

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2013 Legislative Session**

**Legislative Day No. 1**

1/07/2013

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:35** p.m.

Jennifer Terrasa, Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Courtney Watson, Council Member, were present.

Stephen LeGendre, Administrator to the County Council; Margaret Ann Nolan, County Solicitor; James Vannoy, Assistant County Attorney; and Jennifer Sager, Legislative Coordinator were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the journal for Legislative Day No. 15, December 3, 2012. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the minutes for the Legislative Public Hearing – December 17, 2012 and for the Legislative Work Session – December 20, 2012. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Closed Meeting – December 17, 2012. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Terrasa and Watson; abstain Council Member Fox.

The motion to approve the minutes passed.

The Chairperson moved to amend the agenda to allow the introduction of Council Resolution 16-2013 that was not pre-filed. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to amend the agenda passed.

## **INTRODUCTION OF LEGISLATION**

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

### **Appointments**

Council Resolution No. 1-2013 - A RESOLUTION confirming the appointment of Chineta K. Davis to the Commission for Women.

Council Resolution No. 2-2013 - A RESOLUTION confirming the appointment of Jordan McGill to the Alcohol & Drug Abuse Advisory Board.

Council Resolution No. 3-2013 - A RESOLUTION confirming the appointment of M. Eletta Morse to the Commission on Aging.

Council Resolution No. 4-2013 - A RESOLUTION confirming the appointment of Carol Robinson, RN, MHS to the Alcohol & Drug Abuse Advisory Board.

Council Resolution No. 5-2013 - A RESOLUTION confirming the appointment of Suellen Seigel to the Commission for Women.

Council Resolution No. 6-2013 - A RESOLUTION confirming the appointment of Gloria A. Smith to the Commission on Disability Issues.

Council Resolution No. 7-2013 - A RESOLUTION confirming the appointment of David R. Vane to the Housing and Community Development Board.

Council Resolution No. 8-2013 - A RESOLUTION confirming the reappointment of Nina Basu to the Commission for Women.

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### **Financial**

SAO5-FY2013 - AN ACT transferring \$50,000 from the Grants Fund, Contingency Reserve to the Department of Planning and Zoning for the Ellicott City Façade Improvement Program.

SAO6-FY2013 - AN ACT transferring \$55,103 from the Grants Fund, Contingency Reserve to the Office of Transportation for the EmpowerTrans project.

SAO7-FY2013 - AN ACT transferring \$307,400 from the Grants Fund, Contingency Reserve to the Office of Environmental Sustainability for the State's Stream Restoration Challenge grant program.

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### General

Council Bill 1-2013 – Introduced by: Greg Fox, Councilmember, AN ACT amending PlanHoward 2030, the general plan for Howard County, by defining Growth Tiers, as required by the Maryland Sustainable Growth and Agricultural Preservation Act of 2012; specifying additional designated place types to correspond with the Growth Tiers; revising certain maps to reflect the additional designated place types; adding new text to describe Growth Tiers and adding new maps; and generally relating to planning, zoning and land use in Howard County.

Council Resolution 9-2013 – Introduced by: Chairperson at the request of the Downtown Columbia Partnership, Inc., A RESOLUTION approving the bylaws and code of ethics of the Downtown Columbia Partnership.

Council Bill 2-2013 - AN ACT amending certain provisions governing the towing of vehicles from private property; requiring that certain fees not exceed a certain amount; requiring certain signage; increasing the size of signs and requiring that signs contain certain information; prohibiting the use of “spotters;” prohibiting a vehicle from being towed for failure to display a current vehicle registration for a certain period; requiring certain notice; prohibiting the certain transfer of vehicles; requiring that a towed vehicle be made accessible to certain people under certain conditions; and generally relating to the towing of vehicles from private property in Howard County.

