

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2013 Legislative Session

Legislative Day No. 2

02/04/2013

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:32** p.m.

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

Stephen LeGendre, Administrator to the County Council; Craig Glendenning, County Auditor; Margaret Ann Nolan, County Solicitor; Paul Johnson, Deputy County Attorney; 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. 1, January 7, 2013. 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; Abstain: Council Member Sigaty

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the Legislative Public Hearing – January 22, 2013 and for the Legislative Work Session – January 28, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Quarterly Meeting with the Board of Education – January 23, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the minutes passed.

The Chairperson moved to amend the agenda to allow the introduction of legislation not prefiled. The motion was seconded by Ms. Sigaty.

Council Bill 9-2013 - AN ACT revising the criteria used to determine whether property is eligible for the County Agricultural Land Preservation Program; revising the process by which development rights are purchased under the Program; authorizing the County, under certain conditions, to transfer purchased development rights for a certain purpose; requiring the Department of Planning and Zoning to establish a process for such transfers; and generally relating to the County Agricultural Land Preservation Program.

Council 10-2013 - AN ACT amending certain provisions related to nuisance suits against agricultural operations; amending certain definitions; clarifying the types of properties for which certain protection applies; requiring certain mediation; and generally related to nuisance suits against agricultural operations.

Council Resolution 23-2013 - A RESOLUTION amending the purchase price formula used to determine the price that Howard County pays when purchasing development rights under the Agricultural Land Preservation Program; and specifying that the purchase price formula shall be effective upon passage of the resolution and shall remain in effect until changed or repealed by resolution of the County Council.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, 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 17-2013 - A RESOLUTION confirming the reappointment of Mark D. Donovan to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 18-2013 - A RESOLUTION confirming the reappointment of N. Joseph Gagliardi, M.D., to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 19-2013 - A RESOLUTION confirming the reappointment of Douglas C. Lea to the Commission on Disability Issues.

Council Resolution 20-2013 - A RESOLUTION confirming the reappointment of Dave Willemain to the Alcohol & Drug Abuse Advisory Board.

General

Council Bill 6-2013 (ZRA 143) – Introduced by the Chairperson at the request of Normandy Venture Limited Partnership - AN ACT amending the Howard County Zoning Regulations' TNC (Traditional Neighborhood Center) overlay district to expand the permitted uses and change the bulk regulations; and generally related to the TNC overlay district.

Council Bill 7-2013 - AN ACT providing that historic outbuildings are eligible property for purposes of the Historic Tax Credit Program; providing that work performed by an architect or historic preservation consultant is a qualified expense; making certain technical corrections; and generally related to Howard County tax credits.

Council Bill 8-2013 - AN ACT establishing a Watershed Protection and Restoration fund as a dedicated, non-lapsing, enterprise fund; specifying the purposes of the fund and allowing certain revenue to be deposited into the fund; allowing the fund to be used for certain purposes; establishing a Watershed Protection and Restoration Fee; establishing the method, frequency and enforcement of the collection of the Fee; setting forth certain provisions specific to particular types of properties; creating a certain credit and reimbursement program to adjust the amount of the Fee that certain properties will pay; allowing for certain adjustments; allowing for a certain Assistance Program; allowing certain appeals; authorizing the adoption of certain regulations; defining certain terms; amending certain definitions; providing for certain enforcement; and generally relating to the Watershed Protection and Restoration Program in Howard County.

Council Bill 9-2013 - AN ACT revising the criteria used to determine whether property is eligible for the County Agricultural Land Preservation Program; revising the process by which development rights are purchased under the Program; authorizing the County, under certain conditions, to transfer purchased development rights for a certain purpose; requiring the Department of Planning and Zoning to establish a process for such transfers; and generally relating to the County Agricultural Land Preservation Program.

Council 10-2013 - AN ACT amending certain provisions related to nuisance suits against agricultural operations; amending certain definitions; clarifying the types of properties for which certain protection applies; requiring certain mediation; and generally related to nuisance suits against agricultural operations.

Council Resolution 21-2013 - A RESOLUTION approving schedules for various charges related to the Watershed Protection and Restoration Fee including the impervious unit rate and the amounts for certain credit, reimbursement and assistance programs.

Council Resolution 22-2013 - A RESOLUTION adopting the Howard County Natural Hazards Mitigation Plan.

Council Resolution 23-2013 - A RESOLUTION amending the purchase price formula used to determine the price that Howard County pays when purchasing development rights under the

Agricultural Land Preservation Program; and specifying that the purchase price formula shall be effective upon passage of the resolution and shall remain in effect until changed or repealed by resolution of the County Council.

