



# Howard County Council

George Howard Building  
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## COUNCILMEMBERS

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

### Minutes (~~un~~approved) 2/2/09 County Council Legislative Work Session January 26, 2009

The meeting was called to order at 4:35 p.m. in the Board Room, Board of Education, 10910 Route 108, Ellicott City.

**Members present:** Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, Courtney Watson.

**Discussion:** The members discussed the following issues related to the following bill:

Council Bill No. 4-2009 (ZRA-103) – Amending the Howard County Zoning Regulations to allow developments utilizing the PSC zoning district overlay to also utilize the provisions of the underlying zoning district; add the PSC zoning district to the list of overlay districts found in the overlay district definition; and generally related to the PSC zoning district.

- Marsha McLaughlin, Director of Planning and Zoning, explained the advantage of the proposed legislation to the property owner, talked about the effect on the adequate public facilities ordinance (APFO), and assured members that the property owner would have to develop either under the PSC zoning or the underlying zoning, but could not select elements from each. Theodore Wimberly, legislative assistant, was asked to draft an amendment to clarify this point.

Council Bill No. 6-2009 (ZRA-107) – Amending the Howard County Zoning Regulations' Limited Outdoor Social Assemblies conditional use to alter the road access requirement for Limited Outdoor Social Assemblies conditional use.

- Ms. McLaughlin gave an overview of the bill and noted that the petitioner would have to go through a conditional use process to secure the proposed use for the property, even if the bill is passed. There was a discussion of the possible application of this bill to other historic properties, and the council was advised that it is unlikely to affect other properties. Mrs. Walker, the property owner, explained that she owns all of the properties that use the shared driveway and, therefore, doesn't anticipate problems. Her land is in preservation, and she has no plans to sell. Ms. Sigaty suggested that an amendment be prepared to narrow the scope of the ZRA to properties with shared driveways when all properties have a single owner. Mr. Wimberly was asked to prepare an amendment.

Council Bill No. 62-2008 – Amending the Howard County Code to exempt certain residential developments containing Moderate Income Housing Units from the allocations portion of the Adequate Public Facilities Ordinance, under certain circumstances; altering the categories to be used in the housing unit allocation chart; and generally relating to the Adequate Public Facilities Ordinance.

- Councilmember Calvin Ball explained his proposed amendments. Mr. Fox inquired about the possibility that advancing more moderate income housing unit (MIHU) allocations to a project that elects to dedicate a larger proportion of the housing to moderate income housing may impair another project from moving ahead because of inadequate allocations. The Council agreed to discuss this legislation further before the amendment prefile deadline.

Council Bill No. 5-2009 (ZRA-106) – Amending the Howard County Zoning Regulations’ CAC zoning district to add a provision to permit apartment and single-family attached uses within a Route 1 Corridor development project of less than two acres, if the property is contiguous to a CAC development which has received an approved sketch plan or site development plan, under certain circumstances; and generally relating to the CAC zoning district.

- Ms. McLaughlin noted that the petitioner provided to Council Chair Mary Kay Sigaty some proposed amendments; however, Ms. McLaughlin said that she preferred that the petitioner seek rezoning rather than a text amendment. She felt that the petitioner’s amendments would need some “tweaking,” if the Council decides to go ahead with the text amendment.

The Council suspended the meeting at 6:30 and reconvened at 6:35.

Council Bill No. 1-2009 – Prohibiting the discharge of a gun within a certain distance from certain structures under certain conditions; prohibiting the discharge of a gun in the direction of certain structures; providing for certain exceptions; making certain technical corrections; defining certain terms; and generally related to firearm control provisions in the Howard County Code.

- Council member Greg Fox distributed some proposed amendments and led an explanation and discussion of the amendments. He and other members emphasized that the Council is considering all points of view, has not settled on amendments, and raised conceptual ideas only at the hearing. They regretted that some members in the audience perceived that these ideas already had been approved. Mr. Fox explained his amendments as they compare to current hunting law and as they compare to the bill as filed.

Dario Broccolino, State’s Attorney, testified that the proposed civil penalty is important to prevent another incident, such as the shots at the day care center, in which charges needed to be dropped because there was no violation under current law. There followed discussion of the definition or need for clarity of certain terms, including “playground,” “safe background”, and “safe backdrop.” Paul Peditto, representing the Maryland Department of Natural Resources, and Gary Arthur, representing the County Department of Recreation and Parks, spoke to the need for deer population control and current restrictions and best practices for hunters.

Mr. Fox distributed a document from Connecticut concerning the control of ticks and lyme disease.

There followed some discussion, without any resolution, of the merits of tabling the bill to give further thought to it or working on the proposed amendments to clarify them.

The meeting was adjourned at 7:35 p.m.