

Amended Amendment 11 to Council Bill 59-2009 (as amended)

By: Calvin Ball

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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.)

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

On page 3, in line 23, strike “COMMONS.” and substitute “COMMONS AS CONTEXT FOR THE EVALUATION OF THE FINAL DEVELOPMENT PLANS.”

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

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

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

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

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

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

29
30 B. THE PETITIONER IS REQUIRED TO SUBMIT PROPOSED DOWNTOWN
31 NEIGHBORHOOD DESIGN GUIDELINES FOR REVIEW BY THE DESIGN

1 ADVISORY PANEL, FOR ITS RECOMMENDATIONS IN ACCORDANCE WITH THE
2 APPLICABLE PROVISIONS IN TITLE 16, SUBTITLE 15 OF THE COUNTY CODE.
3 THE DESIGN ADVISORY PANEL SHALL BASE ITS REVIEW AND
4 RECOMMENDATIONS ON THE DOWNTOWN-WIDE DESIGN GUIDELINES. FOR
5 NEIGHBORHOODS WITH APPROVED DESIGN GUIDELINES, SUBSEQUENT FINAL
6 DEVELOPMENT PLANS OR FINAL DEVELOPMENT PLAN AMENDMENTS THAT
7 DO NOT PROPOSE MODIFICATIONS TO THE GUIDELINES DO NOT REQUIRE
8 FURTHER DESIGN ADVISORY PANEL REVIEW.

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

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

19
20 43. FINAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS

21 THE PETITION FOR A FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN
22 AMENDMENT SHALL INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE, FOR
23 THE LAND AREA COVERED BY THE PLAN:

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

29
30 (1) A NEIGHBORHOOD CONCEPT PLAN COVERING AN ENTIRE

1 NEIGHBORHOOD OF DOWNTOWN COLUMBIA AS DEPICTED ON
2 EXHIBIT E: THE NEIGHBORHOODS:

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

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

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

20
21 (2) NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES

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

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

1
2 (B) STREET DESIGN AND FRAMEWORK;

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

6
7 (D) ARCHITECTURAL DESIGN;

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

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

12
13 (G) SIGNAGE.

14
15 (3) NEIGHBORHOOD SPECIFIC IMPLEMENTATION DOCUMENT

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

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

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

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

28 (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;

(G) ENVIRONMENTAL RESTORATION;

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

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

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

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

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

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

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

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

3 H. FROM APPROVED SITE DEVELOPMENT PLANS FOR THE AREA COVERED BY
4 THE PLAN;

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

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

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

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

10 (5) THE NUMBER OF PROPOSED DWELLING UNITS;

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

13 (1) DOWNTOWN ARTS AND ENTERTAINMENT PARKS;

14 (2) DOWNTOWN COMMUNITY COMMONS;

15 (3) DOWNTOWN ENVIRONMENTALLY SENSITIVE AREAS;

16 (4) DOWNTOWN PUBLIC FACILITIES;

17 (5) DOWNTOWN PARKLANDS; AND

18 (6) DOWNTOWN MIXED-USES;

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

21 K. TRAFFIC AND TRANSIT CIRCULATION SYSTEMS SHOWING EXISTING AND
22 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;

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;

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

19 PQ. LAYOUT OF THE EXISTING AND PROPOSED BICYCLE AND PEDESTRIAN
20 CIRCULATION SYSTEMS;

21 QR. CONCEPTUAL STORM WATER MANAGEMENT PLAN;

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

27 St. TEXT MATERIAL REGULATING THE FOLLOWING:

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

- (2) MAXIMUM GROSS FLOOR AREA OF NET NEW COMMERCIAL OFFICE USES AND COMMERCIAL RETAIL USES;
- (3) MAXIMUM NUMBER OF NET NEW HOTEL ROOMS;
- (4) MAXIMUM BUILDING HEIGHTS;
- (5) MAXIMUM SIZE OF A RETAIL-USE FOOTPRINT;
- (6) A DESCRIPTION OF THE COMMUNITY COMMONS THAT WILL BE INCLUDED IN THE DEVELOPMENT;
- (7) A STATEMENT IDENTIFYING (I) THE CUMULATIVE AMOUNT OF DEVELOPMENT APPROVED AND BUILT TO DATE UNDER SECTION 125.A.9, AND (II) THE STATUS OF ANY COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES, DOWNTOWN PARKLAND, DOWNTOWN COMMUNITY COMMONS, AND INFRASTRUCTURE AS ADDRESSED IN THE DOWNTOWN COLUMBIA PLAN;
- (8) PROPOSED LOCATIONS FOR ENVIRONMENTAL RESTORATION; AND
- (9) PROPOSED RESTRICTIONS, AGREEMENTS OR OTHER DOCUMENTS INDICATING A PLAN TO HOLD, OWN, AND MAINTAIN IN PERPETUITY LAND INTENDED FOR COMMON, QUASI-PUBLIC AMENITY USE AND PUBLIC ART BUT NOT PROPOSED TO BE IN PUBLIC OWNERSHIP.