FINAL CONSIDERATION

Consent

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. 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.

The Chairperson moved to approve Council Resolutions 1, 2, 4, 5, 6, 7 and 8-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolutions 1, 2, 4, 5, 6, 7 and 8-2013 passed.

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

The Chairperson moved to table Council Resolution 3-2013. The motion was seconded by Ms. Sigaty.

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

The motion to table Council Resolution 3-2013 passed.

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.

The Chairperson moved to approve SAO5-FY2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve SAO5-FY2013 passed.

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

The Chairperson moved to approve SAO6-FY2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve SAO6-FY2013 passed.

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.

The Chairperson moved to approve SAO7-FY2013. The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1.

Amendment No. 1

(This amendment corrects the amount of the grant.)

In the first line of the title, strike “\$307,400” and substitute “\$373,100”.

On page 1, in lines 6 and 28, in each instance, strike “\$307,400” and substitute “\$373,100”.

On page 1, in line 29, strike “\$28,657,411” and substitute “\$28,591,711”.

On page 2, in lines 4 and 5, in each instance, strike “\$307,400” and substitute “\$373,100”.

The motion was seconded by Ms. Sigaty.

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve SAO7-FY2013 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve SAO7-FY2013 as amended passed.

General

Council Resolution 9-2013 - A RESOLUTION approving the bylaws and code of ethics of the Downtown Columbia Partnership.

The Chairperson moved to approve Council Resolution 9-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 9-2013 passed.

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.

The Chairperson moved to approve Council Bill 2-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Bill 2-2013 passed.

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.

The Chairperson moved to approve Council Bill 3-2013. The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1.

Amendment No. 1

(This amendment corrects a grandfathering date to be consistent with State Regulations and corrects an enforcement provision.)

On page 13 in lines 21, 24, 26 and 30, in each instance, strike “FEBRUARY 15, 2013” and substitute “JANUARY 9, 2013”.

On page 26, strike lines 3 through 9, inclusive and in their entirety and substitute:

“(D) STOP-WORK ORDER. IF A PERSON CLEARS OR GRADES LAND IN VIOLATION OF THE APPROVED SITE DEVELOPMENT PLAN OR EROSION AND SEDIMENT CONTROL PLAN, THE COUNTY MAY ISSUE A STOP-WORK ORDER BANNING ANY OR ALL CONSTRUCTION ACTIVITY ON THE SITE EXCEPT TEMPORARY SEDIMENT CONTROL MEASURES SPECIFIED BY THE COUNTY, UNTIL A GRADING PERMIT

IS ISSUED OR THE VIOLATION IS ABATED.”.

The motion was seconded by Ms. Sigaty

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill 3-2013 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Bill 3-2013 as amended passed.

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.

The Chairperson moved to approve Council Resolution 10-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 10-2013 passed.

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.

The Chairperson moved to approve Council Bill 4-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Bill 4-2013 passed.

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.

The Chairperson moved to approve Council Bill 5-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Bill 5-2013 passed.

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.

The Chairperson moved to approve Council Resolution 11-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 11-2013 passed.

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.

The Chairperson moved to approve Council Resolution 12-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 12-2013 passed.

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".

The Chairperson moved to approve Council Resolution 13-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 13-2013 passed.

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".

The Chairperson moved to approve Council Resolution 14-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 14-2013 passed.

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".

The Chairperson moved to approve Council Resolution 15-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 15-2013 passed.

Council Resolution 16-2013 - 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.

The Chairperson moved to approve Council Resolution 16-2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve Council Resolution 16-2013 passed.

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 Ms. Sigaty.

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

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

The Chairperson moved to approve Council 36-2012. The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1 as follows:

Amendment No. 1

(This amendment:

- 1. Clarifies the purpose statement;*
- 2. Clarifies that the purpose of serving as a transitional use and buffer is particularly focused on the compatibility with an adjoining residential neighborhood;*
- 3. Clarifies that enhancements should be proportional to certain increases in development intensity and that enhancements should be free and open to the public;*
- 4. Sets forth that the Zoning Board should consider certain criteria when considering setbacks and heights;*
- 5. Clarifies that a CEF development should be compatible with surrounding residential neighborhoods;*
- 6. Requires enhancements to be proportionate to the scale of the CEF development;*

7. *Amends the procedures for the creation of a CEF district;*
 8. *For consistency, changes references to “amenities” to be references to “enhancements”; and*
 9. *Allows the CAC district as a possible location for a CEF district.)*
- On page 1, in line 23, after “REQUIREMENTS” insert “IN ORDER TO MAKE THE PROPERTIES MORE ATTRACTIVE ASSETS AND TO IMPROVE THE SURROUNDING COMMUNITY”.

