Appendix A:

APF Review Task Force Recommendation Considerations by Content Area

APF Review Task Force Recommendation Considerations - FINAL

Category	Topic	Page Link	Subsection Link	County Code	Motion	Y/N
Administrative	Impose periodic APFO review, audit, fiscal updates, modeling functions (e.g., GIS)	p. 2, lines 6-9; p. 6, lines 2-5, 14-18	16.1100(b)(3)(v); 16.1102(a)(1,4)	N/A	Convene an APFO review committee the first year following the adoption of every General Plan and once between two General Plans	10-5
					Convene an APFO review committee every four years	5-10
					Convene an APFO review committee the first year following the adoption of every General Plan	13-2
					Convene an APFO review committee at a minimum of every seven years	8-5-2
					Convene an APFO review committee at a minimum at the conclusion of every General Plan cycle	15-0
					Require the County to report yearly on APF criteria, specifically on what capital projects did not meet the criteria	7-7-2
	Definition additions	p. 2, line15; p. 20, line 2	16.1100 (d)(1); 16.1110.	N/A	Change definition of 'minor' using definition in subdivision regulations	16-1
	Tie APFO to capital budget	p. 1, line 41; p.22, lines12-13, 19	16.1110.(b)(3)(iii); 16.1110. (q)	N/A	Account for growth-related projects separately in the capital budget	3-19
Allocations	Exemptions for affordable units from allocations test, excluding fee-in-lieu payments	p. 9, line 42	16.1104 (e)	N/A	Exempt MIHU units from allocations test; schools and roads test still applies; exemption does not apply in Downtown Columbia	16-2
					AMEND PASSED MOTION: Exempt MIHU units from allocations test; schools and roads test still applies; exemption does not apply in Downtown Columbia; cap exemption of amount of required MIHUs	*20-0*
	Review county's authority to give out 120% of annual allocations cap	p. 9, lines 1-41	16.1104 (b, c,d)	N/A	Remove DPZ and County Council flexibility to allow issuance of 120% of annual allocations level	9-10
	Weighting allocations - e.g., apartments, townhomes, single family	p. 6, lines 19	16.1102(b)	N/A	Award allocations as follows: 1/3 for apartments, 1/2 for townhouse, 1 for single family detached home	3-18
	Consider exempting minor subdivisions from allocations and schools test	p. 17, line 12-45; p. 18, line 1-13	16.1107(b)(1-2)	N/A	Exempt minor subdivisions of four lots or fewer that have not been previously subdivided from APFO	4-17
	Take allocations test at ECP stage of subdivision regulations process	p. 8, lines 26-28	16.1104 (a)(1)	N/A	Apply APFO tests at ECP stage rather than sketch plan stage	20-1
	Shared allocations pot	p.6, lines 20-26; p. 22, lines 2-5	16.1102 (b)(1);16.1110. (o)(4)	N/A	Remove the allowance of shared allocations across Established Communities and Growth & Revitalization categories	18-1
	Specify from where incremental increase in units come for high density rezoning areas	p.6, lines 20-26; p. 22, lines 2-5	16.1102 (b)(1);16.1110. (o)(4)	N/A	Allow additional new allocations for properties rezoned in Established Communities to be taken from Growth & Revitalization planning area closest to rezoned project as determined by DPZ, except from Downtown Columbia	18-4
Fiscal	Review fee-in-lieu structure (& timing: when fees paid or shovel in ground)	p. 1, line 37-43; p. 5, lines 6-36; p. 13, lines 21-23	16.1100(b)(3); 16.1101(h); 16.1105(d)(4)(ii)	N/A	Disallow fees-in-lieu for stormwater management remediation	0-14-2
					Expend a project's stormwater management fees-in-lieu on the impacted subwatershed	8-8
					Disallow fees-in-lieu for traffic remediation	0-14-2
					Expend building excise tax revenue within a reasonable distance of the project from which the revenue is collected	1-15
	Excise taxes	p. 1, line 37-43, p. 5, line 6-36	16.1100(b)(3); 16.1102(b)(3)	N/A	Require the County to review how it uses the building excise tax to meet its infrastructure needs and whether or not the current rate is sufficient	5-9-1
	Nexus requirements for impact fees	p. 1, line 37-43, p. 5, line 6-36	16.1100(b)(3); 16.1102(b)(3)	N/A	Replace excise tax with an impact fee and dedicate it to specific mitigation efforts; an impact fee would be reviewed yearly and indexed, and would not exceed actual cost of per unit service where a rational nexus exists	3-13-1
	Transfer tax (resale activity)	p. 1, line 37-43, p. 5, line 6-36	16.1100(b)(3); 16.1102(b)(3)	N/A	If annual fee for all dwelling units excluding MIHU and age-restricted (see Task Force's approved motion) is not pursued by policymakers, then the County should instead increase the transfer tax equivalent to the fee as an alternative and dedicate the increase to school construction	14-2
	Reduce current allocation amount (300) in >100% school region	pg. 10, line 25	16.1104 (f)	N/A	Exempt Downtown Columbia from the 300 unit annual allocation limit for a single elementary school district if the school region within which the school district resides is over 100% capacity	18-4
		p. 4 lines 9-18 and 42-46; p. 5, lines 1-5; p. 7,	16.1101(f);		Change the current LOS E standard for state roads to a D standard only in the Growth and Revitalization area	5-15