Council Bill 3-2013 - AN ACT amending sediment and erosion control provisions in accordance with State law; amending certain purposes; defining certain terms; amending certain definitions; requiring the review and approval of certain plans before a grading permit may be issued; maintaining certain exemptions; requiring the Howard Soil Conservation District to review erosion and sediment control plans; requiring that sediment and erosion control plans contain certain information; setting forth the duration of plan approval; allowing a standard erosion and sediment control plan in certain instances; allowing variances under certain conditions; requiring certain inspections; clarifying certain enforcement procedures; providing for certain civil and criminal penalties; and generally related to sediment and erosion control provisions in Howard County.

Council Resolution 10-2013 - A RESOLUTION amending uncodified sections in Council Resolution No. 14-2009 to reflect additional property to be added to the Districts and to amend the property description and plats attached to Council Resolution No. 14-2009; to reflect a change in the name of the Developer for the Project; to extend the expiration of Council Resolution No. 14-2009; and generally relating to Council Resolution No. 14-2009.

Council Bill 4-2013 - AN ACT amending uncodified sections in Council Bill No. 20-2009 to approve a Memorandum of Understanding between Howard County, Maryland and Annapolis Junction Town Center, LLC (formerly known as Petrie Ross Ventures D.C., LLC) to reflect additional property to be added to the project, a change in the name of the project and certain other changes; and generally relating to Council Bill No. 20-2009.

Council Bill 5-2013 - AN ACT amending uncodified sections in Council Bill No. 21-2009 to reflect additional property to be added to the Districts; to reflect a change in the name of the Developer; to replace the exhibits to Council Bill No. 21-2009; and generally relating to Council Bill No. 21-2009.

Council Resolution 11-2013 - A RESOLUTION endorsing and authorizing the Howard County Executive to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act.

Council Resolution 12-2013 - A RESOLUTION endorsing the provision of financing by the State Department of Business and Economic Development for three economic development projects in Howard County, and certifying that each project is consistent with the County's plan for economic development.

Council Resolution 13-2013 - A RESOLUTION recommending the denial of Mark, Michael and Stephen Mullinix's request to terminate a Maryland Agricultural Land Preservation Foundation easement on property located on the east side of Howard Road, containing approximately 110 acres, more commonly known as the "Home Farm".

Council Resolution 14-2013 - A RESOLUTION recommending the denial of Mark, Michael and Stephen Mullinix's request to terminate a Maryland Agricultural Land Preservation Foundation easement on property located on the west side of Linthicum Road, containing approximately 203 acres, more commonly known as the "Howard Farm".

Council Resolution 15-2013 - A RESOLUTION recommending the denial of Mark, Michael and Stephen Mullinix's request to terminate a Maryland Agricultural Land Preservation Foundation easement on property located on the east side of Shaffersville Road, containing approximately 166 acres, more commonly known as the "Murray Farm".

Council Resolution 16-2013 – Introduced by Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, and Courtney Watson, A RESOLUTION requesting Howard County Voices for Change Youth Coalition to advise the County Council and the Howard County Public School System; requesting the Coalition to issue certain reports; requesting the Coalition to provide the County with certain information; and generally relating to the Howard County Voices for Change Youth Coalition.

## **FINAL CONSIDERATION**

### **Consent**

Council Resolution 175-2012 - A RESOLUTION confirming the reappointment of Deborah

Chapman to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 176-2012 - A RESOLUTION confirming the reappointment of Susan Fillmore to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 177-2012 - A RESOLUTION confirming the reappointment of Maurice Simpkins to the Housing Commission.

The Chairperson moved to approve Council Resolution 175-2012, Council Resolution 176-2012, and Council Resolution 177-2012. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 175-2012, Council Resolution 176-2012, and Council Resolution 177-2012 passed.

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### **General**

Council Resolution 178-2012 - A RESOLUTION declaring that a total of approximately 18,992 square feet (.436 acres) of real property owned by Howard County and identified as Lots 9 and 36, Parcel 425, Tax Map 50 located in North Laurel, Howard County, Maryland are 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 property to Cornerstone Homes, Inc.; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

The Chairperson moved to approve Council Resolution 178-2012. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 178-2012 passed.