3. PLANNING BOARD REVIEW AND APPROVAL CRITERIA

THE PLANNING BOARD SHALL CONSIDER THE FINAL DEVELOPMENT PLAN OR FINAL DEVELOPMENT 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:

1 A. THE DOWNTOWN NEIGHBORHOOD CONCEPT PLAN, THE NEIGHBORHOOD
2 SPECIFIC DESIGN GUIDELINES, AND THE NEIGHBORHOOD SPECIFIC
3 IMPLEMENTATION PLAN CONFORM WITH THE DOWNTOWN-WIDE DESIGN
4 GUIDELINES, THE DOWNTOWN COLUMBIA PLAN, THE STREET AND BLOCK
5 PLAN, THE NEIGHBORHOODS PLAN, THE MAXIMUM BUILDING HEIGHTS
6 PLAN, THE PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, THE STREET
7 FRAMEWORK DIAGRAM, THE BICYCLE AND PEDESTRIAN PLAN, THE
8 NEIGHBORHOODS PLAN, AND THE OPEN SPACE PRESERVATION PLAN, OR
9 THAT ANY PROPOSED CHANGE(S) WILL NOT BE DETRIMENTAL TO THE
10 OVERALL DESIGN CONCEPT AND PHASING FOR DOWNTOWN REVITALIZATION.
11 BUILDING HEIGHTS PROPOSED DO NOT EXCEED THE MAXIMUM BUILDING
12 HEIGHT LIMITS FOR DOWNTOWN REVITALIZATION. LIMITED CHANGE IN
13 BUILDING HEIGHTS MAY BE APPROVED BASED ON COMPATIBILITY,
14 CHARACTER AND HEIGHT OF NEARBY EXISTING AND PLANNED
15 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 B. THE NEIGHBORHOOD DESIGN GUIDELINES SUBMITTED WITH THE FINAL
20 DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN AMENDMENT OFFER
21 SUFFICIENT DETAIL TO GUIDE THE APPEARANCE OF THE NEIGHBORHOOD
22 OVER TIME, AND PROMOTE DESIGN FEATURES THAT ARE ACHIEVABLE AND
23 APPROPRIATE FOR DOWNTOWN REVITALIZATION IN ACCORDANCE WITH THE
24 DESIGN GUIDELINES AND THE DOWNTOWN COLUMBIA PLAN;

25
26 C. THE FINAL DEVELOPMENT PLAN CONFORMS WITH THE NEIGHBORHOOD
27 DOCUMENTS, THE REVITALIZATION PHASING PLAN, THE COMMUNITY
28 ENHANCEMENTS, PROGRAMS, AND PUBLIC AMENITIES IMPLEMENTATION
29 CHART AND FLEXIBILITY PROVISIONS, THE DOWNTOWN-WIDE DESIGN
30 GUIDELINES, THE DOWNTOWN COLUMBIA PLAN, THE STREET AND BLOCK
31 PLAN, THE NEIGHBORHOODS PLAN, THE MAXIMUM BUILDING HEIGHTS

1 PLAN, THE PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM, THE STREET
2 FRAMEWORK DIAGRAM, THE BICYCLE AND PEDESTRIAN PLAN, THE
3 NEIGHBORHOODS PLAN, AND THE OPEN SPACE PRESERVATION PLAN;
4 PLAN. LIMITED CHANGE IN BUILDING HEIGHTS MAY BE APPROVED BASED ON
5 COMPATIBILITY, CHARACTER AND HEIGHT OF NEARBY EXISTING AND
6 PLANNED DEVELOPMENT AND REDEVELOPMENT, AND OPEN SPACES IN THE
7 AREA. HOWEVER, IN NO EVENT SHALL THE MAXIMUM BUILDING HEIGHT FOR
8 DOWNTOWN REVITALIZATION EXCEED TWENTY STORIES.;
9

