

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

County Council of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 12

Bill No. 51 -2015

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

AN ACT providing that the Design Advisory Panel will provide advice on projects in certain Zoning Districts consistent with the Zoning Regulations; adding that the Panel will review and provide advice for projects that are subject to the Clarksville Pike Streetscape Plan and Design Guidelines; reorganizing the Panel's purpose and applicability sections; removing redundant language; clarifying certain principles of review; making certain technical corrections; and generally related to the Design Advisory Panel 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 SMALL CAPITALS indicates additions to existing law; Strike-out 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 the**
2 **Howard County Code is amended as follows:**

3
4 *By amending :*

5 1. *Title 16, Planning, Zoning and Subdivisions and Land Development Regulations*
6 *Section 16.1500. Short title; purpose.*
7

8 2. *Title 16, Planning, Zoning and Subdivisions and Land Development Regulations*
9 *Section 16.1501. Applicability.*
10

11 3. *Title 16, Planning, Zoning and Subdivisions and Land Development Regulations*
12 *Section 16.1502. Membership; staff; records; meetings.*
13

14 4. *Title 16, Planning, Zoning and Subdivisions and Land Development Regulations*
15 *Section 16.1503. Guidelines and principles.*
16

17 5. *Title 16, Planning, Zoning and Subdivisions and Land Development Regulations*
18 *Section 16.1504. Review required; recommendations; condition of decision.*
19

20 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**

21 **Subtitle 15. Design Advisory Panel.**

22
23 **Section 16.1500. Short title; purpose.**

24 (a) *Short Title.* This subtitle shall be known as the Design Advisory Panel Act.

25 (b) *Purpose.* There shall be a Howard County Design Advisory Panel ("panel") in order
26 to ENCOURAGE EXCELLENCE IN ARCHITECTURE AND SITE DESIGN, TO IMPROVE DESIGN
27 COMPATIBILITY WITH SURROUNDING DEVELOPMENT, TO PROMOTE REVITALIZATION, AND
28 TO ENHANCE PROPERTY VALUES. [] :

29 (1) Provide expert advice to the Director of the Department of Planning and
30 Zoning regarding plans for new development and redevelopment in
31 designated areas where there is a design manual that is adopted by the

- 1 County Council or in age-restricted adult housing permitted by
2 conditional use;
- 3 (2) Provide expert advice to the Zoning Board and the Planning Board
4 regarding plans for new Town Village Center Redevelopments in which
5 Village Center Boundaries have been proposed by a property owner or
6 established by the Zoning Board or by the County Council;
- 7 (3) Provide expert advice for Downtown Columbia Revitalization to:
8 a. The County Council in adopting downtown-wide design
9 guidelines for use in the Downtown Columbia Revitalization
10 process;
11 b. The Planning Board regarding the consistency of the Downtown
12 Neighborhood design guidelines to the downtown-wide design
13 guidelines;
14 c. The Planning Board regarding the consistency of the site
15 development plans submitted for approval in the Downtown
16 Columbia Revitalization process to the neighborhood design
17 guidelines; and
- 18 (4) Encourage excellence in architecture and site design, to improve design
19 compatibility with surrounding development, to promote revitalization,
20 and to enhance property values.]]

21
22 **Section 16.1501. [[Applicability]] DUTIES.**

23 (A) *GENERALLY.* The Design Advisory Panel shall review and provide design advice
24 [[for]]ON new development and redevelopment projects:

25 ([[a]]1) On parcels located the U.S. Route 1 Corridor that are zoned CE, CAC,
26 OR TOD, or that adjoin the Route 1 right-of-way and that are subject to
27 the Route 1 Manual;

28 ([[b]]2) On parcels located within the Route 40 Corridor as defined in the Route
29 40 Design Manual;

30 ([[c]]3)On parcels on which age-restricted adult housing is to be constructed
31 pursuant to a conditional use;

1 ([[d]]4)On redevelopment parcels located in New Town Village Centers with
2 boundaries proposed by a property owner or established by the Zoning
3 Board or County Council; [[and]]

4 ([[e]]5)On parcels [[in the Downtown Columbia Revitalization process]]
5 INCLUDED WITHIN THE BOUNDARIES OF THE DOWNTOWN COLUMBIA PLAN;