Council Resolution 179-2012 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that development rights on approximately 68.1924 acres owned by Howard County, Maryland located at 6555 Belmont Woods Road, Elkridge, Maryland, are no longer needed by the County for public purposes; authorizing the County Executive to sell the development rights and, accordingly, place a preservation easement on the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; providing that the County Executive is not bound to sell the development rights or place the preservation easement if he finds that it may have a further public use and submits his finding to the County Council for its consideration; and providing for a certain effective date.

The Chairperson moved to approve Council Resolution 179-2012. The motion was

seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1 to Council Resolution 179-2012:

### **Amendment No.1**

*(This amendment:*

- 1. Adds a statement acknowledging the importance of preserving the Belmont property;*
- 2. Sets forth the intention to use revenue for a certain purpose; and*
- 3. References the authority under which a preservation easement will be placed on the property; and*
- 4. Makes technical corrections.)*

In the title, in the seventh line, strike “place” and substitute “grant”.

On page 1 in line 7, insert:

“WHEREAS, the County acknowledges the County’s and community’s interest in preserving the historic and environmental attributes of the Belmont Property; and”.

On page 1, in line 11 insert:

“WHEREAS, it is the County’s intention to use the revenue generated by the sale of development rights from the Belmont Property for capital costs associated with the Belmont Property, although the final decision on how the revenue is used must be made through the enactment of each year’s Annual Budget and Appropriation Ordinance; and”.

On page 1, in line 25:

1. After “sold” insert a comma;
2. Strike “accordingly” and substitute “consistent with Sections 103 and 128.L of the Howard County Zoning Regulations”; and
3. Strike “may” and substitute “will”.

The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 1 to Council Resolution 179-2012 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 179-2012 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 179-2012 as amended passed.

Council Resolution 180-2012 - A RESOLUTION authorizing and directing the Office of Law to institute condemnation proceedings in the Circuit Court for Howard County, Maryland for the acquisition of a sewer, water and utility easement needed for a public purpose and on land

believed to be owned by or assessed to Mary Howard Bruce Smith and known as Bowdoin Road.

The Chairperson moved to approve Council Resolution 180-2012. The motion was seconded by Mr. Fox.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 180-2012 passed.

Council Resolution 181-2012 - A RESOLUTION approving the application and receipt of financing for a Neighborhood Conservation Initiative Project in Howard County, further described in the Neighborhood Conservation Initiative Application, to be financed either directly by the Maryland Department of Housing and Community Development or through other departments or agencies of the State of Maryland.

The Chairperson moved to approve Council Resolution 181-2012. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, and Watson; Nay: Council Member Terrasa.

The motion to approve Council Resolution 181-2012 passed.

(Note: The Executive Veto Message for Council Bill 37-2012 is attached)

Council Bill 37-2012 - AN ACT amending PlanHoward 2030, the general plan for Howard County, by defining Growth Tiers, as required by the Maryland Sustainable Growth and Agricultural Preservation Act of 2012; specifying additional designated place types to correspond with the Growth Tiers; revising certain maps to reflect the additional designated place types; adding new text to describe Growth Tiers and adding new maps; and generally relating to planning, zoning and land use in Howard County.

Council Member Fox moved to to override the veto of Council Bill 37-2012.

As there was no second, the motion to override the veto of Council Bill 37-2012 failed.

Council Bill 36-2012 (ZRA 144) - AN ACT creating a Community Enhancement Floating District; setting forth uses permitted as of right; excluding certain uses; allowing for certain accessory uses; requiring certain moderate income housing; requiring certain density be obtained through the density exchange option or through the neighborhood preservation density exchange option; requiring certain features or amenities as community enhancements; setting forth certain criteria and procedures for the establishment of a Community Enhancement Floating District; requiring certain plans; allowing certain modifications under certain conditions; and generally relating to the Howard County Zoning Regulations.

The Chairperson moved to remove Council Bill 36-2012 from the Table. The motion was

seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to remove Council Bill 36-2012 from the Table passed.

The Chairperson moved to extend the life of Council Bill 36-2012 for 30 days pursuant to Charter Section 209(h). The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to extend the life of Council Bill 36-2012 passed.