On page 1, strike “THE CEF DISTRICT” in line 28 down through “AND” in line 29 and substitute “DEVELOPMENT IN THE CEF DISTRICT SHALL COMPLY WITH ALL OTHER DEVELOPMENT REGULATIONS INCLUDING, WITHOUT LIMITATION, THE ADEQUATE PUBLIC FACILITIES ORDINANCE AND THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. THE CEF DISTRICT”.

On page 2, in line 3, strike “AMENITIES” and substitute “ENHANCEMENTS”.

On page 2, strike lines 12 through 14, inclusive and in their entirety and substitute:

“4. ENHANCE THE SURROUNDING COMMUNITY, PROVIDING APPROPRIATE TRANSITIONAL USES AND BUFFERS, WITH PARTICULAR CONCERN FOR COMPATIBILITY WITH AN ADJOINING RESIDENTIAL NEIGHBORHOOD; AND”.

On page 4, in lines 17, 20 and 21, in each instance, strike “AMENITIES” and substitute “ENHANCEMENTS”.

On page 4, in line 20, strike “SIZE AND SCOPE OF THE” and substitute “INCREASE IN DEVELOPMENT INTENSITY AND IMPACTS ASSOCIATED WITH THE CEF REZONING COMPARED TO THE PREVIOUSLY EXISTING ZONING. ENHANCEMENTS SHALL BE FREE AND OPEN TO THE GENERAL PUBLIC, AS OPPOSED TO A COMMERCIAL USE.”.

On page 4, in line 21, strike “CEF DEVELOPMENT.”.

On page 4, in line 25, strike “SURROUNDING” and in line 26, strike “COMMUNITY” and substitute “GENERAL PUBLIC”.

On page 5, in line 10, after “PLAN.” insert “ZONING BOARD APPROVAL OF HEIGHT AND SETBACKS”.

FROM ADJOINING PROPERTIES SHALL BE PROTECTIVE OF RESIDENTIAL NEIGHBORHOODS, BUT SHOULD ACKNOWLEDGE THE IMPACT OF TOPOGRAPHIC, ENVIRONMENTAL, OR LANDSCAPE BUFFERS, AS WELL AS THE DESIRABILITY OF OPEN SPACE AND PEDESTRIAN AND BICYCLE CONNECTIONS.”.

On page 5, in line 20, strike “CAC.”.

On page 5, in line 24, strike “WILL BE SENSITIVE TO”.

On page 5, in line 25, strike “EXISTING LAND USES IN THE VICINITY OF THE SITE” and substitute “SHALL BE COMPATIBLE WITH SURROUNDING RESIDENTIAL NEIGHBORHOODS”.

On page 5, in line 29, strike “A SITE AMENITY OR” and in line 30 strike “AMENITY AREA WITHIN THE DELINEATED COMMUNITY EXCEPT” and substitute “ENHANCEMENTS”.

On page 5, in line 31, after “121.G.” insert “ENHANCEMENTS SHALL BE PROPORTIONATE TO THE SCALE OF THE CEF DEVELOPMENT.”

On page 6, after line 14, insert:

“3. PRIOR TO FILING AN APPLICATION FOR A CEF DISTRICT, THE PETITIONER SHALL HOLD A PRE-SUBMISSION COMMUNITY MEETING USING THE SAME PROCEDURES ESTABLISHED IN SECTION 16.128(B) – (G) OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. THE DEVELOPMENT CONCEPT PLAN AND MATERIALS REQUIRED UNDER SUBSECTION 4 OF THIS SECTION MUST BE PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING. THE MEETING MINUTES, WHICH INCLUDE WRITTEN RESPONSES TO QUESTIONS RAISED AT THE MEETING, SHALL BE TRANSMITTED TO THE DEPARTMENT OF PLANNING AND ZONING AND SHALL BE INCLUDED IN THE TECHNICAL STAFF REPORT PRODUCED BY THE DEPARTMENT OF PLANNING AND ZONING.”.

On page 6, in line 15, strike “3” and substitute “4”.

On page 6, in line 23, strike “4” and substitute “5”.

On page 7, in line 3, strike “AMENITIES” and substitute “ENHANCEMENTS”.

On page 7, after line 18, insert:

“(14) PRE-SUBMISSION COMMUNITY MEETING MINUTES AND A SUMMARY OF DESIGN
MODIFICATIONS MADE IN RESPONSE TO INTERACTION WITH THE COMMUNITY.”.

