTH 65°24'27" EAST 516.84 FEET TO A POINT; THENCE WITH  
THE LINE OF SAID LOT 23, AND THE TERMINUS LINE OF SYMPHONY  
WOODS ROAD, A PUBLIC RIGHT-OF-WAY, UNIMPROVED, AS  
RECORDED IN PLAT BOOK 30, PLAT NO. 45, AND THE SOUTHERN LINE  
OF LOT 11C, RECORDED IN PLAT BOOK 30, PLAT NO. 45  
NORTH 79°40'05" EAST 891.63 FEET TO A POINT ON A WESTERN  
LINE OF LOT 1, COLUMBIA TOWN CENTER, SECTION 5, AREA 4, AS  
RECORDED IN PLAT NO. 14054; THENCE DEPARTING SAID LOT 11C  
AND RUNNING WITH THE LINES OF SAID LOT 1  
SOUTH 08°22'37" WEST 199.80 FEET TO A POINT; THENCE  
SOUTH 56°51'37" EAST 133.42 FEET TO A POINT; THENCE  
SOUTH 21°05'06" WEST 924.51 FEET TO A POINT ON THE  
NORTHERN RIGHT-OF-WAY LINE OF BROKEN LAND PARKWAY, AS  
RECORDED ON MARYLAND STATE HIGHWAY ADMINISTRATION  
RIGHT-OF-WAY MAPS 51703, 51704, 51705 & 52147; THENCE  
DEPARTING SAID LOT 1 AND RUNNING WITH THE RIGHT-OF-WAY OF  
SAID BROKEN LAND PARKWAY  
SOUTH 76°02'42" WEST 239.27 FEET TO A POINT; THENCE  
SOUTH 86°19'11" WEST 75.00 FEET TO A POINT; THENCE  
NORTH 39°13'05" WEST 86.02 FEET TO A POINT; THENCE  
SOUTH 86°19'11" WEST 234.41 FEET TO A POINT; THENCE  
SOUTH 39°28'56" WEST 53.89 FEET TO A POINT; THENCE  
339.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
HAVING A RADIUS OF 536.62 FEET AND A CHORD BEARING AND  
DISTANCE OF NORTH 77°37'57" WEST 333.45 FEET TO A POINT;  
THENCE  
NORTH 60°39'20" WEST 378.19 FEET TO A POINT; THENCE  
425.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
HAVING A RADIUS OF 1,350.00 FEET AND A CHORD BEARING AND

1 DISTANCE OF NORTH 49°20'57" WEST 424.07 FEET TO A POINT;  
2 THENCE

3 SOUTH 47°39'26" WEST 33.45 FEET TO A POINT ON THE EASTERN  
4 RIGHT-OF-WAY LINE OF BROKEN LAND PARKWAY AS RECORDED IN  
5 PLAT NO. 6598; THENCE RUNNING WITH SAID BROKEN LAND  
6 PARKWAY

7 346.21 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
8 HAVING A RADIUS OF 1,070.92 FEET AND A CHORD BEARING AND  
9 DISTANCE OF NORTH 23°00'44" WEST 344.70 FEET TO A POINT;  
10 THENCE

11 NORTH 13°45'03" WEST 972.71 FEET TO A POINT; THENCE  
12 524.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,  
13 HAVING A RADIUS OF 806.47 FEET AND A CHORD BEARING AND  
14 DISTANCE OF NORTH 04°52'27" EAST 515.13 FEET TO A POINT; THENCE

15 NORTH 23°29'57" EAST 147.00 FEET TO A POINT; THENCE

16 NORTH 61°35'15" EAST 123.74 FEET TO THE POINT OF  
17 BEGINNING CONTAINING 2,843,633 SQUARE FEET OR 65.2808 ACRES,  
18 MORE OR LESS.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 3, 2010.

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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
Stephen M. LeGendre, Administrator to the County Council

**Amendment 1 to Council Bill No.59-2009**

BY: The Chairperson, at the request of  
Calvin Ball, Mary Kay Sigaty, Jennifer Terrasa,  
and the County Executive

Legislative Day No. 1  
Date: January 4, 2010

**Amendment No. 1**

*(This amendment adds affordable housing requirements.)*

On page 14, in line 16, add:

✓ “(1) AT LEAST 15% OF THE DWELLING UNITS PERMITTED UNDER THE DOWNTOWN  
REVITALIZATION PROCESS SHALL BE MODERATE INCOME HOUSING UNITS.”

✓ Renumber the section accordingly.

✓ On page 32, in line 14, delete “UNITS.” and substitute “UNITS, BOTH MARKET RATE AND  
MODERATE INCOME HOUSING.”

On page 34, after line 27, insert:

✓ “(13) A DESCRIPTION OF THE PLAN FOR PROVIDING THE REQUIRED MODERATE INCOME  
HOUSING UNITS. THE PLAN SHALL PROPOSE:

(A) THAT AT LEAST 15% OF THE DWELLING UNITS SHALL BE MODERATE INCOME

HOUSING UNITS PROVIDED ON-SITE; OR

(B) AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME HOUSING UNITS, AS

PERMITTED BY SECTION 13.402 OF THE HOWARD COUNTY CODE.”

✓ On page 36, strike lines 11 through 13, and substitute:

“D. IF HOUSING IS PROPOSED THE PLAN INCLUDES :

(A) AT LEAST 15% OF THE DWELLING UNITS SHALL BE MODERATE INCOME

HOUSING UNITS PROVIDED ON-SITE; OR

①  
ADOPTED January 4, 2010  
FILED \_\_\_\_\_  
SIGNATURE Stephen M. LeHonde

RECONSIDERATION  
②  
ADOPTED \_\_\_\_\_  
FILED February 1, 2010  
SIGNATURE Stephen M. LeHonde

1                   (B) AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME HOUSING  
2                   UNITS, AS PERMITTED BY SECTION 13.402 OF THE HOWARD COUNTY  
3                   CODE.”  
4

5 ✓ On page 35, in line 21, strike “A” and substitute “A”.

6 ✓ On page 36, in line 1, 7, 14, 18 and 23 strike “b”, “c”, “e”, “f”, and “g”, respectively, and  
7       substitute “B”, “C”, “E”, “F”, and “G”, respectively.  
8

9 ✓ On page 41, in line 31, after “BUILT” insert “, INCLUDING MODERATE INCOME HOUSING  
10 UNITS”.

11       On page 42<sup>3</sup>, after line 3, insert:

12 ✓ “H. IF HOUSING IS INCLUDED THE DEVELOPMENT PROVIDES THE REQUIRED MODERATE  
13 INCOME HOUSING UNITS ONSITE OR IN ACCORDANCE WITH SECTION 13.402 OF THE  
14 HOWARD COUNTY CODE.”

**Amendment 2 to Council Bill 59-2009**

**By: The Chairperson at the request of Calvin Ball,  
Mary Kay Sigaty, Jennifer Terrasa,  
and the County Executive**

**Legislative Day No. 1  
Date: January 4, 2010**

**Amendment No. 2**

*(This amendment clarifies that the revitalization process applies to all new development and redevelopment in Downtown Columbia.)*

1 On page 11, in line 18 after "THAT" insert "IS" and strike "OCCURS PURSUANT TO A FINAL " and in line 19  
2 strike "DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT".

3  
4 Also on page 11, in line 21, strike "REVITALIZATION." and substitute "REVITALIZATION, EXCEPT AS  
5 PROVIDED IN SECTION 125 A.9.F."

6  
7 On page 11, in lines 16, 24 and 30, strike "a.", "b." and "c." respectively, and substitute "A.", "B.", and  
8 "C." respectively.

9  
10 On page 12, in lines 20, strike "d." and insert "D."

11  
12 On page 13, strike lines 8 through 20, and substitute:

13 "ANY PROPERTY CURRENTLY IMPROVED PURSUANT TO A RECORDED FINAL DEVELOPMENT PLAN AND AN  
14 APPROVED SITE DEVELOPMENT PLAN AS OF (EFFECTIVE DATE), MAY CONTINUE TO BE USED IN  
15 ACCORDANCE WITH THE TERMS AND REQUIREMENTS ON THE FINAL DEVELOPMENT PLAN, BUT ONLY TO  
16 THE SAME SIZE AND DIMENSIONS IN THE SAME LOCATION AS SHOWN ON THE APPROVED SITE  
17 DEVELOPMENT PLAN, EXCEPT FOR MINOR CHANGES TO THE SITE DEVELOPMENT PLAN, WHICH SHALL BE  
18 GOVERNED BY SECTION 125G."

19  
20 On page 13, in lines 3 and 6, strike "e." and "f." respectively, and substitute "E." and "F." respectively.

21  
22  
... January 4, 2010

Stephen M. Terrasa



23 On page 14, in line 15, strike "G." and substitute "G."

24

25 On page 16, in line 3, strike "H." and substitute "H."

26

27 On page 18, in line 28, strike "I." and substitute "I."

28

29 On page 19, in line 5, after "provisions," insert "except as provided in Section 125 I.2." .

30 Also on page 19, after line 9 insert:

31

32 "(2) IN NO CASE SHALL THE OBLIGATION TO PROVIDE A COMMUNITY ENHANCEMENT, PROGRAM  
33 OR PUBLIC AMENITY (CEPPA) BE TRIGGERED:

34 (A) BY THE DEVELOPMENT OR CONSTRUCTION OF DOWNTOWN ARTS, CULTURAL AND  
35 COMMUNITY USES; OR

36 (B) WHEN THE DEVELOPMENT OF A PARCEL OF RECORD AS OF (EFFECTIVE DATE)  
37 CONSISTS ONLY OF UP TO 10,000 SQUARE FEET OF COMMERCIAL FLOOR AREA."

38

39 Renumber the remaining sections accordingly.

**Amendment 3 to Council Bill 59-2009**

**By: The Chairperson at the request of Calvin Ball,  
Mary Kay Sigaty, Jennifer Terrasa,  
and the County Executive**

**Legislative Day No. 1  
Date: January 4, 2010**

**Amendment No. 3**

*(This amendment revises the Bill title to reflect two approved amendments.)*

1        On the title page, strike beginning with “establishing” in the fourth line of the title  
2 paragraph down through “revitalization” in the fifth line and substitute: “requiring that a certain  
3 minimum percentage of the dwelling units permitted under the Downtown Columbia  
4 revitalization process be moderate income housing units; specifying the application of this Act to  
5 property currently improved pursuant to certain types of approved development plans; providing  
6 that the obligation to provide a Community Enhancement, Program or Public Amenity is not  
7 triggered by the development of arts, cultural, and community uses, or by development of a  
8 parcel consisting only of up to a certain size of commercial floor area;”.

January 4, 2010



**Amendment 1 to Amendment 4 to Council Bill 59-2009 (as amended)**

**BY: Calvin Ball  
Greg Fox  
Mary Kay Sigaty  
Jennifer Terrasa  
Courtney Watson  
and at the request of the County Executive**

**Legislative Day No: 2  
Date: February 1, 2010**

**Amendment No. 1**

*(This amendment makes technical revisions to the Amendment.)*

On page 1, in line 2, insert:

"On page 19, in line 18, strike "SECTION 125 I.2 AND (II) SITE DEVELOPMENT PLANS",  
and substitute:

"SECTION 125 A.9.I.2 AND (II) BUILDING PERMITS".

February 1, 2010

Stephen M. Henderson

Amended Amendment 4 to Council Bill 59-2009 (as amended)


SPONSORED BY: Calvin Ball  
Greg Fox  
Mary Kay Sigaty  
Jennifer Terrasa  
Courtney Watson  
and at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

Amended Amendment No. 4

*(This amendment clarifies that Community Enhancements, Programs, and Public Amenities completion is required in all phases.)*

- 1 On page 19, in line 12, strike "PHASE 2 OR PHASE 3" and substitute "ANY PHASE".  
2 On page 19, in line 18, strike "SECTION 125 I.2 AND (II) SITE DEVELOPMENT PLANS", and  
3 substitute:  
4  
5 "SECTION 125 A.9.I.2 AND (II) BUILDING PERMITS".  
6  
7

February 1, 2010  


Amendment 5 to Council Bill 59-2009 (as amended)

SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive

Legislative Day No: 2  
Date: February 1, 2010

Amendment No. 5

*(This amendment provides for no net loss of parkland in Downtown Columbia by requiring an acre for acre replacement.)*

1                   On page 18, in line 14, after "PARKLAND", strike the remainder of the text through  
2 line 20, and substitute a period.  
3  
4  
5

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE Stephen M. Henderson

**Amendment 1 to Amendment 6 to Council Bill 59-2009 (as amended)**

**BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive**

**Legislative Day No: 2  
Date: February 1, 2010**

**Amendment No. 1**

*(This amendment makes technical revisions to the Amendment.)*

On page 1, in line 6, insert:

"On page 17, in line 8, strike "PLAN AND", and substitute:

"PLAN.