10 D. THE FINAL DEVELOPMENT PLAN, WHEN CONSIDERED IN THE CONTEXT OF
11 SURROUNDING PLANNED OR EXISTING DEVELOPMENT, PROVIDES A
12 BALANCED MIX OF HOUSING, EMPLOYMENT, AND COMMERCIAL AND ARTS
13 AND CULTURAL USES THROUGHOUT EACH PHASE;
14

15 E. ~~IF HOUSING IS PROPOSED, THE PLAN INCLUDES:~~

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

18 ~~(B) AN ALTERNATE METHOD OF PROVIDING MODERATE INCOME HOUSING~~
19 ~~UNITS IN DOWNTOWN COLUMBIA, SUBJECT TO THE PROCEDURES IN SECTION~~
20 ~~13.402 OF THE HOWARD COUNTY CODE;~~
21

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

25 F. THE BICYCLE, PEDESTRIAN, AND TRANSIT NETWORK CREATES CONVENIENT
26 CONNECTIONS THROUGHOUT THE SUBJECT AREA AND CONNECT, WHEREVER
27 POSSIBLE, TO EXISTING AND PLANNED SIDEWALKS, PATHS, AND ROUTES
28 ADJOINING THE DEVELOPMENT;
29

30 G. THE FINAL DEVELOPMENT PLAN PROTECTS LAND COVERED BY LAKES,
31 STREAMS OR RIVERS, FLOOD PLAINS AND STEEP SLOPES, AND PROVIDES

1 CONNECTIONS, WHERE POSSIBLE TO EXISTING AND PLANNED OPEN SPACE
2 WITHIN THE NEIGHBORHOOD AND IN SURROUNDING AREAS;
3

4 H. THE FINAL DEVELOPMENT PLAN PROVIDES THE LOCATION OF DOWNTOWN
5 COMMUNITY COMMONS REQUIRED UNDER SEC. 125.A.9.H AS INDICATED IN
6 THE NEIGHBORHOOD CONCEPT PLAN;
7

8 I. THE FINAL DEVELOPMENT PLAN IS IN HARMONY WITH EXISTING AND
9 PLANNED VICINAL LAND USES. IN MAKING THIS DETERMINATION, THE
10 PLANNING BOARD SHALL CONSIDER, IF APPROPRIATE:
11

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

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

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

19 (4) THE ADOPTED DOWNTOWN COLUMBIA PLAN RECOMMENDATIONS
20 FOR HEIGHT, BUILDING MASSING AND SCALE, AND NEIGHBORHOOD
21 CONNECTIVITY;
22

23 J. THE DEVELOPMENT PROPOSED BY FINAL DEVELOPMENT PLAN IS SERVED
24 BY ADEQUATE PUBLIC FACILITIES, INCLUDING ANY PROPOSED MITIGATION
25 OR DEVELOPMENT STAGING IN ACCORDANCE WITH THE ADEQUATE PUBLIC
26 FACILITIES ORDINANCE(TITLE 16, SUBTITLE 11 OF THE HOWARD COUNTY
27 CODE);
28

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

1
2 L. THE FINAL DEVELOPMENT PLAN PROTECTS ANY HISTORIC OR CULTURALLY
3 SIGNIFICANT EXISTING SITES, BUILDINGS OR STRUCTURES, AND PUBLIC ART;

4
5 M. THE FINAL DEVELOPMENT PLAN PROPOSES AN APPROPRIATE PLAN TO
6 SATISFY THE REQUIREMENT FOR ~~PUBLIC ART~~ ART IN THE COMMUNITY;

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

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

23
24 4. WITHDRAWAL

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

28
29 5. RECORDATION OF FINAL DEVELOPMENT PLAN AND NEIGHBORHOOD CONCEPT PLAN
30 THE APPROVED FINAL DEVELOPMENT PLAN CONTAINING THE NEIGHBORHOOD
31 CONCEPT PLAN, THE NEIGHBORHOOD SPECIFIC DESIGN GUIDELINES AND THE

1 NEIGHBORHOOD SPECIFIC IMPLEMENTATION PLAN SHALL BE RECORDED IN THE
2 LAND RECORDS OF HOWARD COUNTY

3
4 6. SITE DEVELOPMENT PLAN REQUIRED

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