On page 8, after line 2 insert:

“6. THE TECHNICAL STAFF REPORT SHALL EVALUATE THE APPLICATION BASED ON THE “CRITERIA FOR A
CEF DISTRICT” IN SECTION 121.I ABOVE AND NOTE ANY UNRESOLVED COMMUNITY COMMENTS
RELEVANT TO THESE CRITERIA.

7. THE PLANNING BOARD SHALL HOLD A PUBLIC MEETING ON THE APPLICATION AND
SHALL MAKE A RECOMMENDATION TO THE ZONING BOARD, BASED ON THE
“CRITERIA FOR A CEF DISTRICT” GIVEN IN SECTION 121.I ABOVE.”

On page 8, in line 3, strike “5” and substitute “8”.

The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1 to Amendment 1 as follows:

Amendment No. 1 to Amendment 1

(This amendment would revise the application process to add an initial Zoning Board public meeting).

On page 3, strike lines 5 through 19 and substitute the following:

“In page 6, line 12, after the period, insert “THE INITIAL CEF PLAN SHALL INCLUDE:

A. A MAP DELINEATING THE BOUNDARY OF THE COMMUNITY SURROUNDING THE
PROPOSED CEF DISTRICT, WHICH INCLUDES:

(1) A JUSTIFICATION FOR SUCH BOUNDARY AND A SUMMARY DESCRIPTION OF
THE COMMUNITY IN TERMS OF LAND-USE MIX AND INTENSITY AND ANY

IMPORTANT NATURAL OR MAN MADE FEATURES THAT DEFINE THE CHARACTER OF THE COMMUNITY;

(2) THE LOCATION OF THE PROPOSED CEF DISTRICT IN RELATION TO THE SURROUNDING COMMUNITY; AND

(3) AN EXPLANATION OF ANY KEY ENVIRONMENTAL, INFRASTRUCTURE OR OTHER RELATIONSHIPS BETWEEN THE PROPOSED CEF DISTRICT AND THE SURROUNDING COMMUNITY.

B. A CONCEPTUAL PLAN THAT INCLUDES:

(1) IMMEDIATELY ADJOINING PARCELS AND USES;

(2) EXISTING ON-SITE NATURAL AND DEVELOPMENT FEATURES, CLARIFYING THOSE TO BE RETAINED OR REMOVED;

(3) THE PROPOSED DEVELOPMENT ENVELOPE;

(4) PROPOSED PERMITTED USES AND THEIR GENERAL LOCATIONS, INCLUDING THE PROPOSED SQUARE FOOT AREA OF NON-RESIDENTIAL USES, THE NUMBER OF RESIDENTIAL UNITS, AND THE UNIT TYPES;

(5) THE GENERAL LOCATIONS OF ROAD, PEDESTRIAN, AND BICYCLE CONNECTIONS TO THE SURROUNDING COMMUNITY;

(6) A DESCRIPTION OF PROPOSED COMMUNITY ENHANCEMENTS; AND

(7) A STATEMENT AS TO HOW THE PROPOSED DEVELOPMENT CONCEPT PLAN CONFORMS TO THE PURPOSE STATEMENT FOR THE CEF DISTRICT AND HOW THE PROPOSED CEF DISTRICT WILL HAVE A GREATER BENEFIT TO HOWARD

COUNTY AND THE SURROUNDING COMMUNITY THAN A CONVENTIONAL DEVELOPMENT OF THE PROPERTY USING THE EXISTING ZONING DISTRICT REGULATIONS.”.

On page 6, line 13, delete “DETERMINE” and insert “EVALUATE”.

On page 6, after line 14, insert:

“3. AFTER THE PETITIONER HAS CONFERRED WITH THE DEPARTMENT OF PLANNING AND ZONING AND PRIOR TO THE PETITIONER PREPARING A DETAILED CEF PLAN AND APPLICATION, THE ZONING BOARD SHALL HOLD AN INITIAL MEETING ON THE INITIAL CEF PLAN.

A. THE PURPOSE OF THE INITIAL MEETING IS TO REVIEW THE PETITIONER’S INITIAL CEF PLAN, REVIEW THE DEPARTMENT OF PLANNING AND ZONING’S PRELIMINARY EVALUATION, AND TO ALLOW CITIZENS AND THE ZONING BOARD TO ASK QUESTIONS, RAISE CONCERNS, AND MAKE SUGGESTIONS REGARDING THE INITIAL CEF PLAN PRIOR TO THE APPLICANT PREPARING THE DETAILED CEF PLAN.