(4)".

ADOPTED February 1, 2010  
FILED \_\_\_\_\_  
SIGNATURE Stephen Ball

Amended Amendment 6 to Council Bill No. 59-2009, as amended

SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

Amended Amendment No. 6

*(This amendment makes certain changes to open space preservation and enhancement requirements in order to:*

- 1. Remove certain redundant language;*
- 2. Reorganize certain language;*
- 3. Clarify the nature of future sites for downtown community commons; and*
- 4. Clarify what happens if downtown community commons are identified in excess of the requirement.)*

1 On page 12, strike lines 21 through 30, inclusive and in their entirety.

2  
3 On page 13, strike lines 1 through 3, inclusive and in their entirety.

4  
5 Renumber the remainder of Section 125.A.9 accordingly.

6 On page 17, in line 8, strike "PLAN AND", and substitute:

7  
8 "PLAN.

9  
10 (4)"

11 On page 17, in line 17, strike "LAND" and substitute "DOWNTOWN COMMUNITY COMMONS MAY  
12 BE LOCATED WITHIN AREAS DESIGNATED AS OPEN SPACE UNDER A PREVIOUSLY APPROVED FINAL  
13 DEVELOPMENT PLAN. HOWEVER, LAND".

14  
15 On page 17, in line 24, strike "BE" and substitute "INCLUDE SITES".

16  
17 On page 17, in line 25, strike "IS" and substitute "ARE".

18  
19 On page 17, in line 27, after "DIAGRAM" insert "AND OTHER SITES WHICH SHALL BE IDENTIFIED  
20 AND IMPROVED TO ENHANCE NEIGHBORHOOD DEVELOPMENT".

21  
22 On page 17, in line 28, before "AT" insert "EXCEPT FOR ANY NEIGHBORHOOD COMPRISED

February 1, 2010  
\_\_\_\_\_  
Jennifer Terrasa

1 ENTIRELY OF LAND RECORDED AS OPEN SPACE PRIOR TO (EFFECTIVE DATE), EACH NEIGHBORHOOD  
2 SHALL INCLUDE AT LEAST ONE DOWNTOWN NEIGHBORHOOD SQUARE."

3  
4 On page 17, in line 31 after "BE" insert "COMPLETED AND".

5  
6 On page 18, after line 5, insert:

7 "(F) NEW DOWNTOWN COMMUNITY COMMONS MUST BE CONSTRUCTED PRIOR TO OCCUPANCY OF  
8 MORE THAN 50% OF ALL EXISTING AND PROPOSED BUILDINGS HAVING A FAÇADE ADJACENT TO THE  
9 SPACE, OR IN ACCORDANCE WITH A PHASING PLAN APPROVED AS PART OF THE FINAL DEVELOPMENT  
10 PLAN.

11 (G) EACH FINAL DEVELOPMENT PLAN SHALL DESIGNATE 5% OF THE AREA THAT HAS NOT BEEN  
12 PREVIOUSLY DESIGNATED AS EITHER OPEN SPACE OR PUBLIC RIGHT-OF-WAY AS DOWNTOWN  
13 COMMUNITY COMMONS; EXCEPT THAT IF MORE THAN 5% IS DESIGNATED AS DOWNTOWN  
14 COMMUNITY COMMONS ON ANY GIVEN FINAL DEVELOPMENT PLAN, THE EXCESS BEYOND 5% CAN  
15 BE CREDITED TOWARDS THE DOWNTOWN COMMUNITY COMMONS OBLIGATION ON A SUBSEQUENT  
16 FINAL DEVELOPMENT PLAN WITH THE WRITTEN CONSENT OF THE FEE SIMPLE OWNER OF THE LAND  
17 ON WHICH THE DOWNTOWN COMMUNITY COMMONS TO BE CREDITED IS LOCATED."



**Amendment 7 to Council Bill No. 59-2009, as amended**

**BY: The Chairperson at the request of the  
County Executive and Mary Kay Sigaty**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 7**

*(This amendment:*

- 1. Changes the basis for certain methodology used to calculate shared parking;*
- 2. Simplifies the land-use categories that are the basis for shared parking calculations;  
and*
- 3. Substitutes new methodology tables.)*

1 On page 45, in line 20, after "THE" insert "HOURLY" and, in the same line, strike "EACH  
2 SCENARIO" and substitute "WEEKDAYS AND WEEKENDS FOR EACH MONTH".

3  
4 On page 45, in line 26, after "WELFARE." insert "FOR LAND USES NOT LISTED IN TABLE 1, DATA  
5 FROM THE CURRENT EDITION OF "PARKING GENERATION" (ITE), "SHARED PARKING" (ULI), THE  
6 HOWARD COUNTY ZONING REGULATIONS, OR OTHER APPLICABLE SOURCES MAY BE USED.".

7  
8 On Page 46, in line 28, after "THE" insert "HOURLY" and, in the same line, strike "EACH  
9 SCENARIO" and substitute "WEEKDAYS AND WEEKENDS FOR EACH MONTH".

10  
11 Remove Tables 1 through 6, inclusive, contained on pages 48 through 53 of the Bill, as  
12 previously amended, and substitute amended Tables 1 through 6, inclusive, as attached to this  
13 amendment, and renumber the amended pages as pages 48 through 53, respectively.

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE [Signature]

Table I  
Howard County Shared Parking Methodology  
Base Parking Ratios

| Land Use   | Weekday |          | Weekend |          | Unit     |
|--|---------|----------|---------|----------|----------|
|  | Visitor | Employee | Visitor | Employee |          |
| General Retail/Personal Service                    | 2.90    | 0.70     | 3.20    | 0.80     | /ksf GLA |
| Shopping Center                                    | 3.20    | 0.80     | 3.60    | 0.90     | /ksf GLA |
| Restaurants, standard, and beverage establishments | 15.25   | 2.75     | 17.00   | 3.00     | /ksf GLA |
| Fast Food Restaurant                               | 12.75   | 2.25     | 12.00   | 2.00     | /ksf GLA |
| Cinema   | 0.19    | 0.01     | 0.26    | 0.01     | /seat    |
| Performing Arts Theater                            | 0.30    | 0.07     | 0.33    | 0.07     | /seat    |
| Health Club  | 6.60    | 0.40     | 5.50    | 0.25     | /ksf GLA |
| Hotel  | 0.90    | 0.25     | 1.00    | 0.18     | /room    |
| Restaurant/Lounge                                  | 10.00   |          | 10.00   |          | /ksf GLA |
| Conference Ctr/Banquet (20 to 50 sq ft/guest room) | 30.00   |          | 30.00   |          | /ksf GLA |
| Convention Space (>50 sq ft/guest room)            | 20.00   |          | 10.00   |          | /ksf GLA |
| Residential <sup>(1)</sup>                         | 0.15    | 1.50     | 0.15    | 1.50     | /unit    |
| General Office up to 100 ksf                       | 0.275   | 3.30     | 0.028   | 0.33     | /ksf GLA |
| General Office over 100 ksf                        | 0.20    | 2.60     | 0.02    | 0.26     | /ksf GLA |
| Medical/Dental Office                              | 3.00    | 1.50     | 3.00    | 1.50     | /ksf GLA |

Note(s): (1) 1.0 space reserved for residents' sole use; remainder may be shared.

(2) For all other land uses, data from the current edition of "Parking Generation" (ITE), "Shared Parking" (ULI), the Howard County Zoning Regulations or other applicable sources may be used.

Table 2  
Howard County Shared Parking Methodology  
Time-of-Day Factors for Weekday Demand

|   | 6 AM | 7 AM | 8 AM | 9 AM | 10 AM | 11 AM | 12 PM | 1 PM | 2 PM | 3 PM | 4 PM | 5 PM | 6 PM | 7 PM | 8 PM | 9 PM | 10 PM | 11 PM | 12 AM |
|---|------|------|------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|-------|-------|-------|
| Retail/Shopping Center                                |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 1%   | 5%   | 15%  | 35%  | 65%   | 85%   | 95%   | 100% | 95%  | 90%  | 90%  | 90%  | 95%  | 95%  | 80%  | 50%  | 30%   | 10%   | 0%    |
| Customer  | 10%  | 15%  | 40%  | 75%  | 85%   | 95%   | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 90%  | 75%  | 40%   | 15%   | 0%    |
| Restaurants, standard, and beverage establishments    |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 0%   | 0%   | 0%   | 0%   | 15%   | 40%   | 75%   | 75%  | 65%  | 40%  | 50%  | 50%  | 95%  | 100% | 100% | 100% | 95%   | 75%   | 25%   |
| Employee  | 0%   | 20%  | 50%  | 75%  | 90%   | 90%   | 90%   | 90%  | 90%  | 75%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100%  | 85%   | 35%   |
| Fast Food Restaurant                                  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 5%   | 10%  | 20%  | 30%  | 55%   | 85%   | 100%  | 100% | 90%  | 60%  | 55%  | 60%  | 100% | 100% | 100% | 100% | 100%  | 10%   | 5%    |
| Employee  | 15%  | 20%  | 30%  | 40%  | 75%   | 100%  | 100%  | 100% | 95%  | 70%  | 60%  | 70%  | 90%  | 90%  | 80%  | 40%  | 20%   | 20%   | 20%   |
| Cinema  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 20%   | 45%  | 55%  | 55%  | 55%  | 60%  | 100% | 100% | 100% | 100% | 80%   | 45%   | 40%   |
| Employee  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 50%   | 60%  | 60%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 70%   | 50%   |
| Performing Arts Theater                               |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 0%   | 0%   | 0%   | 1%   | 1%    | 1%    | 1%    | 1%   | 1%   | 1%   | 1%   | 1%   | 1%   | 1%   | 25%  | 100% | 0%    | 0%    | 0%    |
| Employee  | 0%   | 10%  | 10%  | 20%  | 20%   | 20%   | 30%   | 30%  | 30%  | 30%  | 30%  | 30%  | 100% | 100% | 100% | 100% | 30%   | 10%   | 5%    |
| Health Club   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 70%  | 40%  | 40%  | 70%  | 70%   | 40%   | 70%   | 70%  | 70%  | 70%  | 80%  | 90%  | 100% | 100% | 80%  | 70%  | 35%   | 10%   | 0%    |
| Employee  | 75%  | 75%  | 75%  | 75%  | 75%   | 75%   | 75%   | 75%  | 75%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 20%   | 0%    |
| Hotel   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Guest   | 95%  | 95%  | 90%  | 80%  | 70%   | 70%   | 65%   | 65%  | 70%  | 70%  | 75%  | 80%  | 85%  | 85%  | 90%  | 95%  | 95%   | 100%  | 100%  |
| Restaurant/Lounge                                     |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 0%   | 0%   | 10%  | 10%  | 10%   | 5%    | 100%  | 100% | 35%  | 10%  | 10%  | 30%  | 55%  | 60%  | 70%  | 100% | 60%   | 40%   | 30%   |
| Conference Center/Barquet (20 to 50 sq ft/guest room) |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Convention Space (p-50 sq ft/guest room)              |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Customer  | 0%   | 0%   | 30%  | 60%  | 60%   | 60%   | 65%   | 65%  | 65%  | 65%  | 65%  | 100% | 100% | 100% | 100% | 100% | 50%   | 0%    | 0%    |
| Employee  | 0%   | 0%   | 50%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 0%    | 0%    |
| Residential   |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Resident  | 5%   | 30%  | 90%  | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 90%  | 75%  | 40%  | 20%  | 20%  | 20%  | 20%   | 10%   | 5%    |
| General Office  |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Employee  | 100% | 90%  | 85%  | 80%  | 75%   | 70%   | 65%   | 70%  | 70%  | 70%  | 75%  | 85%  | 90%  | 97%  | 90%  | 99%  | 100%  | 100%  | 100%  |
| Medical/Dental Office                                 |      |      |      |      |       |       |       |      |      |      |      |      |      |      |      |      |       |       |       |
| Guest   | 0%   | 10%  | 100% | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Visitor   | 0%   | 1%   | 20%  | 20%  | 20%   | 20%   | 20%   | 20%  | 20%  | 20%  | 20%  | 40%  | 60%  | 100% | 100% | 100% | 100%  | 80%   | 50%   |
| Employee  | 0%   | 30%  | 75%  | 95%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 0%    | 0%    |
| Customer  | 0%   | 0%   | 0%   | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 0%    | 0%    |
| Employee  | 0%   | 0%   | 60%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 0%    | 0%    |

