



DEPARTMENT OF
PLANNING AND ZONING
Marsha S. McLaughlin, Director
TECHNICAL STAFF REPORT

Thursday, March 26, 2015

Planning Board Meeting of April 9, 2015
County Council Hearing to be scheduled

Case No. /Petitioner: Marsha S. McLaughlin, Director, Department of Planning and Zoning

Request: AN ACT amending *PlanHoward 2030*, the general plan for Howard County, to include Patapsco Heritage Area Plan and recognizing that the Plan is a way to further opportunities for recreation, environmental and historic conservation, and heritage tourism and to support economic development; and generally relating to planning, zoning and land use in Howard County.

Department of Planning and Zoning recommendation:

Approval

I. OVERVIEW

Patapsco Heritage Greenway, Inc. (PHG), a 501(c) (3) non-profit organization, received conditional approval by the Maryland Heritage Area Authority (MHAA) for the Patapsco Heritage Area to become a certified heritage area (Exhibit A). PHG also proposed the Patapsco Heritage Area Management Plan (PHAMP) to provide for the management of the certified heritage area with the five goals of stewardship, interpretation, heritage tourism, recreation, and management of the non-profit entity itself. The PHAMP has also received conditional approval by the MHAA. There are two, required conditions for approval:

- The adoption by each jurisdiction that will be within the Certified Heritage Area of an appropriate amendment of its local comprehensive/master plan to incorporate by reference, or by other means determined appropriate by the jurisdiction, all portions of the Patapsco Heritage Area Management Plan, except those portions solely relating to other jurisdictions within the Patapsco Heritage Area, as required under COMAR Title 14, Subtitle 29, Chapter 03, Section .05 (G); and, ...
- The local jurisdiction amendment shall be acceptable to the Authority (Exhibit B).

General Plan Amendment 2015-1, *Patapsco Heritage Area Amendment* (directly attached), is intended to meet these conditions, as required by COMAR Title 14, Subtitle 29, Chapter 03, Section .05 (Exhibit C).

II. BACKGROUND

On March 20, 2010, the Howard County Council adopted CR9-2010 to support “the County Executive's effort to work cooperatively with other jurisdictions and appoint without delay a committee of interested citizens to pursue Maryland State Heritage certification for the Patapsco Heritage Greenway (Exhibit D).”

Patapsco Heritage Greenway, Inc. (PHG) is the result of that effort. Key partners include the Maryland Heritage Areas Authority (MHAA), Baltimore County, Howard County, Enjoy Baltimore County, Visit Howard County, and the Patapsco Valley State Park (Maryland Department of Natural Resources).

On June 5, 2014, PHG presented a draft PHAMP for the Planning Board's recommendation, prior to the PHAMP going forward to Council for endorsement of the Patapsco Heritage Area as a certified heritage area. The Planning Board heard testimony and at work session on June 19, 2014, the Planning Board unanimously agreed to recommend for the approval of the PHAMP and the request to become a certified heritage area by the PHG.

On July 25, 2014, Howard County Council adopted CR96-2014, “approving and authorizing submittal of a Management Plan for certification of the Patapsco Heritage Area as a Certified Maryland Heritage Area.

On September 15, 2014, in advance of MHAA approval, Baltimore County Council by Resolution 88-14 resolved “to adopt the Patapsco Heritage Management Plan as part of the Baltimore County Master Plan 2020.” The resolution states “that the Management Plan adopted herein, and its policies, statements, and goals, constitute a guide for PHG activities in the certified Heritage Area and do not limit control, or bind the County governing body with respect to its land use or development policies or decisions.”

Background and the full text of *PlanHoward 2030* are posted at [PlanHoward](#) and also on the [DPZ Portal](#). Large-scale versions of maps within *PlanHoward 2030* are under the “Planning” tab at [GIS Map Gallery](#).

III. DESCRIPTION

The proposed Patapsco Heritage Area Amendment is modeled after similar amendments from other counties. The proposed GPA 2015-1 includes a new implementation item, text and a map.