B. AT THE MEETING THE PETITIONER SHALL PRESENT THE INITIAL CEF PLAN.

C. A SUMMARY OF THE QUESTIONS, CONCERNS AND COMMENTS RAISED AT THE PRELIMINARY HEARING SHALL BE PROVIDED BY THE PETITIONER IN ACCORDANCE WITH SECTION 16.128(C), INCLUDED IN THE APPLICATION, AND ATTACHED TO THE TECHNICAL STAFF REPORT PRODUCED BY THE DEPARTMENT OF PLANNING AND ZONING.

D. THE PETITIONER SHALL COMPLY WITH ALL PROVISIONS OF SECTION 16.128 (C) – (J) BEFORE, DURING, AND AFTER THE INITIAL MEETING.”.

On page 6, line 16 delete “DEVELOPMENT CONCEPT” and insert “DETAILED CEF PLAN”.

On page 6, line 16 following the word “TO” insert a colon, and strike the remainder of the sentence and substitute the following:

“A. THE COMMUNITY AT A MEETING IN ACCORDANCE WITH SECTION 16.128

PRESUBMISSION COMMUNITY MEETINGS; and

B. THE DESIGN ADVISORY PANEL FOR EVALUATION IN ACCORDANCE WITH THE

PROCEDURES ESTABLISHED IN SECTION 16.1500 OF THE COUNTY CODE.”.

Renumber the section accordingly.”.

The motion was seconded by Ms. Sigaty.

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

The motion to approve Amendment 1 to Amendment 1 passed.

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

The motion to approve Amendment 1 as amended passed.

The Chairperson moved to approve Amendment 2 as follows:

Amendment No. 2

(This amendment removes private schools as an excluded use and adds certain excluded uses)

On page 3:

1. After line 8, insert “6. CONTRACTOR STORAGE FACILITY.”;
2. After line 10, insert:
“9. GASOLINE, FUEL OIL AND LIQUEFIED PETROLEUM, BULK STORAGE OF.”;
3. Strike line 27 and substitute:
“21. SCHOOL BUS, BOARD OR RECREATIONAL VEHICLE STORAGE FACILITIES.”;
4. After line 29 insert:
“23. UTILITY USES, PUBLIC.”;

5. After line 30, insert:
“25. WRECKED VEHICLE STORAGE (TEMPORARY).”; and
6. Renumber that subsection accordingly.

The motion was seconded by Ms. Sigaty.

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

The motion to approve Amendment 2 passed.

The Chairperson moved to approve Amendment 3 as follows:

Amendment No. 3

(This amendment changes the minimum lot size to be 2 acres for properties that have frontage on and access to Route 1 or Route 40. For all other properties the minimum lot size would be 5 acres.)

On page 5, strike line 19 and substitute:

“3. EXCEPT FOR PROPERTIES THAT HAVE FRONTAGE ON AND ACCESS TO ROUTE 1 OR ROUTE 40, THE MINIMUM DEVELOPMENT SIZE SHALL BE FIVE ACRES. FOR PROPERTIES THAT HAVE FRONTAGE ON AND ACCESS TO ROUTE 1 OR ROUTE 40, THE MINIMUM DEVELOPMENT SIZE SHALL BE TWO ACRES.”.

The motion was seconded by Ms. Sigaty.

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

The motion to approve Amendment 3 passed.

The Chairperson moved to approve Amendment 4 as follows:

Amendment No. 4

(This amendment clarifies what may be considered a minor modification as determined by the Department of Planning and Zoning.)

On page 9, in line 29, after “ZONING” insert “, INCLUDING REDUCTIONS IN THE NUMBER OF RESIDENTIAL UNITS AND THE INTENSITY OF THE UNIT MIX”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 4 was:

Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 4 passed.

The Chairperson moved to approve Amendment 6 as follows:

Amendment No. 6

(This amendment would alter the MIHU provision of the bill to require the existing MIHU zoning district requirement if there is one or 10% of the total if there is not a current MIHU requirement).

On page 4, in line 6, strike “A”, and substitute “THE CEF PETITION SHALL COMPLY WITH THE MODERATE INCOME HOUSING UNIT REQUIREMENTS THAT WERE IN EFFECT FOR THE ZONING DISTRICT FOR THE PROPERTY IMMEDIATELY BEFORE THE CEF DISTRICT WAS ESTABLISHED ON THE PROPERTY. IF THERE WERE NO MODERATE INCOME HOUSING UNIT REQUIREMENTS FOR THE PREVIOUS ZONING DISTRICT, A”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 6 was:
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 6 passed.

