



Howard County Council

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

COUNCILMEMBERS

Mary Kay Sigaty, Chairperson
District 4
Courtney Watson, Vice Chairperson
District 1
Calvin Ball
District 2
Greg Fox
District 5
Jennifer Terrasa
District 3

Minutes (Approved) Legislative Work Session November 26, 2012

The work session was called to order by Chairperson Sigaty at 4:35 p.m. in the Banneker Room, George Howard Building, 3430 Court House Drive, Ellicott City.

Members present: Calvin Ball; Greg Fox (departed at 6:05 before the discussion of Bill No. 39 - 2012 and CB 36); Mary Kay Sigaty; Jennifer Terrasa; and Courtney Watson (departed at 7:55 during the discussion of Bill No. 36-2012).

Council Bill No. 37-2012 - 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 members discussed the proposal with Marsha McLaughlin; Rich Josephson, Director of Planning Services, Maryland Department of Planning; and Peter Conrad, Director of Local Government Assistance, Maryland Department of Planning. Topics included calculations of lots, grandfathering provisions, transfer of development rights, preservation easements, and Maryland Department of Planning informal written comments.

Council Bill No. 41-2012 - 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.

Council Resolution No. 170-2012 - 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 members discussed both proposals with Ms. McLaughlin and Joel Gallihue. Topics included transitioning from the old to new system and relationship to school planning; and how to avoid using all allocations in a given year from being used in one area. Ms. McLaughlin will provide further details on the transition.

Council Bill No. 38-2012 (ZRA 140) - Introduced by, the Chairperson at the request of Kellogg CCP LLP, c/o Preston Scheffenacker Properties, Inc. - Amending the Howard County Zoning Regulations to permit the TOD District regulations to allow multi-family dwellings as a permitted use subject to certain criteria; amending the commercial use requirements concerning the building-type; allowing drive-through services subject to certain criteria; generally relating to residential and commercial uses in the TOD zoning district; and generally relating to the Zoning Regulations.

The members discussed the proposal with Ms. McLaughlin and Bill Erskine, the applicant's representative. Topics of discussion included a reconciliation of comments from the staff report and the Planning Board Recommendation. Ms. McLaughlin will provide an amendment to reduce one-story commercial use from 25,000 square feet to 20,000 square feet.

Council Resolution No. 169-2012 - Introduced by: Courtney Watson - 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 among students.

Ms. Watson expects to ask the Council to consider tabling the proposal pending further discussion with the Board of Education and others. The members discussed whether to convene a meeting to be briefed on various organizations' efforts with respect to bullying.

Council Bill No. 39-2012 (ZRA 142) - Introduced by, the Chairperson at the request of Bith Energy, Inc. - Amending the Howard County Zoning Regulations to permit Commercial Solar Facilities as a Conditional Use in the RC and RR zoning district subject to certain criteria; and generally related to the Zoning Regulations.

The members discussed the proposal with Ms. McLaughlin and Tom Meachum, the applicant's representative. Topics of discussion included the American Planning Association's model code and the code for Kent County, and other criteria for consideration.

Council Bill No. 36-2012 (ZRA 144) - Introduced by: The Chairperson at the request of the Marsha S. McLaughlin, Director, Department of Planning and Zoning - 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 members discussed the proposal with Ms. McLaughlin and Paul Johnson. Ms. McLaughlin displayed a map displaying the locations available for the overlay zone and submitted a written list of potential amendments. Topics of discussion included the purpose of the proposal and its

relationship to Comprehensive Zoning, the process for establishing the overlay district, the role of the community, whether to involve the Zoning Board earlier in the process, permitted and excluded uses, acreage, and bulk regulations.

The work session was adjourned at 8:39p.m.