Source: Shared Parking, Second Edition

Table 3  
Howard County Shared Parking Methodology  
Time-of-Day Factors for Weekday Demand

|   | 6 AM | 7 AM | 8 AM | 9 AM | 10 AM | 11 AM | 12 PM | 1 PM | 2 PM | 3 PM | 4 PM | 5 PM | 6 PM | 7 PM | 8 PM | 9 PM | 10 PM | 11 PM | 12 AM |
|---|------|------|------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|-------|-------|-------|
| Retail/Shopping Center                                | 1%   | 5%   | 10%  | 30%  | 50%   | 65%   | 80%   | 90%  | 100% | 100% | 95%  | 90%  | 80%  | 75%  | 65%  | 50%  | 35%   | 15%   | 0%    |
| Employee  | 10%  | 15%  | 40%  | 75%  | 85%   | 95%   | 100%  | 100% | 100% | 100% | 100% | 95%  | 85%  | 80%  | 75%  | 65%  | 45%   | 15%   | 0%    |
| Customer  | 0%   | 0%   | 0%   | 0%   | 0%    | 15%   | 50%   | 55%  | 45%  | 45%  | 45%  | 60%  | 90%  | 95%  | 100% | 90%  | 90%   | 90%   | 50%   |
| Fast Food Restaurant                                  | 5%   | 10%  | 20%  | 30%  | 55%   | 85%   | 100%  | 100% | 90%  | 60%  | 55%  | 40%  | 85%  | 80%  | 50%  | 30%  | 20%   | 10%   | 5%    |
| Employee  | 15%  | 20%  | 30%  | 40%  | 75%   | 100%  | 100%  | 100% | 95%  | 70%  | 60%  | 70%  | 90%  | 90%  | 60%  | 40%  | 30%   | 20%   | 20%   |
| Customer  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 20%   | 45%  | 55%  | 70%  | 55%  | 60%  | 90%  | 80%  | 100% | 100% | 100%  | 80%   | 50%   |
| Cinema  | 0%   | 0%   | 0%   | 0%   | 0%    | 0%    | 50%   | 60%  | 60%  | 75%  | 75%  | 100% | 100% | 100% | 100% | 100% | 100%  | 70%   | 50%   |
| Performing Arts Theater                               | 0%   | 0%   | 0%   | 1%   | 1%    | 1%    | 1%    | 17%  | 67%  | 67%  | 1%   | 1%   | 1%   | 25%  | 100% | 100% | 0%    | 0%    | 0%    |
| Health Club   | 0%   | 10%  | 10%  | 20%  | 20%   | 20%   | 30%   | 100% | 100% | 100% | 30%  | 30%  | 100% | 100% | 100% | 100% | 30%   | 1%    | 5%    |
| Hotel   | 80%  | 45%  | 35%  | 50%  | 35%   | 50%   | 50%   | 30%  | 25%  | 30%  | 55%  | 100% | 95%  | 60%  | 30%  | 10%  | 1%    | 1%    | 0%    |
| Restaurant/Lounge                                     | 50%  | 50%  | 50%  | 50%  | 50%   | 50%   | 50%   | 50%  | 50%  | 50%  | 75%  | 100% | 100% | 75%  | 50%  | 20%  | 20%   | 20%   | 0%    |
| Conference Center/Banquet (20 to 50 sq ft/guest room) | 95%  | 95%  | 90%  | 80%  | 70%   | 70%   | 65%   | 65%  | 70%  | 70%  | 75%  | 80%  | 85%  | 85%  | 90%  | 95%  | 95%   | 100%  | 100%  |
| Convention Space (>50 sq ft/guest room)               | 0%   | 0%   | 10%  | 10%  | 10%   | 5%    | 100%  | 100% | 33%  | 10%  | 10%  | 30%  | 55%  | 60%  | 70%  | 67%  | 60%   | 40%   | 30%   |
| Residential   | 0%   | 0%   | 0%   | 100% | 100%  | 100%  | 100%  | 100% | 65%  | 65%  | 65%  | 100% | 100% | 100% | 100% | 100% | 100%  | 50%   | 0%    |
| Employee  | 5%   | 30%  | 90%  | 90%  | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 50%  | 30%  | 30%  | 10%  | 0%    | 0%    | 0%    |
| Resident  | 100% | 95%  | 85%  | 80%  | 75%   | 70%   | 65%   | 70%  | 70%  | 75%  | 75%  | 75%  | 60%  | 55%  | 55%  | 55%  | 45%   | 45%   | 30%   |
| Guest   | 0%   | 0%   | 0%   | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Office  | 0%   | 20%  | 20%  | 20%  | 20%   | 20%   | 20%   | 20%  | 20%  | 20%  | 20%  | 40%  | 60%  | 100% | 100% | 100% | 100%  | 80%   | 50%   |
| Medical/Dental Office                                 | 0%   | 0%   | 60%  | 100% | 100%  | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |
| Employee  | 0%   | 0%   | 0%   | 90%  | 90%   | 100%  | 100%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%  | 100%  | 100%  |

Sources: Shared Parking, Second Edition

Table 4

## Howard County Shared Parking Methodology

## Monthly Adjustments for Customer/Visitor Parking

|  | Jan  | Feb  | Mar  | Apr  | May  | Jun  | Jul  | Aug  | Sep  | Oct  | Nov  | Dec  | Late<br>Dec |
|--|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
| Retail/Shopping Center                             | 56%  | 57%  | 64%  | 63%  | 66%  | 67%  | 64%  | 69%  | 64%  | 66%  | 72%  | 100% | 80%         |
| Restaurants, standard, and beverage establishments | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Fast Food Restaurant                               | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Cinema - Weekdays                                  | 27%  | 21%  | 20%  | 19%  | 27%  | 41%  | 55%  | 40%  | 15%  | 13%  | 25%  | 23%  | 100%        |
| Cinema - Weekends                                  | 71%  | 59%  | 67%  | 58%  | 71%  | 82%  | 92%  | 75%  | 51%  | 62%  | 78%  | 67%  | 100%        |
| Performing Arts Theater                            | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 90%  | 100% | 100%        |
| Health Club  | 100% | 95%  | 85%  | 70%  | 65%  | 65%  | 65%  | 70%  | 80%  | 85%  | 85%  | 90%  | 95%         |
| Hotel  | 90%  | 100% | 100% | 100% | 90%  | 90%  | 100% | 100% | 75%  | 75%  | 75%  | 50%  | 100%        |
| Restaurant/Lounge                                  | 85%  | 86%  | 95%  | 92%  | 96%  | 95%  | 98%  | 99%  | 91%  | 96%  | 93%  | 100% | 95%         |
| Conference Ctr/Banquet (20 to 50 sq ft/guest room) | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Convention Space (>50 sq ft/guest room)            | 75%  | 100% | 90%  | 55%  | 60%  | 50%  | 45%  | 75%  | 80%  | 85%  | 100% | 60%  | 0%          |
| Residential  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| General Office, Medical/Dental Office              | 100% | 100% | 100% | 100% | 100% | 100% | 95%  | 95%  | 100% | 100% | 100% | 100% | 80%         |

Source: Shared Parking, Second Edition

Table 5

## Howard County Shared Parking Methodology

## Monthly Adjustments for Employee/Resident Parking

|  | Jan  | Feb  | Mar  | Apr  | May  | Jun  | Jul  | Aug  | Sep  | Oct  | Nov  | Dec  | Late<br>Dec |
|--|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
| Retail/Shopping Center                             | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 80%  | 90%  | 100% | 90%         |
| Restaurants, standard, and beverage establishments | 95%  | 95%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Fast Food Restaurant                               | 95%  | 95%  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Cinema - Weekdays                                  | 50%  | 50%  | 50%  | 50%  | 50%  | 75%  | 75%  | 75%  | 50%  | 50%  | 50%  | 50%  | 100%        |
| Cinema - Weekends                                  | 80%  | 80%  | 80%  | 80%  | 80%  | 100% | 100% | 90%  | 80%  | 80%  | 80%  | 80%  | 100%        |
| Performing Arts Theater                            | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Health Club  | 100% | 100% | 95%  | 80%  | 75%  | 75%  | 75%  | 80%  | 90%  | 95%  | 95%  | 100% | 100%        |
| Hotel  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| Residential  | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100%        |
| General Office, Medical/Dental Office              | 100% | 100% | 100% | 100% | 100% | 100% | 95%  | 95%  | 100% | 100% | 100% | 100% | 80%         |

Source: Shared Parking, Second Edition

**Table 6**  
**Howard County Shared Parking Methodology**  
**Non-Captive Adjustment Factors for Weekdays**

|  | Non-captive<br>Daytime |
|--|------------------------|
| Retail/Shopping Center                             | 90%                    |
| Employee   | 100%                   |
| Restaurants, standard, and beverage establishments | 90%                    |
| Employee   | 100%                   |
| Fast Food Restaurant                               | 50%                    |
| Employee   | 100%                   |
| Hotel  | 100%                   |
| Meeting/Banquet                                    | 60%                    |
| Employee   | 100%                   |
| General Office                                     | 100%                   |
| Employee   | 100%                   |
| Medical/Dental Office                              | 100%                   |
| Employee   | 100%                   |

Source: Shared Parking, Second Edition

**Amendment 1 to Amendment 8 to Council Bill No. 59 – 2009**

**BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
And at the request of the County Executive**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 1 to Amendment 8**

*(This amendment makes technical corrections to Amendment 8.)*

- 1 On page 2, in line 3, strike “BE CONSISTENT” and substitute “BE CONSISTENT WITH”. Also
- 2 on page 2, in line 3, strike “CONFORM” and substitute “CONFORM TO”.
- 3
- 4 On page 2, in line 5, strike “BE CONSISTENT” and substitute “BE CONSISTENT WITH”. Also
- 5 on page 2, in line 5, strike “CONFORM” and substitute “CONFORM TO”.

DATE: February 1, 2010  
BY: \_\_\_\_\_  
SIGNATURE: Stephen M. Melendrez



**Amended Amendment 8 to Bill No. 59 – 2009 (as amended)**

By: **Calvin Ball**  
**Mary Kay Sigaty**  
**Jennifer Terrasa**  
**And at the request of the County Executive**

**Legislative Day No. 2**  
**Date: February 1, 2010**

**Amended Amendment No. 8**

*(In order to avoid a potential conflict with a State law (Article 66B, §1.02) that defines the phrase "consistent with" when that phrase is used in zoning laws like this Bill that require consistency with planning documents like the Howard County General Plan, this amendment:*

- 1. Defines "conform with" and similar phrases; and*
- 2. Substitutes "conform with", or a similar phrase, in certain places where the Bill uses the phrase "consistent with", or a similar phrase.)*

1 On page 4, in line 27, strike "BE CONSISTENT" and substitute "CONFORM".

2  
3 On page 5, strike lines 17 and 18 in their entirety and substitute:

4 "2. AS USED HEREIN:

- 5 a. THE TERMS "NEW TOWN DISTRICT", "NT DISTRICT", AND "THE
- 6 DISTRICT" MEAN THE LAND ZONED FOR THE ERECTION OF A NEW TOWN
- 7 UNDER THE PROVISIONS OF THIS SECTION 125.
- 8 b. WHEN A PROVISION IN THIS SECTION REQUIRES THAT AN ACTION "WILL
- 9 CONFORM", "CONFORM WITH", "CONFORMS WITH", OR "CONFORMS TO"
- 10 THE DOWNTOWN COLUMBIA PLAN OR ANY PART OF THE PLAN, THE
- 11 ACTION BEING TAKEN SHALL FURTHER, AND NOT BE CONTRARY TO, THE
- 12 FOLLOWING ITEMS IN THE DOWNTOWN COLUMBIA PLAN:
- 13 (1) POLICIES;
- 14 (2) TIMING AND IMPLEMENTATION OF THE PLAN;
- 15 (3) TIMING OF DEVELOPMENT;
- 16 (4) DEVELOPMENT PATTERNS;
- 17 (5) LAND USES; AND

February 1, 2010

*[Handwritten signature]*

1 (6) DENSITIES AND INTENSITIES.

2  
3 On page 14, in line 29, strike "~~BE CONSISTENT~~ BE CONSISTENT WITH" and substitute  
4 "CONFORM CONFORM TO".

5  
6 On page 17, in line 3, strike "~~BE CONSISTENT~~ BE CONSISTENT WITH" and substitute  
7 "CONFORM CONFORM TO". Also on page 17, in line 25, strike "IS GENERALLY  
8 CONSISTENT" and substitute "GENERALLY CONFORMS".  
9  
10  
11  
12

**Amendment 1 to Amendment 9 to Council Bill 59-2009 (as amended)**

**BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa**

**Legislative Day No: 2  
Date: February 1, 2010**

**Amendment No. 1 to Amendment 9**

*(This amendment to amendment clarifies the CEPPA obligations.)*

1 On page 1, in line 5, after "PLAT" insert "OR DEED".

ADOPTED February 1, 2010  
FILED \_\_\_\_\_  
SENATOR Jennifer Terrasa

**Amended Amendment 9 to Council Bill 59-2009 (as amended)**

**BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
And at the request of the County Executive**

**Legislative Day No: 2  
Date: February 1, 2010**

**Amended Amendment No. 9**

*(This amendment clarifies the CEPPA obligations.)*

1 On page 19, in line 27, strike "USES," and substitute "USES, DOWNTOWN COMMUNITY  
2 COMMONS, OR DOWNTOWN PARKLAND;"

3  
4 Also on page 19, in line 28, strike "A PARCEL OF RECORD" and substitute "AN INDIVIDUAL  
5 PARCEL OF LAND SHOWN ON A PLAT OR DEED RECORDED AMONG THE COUNTY LAND  
6 RECORDS".