The Chairperson moved to approve Amendment 8 as follows:

Amendment No. 8

(This amendment would specify that the building height shall not exceed five stories.).

On page 5, in line 10, after the period, insert “THE CEF PETITION’S BUILDING HEIGHTS SHALL NOT EXCEED FIVE STORIES.”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 8 was:
Yea: Council Members Fox, Terrasa and Watson. Nay: Council Members Ball and Sigaty.

The motion to approve Amendment 8 passed.

The Chairperson moved to approve Amendment 9 as follows:

Amendment No. 9

(This amendment allows the Zoning Board the discretion to set the amount of residential density to be acquired through the neighborhood preservation density exchange option.)

On page 4, in line 10, strike “A MINIMUM OF 10 PERCENT” down through and including “MUST” in line 11 and substitute “THE ZONING BOARD MAY REQUIRE THAT AN APPROPRIATE PERCENT OF THE RESIDENTIAL DENSITY AUTHORIZED FOR THE CEF DEVELOPMENT”.

On page 4, in line 12, strike “DENSITY EXCHANGE OPTION OR THE”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 9 was:
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 9 passed.

The Chairperson moved to approve Amendment 10 as follows:

Amendment No. 10

(This amendment would change the Purpose section to clarify the intent of the CEF District).

On page 1, strike lines 21 through 30, and on page 2 strike lines 1 through 15, in their entirety, and substitute the following:

“THE COMMUNITY ENHANCEMENT FLOATING (CEF) DISTRICT IS ESTABLISHED TO ENCOURAGE THE CREATIVE DEVELOPMENT AND REDEVELOPMENT OF COMMERCIAL AND RESIDENTIAL PROPERTIES THROUGH FLEXIBLE ZONING SO THAT THE PROPOSED DEVELOPMENT COMPLEMENTS AND ENHANCES THE SURROUNDING USES AND CREATES A MORE COHERENT, CONNECTED DEVELOPMENT. IT SHOULD NOT, HOWEVER, BE VIEWED PRIMARILY AS A WAY TO CONVERT LAND ZONED FOR EMPLOYMENT TO RESIDENTIAL.

THE CEF DISTRICT IS INTENDED TO:

1. ALLOW GREATER DESIGN FLEXIBILITY AND A BROADER RANGE OF DEVELOPMENT ALTERNATIVES THAN THE EXISTING ZONING DISTRICT.
2. PROVIDE FEATURES AND ENHANCEMENTS WHICH ARE BENEFICIAL TO THE COMMUNITY IN ACCORDANCE WITH SECTION 121.J.4.B;
3. PROVIDE A HIGHER QUALITY OF SITE DESIGN AND AMENITIES THAN IS POSSIBLE TO ACHIEVE UNDER THE STANDARD PROVISIONS OF EXISTING ZONING DISTRICT REQUIREMENTS;
4. ENCOURAGE CREATIVE ARCHITECTURAL DESIGN WITH THE MOST FAVORABLE ARRANGEMENT OF SITE FEATURES, BASED ON PHYSICAL SITE CHARACTERISTICS AND CONTEXTUAL SENSITIVITY TO SURROUNDING DEVELOPMENTS;
5. SERVE AS A TRANSITIONAL AREA BY PROVIDING A MIX OF USES COMPATIBLE WITH THE SURROUNDING COMMUNITY OR DEVELOPMENTS; AND
6. ENCOURAGE AGGREGATION OF UNDERUTILIZED PROPERTIES.

THEREFORE, THE CEF DISTRICT IS A FLOATING ZONE WHICH REQUIRES THE SUBMISSION OF A DEVELOPMENT CONCEPT PLAN THAT INCLUDES BULK REGULATIONS, USE CATEGORIES, ACCESSORY USES AND COMMUNITY ENHANCEMENTS. A DECISION ON THE PROPOSED CEF DISTRICT WILL BE MADE BY THE ZONING BOARD AFTER A THOROUGH REVIEW OF A CEF PETITION.”.

The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1 to Amendment 10 as follows:

Amendment No. 1 to Amendment 10

(This amendment further clarifies the possibility that residential uses could be placed on land zoned for employment uses.)

On page 1, in line 11, strike “IT” and substitute “WHILE IT IS ENVISIONED THAT THE CEF DISTRICT COULD PLACE RESIDENTIAL USES ON LAND ZONED FOR EMPLOYMENT IN SOME CIRCUMSTANCES, IT”.