The proposed Patapsco Heritage Area Amendment references both the certified heritage area via the Patapsco Heritage Area map and the Patapsco Heritage Area Management Plan (PHAMP). The PHAMP includes 52 actions for implementation by Howard County including specific departments and agencies as well as related organizations such as Visit Howard County. Actions are presented by general category in Table 9.1 (Exhibit E) and presented in detail in the excerpted Table 9.2, prepared by DPZ (Exhibit F).

An overview of the PHAMP may be easily gained from the PHAMP Executive Summary and the listing of all goals found in Chapter 2 (Exhibit G). By referencing the Patapsco Heritage Area and the PHAMP in *PlanHoward 2030*, Howard County, the Patapsco Heritage Greenway, Inc. and other partners will be eligible for State grants and other funding opportunities available for Maryland certified heritage areas.

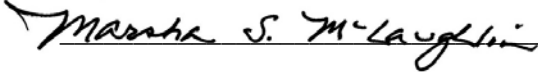
According to the PHAMP, the actions of partners including Howard County are voluntary. Participation in the PHAMP incurs no obligation, financial or otherwise. Howard County would be free to participate in actions identified in the PHAMP or to forego, depending on the availability of funding and budgetary constraints as determined annually by the County through the operating and capital budget processes.

Finally, DPZ would like to commend the PHG. The PHAMP is a highly professional document created

by dedicated volunteers working with many partners in the private, non-profit, and governmental sectors.

IV. RECOMMENDATION

The Department of Planning and Zoning recommends **approval** of the proposed GPA 2015-1, known as the *Patapsco Heritage Area Amendment*, to *PlanHoward 2030*.

 3/26/15
Marsha S. McLaughlin, Director March 26, 2015

Directly Attached

Draft Council Bill with Page 20 (replacement) and Page 20.1 (addition)

Exhibits

- A. Patapsco Heritage Area Map (Area Management Plan, p. 5-15)
- B. Jan 15, 2015 Resolution by Maryland Heritage Areas Authority
- C. Excerpted COMAR Title 14, Subtitle 29, Chapter 3, Section .05
- D. Council Resolution 9-2010 adopted by Howard County Council
- E. Table 9.1, Patapsco Heritage Area Management Plan (PHAMP)
- F. List of Actions Items proposed for Howard County by PHAMP
- G. Executive Summary and Chapter 2 excerpted from the PHAMP

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2015 Legislative Session

Legislative Day No. _____

Bill No. _____ -2015

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending *PlanHoward 2030*, the general plan for Howard County, to include Patapsco Heritage Area Plan and recognizing that the Plan is a way to further opportunities for recreation, environmental and historic conservation, and heritage tourism and to support economic development; and generally relating to planning, zoning and land use in Howard County.

Introduced and read first time _____, 2015. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2015.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2015 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2015 at ____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2015

Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Howard County, in partnership with the Patapsco Heritage Greenway, has
2 prepared a Patapsco Heritage Area Management Plan (the “Plan”) to designate a portion of the
3 Patapsco Valley area as a Certified Heritage Area as part of the Maryland System of Heritage
4 Areas; and

5
6 **WHEREAS**, the Patapsco Heritage Area has important environmental, recreation, and
7 cultural resources, as well as significant historical sites and districts on the National Register of
8 Historic Places; and

9
10 **WHEREAS**, the Patapsco Heritage Area presents opportunities for recreation,
11 environmental and historic conservation, and heritage tourism and to support economic
12 development; and

13
14 **WHEREAS**, the Plan will complement other state and county initiatives in the Certified
15 Heritage Area; and

16
17 **WHEREAS**, by approval of Council Resolution No. 96-2014, the County Council
18 approved and authorized the submittal of the Plan to the State of Maryland for its approval; and

19
20 **WHEREAS**, in July of 2012, by passage of Council Bill No. 26-2012, the Howard
21 County Council adopted PlanHoward2030, a new general plan for Howard County; and

22
23 **WHEREAS**, the County Council now wishes to amend *PlanHoward2030* in order to
24 include the Plan.