6 (6) ON PARCELS ON STATE ROUTE 108, BETWEEN GUILFORD ROAD AND
7 TROTTER ROAD, THAT ARE WITHIN THE BOUNDARIES OF THE
8 CLARKSVILLE PIKE STREETScape PLAN AND DESIGN GUIDELINES;

9 (7) IN OTHER AREAS FOR WHICH A DESIGN MANUAL IS ADOPTED BY THE
10 COUNTY COUNCIL; AND

11 (8) AS PROVIDED BY THE ZONING REGULATIONS, ON PARCELS LOCATED IN THE
12 FOLLOWING ZONING DISTRICTS INCLUDING, WITHOUT LIMITATION:

13 (I) SECTION 111.1: R-H-ED (RESIDENTIAL: HISTORIC –
14 ENVIRONMENTAL DISTRICT);

15 (II) SECTION 112.1: R-APT (RESIDENTIAL: APARTMENTS);

16 (III) SECTION 117.0: BRX (BUSINESS RURAL CROSSROADS) DISTRICT;

17 (IV) SECTION 121.0: CEF (COMMUNITY ENHANCEMENT FLOATING)
18 DISTRICT;

19 (V) SECTION 121.1: CR (COMMUNITY REDEVELOPMENT) OVERLAY
20 DISTRICT; AND

21 (VI) SECTION 128.0: SUPPLEMENTARY ZONING DISTRICT
22 REGULATIONS FOR NON-CONFORMING USES IN THE CLI
23 (CONTINUING LIGHT INDUSTRIAL) -OVERLAY DISTRICT .

24 (B) *DOWNTOWN COLUMBIA*. RELATED TO DOWNTOWN COLUMBIA, THE PANEL SHALL
25 PROVIDE ADVICE TO:

26 (1) THE ZONING BOARD AND THE PLANNING BOARD REGARDING PLANS FOR
27 NEW TOWN VILLAGE CENTER REDEVELOPMENTS IN WHICH VILLAGE
28 CENTER BOUNDARIES HAVE BEEN PROPOSED BY A PROPERTY OWNER OR
29 ESTABLISHED BY THE ZONING BOARD OR BY THE COUNTY COUNCIL;

30 (2) THE COUNTY COUNCIL IN AMENDING DOWNTOWN-WIDE DESIGN
31 GUIDELINES;

1 (3) THE PLANNING BOARD REGARDING THE CONSISTENCY OF THE DOWNTOWN
2 NEIGHBORHOOD DESIGN GUIDELINES TO THE DOWNTOWN-WIDE DESIGN
3 GUIDELINES; AND

4 (4) THE PLANNING BOARD REGARDING THE CONSISTENCY OF SITE
5 DEVELOPMENT PLANS SUBMITTED FOR APPROVAL TO THE NEIGHBORHOOD
6 DESIGN GUIDELINES.

7

8 **Section 16.1502. Membership; staff, records; meetings.**

9 (a) *General Provisions.* General provisions applicable to the panel are set forth in
10 subtitle 3, "Boards and Commissions" of title 6, "County Executive and the Executive
11 Branch" of this Code.

12 (b) *Number of Members; Method of Appointment.* The panel shall consist of seven
13 members who shall be appointed by the County Executive and confirmed by the County
14 Council.

15 (c) *Qualifications:*

16 (1) Each member must be a professional in architecture, civil engineering,
17 landscape architecture, urban planning, or a related field.

18 (2) At least two members shall be architects who are licensed in Maryland;

19 (3) At least one member shall be a civil engineer who is licensed in
20 Maryland;

21 (4) At least one member shall be a landscape architect who is licensed in
22 Maryland; and

23 (5) At least one member shall be an urban planner.

24 (d) *Reappointment.* A panel member shall be eligible for reappointment [[to on
25 additional term]] IN ACCORDANCE WITH SECTION 404 OF THE HOWARD COUNTY
26 CHARTER.

27 (e) *Executive Secretary.* The Director of the Department of Planning and Zoning, or the
28 Director's designee, shall, serve as the Executive Secretary to the panel.

29 (f) *Maintenance of Records.* The records of all proceedings and the basis for all findings
30 shall be maintained in the normal course of business.

