

Introduced 11/2/15  
Public Hearing 11/16/15  
Council Action 2/1/16  
Executive Action 2/10/16  
Effective Date 4/1/16

## 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 November 2, 2015. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
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 November 16, 2015.

Tabled on December 7, 2015  
Extended life on January 4, 2016  
By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on February 2, 2015 and Passed , Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4<sup>th</sup> day of February, 2015 at 2 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive February 10, 2015 2016

Allan H Kittleman  
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. ]]



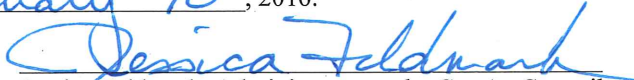
1 (B) *RECOMMENDATIONS OF THE PANEL*. WHEN THIS TITLE, THE ZONING REGULATIONS, OR  
2 ANY OTHER LAW REQUIRE THE PANEL TO REVIEW PLANS FOR DEVELOPMENT OR  
3 REDEVELOPMENT, PANEL RECOMMENDATIONS MAY BE CONSIDERED BY THE:

- 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.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 10, 2016.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council