25
26 **NOW, THEREFORE,**

27
28 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that*
29 *PlanHoward2030 is hereby amended to include the Patapsco Heritage Area Management Plan*

1 *as follows and as more specifically shown in the attached pages:*

- 2 1. *A new item “c” is added to Policy 3.4 on page 21; and*
- 3 2. *New page 20.1 is added.*

4
5 ***Section 2. And Be It Further Enacted*** *by the County Council of Howard County, Maryland that the*
6 *Director of the Department of Planning and Zoning may correct obvious errors, capitalization,*
7 *spelling, grammar, headings and similar matters and may publish this amendment to PlanHoward*
8 *2030 by adding or amending covers, title pages, a table of contents, and graphics to improve*
9 *readability.*

10
11 ***Section 3. And Be It Further Enacted*** *by the County Council of Howard County, Maryland,*
12 *that this amendment be attached to and made part of PlanHoward2030.*

13
14 ***Section 4. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that*
15 *this Act shall become effective 61 days after its enactment.*

GREEN TIP!

Use reusable bags. Over 100 billion plastic bags are thrown away every year.

POLICY 3.3 – Use watershed management plans to guide the protection and restoration of water resources.

Implementing Actions

- a. **Watershed Management Plans.** Prepare comprehensive watershed management plans for all watersheds, to set priorities and guide efforts to protect, restore, and improve the County's water resources. Complete and update all watershed management plans on a regular cycle.
- b. **Forest Cover and Riparian Forest Buffers.** Establish and achieve measurable goals for forest cover and riparian forest buffers in all County watersheds.
- c. **Resident Participation.** Encourage active participation of individuals, businesses, and local community and environmental organizations in restoration activities.
- d. **Wetlands.** Develop a wetlands program to inventory, map, protect, and enhance wetland resources.
- e. **Dedicated Funding.** Institute a dedicated fund (often referred to as a stormwater utility) to ensure increased and sustained funding for the watershed management program.



Annual tree plantings are organized by the Department of Recreation and Parks.

- f. **Grant and Cost-Share Opportunities.** Pursue Federal and State grant and cost-share opportunities to secure additional resources for restoration efforts. Apply jointly with community and environmental organizations and with neighboring jurisdictions as appropriate.