1 (g) *Meetings*. The panel shall meet at least twice a month and, if necessary, more
2 frequently meeting notice shall include posting notice on the Howard County web site.
3

4 **Section 16.1503. Guidelines and principles.**

5 (A) The panel is to apply architectural, landscape architecture, and urban design
6 principles in order to achieve the following objectives in a proposed plan:

7 ([[a]]1) Site planning which creates attractive visual and functional relationships
8 of the on-site design elements and between the site and the surrounding
9 area;

10 ([[b]]2) Buildings and other structures which are spatially and visually integrated
11 into and suitable for the site and surrounding area;

12 ([[c]]3) Architectural features which articulate the structures, create an identity
13 for the development while being in harmony with the adjacent and
14 surrounding built environment, and are consistent with the:

15 ([[1]]i) Design requirements and recommendations of the Route 1
16 Manual;

17 ([[2]]ii) Design requirements and recommendations of the Route 40
18 Design Manual;

19 ([[3]]iii) Criteria of a conditional use, as applicable;

20 ([[4]]iv) New Town Village Center design guidelines, as applicable;

21 ([[5]]v) Downtown-wide Design Guidelines, as applicable; [[or]]

22 ([[6]]vi) Downtown Neighborhood Design Guidelines, as applicable; OR

23 (vii) DESIGN REQUIREMENTS AND RECOMMENDATIONS OF THE
24 CLARKSVILLE PIKE STREETScape PLAN AND DESIGN GUIDELINES.

25 ([[d]]4) Open space which provides visual functional integration of the
26 streetscape, public spaces, and pedestrian connections and transportation
27 connections;

28 ([[e]]5) Landscaping which enhances the architectural and site design, works with
29 the natural features of the site, provides adequate screening, and defines
30 spaces on the site; and

1 ([[f]]6) Design objectives in the Route 1 Manual, the Route 40 Design Manual,
2 compatibility criteria for age-restricted adult housing set forth in Section
3 131.N.1 of the Howard County Zoning Regulations, the design guidelines
4 for the appropriate New Town Village Center, THE CLARKSVILLE PIKE
5 STREETSCAPE PLAN AND DESIGN GUIDELINES, [[or]] the Downtown-wide
6 Design [[Guidelines]] GUIDELINES, or the Downtown Neighborhood
7 Design Guidelines for Downtown Columbia Revitalization.

8 (B) NOTWITHSTANDING ANY PROVISION OF THIS SUBTITLE TO THE CONTRARY, FOR
9 REVIEWS PURSUANT TO THE REQUIREMENTS OF THE ZONING REGULATIONS, THE PANEL
10 MAY USE:

- 11 (1) PRINCIPLES AND GENERAL GUIDELINES INCLUDED IN THIS SECTION;
- 12 (2) ANY PRINCIPLE OR GUIDELINE AS SET FORTH IN THE ZONING
13 REGULATIONS; AND
- 14 (3) GENERAL PROFESSIONAL PRINCIPLES AND PRACTICES CURRENT WITHIN THE
15 INDUSTRY.

16 (C) PANEL MEMBERS ARE ENCOURAGED TO DRAW FROM A WIDE ARRAY OF RELEVANT
17 DESIGN PRINCIPLES AND PRACTICES IN FORMULATING DESIGN ADVICE AND MAKING
18 FORMAL RECOMMENDATIONS, ESPECIALLY FOR THOSE APPLICATIONS THAT ARE NOT THE
19 SUBJECT OF AN ADOPTED DESIGN MANUAL OR GUIDELINES.

20
21 **Section 16.1504. Review required; recommendations; condition of decision.**

22 (a) *Recommendations.* The panel shall make recommendations consistent with the
23 Route 1 Manual, the Route 40 Design Manual, compatibility criteria for age-restricted
24 adult housing, New Town Village Center design [[guidelines or]] GUIDELINES,
25 CLARKSVILLE PIKE STREETSCAPE PLAN AND DESIGN GUIDELINES, Downtown-wide
26 Design Guidelines or Downtown Neighborhood Design Guidelines for Downtown
27 Columbia Revitalization regarding:

- 28 (1) The design for buildings, vehicular circulation and access, pedestrian
29 access and linkages, parking, loading, dumpsters, exterior mechanical
30 units, existing trees, landscaping, and walls and fences;

- 1 (2) Building scale and massing in relation to and compatible with the
- 2 surrounding area;
- 3 (3) Building architectural style, materials, entrances, windows, roof design,
- 4 and colors;
- 5 (4) Open space on the site including pathways, public spaces, amenity areas,
- 6 and similar features;
- 7 (5) The design of exterior lighting devices and potential disturbances to the
- 8 public and adjacent properties; and
- 9 (6) The location, size, and design of the exterior signs.