7  
8 Also on page 19, in line 29, after "TO" insert "A TOTAL OF". In line 30, after "AREA"  
9 insert "AND NO OTHER DEVELOPMENT".

10  
11 Also on page 19, strike line 31 through line 15 on page 20 and substitute:  
12 "(3) IF A SPECIFIC CEPPA IDENTIFIED IN THE DOWNTOWN CEPPA IMPLEMENTATION  
13 CHART CANNOT BE PROVIDED BECAUSE: (I) THE CONSENT OF THE OWNER OF THE LAND ON  
14 WHICH THE CEPPA IS TO BE LOCATED OR FROM WHOM ACCESS IS REQUIRED CANNOT  
15 REASONABLY BE OBTAINED; (II) ALL NECESSARY PERMITS OR APPROVALS CANNOT  
16 REASONABLY BE OBTAINED FROM APPLICABLE GOVERNMENTAL AUTHORITIES; OR (III)  
17 FACTORS EXIST THAT ARE BEYOND THE REASONABLE CONTROL OF THE PETITIONER, THEN  
18 THE PLANNING BOARD SHALL (I) REQUIRE THE PETITIONER TO POST SECURITY WITH THE  
19 COUNTY IN AN AMOUNT SUFFICIENT TO COVER THE COST OF THE ORIGINAL CEPPA; OR (II)  
20 APPROVE AN ALTERNATE CEPPA COMPARABLE TO THE ORIGINAL AND APPROPRIATE  
21 TIMING FOR SUCH ALTERNATE CEPPA OR ALTERNATIVE TIMING FOR THE ORIGINAL

APPROVED February 1, 2010  
TAKEN  
SECRETARY [Signature]

CEPPA. IN APPROVING AN ALTERNATE COMPARABLE CEPPA OR TIMING, THE PLANNING BOARD MUST CONCLUDE THE ALTERNATE COMPARABLE CEPPA OR TIMING: (I) DOES NOT RESULT IN PIECEMEAL DEVELOPMENT INCONSISTENT WITH THE PLAN; (II) ADVANCES THE PUBLIC INTEREST; AND (III) CONFORMS WITH THE GOALS OF THE DOWNTOWN PLAN."

Amendment 10 to Council Bill No. 59-2009, as amended

BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
And at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

Amendment No. 10

*(This amendment clarifies that:*

- 1. Changes in New Town zoning within Downtown Columbia will not affect zoning in the remainder of the New Town District; and*
- 2. The land uses on previously recorded FDPs for downtown will continue to be used for determining compliance with the chart that sets minimums and maximums for the permitted land uses in the NT zoning district.)*

1 On page 10, in line 3 after "REVITALIZATION." insert "HOWEVER FOR PURPOSES OF DETERMINING  
2 AND MAINTAINING COMPLIANCE WITH THE LAND USE PERCENTAGES CHART IN SECTION 125A.8.  
3 FOR AREAS IN THE NEW TOWN DISTRICT OUTSIDE OF DOWNTOWN COLUMBIA, LAND USES  
4 RECORDED ON FINAL DEVELOPMENT PLANS WITHIN DOWNTOWN COLUMBIA PRIOR TO THE  
5 EFFECTIVE DATE SHALL CONTINUE TO BE INCLUDED WHEN CALCULATING THE LAND USE  
6 PERCENTAGES IN THIS CHART."

ADOPTED February 1, 2010  
PAILED \_\_\_\_\_  
SIGNATURE [Signature]

**Amendment 3 to Amendment 11 to Council Bill No. 59 – 2009**

By: Jennifer Terrasa

Legislative Day No. 2

Date: February 1, 2010

**Amendment No. 3 to Amendment 11**

*(This amendment clarifies language relating to organizations that should receive presubmission meeting notices, renames "public art" as "art in the community", removes MIHU requirements, and requires the petitioner to submit a plan for providing affordable housing.)*

1 On page 2, strike lines 16 through 18 and substitute:

2  
3 "GIVEN TO:

4 (1) EACH VILLAGE BOARD;

5 (2) THE COLUMBIA ASSOCIATION; AND

6 (3) EACH PROPERTY LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN

7 NEIGHBORHOOD AS REFLECTED ON THE MARYLAND STATE DEPARTMENT OF

8 ASSESSMENTS AND TAXATION PUBLIC RECORDS. FOR CONDOMINIUM PROPERTIES,

9 ONE COPY TO THE CONDOMINIUM ASSOCIATION SHALL BE DEEMED TO MEET THIS

10 REQUIREMENT.

11 THE CONCEPT PLANS AND MATERIALS REQUIRED UNDER SECTION 125.E.4.A. MUST BE

12 PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING."

13  
14 On page 2, strike lines 30 through line 8 on page 3. Renumber the sections accordingly.

15  
16 On page 8, in line 6, strike "PUBLIC ART" and substitute "ART IN THE COMMUNITY".

17  
18 On page 8, in line 7, insert:

19 "P. A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE

20 AFFORDABLE HOUSING REQUIREMENT;"

21 Renumber the remaining sections accordingly.

22  
23 On page 10, strike lines 27 through line 3 on page 11, and substitute:

24 "E. THE FINAL DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING REQUIREMENT;"

- 1 On page 12, in line 19, strike "PUBLIC ART" and substitute "ART IN THE COMMUNITY".
- 2 On page 13, in line 1, strike "PARTNERSHIP." and substitute "PARTNERSHIP AND PAYMENT
- 3 OF THE ANNUAL CHARGES.".



**Amendment 4 to Amendment 11 to Council Bill No. 59-2009**

By: Jennifer Terrasa

Legislative Day No. 2

Date: February 1, 2010

**Amendment No. 4 to Amendment 11**

*(This amendment changes the height limit to amendment 11 to 20 stories.)*

1 On page 10, strike lines 2 and 3 and substitute:

2 "LIMITED CHANGE IN BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY,  
3 CHARACTER AND HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND  
4 REDEVELOPMENT, AND OPEN SPACES IN THE AREA. HOWEVER, IN NO EVENT SHALL THE  
5 MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION EXCEED FIFTEEN STORIES."

6  
7 Also on page 10, in line 20, delete the second "PLAN:" and substitute "PLAN. LIMITED CHANGE IN  
8 BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF  
9 NEARBY EXISTING AND PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN SPACES IN  
10 THE AREA. HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN  
11 REVITALIZATION EXCEED FIFTEEN STORIES."

12  
  
ADOPTED \_\_\_\_\_  
FAILED February 1, 2010  
SIGNATURE [Signature]

**Amendment 6 to Amendment 11 to Council Bill No. 59-2009**

By: Mary Kay Sigaty  
Calvin Ball

Legislative Day No. 2  
Date: February 1, 2010

**Amendment No. 6 to Amendment 11**

*(This amendment changes the height limit to amendment 11 to 20 stories.)*

- 1 On page 10, strike lines 2 and 3 and substitute:  
2 "LIMITED CHANGE IN BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY,  
3 CHARACTER AND HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND  
4 REDEVELOPMENT, AND OPEN SPACES IN THE AREA. HOWEVER, IN NO EVENT SHALL THE  
5 MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES."  
6  
7 Also on page 10, in line 20, delete the second "PLAN:" and substitute "PLAN. LIMITED CHANGE IN  
8 BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF  
9 NEARBY EXISTING AND PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN SPACES IN  
10 THE AREA. HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN  
11 REVITALIZATION EXCEED TWENTY STORIES."  
12

ADOPTED February 1, 2010  
PAILED \_\_\_\_\_  
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**Amended Amendment 11 to Council Bill 59-2009 (as amended)**

By: Calvin Ball

Mary Kay Sigaty

Jennifer Terrasa

And at the request of the County Executive

Legislative Day No. 2

Date: February 1, 2010

Amended Amendment No. 11

*(This amendment reorganizes language, and adds submission requirements and Planning Board approval criteria relating to the Final Development Plan.)*

1 On page 2, in line 36, strike from "ENHANCEMENT" through "AS" in line 2 on page 3 and  
2 substitute "RESTORATION: PROJECTS WITHIN DOWNTOWN COLUMBIA THAT ARE IDENTIFIED IN  
3 COLUMBIA TOWNCENTER MERRIWEATHER AND CRESCENT ENVIRONMENTAL ENHANCEMENTS  
4 STUDY OR BEST MANAGEMENT PRACTICES FOR SYMPHONY STREAM AND LAKE KITTAMAQUONDI  
5 WATERSHEDS INVOLVING".

6  
7 On page 3, in line 23, strike "COMMONS." and substitute "COMMONS AS CONTEXT FOR THE  
8 EVALUATION OF THE FINAL DEVELOPMENT PLANS."

9  
10 On page 31, strike line 3 through line 7 on page 39, and substitute:  
11

12 1. REQUIRED PROCESS FOR DOWNTOWN REVITALIZATION AND RELATION TO PRIOR  
13 ADOPTED NEW TOWN DOCUMENTS

14 THE FOLLOWING DEVELOPMENT REVIEW PROCESS IS REQUIRED FOR ALL DOWNTOWN  
15 REVITALIZATION, WITH THE EXCEPTION OF DOWNTOWN ENVIRONMENTAL  
16 RESTORATION PROJECTS THAT ARE NOT PART OF A PLAN THAT INCLUDES OTHER USES.  
17 THE FEE SIMPLE OWNER OF ANY PROPERTY LOCATED IN DOWNTOWN COLUMBIA USING  
18 THE DOWNTOWN REVITALIZATION PROCESS SHALL SUBMIT A FINAL DEVELOPMENT

ADOPTED February 1, 2010

FILED

SIGNATURE

Calvin Ball

1 PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT TO THE DEPARTMENT OF PLANNING  
2 AND ZONING FOR APPROVAL BY THE PLANNING BOARD. AN AMENDMENT TO THE  
3 PRELIMINARY DEVELOPMENT PLAN OR ANY PREVIOUSLY APPROVED APPLICABLE  
4 COMPREHENSIVE SKETCH PLAN OR FINAL DEVELOPMENT PLAN IS NOT REQUIRED  
5 BECAUSE FINAL DEVELOPMENT PLANS FOR DOWNTOWN REVITALIZATION WILL  
6 SUPERSEDE PREVIOUS NEW TOWN DOCUMENTS.

7  
8 2. PRE-SUBMISSION REQUIREMENTS

9 PRIOR TO FILING A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
10 AMENDMENT IN EACH NEIGHBORHOOD FOR DOWNTOWN REVITALIZATION:

11 A. A PRE-SUBMISSION COMMUNITY MEETING IS REQUIRED USING THE SAME  
12 PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE SUBDIVISION  
13 AND LAND DEVELOPMENT REGULATIONS. IN ADDITION, NOTICE IN  
14 ACCORDANCE WITH SECTIONS 16.128(B) – (G) MUST ALSO BE GIVEN TO EACH  
15 VILLAGE BOARD AND THE COLUMBIA ASSOCIATION. THE CONCEPT PLANS AND  
16 MATERIALS REQUIRED UNDER SECTION 125.E.4.A MUST BE PRESENTED AT THE  
17 PRESUBMISSION COMMUNITY MEETING. GIVEN TO:

- 18  
19 (1) EACH VILLAGE BOARD;  
20 (2) THE COLUMBIA ASSOCIATION; AND  
21 (3) EACH PROPERTY LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN  
22 NEIGHBORHOOD AS REFLECTED ON THE MARYLAND STATE DEPARTMENT OF  
23 ASSESSMENTS AND TAXATION PUBLIC RECORDS. FOR CONDOMINIUM  
24 PROPERTIES, ONE COPY TO THE CONDOMINIUM ASSOCIATION SHALL BE  
25 DEEMED TO MEET THIS REQUIREMENT.

26 THE CONCEPT PLANS AND MATERIALS REQUIRED UNDER SECTION 125.E.4.A. MUST  
27 BE PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING.

