



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Christiana Mercer Rigby, Chairperson
District 3

Opel Jones, Vice Chairperson
District 2

Deb Jung
District 4

Liz Walsh
District 1

David Yungmann
District 5

Agenda

Legislative Session
Monday, December 2, 2019
Banneker Room
George Howard Building, 3430 Court House Drive, Ellicott City, MD
7:00 p.m.

Legislative Session

Day # 14

Approve Journal

November 4, 2019

Approve Minutes

Work Session – October 28, 2019
Monthly Meeting – November 15, 2019
Closed Session – November 15, 2019
Legislative Public Hearing – November 18, 2019
Work Session – November 22, 2019
Closed Session – November 25, 2019

Final Consideration

Appointments

Council Resolution 135-2019 - A RESOLUTION confirming the reappointment of Charles L. Fuller to the Public Ethics Commission. (*No expiration date*)

Council Resolution 136-2019 - A RESOLUTION confirming the appointment of Brook Hubbard to the Local Behavioral Health Advisory Board. (*No expiration date*)

Council Resolution 137-2019 - A RESOLUTION confirming the appointment of Kelly Kesler to the Howard County Commission for Veterans and Military Families.
(No expiration date)

Council Resolution 138-2019 - A RESOLUTION confirming the appointment of Keith McGuire to the Howard County Commission for Veterans and Military Families.
(No expiration date)

Council Resolution 139-2019 - A RESOLUTION confirming the appointment of Paul Rivers to the Howard County Commission for Veterans and Military Families.
(No expiration date)

Council Resolution 140-2019 - A RESOLUTION confirming the appointment of Michael Griggs to the Howard County Commission for Veterans and Military Families.
(No expiration date)

Council Resolution 141-2019 – Introduced by the Chairperson - A RESOLUTION appointing Gene Thomas Ryan to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2025. *(No expiration date)*

General

Council Resolution 142-2019 - A RESOLUTION increasing Forest Conservation fees-in-lieu. *(No expiration date)*

Council Bill 56-2019 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Third Amendment for the lease of space; and authorizing the County Executive to take certain actions in connection with the Agreement. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 57-2019 - AN ACT amending the definition tobacco product to be consistent with State law; related to the distribution of tobacco products, prohibiting the distribution of tobacco products, including electronic smoking devices, to individuals under the age of 21 years; amending the enforcement provisions for unlawful distribution of tobacco products to an individual under the age of 21 years; providing for certain exceptions for individuals in the active military in accordance with State law; amending what constitutes acceptable proof of age; and generally related to the placement and distribution of tobacco products in Howard County. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council 58-2019 - AN ACT amending the Classification Plan for Howard County to add a description for the position of Office of Emergency Management Administrator; and generally relating to amendments to the Howard County Classification Plan.
(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

Council 59-2019 - AN ACT amending the Pay Plan for Howard County to add certain positions into the list of Executive Exempt positions; and generally relating to the Pay Plan for Howard County. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 60-2019 - AN ACT specifying the appointing authority for the Administrator of the Office of Emergency Management; and generally relating to executive exempt provisions in the Howard County Code. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 61-2019 - AN ACT amending the criteria for granting waivers from the requirements of the Howard County Subdivision and Land Development Regulations; requiring survey bearings and distances on plans to delineate wetlands and required wetland and stream buffers; prohibiting the impact on certain steep slopes established by the prior development of the property; requiring that the Office of Community Sustainability and the Department of Public Works review certain requests for necessary disturbances; establishing criteria for alternative compliance from the provisions of the Subdivision and Land Development Regulations; providing that the Office of Transportation will also review requests to eliminate sidewalk requirements; and generally relating to alternative compliance, waiver and variances of the Subdivision and Land Development Regulations. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 62-2019 - Introduced by The Chairperson at the request of the County Executive and Cosponsored by Opel Jones, Deb Jung, Christiana Mercer Rigby, and Liz Walsh - AN ACT repealing and reenacting the Forest Conservation Act of Howard County; providing the purpose of the Act; defining certain terms to be used throughout the Act; requiring a Forest Conservation Plan for any person, or unit of local government, developing land 40,000 square feet or greater, subject to certain exceptions; requiring a Declaration of Intent for certain exemptions; setting forth the requirements of a Forest Conservation Plan; providing for the review process of a Forest Conservation Plan; requiring a Forest Conservation Manual to be prepared and adopted; requiring that the Manual include specific standards and guidelines; setting forth certain Forest Retention Priorities; requiring certain reforestation requirements and providing that reforestation shall be based on certain calculations; requiring certain afforestation and providing that afforestation shall be based on certain calculations; setting forth certain afforestation and reforestation location priorities and preferred methods; requiring certain site design; requiring certain financial security for afforestation and reforestation; authorizing a fee-in-lieu of afforestation and reforestation under certain conditions; providing for Forest Conservation Fund to keep the fee-in-lieu of afforestation and reforestation and providing for the use of monies contained in the fund; providing for certain enforcement and penalties; requiring mitigation by the County when land is developed in violation of the Act; providing for certain appeals; allowing for the grant of variances of the provisions of the Act, under certain circumstances; allowing the abandonment of Forest Conservation Easements under certain conditions; providing for the opportunity to create a Forest Mitigation Bank under certain conditions; and generally related to forest conservation in Howard County. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Resolution 143-2019 - A RESOLUTION approving the 2019 Interim Amendment to the Howard County Master Plan for Water and Sewerage, consisting of text, tables, and maps incorporating various revisions based on and including:

