

**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.

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 ~~H. H.~~ THE DEVELOPMENT SATISFIES THE ADEQUATE PUBLIC FACILITIES ORDINANCE, IF  
31 APPLICABLE.

- 1
- 2 III. 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.”