28  
29 B. THE PETITIONER IS REQUIRED TO SUBMIT PROPOSED DOWNTOWN  
30 NEIGHBORHOOD DESIGN GUIDELINES FOR REVIEW BY THE DESIGN  
31 ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN ACCORDANCE WITH THE  
32 APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE 15 OF THE COUNTY CODE.  
33 THE DESIGN ADVISORY PANEL SHALL BASE ITS REVIEW AND

1 RECOMMENDATIONS ON THE DOWNTOWN-WIDE DESIGN GUIDELINES. FOR  
2 NEIGHBORHOODS WITH APPROVED DESIGN GUIDELINES, SUBSEQUENT FINAL  
3 DEVELOPMENT PLANS OR FINAL DEVELOPMENT PLAN AMENDMENTS THAT  
4 DO NOT PROPOSE MODIFICATIONS TO THE GUIDELINES DO NOT REQUIRE  
5 FURTHER DESIGN ADVISORY PANEL REVIEW.

6 ~~3. NOTICE TO OTHER NEIGHBORHOOD PROPERTY OWNERS~~

7 ~~NOT LATER THAN TEN (10) DAYS AFTER THE FILING OF A FINAL DEVELOPMENT PLAN~~  
8 ~~OR FINAL DEVELOPMENT PLAN AMENDMENT FOR DOWNTOWN REVITALIZATION, THE~~  
9 ~~PETITIONER SHALL MAIL NOTICE OF THE FILING OF THE PETITION AND A COPY OF THE~~  
10 ~~PROPOSED NEIGHBORHOOD CONCEPT PLAN TO THE OWNER OF EACH PROPERTY~~  
11 ~~LOCATED WITHIN THE SAME DOWNTOWN COLUMBIA PLAN NEIGHBORHOOD AS~~  
12 ~~REFLECTED ON THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND~~  
13 ~~TAXATION PUBLIC RECORDS. ANY FAILURE TO RECEIVE THE PROPOSED~~  
14 ~~NEIGHBORHOOD CONCEPT PLAN SHALL NOT BE CAUSE FOR POSTPONEMENT OF THE~~  
15 ~~HEARING IF THE PETITION HAS BEEN PROPERLY ADVERTISED.~~

16  
17 43. FINAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS

18 THE PETITION FOR A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
19 AMENDMENT SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR  
20 THE LAND AREA COVERED BY THE PLAN:

21 A. THE FOLLOWING NEIGHBORHOOD DOCUMENTS ARE ONLY BINDING ON  
22 PROPERTY INCLUDED WITHIN THE BOUNDARIES OF THE FINAL  
23 DEVELOPMENT PLAN AND ARE INTENDED TO PROVIDE A CONTEXT FOR  
24 EVALUATION OF THE INITIAL FINAL DEVELOPMENT PLAN AND GUIDANCE  
25 FOR FUTURE FINAL DEVELOPMENT PLAN PETITIONS:

26  
27 (1) A NEIGHBORHOOD CONCEPT PLAN COVERING AN ENTIRE  
28 NEIGHBORHOOD OF DOWNTOWN COLUMBIA AS DEPICTED ON  
29 EXHIBIT E: THE NEIGHBORHOODS:

1 (A) A NEIGHBORHOOD CONCEPT PLAN MUST SHOW HOW THE  
2 PLAN CONFORMS WITH THE NEIGHBORHOOD AS DESCRIBED  
3 IN THE STREET AND BLOCK PLAN, THE NEIGHBORHOODS  
4 PLAN, THE MAXIMUM BUILDING HEIGHT PLAN, THE  
5 PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, THE  
6 STREET FRAMEWORK DIAGRAM, THE BICYCLE AND  
7 PEDESTRIAN CIRCULATION PLAN, AND THE DOWNTOWN  
8 OPEN SPACE PRESERVATION PLAN OF THE DOWNTOWN  
9 COLUMBIA PLAN;

10 (B) THE NEIGHBORHOOD CONCEPT PLAN MUST REFLECT ANY  
11 PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN FOR  
12 DOWNTOWN REVITALIZATION, AND ANY APPROVED SITE  
13 DEVELOPMENT PLAN FOR DOWNTOWN ENVIRONMENTAL  
14 RESTORATION WITHIN THE SAME DOWNTOWN  
15 NEIGHBORHOOD; AND

16 (C) EACH NEIGHBORHOOD CONCEPT PLAN THAT IS PART OF AN  
17 APPROVED FINAL DEVELOPMENT PLAN MUST BE RECORDED  
18 WITH THE FINAL DEVELOPMENT PLAN.

19  
20 (2) NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES

21 FOR NEW DEVELOPMENT OR REDEVELOPMENT, NEIGHBORHOOD  
22 SPECIFIC DESIGN GUIDELINES MUST BE SUBMITTED FOR AN  
23 INDIVIDUAL NEIGHBORHOOD WITH THE FINAL DEVELOPMENT PLAN  
24 AND SHALL ADDRESS THE FOLLOWING:

25 (A) URBAN DESIGN, INCLUDING SCALE AND MASSING, BLOCK  
26 CONFIGURATION, PARKING AND SERVICE FUNCTIONS,  
27 BUILDING ENTRANCES, AND STREET LIGHTING AND  
28 FURNITURE;  
29

1 (B) STREET DESIGN AND FRAMEWORK;

2  
3 (C) DOWNTOWN COMMUNITY COMMONS AND DOWNTOWN  
4 PARKLAND;

5  
6 (D) ARCHITECTURAL DESIGN;

7  
8 (E) GREEN BUILDING AND GREEN SITE DESIGN;

9  
10 (F) PEDESTRIAN AND BICYCLE CIRCULATION FEATURES; AND

11  
12 (G) SIGNAGE.

13  
14 (3) NEIGHBORHOOD SPECIFIC IMPLEMENTATION DOCUMENT

15 A NEIGHBORHOOD-SPECIFIC IMPLEMENTATION PLAN, IN  
16 CONFORMANCE WITH THE DOWNTOWN REVITALIZATION PHASING  
17 PLAN AND THE DOWNTOWN COMMUNITY ENHANCEMENTS,  
18 PROGRAMS AND PUBLIC AMENITIES IMPLEMENTATION CHART  
19 APPROVED AS PART OF THE DOWNTOWN COLUMBIA PLAN, WHICH  
20 ADDRESSES THE IMPLEMENTATION SCHEDULE AND BENCHMARKS  
21 FOR THE FOLLOWING:

22 (A) THE BALANCE OF USES WITHIN EACH IMPLEMENTATION  
23 PHASE;

24 (B) THE PHASING OF DOWNTOWN MIXED-USE DEVELOPMENT;

25 (C) THE PHASING OF DOWNTOWN COMMUNITY COMMONS  
26 SPACES;

27 (D) THE PHASING OF THE TRANSPORTATION AND CIRCULATION  
28 FACILITIES;

- 1                    (E)    THE PHASING OF THE REQUIRED INFRASTRUCTURE  
2                                    INCLUDING PUBLIC WATER AND SEWER;
- 3                    (F)    TRANSPORTATION AND CIRCULATION FACILITIES;
- 4                    (G)    ENVIRONMENTAL RESTORATION;
- 5                    (H)    DOWNTOWN ARTS, CULTURAL AND COMMUNITY USES; AND
- 6                    (I)    ANY OTHER ITEMS AS SPECIFIED IN THE DOWNTOWN  
7                                    COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC  
8                                    AMENITIES IMPLEMENTATION CHART;

9            B.    AN EXPLANATION AND RATIONALE FOR ANY CHANGE FROM THE  
10                    DOWNTOWN COLUMBIA PLAN EXHIBITS OR ANY NEIGHBORHOOD  
11                    DOCUMENTS AND MATERIALS THAT WERE PART OF A PREVIOUSLY  
12                    APPROVED FINAL DEVELOPMENT PLAN. LIMITED CHANGE TO BUILDING  
13                    HEIGHT IS ALLOWED BASED ON COMPATIBILITY, CHARACTER AND HEIGHT OF  
14                    NEARBY EXISTING AND PLANNED DEVELOPMENT AND REDEVELOPMENT,  
15                    AND OPEN SPACES IN THE AREA. HOWEVER, IN NO EVENT SHALL THE  
16                    MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION EXCEED  
17                    TWENTY STORIES;

18

19            C.    BOUNDARIES OF THE PROPERTY COVERED BY THE FINAL DEVELOPMENT  
20                    PLAN;

21            D.    EXISTING TOPOGRAPHY, WOODLANDS, AND 100-YEAR FLOODPLAIN AREAS;

22            E.    A CONTEXT PLAN SHOWING EXISTING ROAD CONNECTIONS, MAJOR  
23                    PEDESTRIAN NETWORKS, LAND USES AND MAJOR STORM WATER  
24                    MANAGEMENT FACILITIES, AND OPEN SPACE WITHIN THE ENTIRE PLAN AREA  
25                    AND ADJOINING LAND WITHIN 500 FEET;

26            F.    TOTAL ACREAGE WITHIN THE AREA COVERED BY THE PLAN;



1           G.    LOCATION OF DEVELOPED AND UNDEVELOPED LAND AND PARCELS;

2           H.    FROM APPROVED SITE DEVELOPMENT PLANS FOR THE AREA COVERED BY  
3               THE PLAN:

4                       (1) SUMMARY OF ALL EXISTING AND APPROVED DEVELOPMENT;

5                       (2) THE SQUARE FOOTAGE OF PROPOSED OFFICE, RETAIL, AND HOTEL  
6                       SPACE;

7                       (3) THE SQUARE FOOTAGE OF ANY OTHER NON-RESIDENTIAL USES;

8                       (4) THE NUMBER OF PROPOSED HOTEL AND MOTEL ROOMS; AND

9                       (5) THE NUMBER OF PROPOSED DWELLING UNITS;

10          I.    THE APPROXIMATE LOCATION AND TOTAL LAND AREA OF THE FOLLOWING  
11               EXISTING AND/OR PROPOSED LAND USES:

12                       (1) DOWNTOWN ARTS AND ENTERTAINMENT PARKS;

13                       (2) DOWNTOWN COMMUNITY COMMONS;

14                       (3) DOWNTOWN ENVIRONMENTALLY SENSITIVE AREAS;

15                       (4) DOWNTOWN PUBLIC FACILITIES;

16                       (5) DOWNTOWN PARKLANDS; AND

17                       (6) DOWNTOWN MIXED-USES;

18          J.    THE GENERAL LOCATION OF EXISTING AND PROPOSED DOWNTOWN  
19               SIGNATURE BUILDINGS;

20          K.    TRAFFIC AND TRANSIT CIRCULATION SYSTEMS SHOWING EXISTING AND  
21               PROPOSED STREETS, ROUTES AND FACILITIES;

1 L. A TRAFFIC STUDY AS SPECIFIED IN THE HOWARD COUNTY ADEQUATE  
2 PUBLIC FACILITIES ORDINANCE FOR THE EVALUATION OF THE ADEQUACY  
3 OF TRANSPORTATION FACILITIES;

4 M. AN EXPLANATION OF HOW THE PROPOSED DEVELOPMENT ADDRESSES THE  
5 ENVIRONMENTAL CONCEPTS OF THE DOWNTOWN COLUMBIA PLAN, AND  
6 SPECIFICALLY ADDRESSING THE CONCEPTS OF GREEN BUILDINGS AND GREEN  
7 SITE DESIGN;  
8

9 N. THE LOCATIONS AND DESCRIPTIONS OF HISTORIC AND CULTURALLY  
10 SIGNIFICANT EXISTING SITES, BUILDINGS OR STRUCTURES, AND PUBLIC ART  
11 AND AN EXPLANATION OF THE METHODS PROPOSED TO RETAIN AND  
12 PRESERVE THESE ITEMS;

13 O. A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE  
14 PUBLIC ART ART IN THE COMMUNITY REQUIREMENT;

15  
16 P. A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE  
17 AFFORDABLE HOUSING REQUIREMENT;

18 P-Q. LAYOUT OF THE EXISTING AND PROPOSED BICYCLE AND PEDESTRIAN  
19 CIRCULATION SYSTEMS;

20 OR. CONCEPTUAL STORM WATER MANAGEMENT PLAN;

21  
22 RS. A PROPOSED PLAN FOR FULFILLING REQUIRED COMMUNITY  
23 ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES APPLICABLE TO THE  
24 FINAL DEVELOPMENT PLAN; AND

25  
26 ST. TEXT MATERIAL REGULATING THE FOLLOWING:

27 (1) MAXIMUM NUMBER AND UNIT TYPES OF NET NEW DWELLINGS;

28 (2) MAXIMUM GROSS FLOOR AREA OF NET NEW COMMERCIAL OFFICE USES

1                   AND COMMERCIAL RETAIL USES;

2                   (3) MAXIMUM NUMBER OF NET NEW HOTEL ROOMS;

3                   (4) MAXIMUM BUILDING HEIGHTS;

4                   (5) MAXIMUM SIZE OF A RETAIL-USE FOOTPRINT;

5                   (6) A DESCRIPTION OF THE COMMUNITY COMMONS THAT WILL BE  
6                   INCLUDED IN THE DEVELOPMENT;

7                   (7) A STATEMENT IDENTIFYING (i) THE CUMULATIVE AMOUNT OF  
8                   DEVELOPMENT APPROVED AND BUILT TO DATE UNDER SECTION  
9                   125.A.9, AND (ii) THE STATUS OF ANY COMMUNITY ENHANCEMENTS,  
10                  PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND,  
11                  DOWNTOWN COMMUNITY COMMONS, AND INFRASTRUCTURE AS  
12                  ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN;

13                  (8) PROPOSED LOCATIONS FOR ENVIRONMENTAL RESTORATION; AND

14                  (9) PROPOSED RESTRICTIONS, AGREEMENTS OR OTHER DOCUMENTS  
15                  INDICATING A PLAN TO HOLD, OWN, AND MAINTAIN IN PERPETUITY  
16                  LAND INTENDED FOR COMMON, QUASI-PUBLIC AMENITY USE AND  
17                  PUBLIC ART BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP.