On page 1, in line 11, strike “.HOWEVER,”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 to Amendment 10 was: Yea: Council Members Ball, Sigaty, and Watson. Nay: Council Members Fox and Terrasa

The motion to approve Amendment 1 to Amendment 10 passed.

The roll call vote called by the Chairperson on the motion to approve Amendment 10 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 10 as amended passed.

The Chairperson moved to approve Amendment 11 as follows:

Amendment No. 11

(This amendment would ensure that the existing zoning is considered as part of the proposed CEF development).

On page 5, immediately following line 21, insert the following:

“5. THE PROPOSED CEF DISTRICT IS MORE APPROPRIATE THAN THE EXISTING ZONING.”

Renumber the remainder of the section accordingly.

On page 7, strike lines 25-28, in their entirety, and substitute the following:

“2. HOW THE PROPOSED CEF DISTRICT WILL PROMOTE THE POLICIES ESTABLISHED IN THE GENERAL PLAN AND ANY GOALS ESTABLISHED IN RELEVANT CORRIDOR, COMMUNITY OR SMALL AREA PLANS, AND WILL BE OF GREATER BENEFIT TO HOWARD COUNTY AND MORE APPROPRIATE THAN THE EXISTING ZONING.”

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 11 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 11 passed.

The Chairperson moved to approve Amendment 12 as follows:

Amendment No. 12

(This amendment would clarify that the CEF development must meet the APFO and other regulations).

On page 9, strike lines 4 through 15, and substitute the following:

“K. SITE DEVELOPMENT PLAN CONFORMANCE WITH THE DEVELOPMENT CONCEPT PLAN AND HOWARD COUNTY REGULATIONS

- A. THE DEPARTMENT OF PLANNING AND ZONING SHALL NOT APPROVE A SITE DEVELOPMENT PLAN FOR A CEF DISTRICT UNLESS THE SITE DEVELOPMENT PLAN:**
- 1. CONFORMS SUBSTANTIALLY TO ALL EXHIBITS OF THE DEVELOPMENT CONCEPT PLAN APPROVED BY THE ZONING BOARD; AND**
 - 2. COMPLIES WITH ALL OTHER DEVELOPMENT REGULATIONS INCLUDING, WITHOUT LIMITATION, THE ADEQUATE PUBLIC FACILITIES ORDINANCE AND SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.**

B. EXCEPT AS PROVIDED IN SECTION 121.L. BELOW FOR PRE-AUTHORIZED MINOR MODIFICATIONS, ANY MODIFICATIONS TO ANY ZONING BOARD APPROVED FEATURES OF THE DEVELOPMENT CONCEPT PLAN MUST BE APPROVED BY THE ZONING BOARD, FOLLOWING THE SAME PROCEDURES USED FOR A PETITION TO CREATE A CEF DISTRICT.”

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 12 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 12 passed.

The Chairperson moved to approve Amendment 13 as follows:

Amendment No. 13

(This amendment would change the Decision by the Zoning Board section to clarify the Zoning Board’s decision making process in approving a CEF District).

On page 8, strike lines 4 through 33, and on page 9 strike lines 1 and 2, in their entirety, and substitute the following:

- “A. THE ZONING BOARD SHALL HOLD A PUBLIC HEARING ON THE PETITION AND MAY APPROVE, APPROVE WITH MODIFICATIONS, OR DENY THE PETITION.**
- B. IN ITS EVALUATION OF THE PROPOSED CEF DISTRICT, THE ZONING BOARD SHALL MAKE FINDINGS ON THE FOLLOWING:**

1. WHETHER THE PETITION WILL ACCOMPLISH THE PURPOSES OF THE CEF DISTRICT;
2. WHETHER THE PETITION COMPLIES WITH THE CRITERIA FOR A CEF DISTRICT IN SECTION 121.I.; AND
3. WHETHER THE PETITION MEETS THE MODERATE INCOME HOUSING UNIT REQUIREMENTS.

C. IF THE PETITION IS APPROVED:

(1) THE ZONING BOARD MAY MODIFY OR APPLY ADDITIONAL REQUIREMENTS TO ANY PART OF THE DEVELOPMENT CONCEPT PLAN INCLUDING, BUT NOT LIMITED TO, USES, BULK REGULATIONS, DAYS AND HOURS OF BUSINESS, OR OTHER OPERATIONAL ISSUES INCLUDING REMOVAL OF FACILITIES IN THE EVENT OF CLOSURE. THE BOARD, AT ITS DISCRETION, MAY HOLD ADDITIONAL HEARINGS ON ANY MODIFICATIONS OR ADDITIONAL REQUIREMENTS TO THE PLAN IT DEEMS APPROPRIATE.

