

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

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and at the request of the County Executive**

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

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."

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.

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

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

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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.

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28 H. THE DEVELOPMENT SATISFIES THE ADEQUATE PUBLIC FACILITIES ORDINANCE, IF
29 APPLICABLE.
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- 1 I. THE DEVELOPMENT INDICATES THE MANNER IN WHICH ANY LAND INTENDED FOR
2 COMMON OR QUASI-PUBLIC USE, BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP,
3 WILL BE HELD, OWNED AND MAINTAINED IN PERPETUITY FOR THE INDICATED
4 PURPOSES.
- 5
6 4. MINOR ADJUSTMENTS TO THE GENERAL PEDESTRIAN, BICYCLE, AND TRANSIT
7 CIRCULATION SYSTEM, ROAD NETWORK, BLOCK CONFIGURATION, AND DOWNTOWN
8 COMMUNITY COMMONS SHOWN ON THE FINAL DEVELOPMENT PLAN AND
9 NEIGHBORHOOD CONCEPT PLAN MAY BE APPROVED AS A PART OF THE SITE
10 DEVELOPMENT PLAN, PROVIDED THE ADJUSTMENT(S) GENERALLY CONFORMS
11 WITH THE FINAL DEVELOPMENT PLAN AND WILL NOT BE DETRIMENTAL TO THE
12 OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN REVITALIZATION.
- 13
14 5. AT ANY TIME PRIOR TO FINAL ACTION AND WITHIN 30 DAYS AFTER FINAL ACTION
15 BY THE PLANNING BOARD ON A SITE DEVELOPMENT PLAN, THE PETITIONER MAY
16 WITHDRAW THE PETITION.”
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