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Downtown Columbia	Incorporate Downtown Columbia regulations in growth and revitalization areas	lines 3-33; p. 14, lines 10-12	16.1101(g)(5)(ii);16.1102(b)(6); 16.1106(e)	N/A	Change the current LOS D standard for county roads to a C standard only in the Growth and Revitalization area	11-7
	Add a transit test in Downtown Columbia	p. 4, lines 9-18	16.1101(f)	N/A	Transportation-specific plans between a minimum 3 dwelling unit project and neighboring retail/commercial services either existing or planned and/or immediate employment centers (transit plans are bus route, stops, access, sidewalks) must be included in a .5 mile radius in any new development or redevelopment before final approval is given and in place before the development/ redevelopment is permitted to operate - requirement includes Downtown Columbia and excludes Western Howard County	9-9
New Metrics	Connectivity/Complete Streets (transit, crosswalks, sidewalks, cycling infrastructure)	N/A	N/A	Plan Howard 2030 Transportation Chapter 7, p. 83; Howard County Design Manual, Volume III Chapter 4, Section 4.9.A.2, pg. 16	Create a category in APFO for connectivity to indicate its importance	9-9
					Create a connectivity test based on all county regional master plans. General Plan, Bicycle Master Plan, bus rapid transit plan, design manuals. If a project doesn't pass compatibility test with these plans, then the County shall pursue on-site mitigation. If on-site mitigation is not feasible then mitigation off-site is acceptable	7-10
	Tests performed by other jurisdictions					
	Fire and EMS	N/A	N/A	N/A	Include DFRS as a test in APFO with a mitigation option to pass the test. Mitigation is proportionate to developer's impact on fire and rescue services. The service test is based on the metrics as presented by DFRS, specifically but not limited to response time	11-7
					If the percentage of "Yellow Alerts", which are recorded on a daily basis by the Maryland Institute Emergency Medical Services Systems (MIEMSS) at Howard County General Hospital (HCGH), exceeds 30 percent in any given calendar year, then a proposed development that exceeds 200 units shall be delayed for a minimum of 6 months until such time when the Yellow Alerts is less than 30 percent for HCGH	6-14
					Create a category in APFO for fire and emergency medical services to indicate its importance	8-9
					For proposed developments of a) between four (4) and ten (10) residential units, or b) more than 20,000 combined square feet of finished and unfinished space, where the closest municipal water source is greater than ½ mile from the furthest address: the applicant shall allocate an appropriate land parcel with a right of way for construction and use of a County-owned man-made water source dedicated solely to fire suppression. The location and suitability of the site shall be approved by the Department based on operational need and Public Protection Classification Rating requirements. For proposed developments of a) more than ten (10) residential units, or b) more than 50,000 square feet of finished or unfinished space, where the closest municipal water source is greater than ½ mile from the furthest address: the applicant shall fund expenditures associated with installation of an accessible man-made water source dedicated solely to fire suppression. The source must be constructed in a location and to specifications approved by the Department based on operational need and Public Protection Classification Rating requirements, and must be in place in the scheduled completion year of the development.	9-2-1
	Police	N/A	N/A	N/A	Impose a police test: all police services must be considered adequate for the public's interest unless there is evidence that a local area problem could not be overcome through the capital and operating budget processes. If a major law enforcement problem as declared by the Howard County Police Chief is in a 5-mile radius of a development project, and if capital and operating budgets do not contain appropriations to address the major problem, then the development project cannot move forward until such time when funding is approved	5-13