18           3. PLANNING BOARD REVIEW AND APPROVAL CRITERIA

19           THE PLANNING BOARD SHALL CONSIDER THE FINAL DEVELOPMENT PLAN OR FINAL  
20           DEVELOPMENT AMENDMENT AT A PUBLIC HEARING. THE PLANNING BOARD SHALL  
21           APPROVE, APPROVE WITH CONDITIONS, OR DENY THE PETITION BASED ON WHETHER  
22           THE PETITION SATISFIES THE FOLLOWING CRITERIA:

23  
24           A. THE DOWNTOWN NEIGHBORHOOD CONCEPT PLAN, THE NEIGHBORHOOD SPECIFIC  
25           DESIGN GUIDELINES, AND THE NEIGHBORHOOD SPECIFIC IMPLEMENTATION PLAN  
26           CONFORM WITH THE DOWNTOWN-WIDE DESIGN GUIDELINES, THE DOWNTOWN

1 COLUMBIA PLAN, THE STREET AND BLOCK PLAN, THE NEIGHBORHOODS PLAN,  
2 THE MAXIMUM BUILDING HEIGHTS PLAN, THE PRIMARY AMENITY SPACE  
3 FRAMEWORK DIAGRAM, THE STREET FRAMEWORK DIAGRAM, THE BICYCLE AND  
4 PEDESTRIAN PLAN, THE NEIGHBORHOODS PLAN, AND THE OPEN SPACE  
5 PRESERVATION PLAN, OR THAT ANY PROPOSED CHANGE(S) WILL NOT BE  
6 DETRIMENTAL TO THE OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN  
7 REVITALIZATION. BUILDING HEIGHTS PROPOSED DO NOT EXCEED THE MAXIMUM  
8 BUILDING HEIGHT LIMITS FOR DOWNTOWN REVITALIZATION. LIMITED CHANGE IN  
9 BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY, CHARACTER  
10 AND HEIGHT OF NEARBY EXISTING AND PLANNED DEVELOPMENT AND  
11 REDEVELOPMENT, AND OPEN SPACES IN THE AREA. HOWEVER, IN NO EVENT SHALL  
12 THE MAXIMUM BUILDING HEIGHT FOR DOWNTOWN REVITALIZATION EXCEED  
13 TWENTY STORIES.

14  
15 B. THE NEIGHBORHOOD DESIGN GUIDELINES SUBMITTED WITH THE FINAL  
16 DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT OFFER  
17 SUFFICIENT DETAIL TO GUIDE THE APPEARANCE OF THE NEIGHBORHOOD  
18 OVER TIME, AND PROMOTE DESIGN FEATURES THAT ARE ACHIEVABLE AND  
19 APPROPRIATE FOR DOWNTOWN REVITALIZATION IN ACCORDANCE WITH THE  
20 DESIGN GUIDELINES AND THE DOWNTOWN COLUMBIA PLAN;

21  
22 C. THE FINAL DEVELOPMENT PLAN CONFORMS WITH THE NEIGHBORHOOD  
23 DOCUMENTS, THE REVITALIZATION PHASING PLAN, THE COMMUNITY  
24 ENHANCEMENTS, PROGRAMS, AND PUBLIC AMENITIES IMPLEMENTATION CHART  
25 AND FLEXIBILITY PROVISIONS, THE DOWNTOWN-WIDE DESIGN GUIDELINES, THE  
26 DOWNTOWN COLUMBIA PLAN, THE STREET AND BLOCK PLAN, THE  
27 NEIGHBORHOODS PLAN, THE MAXIMUM BUILDING HEIGHTS PLAN, THE  
28 PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, THE STREET FRAMEWORK  
29 DIAGRAM, THE BICYCLE AND PEDESTRIAN PLAN, THE NEIGHBORHOODS PLAN,  
30 AND THE OPEN SPACE PRESERVATION PLAN; PLAN. LIMITED CHANGE IN  
31 BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY, CHARACTER  
32 AND HEIGHT OF

1 NEARBY EXISTING AND PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN  
2 SPACES IN THE AREA. HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT  
3 FOR DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.  
4

5 D. THE FINAL DEVELOPMENT PLAN, WHEN CONSIDERED IN THE CONTEXT OF  
6 SURROUNDING PLANNED OR EXISTING DEVELOPMENT, PROVIDES A  
7 BALANCED MIX OF HOUSING, EMPLOYMENT, AND COMMERCIAL AND ARTS  
8 AND CULTURAL USES THROUGHOUT EACH PHASE;  
9

10 E. IF HOUSING IS PROPOSED, THE PLAN INCLUDES:

11 (A) AT LEAST 15% OF THE DWELLING UNITS SHALL BE MODERATE INCOME  
12 HOUSING UNITS PROVIDED ON-SITE; OR

13 (B) AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME HOUSING  
14 UNITS IN DOWNTOWN COLUMBIA, SUBJECT TO THE PROCEDURES IN SECTION  
15 13.402 OF THE HOWARD COUNTY CODE;  
16

17 E. THE FINAL DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING  
18 REQUIREMENT;  
19

20 F. THE BICYCLE, PEDESTRIAN, AND TRANSIT NETWORK CREATES CONVENIENT  
21 CONNECTIONS THROUGHOUT THE SUBJECT AREA AND CONNECT, WHEREVER  
22 POSSIBLE, TO EXISTING AND PLANNED SIDEWALKS, PATHS, AND ROUTES  
23 ADJOINING THE DEVELOPMENT;  
24

25 G. THE FINAL DEVELOPMENT PLAN PROTECTS LAND COVERED BY LAKES,  
26 STREAMS OR RIVERS, FLOOD PLAINS AND STEEP SLOPES, AND PROVIDES  
27 CONNECTIONS, WHERE POSSIBLE TO EXISTING AND PLANNED OPEN SPACE  
28 WITHIN THE NEIGHBORHOOD AND IN SURROUNDING AREAS;  
29

1 H. THE FINAL DEVELOPMENT PLAN PROVIDES THE LOCATION OF DOWNTOWN  
2 COMMUNITY COMMONS REQUIRED UNDER SEC. 125.A.9.H AS INDICATED IN  
3 THE NEIGHBORHOOD CONCEPT PLAN;

4  
5 I. THE FINAL DEVELOPMENT PLAN IS IN HARMONY WITH EXISTING AND  
6 PLANNED VICINAL LAND USES. IN MAKING THIS DETERMINATION, THE  
7 PLANNING BOARD SHALL CONSIDER, IF APPROPRIATE:

8  
9 (1) LANDSCAPE FEATURES ON THE BOUNDARY OF THE PLAN AREA,  
10 WHICH MAY INCLUDE PROTECTION OF EXISTING VEGETATION OR  
11 GRADE CHANGES THAT PROVIDE A NATURAL SEPARATION, OR  
12 LANDSCAPE PLANTING;

13 (2) THE SIZE OF BUILDINGS ALONG THE EDGES OF THE PLAN AREA  
14 THROUGH LIMITS ON BUILDING HEIGHT OR OTHER REQUIREMENTS;

15 (3) THE USE AND DESIGN OF NEARBY PROPERTIES AND

16 (4) THE ADOPTED DOWNTOWN COLUMBIA PLAN RECOMMENDATIONS  
17 FOR HEIGHT, BUILDING MASSING AND SCALE, AND NEIGHBORHOOD  
18 CONNECTIVITY;

19  
20 J. THE DEVELOPMENT PROPOSED BY FINAL DEVELOPMENT PLAN IS SERVED  
21 BY ADEQUATE PUBLIC FACILITIES, INCLUDING ANY PROPOSED MITIGATION  
22 OR DEVELOPMENT STAGING IN ACCORDANCE WITH THE ADEQUATE PUBLIC  
23 FACILITIES ORDINANCE(TITLE 16, SUBTITLE 11 OF THE HOWARD COUNTY  
24 CODE);

25  
26 K. THE FINAL DEVELOPMENT PLAN PROTECTS ENVIRONMENTALLY SENSITIVE  
27 FEATURES AND PROVIDES ENVIRONMENTAL RESTORATION IN ACCORDANCE  
28 WITH THE DOWNTOWN COLUMBIA PLAN;

29  
30 L. THE FINAL DEVELOPMENT PLAN PROTECTS ANY HISTORIC OR CULTURALLY  
31 SIGNIFICANT EXISTING SITES, BUILDINGS OR STRUCTURES, AND PUBLIC ART;

1  
2 M. THE FINAL DEVELOPMENT PLAN PROPOSES AN APPROPRIATE PLAN TO  
3 SATISFY THE REQUIREMENT FOR PUBLIC ART IN THE COMMUNITY;  
4

5 N. THE FINAL DEVELOPMENT PLAN PROVIDES A PLAN TO HOLD, OWN, AND  
6 MAINTAIN IN PERPETUITY LAND INTENDED FOR COMMON, QUASI-PUBLIC  
7 AMENITY USE AND PUBLIC ART THAT IS NOT PUBLICALLY OWNED,  
8 INCLUDING, WITHOUT LIMITATION, ANY DOWNTOWN COMMUNITY  
9 COMMONS, DOWNTOWN PARKLAND, DOWNTOWN ARTS, CULTURAL AND  
10 COMMUNITY USE, AND DOWNTOWN NEIGHBORHOOD SQUARE SHOWN ON  
11 THE FINAL DEVELOPMENT PLAN; AND  
12

13 O. TO BETTER ENSURE CONFORMANCE WITH THE COMMUNITY  
14 ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES PROVISIONS, THE  
15 FINAL DEVELOPMENT PLAN PROVIDES FOR A PLAN TO ESTABLISH  
16 MEMBERSHIP IN THE DOWNTOWN COLUMBIA PARTNERSHIP PARTNERSHIP  
17 AND PAYMENT OF THE ANNUAL CHARGES. EACH FINAL DEVELOPMENT  
18 PLAN SHALL SHOW A CONSISTENT MEANS OF CALCULATING AND PROVIDING  
19 THE REQUIRED CHARGES.  
20

21 4. WITHDRAWAL

22 AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION  
23 BY THE PLANNING BOARD ON A FINAL DEVELOPMENT PLAN OR FINAL  
24 DEVELOPMENT PLAN AMENDMENT, THE PETITIONER MAY WITHDRAW THE PETITION.  
25

26 5. RECORDATION OF FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN

27 THE APPROVED FINAL DEVELOPMENT PLAN CONTAINING THE NEIGHBORHOOD  
28 CONCEPT PLAN, THE NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES AND THE  
29 NEIGHBORHOOD SPECIFIC IMPLEMENTATION PLAN SHALL BE RECORDED IN THE  
30 LAND RECORDS OF HOWARD COUNTY  
31

- 1        6.        SITE DEVELOPMENT PLAN REQUIRED
- 2                PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN SHALL BE REQUIRED
- 3                FOR ALL DOWNTOWN REVITALIZATION.



**Amendment 12 to Council Bill No. 59 – 2009 (as amended)**

**BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
And at the request of the County Executive**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 12**

*(This amendment clarifies language relating to previously developed properties.)*

1 On page 13, in line 22, after the word "IMPROVED" insert "WITH A BUILDING AND ANY  
2 ASSOCIATED PARKING LOTS".  
3  
4  
5

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE Stephen M. Landis

**Amendment 13 to Council Bill No. 59-2009, as amended**

**BY: Calvin Ball**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 13**

*(This amendment decreases the required moderate income housing requirements for  
Downtown Columbia.)*

1 On page 14, in line 25, strike "15%" and substitute "12%".

2

3 On page 35, in line 19, strike "15%" and substitute "12%".

4

5 On page 37, in line 10, strike "15%" and substitute "12%".

6

NOT INTRODUCED

*Stephen M. Sledge*

**Amendment 1 to Amendment 14 to Council Bill No. 59 – 2009**

**BY: Jennifer Terrasa**

**Legislative Day No: 2**

**Date: February 1, 2010**

**Amendment No. 1 to Amendment 14**

*(This amendment makes a technical correction to conform with other references throughout Council Bill 59 to Merriweather-Symphony Woods.)*

- 1 On page 1, in line 13, strike "MERRIWEATHER" and substitute "MERRIWEATHER-  
2 SYMPHONY WOODS".