The Chairperson moved to place Council Bill 36-2012 on the Table. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to place Council Bill 36-2012 on the Table passed.

Council Resolution 169-2012 - A RESOLUTION to encourage the General Assembly to provide the necessary resources to appropriate agencies to implement the use of multidisciplinary teams to address bullying, harassment, and intimidation

The Chairperson moved to remove Council Resolution 169-2012 from the Table. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to remove Council Resolution 169-2012 from the Table passed.

The Chairperson moved to approve Amendment 1 to Council Resolution 169-2012:

**Amendment No. 1**

*(This amendment ensures consistent styling of the term “cyberbullying”.)*

On page 1, in line 10, strike “cyber bullying” and substitute “cyberbullying”.

On page 3, in line 11, strike “cyber-bullying” and substitute “cyberbullying”.

The motion was seconded by Ms. Watson.



The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 1 to Council Resolution 169-2012 passed.

The Chairperson moved to approve Amendment 2 to Council Resolution 169-2012:

**Amendment No.   2**

*(This amendment removes references to the General Assembly and substitutes references to the Howard County Public School System, the Howard County Mental Health Authority, the State's Attorney and the County Administration.)*

On the title page, in the first and second lines of the purpose paragraph, strike "General Assembly to provide the necessary resources to appropriate agencies" and substitute "Howard County Public School System, Howard County Mental Health Authority, and the State's Attorney to work with the County Administration".

On page 3, in line 19, strike "adequately" and substitute "comprehensively".

On page 3, in line 23, strike "General Assembly is urged to" and substitute "Howard County Public School System, Howard County Mental Health Authority, and the State's Attorney are urged to work with the County Administration to".

On page 3, in strike lines 24 through 28, inclusive and in their entirety, and substitute: "(1) establish a multidisciplinary team to include, but not be limited to, school personnel, representatives from the police department, appropriate mental health professionals, and representatives from the State's Attorney's office, to address bullying, harassment, and intimidation;"

On page 4, in line 7, strike "the multidisciplinary teams" and substitute "all appropriate personnel".

On page 4, in line 12, strike "mail" and substitute "deliver".

Also on page 4, strike beginning with "chairperson" in line 12 down through "Assembly" in line 13 and substitute "Superintendent of Schools, the Executive Director of the Mental Health Authority, and the State's Attorney".

The motion was seconded by Ms. Watson.

The Chairperson moved to approve Amendment 1 to Amendment 2 to Council Resolution 169-2012:

**Amendment   1   to Amendment No.   2**

*(This amendment adds references to the County Council.)*

In line 4 and in line 10, in each instance, after “County Administration” insert “and the County Council”.

The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 1 to Amendment 2 to Council Resolution 169-2012 passed.

The roll call vote called by the Chairperson on the motion to approve Amendment 2 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 2 to Council Resolution 169-2012 passed.

The Chairperson moved to approve Amendment 3 to Council Resolution 169-2012:

**Amendment No. 3**

*(This amendment clarifies the role of multidisciplinary teams.)*

On page 4, strike beginning with “promote” in line 1 down through “resolution” in line 6 and substitute “promote the use of multidisciplinary collaboration and develop protocols: (i) for coordination of services to victims of bullying, harassment, and intimidation among state and local agencies; (ii) for the identification of children being bullied, and those at risk of bullying; and (iii) for effective ways to reduce bullying by evaluating current best practices and emerging research on cyberbullying”.

The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Amendment 3 was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 3 to Council Resolution 169-2012 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 169-2012 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 169-2012 passed.

Council Bill 41-2012 - AN ACT amending the allocation categories used in the Housing Unit Allocation Chart, clarifying certain definitions, providing for the application of this Act, and generally relating to adequate public facilities in Howard County.

The Chairperson moved to remove Council Bill 41-2012 from the Table. The motion was

seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to remove Council Bill 41-2012 from the Table passed.

The Chairperson moved to approve Council Bill 41-2012. The motion was seconded by Ms. Watson.