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					Exempt age-restricted projects that incorporate continuing care and/or intermediate care services from the allocations test as these projects help our elderly population and reduce the need for other medical facilities	16-2
	Healthcare	N/A	N/A	N/A	Impose a healthcare test: If Howard County General Hospital (HCGH)'s Emergency Department experiences an average patient wait time greater than 6 hours for a six-month period then any proposed development shall be put on hold until the average wait time is less than 6 hours for a 3-month period	6-11-1
	Energy/Electricity	N/A	N/A	National Electrical Code 230.79(C)	Impose an energy test: develop a test for public energy infrastructure with mitigation that entails the best cost-to-efficiency ratios	8-5
	Solid waste disposal	N/A	N/A	Howard County Solid Waste Master Plan	Impose a solid waste test: develop a test aligned to the 10 year Solid Waste Management Plan with prescribed mitigation if not in compliance	8-10
	Recreation and Parks	N/A	N/A	Land Preservation, Parks, and Recreation Plan	Impose a recreation and parks test: establish a metric based on the state's person per land area ratio. If county is falling short of ratio then new development projects will contribute a per-person-per-acre mitigation fee as determined by the Department of Recreation & Parks	2-19-1
Roads	Add traffic safety test	p. 3, lines 7-14; p. 11, lines 15-17; p. 12, lines 42-49; p. 13, lines 1-9	16.1101(b); 16.1105 (c)(1); 16.1105 (d)(1); 16.1105(d)(2)	Howard County Design Manual, Volume III Chapter 5	Add a measurable metric (e.g., accidents per vehicle movement per year) to the roads test to provide consistent assured minimum safety standards. Projects shall bond for improvements to maintain level of service and safety and be tested for a period of 3 years	3-14-1
	Add second opinion to roads test	p. 3, lines 15-18	16.1101(c)	N/A	Require the county to pay for an additional Traffic Study whenever a traffic impact analysis is required	3-17
					Conduct Traffic Study as a County-controlled competitive bid that is paid for by the developer	4-10-4
					Require the County to prepare a formal second opinion of a Traffic Study that includes a review of all roads-related APFO rules to ensure compliance before approving development plan	9-9-1
	Flawed logic around state funding	p. 3, line 26-27	16.1101(d)(2)	N/A	Require that a planned traffic remediation project must be in construction before being able to be used as remediation of a failed traffic test at or near its location	12-7
					Require that a planned traffic remediation project must be in construction before being able to be used as remediation of a failed traffic test at or near its location; project does not need to be in construction, but funding must be secured	12-6-1
	Remove traffic linked to government facilities from roads test	p. 3, line 43; p. 16, lines 13-28; p. 20, lines 38-41	16.1101 (e)(2) ; 16.1107(a)(2); 16.1110 (i)(2)	N/A	Amend the following provision: "A facility owned by Howard County or any agency thereof where essential County Government services are provided, ~~including~~ LIMITED TO police services, fire prevention and suppression services, emergency medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal."	15-0-3
					Amend the following provision: "A facility owned by Howard County or any agency thereof where essential County Government services are provided, including police services, fire prevention and suppression services, ~~emergency~~ medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal."	1-17
	Change minimum level of service standards	p. 3, lines 10-11; p. 4, lines 26, 29; p. 22, lines 36-27	16.1101(b);16.1101(g)(2);16.1110(v)	N/A	Amend the following provision: "Minimum level of service for Howard County road facilities, excluding Downtown Columbia means level of service D; minimum level of service of a State road facility means level of service E D. for Downtown Columbia, the intersection standard is established in the Howard County Design Manual."	7-11
	Remove exemption from roads test for minor subdivisions	pg. 18, line 10-13	16.1107((b)(2)	N/A	Remove exemption from roads test for minor subdivisions	10-7-1
	% impact on traffic from grade-separated intersections	p. 4, lines 19-46; p. 5, lines 1-3	16.1101(g)(2); 16.1101(g)(3); 16.1101(g)(5)(ii)	Howard County Design Manual, Volume III Chapter 4	Insert in APFO specific language from Howard County Design Manual, Volume III, Chapter 4 relating to grade separation	14-5
	Alter percent utilization and capacity rates at which schools are deemed open/closed					