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE Stephen M. Henderson

Amended Amendment 14 to Council Bill 59-2009 (as amended)

BY: Jennifer Terrasa

Legislative Day No: 2  
Date: February 1, 2010

Amended Amendment No. 14

*(This amendment identifies a height limit for each Downtown Columbia neighborhood.)*

On page 14, in line 29, strike "BE CONSISTENT WITH" and substitute "CONFORM TO".

On page 14, in line 31, strike the period and substitute the following:

"EXCEPT THAT IN THE FOLLOWING NEIGHBORHOODS AS IDENTIFIED IN THE NEIGHBORHOOD  
PLAN OF THE DOWNTOWN COLUMBIA PLAN, THE MAXIMUM BUILDING HEIGHT SHALL NOT  
EXCEED:

1. 9 STORIES IN THE WARFIELD NEIGHBORHOOD;
2. 4 STORIES IN THE MERRIWEATHER MERRIWEATHER-SYMPHONY WOODS  
NEIGHBORHOOD; AND
3. 15 STORIES IN THE MALL NEIGHBORHOOD."

February 1, 2010  
Stephen M. Belandier

~~RECEIVED  
FEBRUARY 1 2010  
CITY OF COLUMBIA~~

**Amendment 1 to Amendment 15 to Council Bill No. 59 – 2009**

**BY:** Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

***Amendment No. 1 to Amendment 15***

*(This amendment clarifies the art in the community requirement.)*

1 On page 1, in line 1, strike “28 through line 10 on page 16” and substitute “1 through line  
2 15 on page 16” and strike lines 3 through 23 and substitute:

3 “(3) ANY DOWNTOWN REVITALIZATION DEVELOPMENT SHALL PROVIDE FOR ART IN THE  
4 COMMUNITY THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION COST.

5 (A) ART MUST BE PROVIDED:

- 6 1. ON SITE;  
7 2. ON OTHER PROPERTY LOCATED WITHIN DOWNTOWN REVITALIZATION  
8 DEVELOPMENT PROVIDED WITH THE WRITTEN CONSENT OF THE OWNER  
9 OF THE FEE SIMPLE PROPERTY; OR  
10 3. THE PETITIONER MAY PAY A FEE IN-LIEU OF PROVIDING ART ON-SITE  
11 THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION  
12 COST.

13 (B) ART MAY BE PROVIDED IN COMBINATION WITH OTHER DOWNTOWN  
14 REVITALIZATION DEVELOPMENTS.

15 (C) EACH IN-LIEU FEE MUST BE PAID PRIOR TO ISSUANCE OF A USE AND OCCUPANCY  
16 PERMIT FOR THE FIRST BUILDING IN THE PROJECT THAT GENERATES THE  
17 REQUIREMENT, AND THE COLLECTED FUNDS MUST BE USED TO PROVIDE ART ON  
18 PROPERTY WITHIN DOWNTOWN REVITALIZATION DEVELOPMENTS.

19 (D) IF THE VALUE OF THE ART PROVIDED ON SITE OR IN COMBINATION WITH OTHER  
20 PROJECTS EXCEEDS 1% OF THE BUILDING CONSTRUCTION COST, THEN THE  
21 EXCESS VALUE BEYOND 1% CAN BE CREDITED TOWARDS THE REQUIREMENTS OF  
22 THIS SUBSECTION FOR A SUBSEQUENT FINAL DEVELOPMENT PLAN SUBJECT TO  
23 THE PROCEDURES AND REQUIREMENTS SET FORTH IN THIS SUBSECTION.

APPROVED February 1, 2010

FILED

SIGNATURE Sp. Juan S. Hernandez

1 (E) THE FOLLOWING CONSTRUCTION PROJECTS ARE NOT SUBJECT TO THE  
2 REQUIREMENTS OF THIS SECTION:

- 3 1. CONSTRUCTION OF MODERATE INCOME HOUSING UNITS.  
4 2. CONSTRUCTION OF PLACES OF WORSHIP AND THEIR ACCESSORY USES.  
5 3. RENOVATIONS TO EXISTING OR CONSTRUCTION OF NEW CULTURAL  
6 FACILITIES WHICH INCLUDE FACILITIES LOCATED WITHIN A DOWNTOWN  
7 ARTS AND ENTERTAINMENT PARK, DOWNTOWN ARTS, CULTURAL AND  
8 COMMUNITY USES, AND DOWNTOWN COMMUNITY COMMONS.  
9 4. PARKING STRUCTURES.  
10 5. RENOVATIONS TO EXISTING BUILDINGS OR STRUCTURES REQUIRED BY  
11 GOVERNMENT MANDATED CODE COMPLIANCE CONSTRUCTION  
12 PROJECTS, SUCH AS PROJECTS EXCLUSIVELY DESIGNED FOR COMPLIANCE  
13 WITH THE AMERICANS WITH DISABILITIES ACT ("ADA"), THE  
14 MARYLAND ACCESSIBILITY CODE, THE NATIONAL FIRE PROTECTION  
15 ASSOCIATION (NFPA) LIFE SAFETY CODE, AND/OR FIRE SPRINKLER  
16 RETROFITS."  
17

**Amended Amendment 15 to Council Bill No.59-2009 (as amended)**

SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

**Amended Amendment No. 15**

*(This amendment clarifies the public art requirement.)*

1 On page 15, strike line 28 through line 10 on page 16 1 through line 15 on page 16 and  
2 substitute:

3  
4 ~~“(D) PROVIDE ART IN DOWNTOWN REVITALIZATION DEVELOPMENT THAT IS EQUIVALENT~~  
5 ~~IN VALUE TO 1% OF THE BUILDING CONSTRUCTION COST.~~

6 (1) ART MUST BE PROVIDED

7 a. ON SITE;

8 b. ON OTHER PROPERTY LOCATED WITHIN DOWNTOWN REVITALIZATION  
9 DEVELOPMENT PROVIDED WITH THE WRITTEN CONSENT OF THE OWNER  
10 OF THE FEE SIMPLE PROPERTY, OR

11 c. THE PETITIONER MAY PAY A FEE IN LIEU OF PROVIDING ART ON SITE  
12 THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION  
13 COST.

14 (2) ART MAY BE PROVIDED IN COMBINATION WITH OTHER DOWNTOWN  
15 REVITALIZATION DEVELOPMENTS.

16 (3) EACH IN-LIEU FEE MUST BE PAID PRIOR TO ISSUANCE OF A USE AND OCCUPANCY  
17 PERMIT FOR THE FIRST BUILDING IN THE PROJECT THAT GENERATES THE  
18 REQUIREMENT, AND THE COLLECTED FUNDS MUST BE USED TO PROVIDE ART ON  
19 PROPERTY WITHIN DOWNTOWN REVITALIZATION DEVELOPMENTS.

20 (4) IF THE VALUE OF ART PROVIDED ON SITE OR IN COMBINATION WITH OTHER  
21 PROJECTS EXCEEDS 1% OF THE BUILDING CONSTRUCTION COST, THEN THE  
22 EXCESS VALUE BEYOND 1% CAN BE CREDITED TOWARDS THE REQUIREMENTS OF

APPROVED February 1, 2010

SIGNATURE Calvin Ball

~~THIS SUBSECTION FOR A SUBSEQUENT FINAL DEVELOPMENT PLAN SUBJECT TO  
THE PROCEDURES AND REQUIREMENTS SET FORTH IN THIS SUBSECTION."~~

“(3) Any downtown revitalization development shall provide for art in the  
community that is equivalent in value to 1% of the building construction cost.

(A) Art must be provided:

1. On site;
2. On other property located within downtown revitalization  
development provided with the written consent of the owner of the  
fee simple property; or
3. The petitioner may pay a fee in-lieu of providing art on-site that is  
equivalent in value to 1% of the building construction cost.

(B) Art may be provided in combination with other downtown revitalization  
developments.

(C) Each in-lieu fee must be paid prior to issuance of a use and occupancy  
permit for the first building in the project that generates the requirement,  
and the collected funds must be used to provide art on property within  
downtown revitalization developments.

(D) If the value of the art provided on site or in combination with other  
projects exceeds 1% of the building construction cost, then the excess  
value beyond 1% can be credited towards the requirements of this  
subsection for a subsequent Final Development Plan subject to the  
procedures and requirements set forth in this subsection.

(E) The following construction projects are not subject to the requirements of  
this Section:

1. Construction of moderate income housing units.
2. Construction of places of worship and their accessory uses.
3. Renovations to existing or construction of new cultural facilities  
which include facilities located within a downtown arts and  
entertainment park, downtown arts, cultural and community uses,  
and downtown community commons.
4. Parking structures.



- 1                   5. Renovations to existing buildings or structures required by  
2                   government mandated code compliance construction projects, such  
3                   as projects exclusively designed for compliance with the Americans  
4                   with Disabilities Act (“ADA”), the Maryland Accessibility Code, the  
5                   National Fire Protection Association (NFPA) Life Safety Code,  
6                   and/or fire sprinkler retrofits.”  
7

**Amendment 1 to Amendment 16 to Council Bill No. 59 – 2009**

**SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 1 to Amendment 16**

*(This amendment changes the amount of notice a petitioner must provide for public meetings and clarifies who should receive notice.)*

- 1 On page 1, in line 6, strike "THAT HAS BEEN (I) ADVERTISED BY THE".  
2  
3 On page 1, strike line 7 through line 9, and substitute "THE PETITIONER, TWO WEEKS  
4 PRIOR TO THE MEETING, SHALL POST THE PROPERTY IN A PROMINENT LOCATION AND  
5 PROVIDE ELECTRONIC NOTIFICATION TO ALL COLUMBIA VILLAGE BOARDS, THE COLUMBIA  
6 ASSOCIATION, HOWARD COUNTY COUNCIL MEMBERS AND PRESUBMISSION MEETING  
7 ATTENDEES WHO PROVIDED EMAIL ADDRESSES".

FILED February 1, 2010  
FILED \_\_\_\_\_  
SIGNATURE Stephanie Terden

Amended Amendment 16 to Council Bill 59-2009 (as amended)

SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive

Legislative Day No. 2  
Date: February 1, 2010

Amended Amendment No. 16

1 *(This amendment requires posting and notification requirements for public meetings to consider*  
2 *New Town Site Development Plans.)*

3  
4  
5  
6 On page 40, in line 29, after "meeting", insert "~~THAT HAS BEEN (I) ADVERTISED BY THE~~  
7 ~~PETITIONER FOR AT LEAST 30 DAYS IN TWO NEWSPAPERS OF GENERAL CIRCULATION IN~~  
8 ~~HOWARD COUNTY, AND (II) AFTER THE PROPERTY HAS BEEN POSTED BY THE PETITIONER~~  
9 ~~FOR AT LEAST 30 DAYS.~~" ". THE PETITIONER, TWO WEEKS PRIOR TO THE MEETING, SHALL  
10 POST THE PROPERTY IN A PROMINENT LOCATION AND PROVIDE ELECTRONIC NOTIFICATION  
11 TO ALL COLUMBIA VILLAGE BOARDS, THE COLUMBIA ASSOCIATION, HOWARD COUNTY  
12 COUNCIL MEMBERS AND PRESUBMISSION MEETING ATTENDEES WHO PROVIDED EMAIL  
13 ADDRESSES".  
14

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE Stacy M. Borden

**Amendment to Amendment 17 to Council Bill 59-2009 (as amended)**

**BY: Chairperson**

**Legislative Day No: 2  
Date: February 1, 2010**

**Amendment No. 2**

*(This amendment removes references to moderate income housing units.)*

On page 2, strike beginning with "INCLUDING" in line 16 down through "125.A.9;" in line 17.

On page 3, strike lines 24 through 26 in their entirety; and renumber the section accordingly.

ADOPTED February 1, 2010  
BY THE  
ASSEMBLY Stephen M. Henderson

**Amendment 1 to Amendment 17 to Council Bill No. 59 – 2009**

**SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 1 to Amendment 17**

*(This amendment clarifies environmental restoration Planning Board approval for projects that are not part of a Final Development Plan, adds a requirement of membership to the Downtown Columbia Partnership, and clarifies the approval of affordable housing requirements in the Site Development Plan by the Planning Board.)*

1 On page 1, strike lines 18 through 21.

2

3 On page 3, strike lines 2 through 5.

4

5 On page 3, strike lines 24 through 26 and substitute:

6 "G. THE SITE DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING REQUIREMENTS  
7 IN ACCORDANCE WITH THE APPROVED FINAL DEVELOPMENT PLAN."