The Chairperson moved to approve Amendment 1 to Council Bill 41-2012:

**Amendment No. 1**

*(This amendment would limit the number of allocations that could be granted in a particular Planning Area to no more than 25% of the total allocations available in the Growth and Revitalization Region in a given year).*

On page 7, in line 13, after the period insert “IN A GIVEN YEAR, NO MORE THAN 25 PERCENT OF THE ALLOCATIONS AVAILABLE IN THE GROWTH AND REVITALIZATION REGION MAY BE GRANTED TO PROJECTS IN A PARTICULAR PLANNING AREA, AS ESTABLISHED BY PLANHOWARD 2030, MAP 6-2 “DESIGNATED PLACE TYPES.””.

On page 8, in lines 14 and 15, strike the brackets.

The motion was seconded by Ms. Watson.

Council Member Ball moved to approve Amendment 1 to Amendment 1 to Council Bill 41-2012:

**Amendment No. 1 to Amendment # 1**

*(This amendment would limit the number of allocations that could be granted in a particular Planning Area to no more than 35% of the total allocations available in the Growth and Revitalization Region in a given year).*

On page 1, in lines 2 and 7, strike “25” and substitute “35”.

The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, and Watson; No: Council Member Terrasa.

The motion to approve Amendment 1 to Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 1 as amended passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill 41-2012 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Bill 41-2012 passed.

Council Resolution 170-2012 - A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2013 pursuant to the Adequate Public Facilities Act of Howard County; and providing for a certain effective date.

The Chairperson moved to remove Council Resolution 170-2012 from the Table. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to remove Council Resolution 170-2012 from the Table passed.

The Chairperson moved to approve Council Resolution 170-2012. The motion was seconded by Ms. Watson.

The Chairperson moved to approve Amendment 1 to Council Resolution 170-2012:

**Amendment No. 1**

*(This amendment would limit the number of allocations that could be granted from the Growth and Revitalization allocation pot in a particular Planning Area to no more than 25% of the total in a given year).*

In Exhibit A attached to the resolution, immediately below the first chart entitled “Allocation Chart”, insert “NOTE: In a given year, no more than 25 percent of the allocations available in the Growth and Revitalization region may be granted to projects in a particular Planning Area, as established by PlanHoward 2030, Map 6-2 “Designated Place Types”.”.

The motion was seconded by Ms. Watson.

Council Member Ball moved to approve Amendment 1 to Amendment 1 to Council Resolution 170-2012:

**Amendment No. 1 to Amendment # 1**

*(This amendment would limit the number of allocations that could be granted in a particular Planning Area to no more than 35% of the total allocations available in the Growth and Revitalization Region in a given year).*

On page 1, in lines 2 and 8, strike “25” and substitute “35”.

The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, and Watson; No: Council Member Terrasa.

The motion to approve Amendment 1 to Amendment 1 to Council Resolution 170-2012 passed.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Amendment 1 to Council Resolution 170-2012 passed.

The Chairperson moved to approve Amendment 2 to Council Resolution 170-2012:

**Amendment No. 2**

*(This amendment would substitute the proposed Allocation Chart with a new chart which footnotes the existing tentative allocations reserved under prior allocation charts for projects in the review pipeline).*

Substitute the attached for Exhibit A attached to the resolution.

**HOWARD COUNTY HOUSING UNIT ALLOCATION CHART  
SUMMARY OF PLANNING REGIONS**

**Allocation Chart**

Region	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Growth and Revitalization	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Established Communities	400	400	400	400	400	400	400	400	400	400
Green Neighborhood	150	150	150	150	150	150	150	150	150	150
Rural West	100	100	100	100	100	100	100	100	100	100
<b>Total</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>

NOTE: In a given year, no more than 35 percent of the allocations available in the Growth and Revitalization region may be granted to projects in a particular Planning Area, as established by PlanHoward 2030, Map 6-2 "Designated Place Types".