(2) SHOULD THE BOARD APPROVE ANY MODIFICATIONS OR ADDITIONS, THEN, AT THE PETITIONER’S REQUEST, THE BOARD SHALL HOLD A HEARING ON SUCH MODIFICATIONS OR ADDITIONAL REQUIREMENTS. AT THE CONCLUSION OF SUCH HEARING, THE BOARD MAY CHANGE ANY OF THE MODIFICATIONS OR ADDITIONAL REQUIREMENTS. IF THE PETITIONER DOES NOT ACCEPT THE FINAL MODIFICATIONS OR ADDITIONAL REQUIREMENTS, THE PETITIONER MAY WITHDRAW THE PETITION WITHOUT PREJUDICE.

(3) THE DECISION AND ORDER OF THE ZONING BOARD SHALL:

1. CREATE A CEF DISTRICT COVERING THE LAND IN THE PETITION;
2. APPROVE THE CONCEPT PLAN;
3. ESTABLISH THE BULK REGULATIONS, USE CATEGORIES, ACCESSORY USES AND ANY RESTRICTIONS OR MODIFICATIONS; AND
4. APPROVE THE COMMUNITY ENHANCEMENTS.

(4) A COPY OF THE DEVELOPMENT CONCEPT PLAN AND CRITERIA SHALL BE PROVIDED BY THE PETITIONER AND CERTIFIED AS APPROVED BY THE ZONING BOARD AND A VERIFIED COPY OF THE SAME SHALL BE FORWARDED TO THE DEPARTMENT OF PLANNING AND ZONING AND THE PETITIONER.”

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 13 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 13 passed.

The Chairperson moved to approve Amendment 15 as follows:

Amendment No. 15

(This amendment requires DPZ to provide information on the potential fiscal impacts of a CEF proposal that would change non-residentially zoned land to include residential uses).

On page 6, after the period in line 22, insert “IF THE CEF DEVELOPMENT CONCEPT PLAN PROPOSES THE CONVERSION OF NON-RESIDENTIALLY ZONED LAND TO RESIDENTIAL USES, THE TECHNICAL STAFF REPORT SHALL ALSO INCLUDE A FISCAL NOTE THAT EVALUATES THE IMPACT OF THE PROPOSAL ON COUNTY TAX REVENUES, AS WELL AS ESTIMATES OF THE FUTURE EXPENSES TO THE COUNTY FOR PROVIDING PUBLIC FACILITIES AND SERVICES FOR THE RESIDENTIAL USES.”

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to approve Amendment 15 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 15 passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill 36-2012 as amended was: Yea: Council Members Ball, Sigaty, and Terrasa. Nay: Council Members Fox and Watson.

The motion to approve Council 36-2012 as amended passed.

Council Bill 1-2013 - 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.

The Chairperson moved to approve Council Bill 1-2013. The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1 as follows:

Amendment No. 1

(This amendment substitutes several pages reflecting a change in the designation of properties as Tier III or Tier IV as follows:

- 1. Language is amended at the top of page 66;*
- 2. Language is amended on page 76 as it relates to the Sustainable Growth and Agricultural Preservation Act of 2012;*
- 3. Proposed map 6-2.1 is removed from page 76;*
- 4. A new page 76.1 is inserted;*
- 5. A new Map 6-3 is inserted on Page 77; and*
- 6. Language on page 80, related to the DEO and Agricultural Land Preservation Program policies, are amended.)*

Remove pages 66, 76 (both pages 76), 77 and 80 as attached to the Bill is introduced and substitute revised pages 66, 76, 77 and 80 as attached to this amendment.

Insert new page 76.1 after page 76.

The motion was seconded by Ms. Sigaty.

The Chairperson moved to approve Amendment 1 to Amendment 1 as follows:

Amendment No. 1 to Amendment 1

(This amendment substitutes a page to further clarify certain grandfathering and to require that certain reports contain information regarding the successes and impacts of Growth Tiers.)

Remove page 76.1 from Amendment 1 and substitute revised 76.1 as attached to this Amendment to Amendment 1.

The motion was seconded by Ms. Sigaty.

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

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, Sigaty, Terrasa, and Watson. Nay: Council Member Fox.

The motion to approve Amendment 1 as amended passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill 1-2013 as amended was: Yea: Council Members Ball, Sigaty, Terrasa, and Watson. Nay: Council Member Fox.

The motion to approve Council Bill 1-2013 as amended passed.

Adjourned: 9:37 p.m.

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.

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