1. Changes to capital projects related to the capital budget, the ten-year capital improvement program, or completed engineering studies;
2. The entry of properties into the County's Metropolitan District;
3. Changes in service area priorities for individual property parcels, subdivisions and developer projects based upon the review of capital and developer project progress; and
4. Changes to the water and sewer Planned Service Area. *(No expiration date)*

Council Resolution 144-2019 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that portions of parcels of land owned by Howard County totaling approximately 2.63 acres are no longer needed by the County for public purposes; authorizing the County Executive to convey fee simple title to such portions of the parcels to the adjacent property owner, the State of Maryland as part of the widening of Maryland Route 32 from Linden Church Road to Interstate-70; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey such property if he finds that the land may have a further public use. *(No expiration date)*

Council Resolution 145-2019 - Introduced by The Chairperson at the request of the County Executive at the request of the Board of Education of Howard County - A RESOLUTION pursuant to Sections 16.301 of the Howard County Code, granting variances for government uses from the use setbacks and height requirements for the 13th high school and ancillary roads, parking, sports fields, fences, and bleachers to be constructed on Property located along Mission Road in Jessup, Howard County, Maryland. *(No expiration date)*

Council Bill 63-2019 – Introduced by Liz Walsh, Deb Jung and Christiana Mercer Rigby - AN ACT amending the Howard County Code by altering the requirements for a certain buffer between a road and a new major subdivision that is located along a Scenic Road; altering a certain approval process for a major subdivision that abuts or adjoins a scenic road; and generally relating to Scenic Roads. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 64-2019 - Introduced by: Opel Jones and Christiana Mercer Rigby - AN ACT to require a specified fee on certain disposable bags; providing for the collection of the fee and the administration of the subtitle; specifying the duties of certain stores; creating a Disposable Plastics Reduction Fund; providing for the administration and uses of the Fund; providing for penalties for certain violations; requiring certain studies and reports; and generally relating to disposable bags in the County. *(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)*

Council Bill 65-2019 (ZRA 189) – Introduced by David Yungmann - AN ACT amending the Howard County Zoning Regulations to authorize the hearing authority to reduce the setback for buildings and parking uses associated with Commercial Athletic Facilities to no

less than 25 feet if the petition includes detailed plans for screening that presents an attractive and effective visual barrier for neighboring properties; and generally relating to Commercial Athletic Facilities Conditional Uses.

(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

Council Bill 66-2019 – Introduced by the Chairperson - AN ACT to legalize the 2019 Edition of the Howard County Code, as approved by Gary W. Kuc, County Solicitor, and published by Municipal Code Corporation; to provide for the Code's periodic supplement; and to declare that the Code shall be the evidence of the public local laws of Howard County; and to make technical, non-substantive corrections to the Code.

(Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

Other Business

Election of Zoning Board Chairperson/Vice Chairperson

Election of Board of License Commissioners Chairperson/Vice Chairperson

Appointments:

Maryland Association of Counties Legislative Committee

National Association of Counties

Election of Officers Council Chairperson/Vice Chairperson

Tabled

Council Resolution 98-2019 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2020 pursuant to the Adequate Public Facilities Act of Howard County. *(No expiration date)*

Council Resolution 89-2019 - Introduced by: The Chairperson at the request of the County Executive at the request of Dorsey Overlook, LLLP. - AN ACT declaring that a portion of Old Maryland Route 108, containing approximately 1.087 acres, is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the County's property interest to the developer of the adjacent property, Dorsey Overlook, LLLP. *(No expiration date)*

Visit the Council's website (<http://cc.howardcountymd.gov>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001.