**DOWNTOWN COLUMBIA ALLOCATIONS BASED ON ZONING PERFORMANCE REQUIREMENTS\*\***

	Phase I						Phase II				Remaining Phase II	Phase III
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024		
Downtown Columbia Revitalization	643	592	375	100	100	96	400	350	300	225	1,129	800

\*\*Implementation of the residential component of the Downtown Columbia Plan will extend beyond the horizon of this housing unit allocation chart. Includes rolling average from previously adopted allocations chart to maintain downtown revitalization phasing progression as adopted in the Downtown Columbia Plan. Note that 390 allocations have already been granted in 2013 allocation year. Including those and the allocations above the total adds up 5,500 units.

**Footnote:**

The chart below summarizes tentative housing unit allocations granted from past allocation years beginning in 2008 that do not yet have permanent allocations. Permanent allocations will be granted once the subdivision or site plans are approved. After plan approval building permits can be issued and the units can then be constructed. Many projects have been delayed due to the downturn in the economy that began in 2008 and will likely be built in the near future as the economy recovers and the demand for housing increases.

The intent of showing this information is to indicate the extent of the unbuilt housing units still in the pipeline at the time of this allocation chart adoption. These units can then be tracked over time to determine when they are likely to be built and to help gauge the increase in housing demand as the economy continues to recover.

**Tentative Allocations Minus Permanent Allocations**

Planning Area	2008	2009	2010	2011	2012	2013	2014	Total
Downtown Columbia	0	0	0	0	0	390	0	390
Columbia	0	0	0	5	29	0	258	292
Elkridge	0	0	0	0	121	422	446	989
Ellicott City	0	21	97	7	0	221	103	449
Southeast	0	5	13	110	106	385	692	1,311
Rural West	7	0	39	24	7	14	91	182
<b>Total</b>	<b>7</b>	<b>26</b>	<b>149</b>	<b>146</b>	<b>263</b>	<b>1,432</b>	<b>1,590</b>	<b>3,613</b>

As of January 2, 2013

The motion was seconded by Ms. Watson

The Chairperson moved to approved Amendment 1 to Amendment 2 to Council Resolution 170-2012:

**Amendment No. 1 to Amendment No. 2**

*(This amendment would substitute the proposed Allocation Chart with a new chart which*

footnotes the existing tentative allocations reserved under prior allocation charts for projects in the review pipeline and uses the new categories in the “Tentative Allocations Minus Permanent Allocations” chart).

Substitute the attached for Exhibit A attached to the amendment.

**HOWARD COUNTY HOUSING UNIT ALLOCATION CHART  
SUMMARY OF PLANNING REGIONS**

**Allocation Chart**

Region	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Growth and Revitalization	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Established Communities	400	400	400	400	400	400	400	400	400	400
Green Neighborhood	150	150	150	150	150	150	150	150	150	150
Rural West	100	100	100	100	100	100	100	100	100	100
<b>Total</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>	<b>1,850</b>

NOTE: In a given year, no more than 35 percent of the allocations available in the Growth and Revitalization region may be granted to projects in a particular Planning Area, as established by PlanHoward 2030, Map 6-2 "Designated Place Types".

**DOWNTOWN COLUMBIA ALLOCATIONS BASED ON ZONING PERFORMANCE REQUIREMENTS\*\***

	Phase I						Phase II				Remaining Phase II	Phase III
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024		
Downtown Columbia Revitalization	643	592	375	100	100	96	400	350	300	225	1,129	800

\*\*Implementation of the residential component of the Downtown Columbia Plan will extend beyond the horizon of this housing unit allocation chart. Includes rolling average from previously adopted allocations chart to maintain downtown revitalization phasing progression as adopted in the Downtown Columbia Plan. Note that 390 allocations have already been granted in 2013 allocation year. Including those and the allocations above the total adds up 5,500 units.

**Footnote:**

The chart below summarizes tentative housing unit allocations granted from past allocation years beginning in 2008 that do not yet have permanent allocations. Permanent allocations will be granted once the subdivision or site plans are approved. After plan approval building permits can be issued and the units can then be constructed. Many projects have been delayed due to the downturn in the economy that began in 2008 and will likely be built in the near future as the economy recovers and the demand for housing increases.