10 [(b) *Director May Consider Recommendations.* The Director of the Department of
11 Planning and Zoning may consider the panel's recommendations in making a final
12 decision on a plan or as a condition of plan approval in connection with those matters
13 included in subsection (a) of this section based on design requirements and
14 recommendations contained in the route 1 manual and the Route 40 Design Manual.

15 (c) *Hearing Authority May Consider Recommendations.* The hearing authority may
16 consider the panel's recommendations in making a final decision on a conditional use or
17 as a condition of conditional use approval for age-restricted adult housing in connection
18 with those matters included in subsection (a) of this section based on the guidelines and
19 principles set forth in section 16.1503 of this subtitle.

20 (d) *Zoning Board and Planning Board May Consider Recommendations.* The Zoning
21 Board and Planning Board may consider the panel's recommendations in making a final
22 decision on a Village Center Redevelopment Plan or as a condition of plan approval in
23 connection with those matters included in subsection (a) of this section based on the
24 appropriate New Town Village Center design guidelines.

25 (e) *County Council May Consider Recommendations.* The County Council may consider
26 the panel's recommendations in adopting the Downtown-Wide Design Guidelines for
27 use in the Downtown Columbia Revitalization Process.

28 (f) *Planning Board May Consider Recommendations.* The Planning Board may consider
29 the panel's recommendations in making a final decision on Neighborhood Design
30 Guidelines and Site Development Plan approvals for Downtown Columbia
31 Revitalization.]]

1 (B) *RECOMMENDATIONS OF THE PANEL*. WHEN THIS TITLE, THE ZONING REGULATIONS, OR
2 ANY OTHER LAW REQUIRE THE PANEL TO REVIEW PLANS FOR DEVELOPMENT OR
3 REDEVELOPMENT, PANEL RECOMMENDATIONS MAY BE CONSIDERED BY THE:

- 4 (1) ZONING BOARD;
- 5 (2) PLANNING BOARD;
- 6 (3) HEARING AUTHORITY WHEN MAKING A FINAL DECISION ON A
7 CONDITIONAL USE OR AS A CONDITION OF CONDITIONAL USE APPROVAL
8 FOR AGE-RESTRICTED ADULT HOUSING;
- 9 (4) DEPARTMENT OF PLANNING AND ZONING; AND
- 10 (5) COUNTY COUNCIL.

11

12 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
13 *Maryland, that this Act shall become effective 61 days after its enactment.*

cmbs

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HOWARD COUNTY COUNCIL
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2015 NOV 18 P 4: 16

November 13, 2015

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

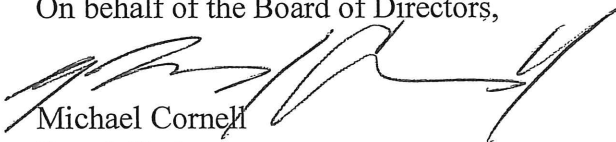
RE: CB 51 – 2015

Dear Members of the County Council,

For over ten years, beginning as early as the 2003 Comprehensive Zoning process, the River Hill Village Board has consistently advocated on behalf of the community for a master plan for development along the MD 108 corridor between Trotter Road and Guilford Road. The streetscape, architecture, and signage design guidelines in the *Final Draft - Clarksville Pike Streetscape Plan and Design Guidelines (October 21, 2015)* document are a first step in achieving our community's goals of creating a sense of place, enhancing connectivity, and improving safety. Therefore, we fully support the changes proposed in Council Bill 51 – 2015 to incorporate the *Clarksville Pike Streetscape Plan and Design Guidelines* into the Design Advisory Panel Act of the County's Planning, Zoning and Subdivisions and Land Development Regulations.

We continue to have serious concerns regarding traffic congestion and vehicular and pedestrian safety along MD 108 e.g., Linden Linthicum Lane and Sheppard Lane intersections. We look forward to working with the County and the State Highway Administration to identify solutions and make improvements that are informed by the *Streetscape Plan and Design Guidelines*.

On behalf of the Board of Directors,


Michael Cornell
Board Chair

Enclosure

- cc: Board of Directors/Council Representative
- John Concannon, Assistant District Engineer, SHA
- Howard County Delegation, District 13
- James Irvin, Director, DPW
- Allan Kittleman, Howard County Executive
- Milton Matthews, President, CA
- Valdis Lazdins, Director, DPZ