8

9 On page 4, in line 5, insert:

10 "J. THE PETITION IS ACCOMPANIED BY DOCUMENTATION DEMONSTRATING MEMBERSHIP IN  
11 THE DOWNTOWN COLUMBIA PARTNERSHIP INCLUDING THE REQUIRED ANNUAL CHARGES."

12

13 On page 4, in line 16 after "PETITION.", insert:

14

15 "I. SITE DEVELOPMENT PLAN – DOWNTOWN ENVIRONMENTAL RESTORATION THAT IS  
16 NOT PART OF A FINAL DEVELOPMENT PLAN.

17

18 1. THE PETITION FOR A SITE DEVELOPMENT PLAN FOR A DOWNTOWN  
19 ENVIRONMENTAL RESTORATION PROJECT THAT IS NOT PART OF A FINAL  
20 DEVELOPMENT PLAN SHALL MEET THE SUBMISSION REQUIREMENTS IN SECTION  
21 16.157 OF THE HOWARD COUNTY CODE.

21

2. PLANNING BOARD REVIEW AND APPROVAL CRITERIA.

February 1, 2010  
By \_\_\_\_\_

1 THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY  
2 A SITE DEVELOPMENT PLAN THAT PROPOSES A DOWNTOWN ENVIRONMENTAL  
3 RESTORATION PROJECT BASED ON WHETHER THE PETITION SATISFIES THE  
4 FOLLOWING CRITERIA:

- 5 a. THE PROJECT CONFORMS WITH THE ADOPTED DOWNTOWN COLUMBIA  
6 PLAN; AND  
7 b. THE PROJECT CONFORMS WITH THE DOWNTOWN-WIDE DESIGN  
8 GUIDELINES PERTAINING TO ENVIRONMENTAL RESTORATION.”  
9

**Amended Amendment 17 to Council Bill 59-2009 (as amended)**

**SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa**

**Legislative Day No. 2  
Date: February 1, 2010**

**and at the request of the County Executive**

**Amended Amendment No. 17**

*(This amendment clarifies language relating to the site development plan.)*

On pages 42 – 44, strike subsection H in its entirety, and substitute the following:

**"H. SITE DEVELOPMENT PLAN - DOWNTOWN REVITALIZATION.**

**1. PRESUBMISSION REQUIREMENTS.**

**A. PRIOR TO FILING A SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION THAT PROPOSES ANY USE, A PRESUBMISSION COMMUNITY MEETING IS REQUIRED USING THE SAME PROCEDURES ESTABLISHED IN SECTIONS 16.128(B) – (G) OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. IN ADDITION, NOTICE IN ACCORDANCE WITH SECTIONS 16.128 (B) – (G) MUST ALSO BE GIVEN TO EACH VILLAGE BOARD AND THE COLUMBIA ASSOCIATION.**

**B. THE PETITIONER IS REQUIRED TO SUBMIT THE SITE DEVELOPMENT PLAN FOR REVIEW BY THE DESIGN ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN ACCORDANCE WITH THE APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE 15 OF THE COUNTY CODE. THE DESIGN ADVISORY PANEL SHALL BASE ITS REVIEW AND RECOMMENDATIONS ON THE NEIGHBORHOOD DESIGN GUIDELINES. DOWNTOWN ENVIRONMENTAL RESTORATION PROJECTS THAT ARE NOT PART OF A FINAL DEVELOPMENT PLAN IN ACCORDANCE WITH SECTION 125.E.1.A ARE NOT REQUIRED TO BE SUBMITTED TO THE DESIGN ADVISORY PANEL FOR REVIEW."**

ADOPTED February 1, 2010  
FAILED \_\_\_\_\_  
SIGNATURE Stephen M. Babin

1           2. SITE DEVELOPMENT PLAN – SUBMISSION REQUIREMENTS

2           IN ADDITION TO THE SUBMISSION REQUIREMENTS IN SECTION 16.157 OF THE HOWARD  
3           COUNTY CODE, THE PETITION FOR A SITE DEVELOPMENT OR SITE DEVELOPMENT PLAN  
4           AMENDMENT SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR THE  
5           LAND AREA COVERED BY THE PLAN:

6           A. THE APPLICABLE APPROVED FINAL DEVELOPMENT PLAN.

7           B. A DEMONSTRATION OF HOW THE SITE DEVELOPMENT PLAN OR SITE  
8           DEVELOPMENT PLAN AMENDMENT WILL IMPLEMENT AND CONFORM TO THE  
9           APPROVED FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN  
10           AMENDMENT, INCLUDING PROVISION OF ANY REQUIRED DOCUMENTATION  
11           RELATING TO HOW THE APPLICABLE FINAL DEVELOPMENT PLAN APPROVAL  
12           CRITERIA AND ANY IMPOSED CONDITIONS ARE MET BY THE SUBMITTED SITE  
13           DEVELOPMENT PLAN OR SITE DEVELOPMENT PLAN AMENDMENT.

14           C. EACH SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION SHALL  
15           INCLUDE A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF  
16           DEVELOPMENT APPROVED AND BUILT, ~~INCLUDING MODERATE INCOME HOUSING~~  
17           ~~UNITS TO DATE UNDER SECTION 125.A.9;~~ AND (II) THE STATUS OF ANY  
18           COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES,  
19           DOWNTOWN PARKLAND, DOWNTOWN COMMUNITY COMMONS AND  
20           INFRASTRUCTURE AS ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN.

21  
22           3. PLANNING BOARD REVIEW AND APPROVAL CRITERIA.

23  
24           THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE  
25           DEVELOPMENT PLAN THAT PROPOSES DOWNTOWN REVITALIZATION BASED ON WHETHER  
26           THE PETITION SATISFIES THE FOLLOWING CRITERIA:

27  
28           A. THE DEVELOPMENT CONFORMS WITH THE ADOPTED DOWNTOWN COLUMBIA PLAN.

29  
30           B. THE DEVELOPMENT IMPLEMENTS AND CONFORMS TO THE APPROVED FINAL  
31           DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT INCLUDING ALL



1 APPLICABLE FINAL DEVELOPMENT PLAN APPROVAL CRITERIA AND CONDITIONS.  
2 FOR ENVIRONMENTAL RESTORATION PROJECTS THAT ARE NOT PART OF A FINAL  
3 DEVELOPMENT PLAN THAT INCLUDES OTHER USES, THE RESTORATION WORK SHALL  
4 CONFORM TO THE DOWNTOWN WIDE DESIGN GUIDELINES PERTAINING TO  
5 ENVIRONMENTAL RESTORATION.

6  
7 C. THE DEVELOPMENT IS WELL-ORGANIZED IN TERMS OF THE LOCATION OF BUILDINGS  
8 AND STRUCTURES, DOWNTOWN COMMUNITY COMMONS, LANDSCAPING,  
9 PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS, AND OTHER DOWNTOWN  
10 REVITALIZATION FEATURES.

11  
12 D. IF THE DEVELOPMENT PROVIDES DOWNTOWN COMMUNITY COMMONS AND/OR  
13 DOWNTOWN PARKLAND, THEY ARE REASONABLE AND APPROPRIATE GIVEN THE  
14 LOCATION, SCALE AND ANTICIPATED INTENSITY OF ADJACENT USES IN ACCORDANCE  
15 WITH THE DOWNTOWN COLUMBIA PLAN.

16  
17 E. THE MAXIMUM BUILDING HEIGHTS WILL CONFORM TO THE FINAL DEVELOPMENT  
18 PLAN.

19  
20 F. THE DEVELOPMENT SATISFIES THE DOWNTOWN PUBLIC ART PROGRAM APPROVED  
21 WITH THE FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT  
22 APPROVAL.

23  
24 G. IF HOUSING IS INCLUDED THE DEVELOPMENT PROVIDES THE REQUIRED MODERATE  
25 INCOME HOUSING UNITS ONSITE OR IN ACCORDANCE WITH SECTION 13.402 OF THE  
26 HOWARD COUNTY CODE AS INCLUDED IN THE FINAL DEVELOPMENT PLAN.

27 G. THE SITE DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING  
28 REQUIREMENTS IN ACCORDANCE WITH THE APPROVED FINAL DEVELOPMENT  
29 PLAN.

30 HG-H. THE DEVELOPMENT SATISFIES THE ADEQUATE PUBLIC FACILITIES ORDINANCE, IF  
31 APPLICABLE.

- 1
- 2        HHI. THE DEVELOPMENT INDICATES THE MANNER IN WHICH ANY LAND INTENDED FOR
- 3        COMMON OR QUASI-PUBLIC USE, BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP,
- 4        WILL BE HELD, OWNED AND MAINTAINED IN PERPETUITY FOR THE INDICATED
- 5        PURPOSES.
- 6        J. THE PETITION IS ACCOMPANIED BY DOCUMENTATION DEMONSTRATING
- 7        MEMBERSHIP IN THE DOWNTOWN COLUMBIA PARTNERSHIP INCLUDING THE
- 8        REQUIRED ANNUAL CHARGES.
- 9
- 10       4. MINOR ADJUSTMENTS TO THE GENERAL PEDESTRIAN, BICYCLE, AND TRANSIT
- 11       CIRCULATION SYSTEM, ROAD NETWORK, BLOCK CONFIGURATION, AND DOWNTOWN
- 12       COMMUNITY COMMONS SHOWN ON THE FINAL DEVELOPMENT PLAN AND
- 13       NEIGHBORHOOD CONCEPT PLAN MAY BE APPROVED AS A PART OF THE SITE
- 14       DEVELOPMENT PLAN, PROVIDED THE ADJUSTMENT(S) GENERALLY CONFORMS
- 15       WITH THE FINAL DEVELOPMENT PLAN AND WILL NOT BE DETRIMENTAL TO THE
- 16       OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN REVITALIZATION.
- 17
- 18       5. AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION
- 19       BY THE PLANNING BOARD ON A SITE DEVELOPMENT PLAN, THE PETITIONER MAY
- 20       WITHDRAW THE PETITION.
- 21
- 22       I. SITE DEVELOPMENT PLAN – DOWNTOWN ENVIRONMENTAL RESTORATION THAT IS NOT
- 23       PART OF A FINAL DEVELOPMENT PLAN.
- 24
- 25       1. THE PETITION FOR A SITE DEVELOPMENT PLAN FOR A DOWNTOWN ENVIRONMENTAL
- 26       RESTORATION PROJECT THAT IS NOT PART OF A FINAL DEVELOPMENT PLAN SHALL MEET THE
- 27       SUBMISSION REQUIREMENTS IN SECTION 16.157 OF THE HOWARD COUNTY CODE.
- 28       2. PLANNING BOARD REVIEW AND APPROVAL CRITERIA.
- 29       THE PLANNING BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A SITE
- 30       DEVELOPMENT PLAN THAT PROPOSES A DOWNTOWN ENVIRONMENTAL RESTORATION
- 31       PROJECT BASED ON WHETHER THE PETITION SATISFIES THE FOLLOWING CRITERIA:
- 32           a. THE PROJECT CONFORMS WITH THE ADOPTED DOWNTOWN COLUMBIA PLAN; AND

- 1                    b. THE PROJECT CONFORMS WITH THE DOWNTOWN-WIDE DESIGN GUIDELINES
- 2                    PERTAINING TO ENVIRONMENTAL RESTORATION.”

**Amendment 18 to Bill No. 59 – 2009 (as amended)**

**SPONSORED BY: Calvin Ball  
Mary Kay Sigaty  
Jennifer Terrasa  
and at the request of the County Executive**

**Legislative Day No. 2  
Date: February 1, 2010**

**Amendment No. 18**

*(This amendment revises the definition of "Downtown Columbia Plan" and requires the Department of Planning and Zoning to replace references to the "effective date" in the Bill with the appropriate dates when codifying the Bill in the Zoning Regulations.)*

1 On page 2, strike line 15 in its entirety and substitute "APPROVED BY COUNTY  
2 COUNCIL BILL NO. 58-2009.".

3  
4 On page 54, after line 6, insert:  
5 "Section 5. And Be It Further Enacted by the County Council of Howard County,  
6 Maryland, that the Department of Planning and Zoning, when codifying the provisions of  
7 Section 2 of this Act in the Zoning Regulations, shall replace each reference to "effective  
8 date" with the specific date on which this Act takes effect."

9  
10 On page 54, in line 8, strike "5" and substitute "6".

DATE February 1, 2010  
FILED  
SIGNATURE [Signature]

**Amendment 19 to Council Bill No. 59-2009**

By: Chair

Legislative Day No. 2  
Date: February 1, 2010

**Amendment No. 19**

*(This amendment strikes the moderate income housing unit language added to the Bill title by Amendment No. 3.)*

- 1 On the title page, in the title paragraph, strike beginning with "requiring" in the fifth line down through
- 2 "units," in the seventh line.
- 3

DATE February 1, 2010

FILED \_\_\_\_\_

SIGNATURE

Stephen M. Gash