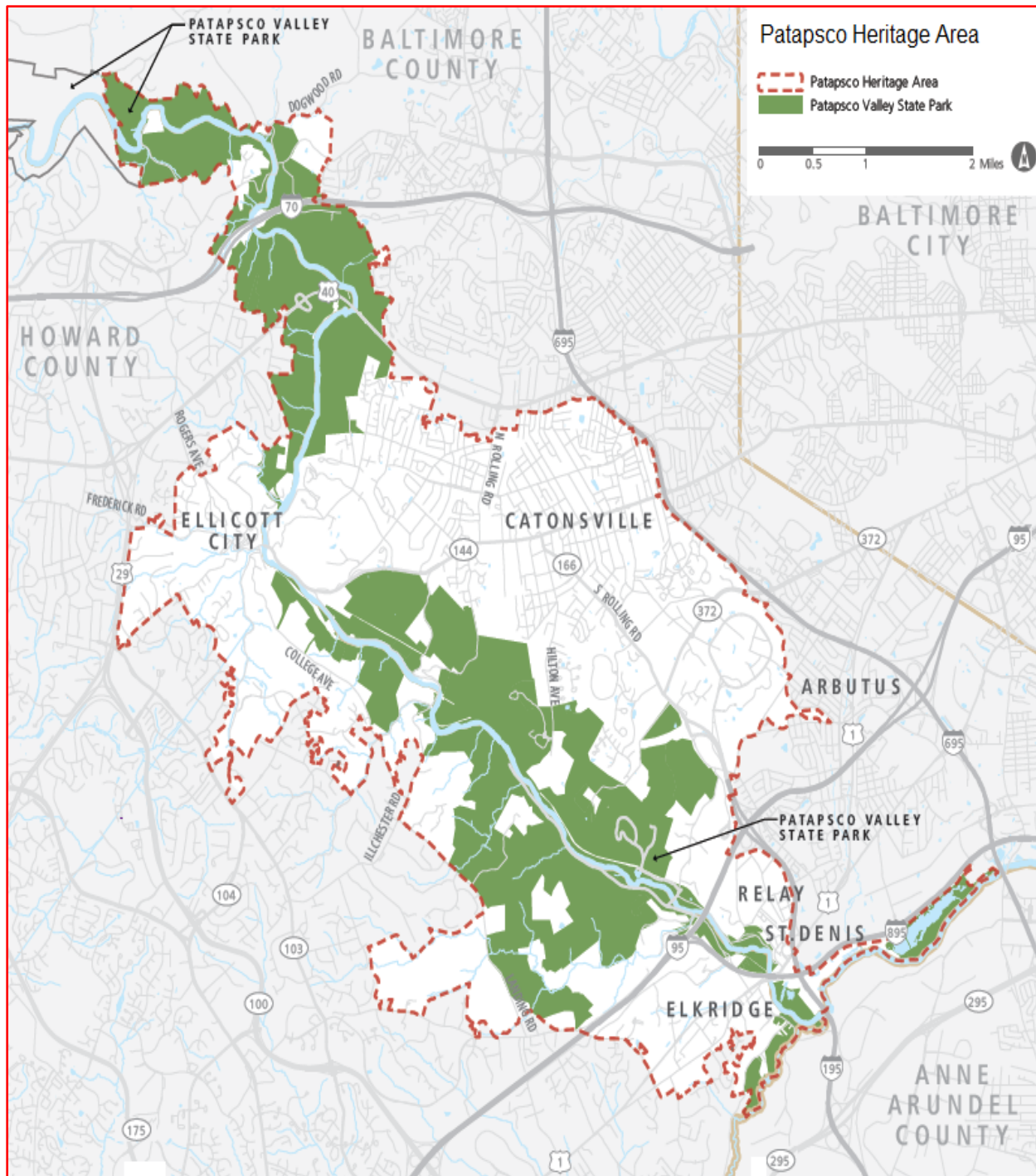
POLICY 3.4 – Coordinate regional protection of water resources.

Implementing Actions

- a. **Patuxent and Patapsco Rivers.** Coordinate and cooperate with other

local, regional, and State agencies and organizations on joint watershed planning and management for the Patuxent and the Patapsco Rivers.

- b. **Patapsco Heritage Greenway.** Coordinate with Baltimore County to accomplish certification of the Patapsco Heritage Greenway.
- c. **Patapsco Heritage Area Management Plan.** Work with the Patapsco Heritage Greenway, Inc. and Baltimore County to assist in implementing the management plan, certified by the Maryland Heritage Area Authority, for those portions that apply to Howard County.



Patapsco Heritage Area Amendment

The Maryland Heritage Areas Authority requires a county within a certified heritage area to include in the county's general plan those portions of the heritage area management plan applicable to the county. Meeting this requirement establishes the eligibility of qualified organizations and government entities, within the Howard County portion of the certified heritage area, for receipt of Maryland Heritage Areas Authority financial and other benefits including grants, loans, and tax credits.

Therefore, the version of the Patapsco Heritage Area Management Plan, as was approved by the Maryland Heritage Area Authority on January 15, 2015, insofar as it is consistent with the rest of PlanHoward 2030, is included within PlanHoward 2030 in order to further opportunities for recreation, environmental and historic conservation, and heritage tourism and to support economic development.

The map at left is illustrative and indicates the area of Howard County located within the certified heritage area as approved by the Maryland Heritage Areas Authority.

The Patapsco Heritage Area Management Plan defines its own purpose on page xi: "The heritage area's management plan provides the blueprint for coordinating ... many collaborative efforts. It is an advisory document demonstrating awareness of the heritage area's partners and stakeholders, their "buy-in", and general support for management concepts. ... Participation in plan implementation will be voluntary and will not be required as a result of potential actions identified in the approved management plan. ... Participation in the program does, however, qualify PHG [Patapsco Heritage Greenway, Inc.] and its partners and stakeholders – such as Baltimore County, Howard County, and others – for potential state matching grants for actions identified in the plan or that otherwise support accomplishing the goals for the Patapsco Heritage Area."