The intent of showing this information is to indicate the extent of the unbuilt housing units still in the pipeline at the time of this allocation chart adoption. These units can then be tracked over time to determine when they are likely to be built and to help gauge the increase in housing demand as the economy continues to recover.

**Tentative Allocations Minus Permanent Allocations**

Region	2008	2009	2010	2011	2012	2013	2014	Total
Downtown Columbia	0	0	0	0	0	390	0	390
Growth and Revitalization	0	5	1	108	195	786	816	1,911
Established Community	0	21	109	14	61	113	592	910
Green Neighborhood	0	0	0	0	0	129	91	220
Rural West	7	0	39	24	7	14	91	182
<b>Total</b>	<b>7</b>	<b>26</b>	<b>149</b>	<b>146</b>	<b>263</b>	<b>1,432</b>	<b>1,590</b>	<b>3,613</b>

As of January 2, 2013

The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 to Amendment 2 was: Yea: Council Members Ball, Fox, Terrasa, and Watson.

The motion to approve approve Amendment 1 to Amendment 2 passed.

The roll call vote called by the Chairperson on the motion to approve Amdment 2 as amended was: Yea: Council Members Ball, Fox, and Watson; No: Council Member Terrasa.

The motion to approve Amendment 2 to Council Resolution 170-2012 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 170-2012 as amended was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 170-2012 passed.

Council Resolution 171-2012 - A RESOLUTION adopting the Open/Closed Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the school regions and school districts that are open for residential development; and providing for a certain effective date.

The Chairperson moved to remove Council Resolution 171-2012 from the Table.

The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to remove Council Resolution 171-2012 from the Table passed.

The Chairperson moved to approve Council Resolution 171-2012. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Terrasa and Watson.

The motion to approve Council Resolution 171-2012 passed.

### **Tabled**

Council Resolution 150-2011 - A RESOLUTION proposing to add a section to Article VIII. "Centralized Purchasing" of the Howard County Charter to limit the exercise of the power of eminent domain so that the power is used only for public purposes and not for private economic development, and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XIA of the Maryland Constitution.

The Session adjourned at 8:29 p.m.





HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

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December 13, 2012

The Honorable Jennifer Terrasa, Chairperson  
Howard County Council  
3430 Courthouse Drive  
Ellicott City, Maryland 21043

Re: Howard County Council Bill No. 37-2012

Dear Chairperson Terrasa:

In accordance with Section 209(g) of the Howard County Charter, I have today vetoed Howard County Council Bill No. 37-2012 (CB 37). This piece of legislation would amend *PlanHoward 2030*, the County's general plan, to adopt growth tiers in accordance with the Maryland Sustainable Growth and Agricultural Preservation Act of 2012 (the Act.)

As initially submitted by me, CB 37 was consistent with state policy, and would align the state mandate with the County's successful Rural Conservation Zoning Program, which protects agriculture and the character of western Howard County. The Council adopted an amendment to CB 37 which disconnected Tier IV land from the Rural Conservation Zoning. While I understand that the Council amendment was drawn to respond to concerns that the state law was having the unintended consequence of speeding residential development, I believe the map as adopted does not fulfill the spirit of the Act and undermines decades of successful County land-use planning.

I am vetoing CB 37 because I know that working together we can develop a map that is (1) better for the environment because it will protect against additional major subdivisions in the rural west; (2) better for agriculture because it will preserve large contiguous areas for farming, thus resulting in fewer conflicts between residential subdivisions and farmers; and (3) more consistent with state law and county policy of protecting the rural west from urban sprawl.

To this end, I look forward to working with Councilmembers in the future to designate growth tiers that serve to better protect the agricultural nature of western Howard County as well as to better protect the environment. I am certain that we share these goals.

Sincerely,

Ken Ulman  
Howard County Executive

cc: Council Members  
Marsha McLaughlin  
Margaret Ann Nolan  
Steve LeGendre