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	Make capacity threshold 120% for both elementary and middle schools	p. 22, lines 44-48; p. 23, lines 1-2	16.1110(y)	N/A	Make capacity threshold 120% for both elementary and middle schools	6-13
	Consider using a scale including project size	p. 22, lines 44-48; p. 23, lines 1-2	16.1110(y)	N/A	Change years of wait for schools test - schools that are at or over 120% of capacity, the years of wait shall increase from 4 to 5 years; if during the wait period capacity drops below 120%, the years of wait shall revert back to 4 years	13-7
	Specify what capacity entails (e.g., pre-K, special education, relocatables)	p.23, lines 17-19	16.1110(af)	N/A	Adjust student enrollment calculation for schools test – enrollment count shall include both pre-kindergarten and special education students; capacity shall include relocatable space	3-16-1
	Capacity and surcharge	p.23, lines 17-19	16.1110(af)	County Code Title 20 Subtitle 1 Part VI	(1) Maintain current definition of an open school as below 115% of program capacity; (2) If projected enrollment lies between 115% and 120% of program capacity then developer can move forward if it pays a public school facilities surcharge twice the amount currently in law	10-8
					(1) Change program capacity at which a school is deemed open to 110%; (2) If projected enrollment lies between 110% and 115% of program capacity then developer's wait time will decrease to two years if it pays a public school facilities surcharge double the amount currently in law; (3) If projected enrollment lies between 115% and 120% of program capacity then developer's wait time will decrease to two years if it pays a public school facilities surcharge triple the amount currently in law	7-9-2
					(1) Change program capacity at which a school is deemed open to 110%; (2) If projected enrollment lies between 110% and 115% of program capacity then developer can move forward if it pays a public school facilities surcharge double the amount in current law; if projected enrollment is over 115% and up to 120% of program capacity then developer can move forward if it pays a public school facilities surcharge triple the amount in current law; (3) The developer's wait time for the allocations and schools test combined shall not exceed 5 years contingent on the receipt of allocations within the 5 year time period; the last development plan shall be allowed to be processed at the developer's risk; (4) All existing Howard County dwelling units excluding MIHU and age-restricted dwelling units shall pay an annual fee ($25 for apartment/condominium; $50 for townhouse; $75 for single family detached) that is dedicated to public school capital budget; (5) In an effort to identify efficiencies and better utilize existing space, HCPSS shall reduce its capital budget request by 2% per year for the next 5 fiscal years excluding revenue from the surcharge and the household fee in this motion	17-0-1
	Make capacity threshold 100% for both elementary and middle schools				Make capacity threshold 100% for both elementary and middle schools	4-11
	Change 'open/closed' terminology	p. 6, line 35; p. 7, line 43; p. 8, lines 7,8,11,14,16,18,19,21; p.12, lines 4, 6, 10, 11, 13, 16,17, 20, 21, 26, 28,30, 31, 33, 34, 36, 38; p.23, lines 3, 6	16.1102(b)(3); 16.1103 (b), (c); 16.1105 (c)(3), (4),(5),(6); 16.1110(z), (aa)	N/A	Refer to 'Open/Closed Chart' as 'School Capacity Chart', use the term 'constrained' for those schools above the threshold percentage, and 'adequate' for those schools below the threshold	19-0
	Add high schools test	p. 8, line 1-21; p. 10, lines 24-27, p. 12, lines 20-25; p. 18, lines 18-42; p. 22 lines 44-48; p. 23, lines 1-8; p. 24, line 21	16.1103(b)(c); 16.1104(f); 16.1105(c)(3)(iii); 16.1107(b)(4);16.1110(y-af)	N/A	Repeat the language and provisions of an elementary school test for high schools	8-8
					Repeat the language and provisions of an elementary school test for high schools, but set program capacity at 115% instead of 110%	8-8

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Schools					Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If grouping is greater than 115%, then the school is deemed closed; if grouping is less than 100% and individual school exceeds 115%, then the school is deemed open	3-17
					Eliminate regions test from APFO	9-8
					Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If the grouping is greater than 115% then the school is deemed constraint. If the grouping is less than 90% and the individual school is greater than 115% then the school is deemed adequate. If the grouping is greater than 115% but less than 120%, the developer may proceed by paying double the public school facilities surcharge. The Developer would not pay the doubling of the surcharge for more than one test. Allocations/schools test wait time shall not exceed 5 years.	12-4-1
					Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If the grouping is less than 90% and the individual school is greater than 115%, then the school is deemed adequate; if the grouping is greater than 110% but less than 115%, then the developer may proceed by paying double the public school facilities surcharge; if the grouping is greater than 115% but less than 120%, then the developer may proceed by paying triple the public school facilities surcharge. The Developer would not pay the doubling or tripling of the surcharge for more than one test. Allocations/schools test wait time shall not exceed 5 years.	14-3
					Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If the grouping is less than 90% and the individual school is greater than 115%, then the school is deemed adequate; if the grouping is greater than 115% but less than 120%, then the developer may proceed by paying triple the public school facilities surcharge. The Developer would not pay the tripling of the surcharge for more than one test. Allocations/schools test wait time shall not exceed 5 years.	11-5-1
					Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If the grouping is less than 90% and the individual school is greater than 115%, then the school is deemed adequate; if the grouping is greater than 115% but less than 120%, then the developer may proceed by paying double the public school facilities surcharge. The Developer would not pay the doubling of the surcharge for more than one test. Allocations/schools test wait time shall not exceed 5 years.	11-6

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	Remove regions test	p. 8, lines 1, 8; p. 22 lines 44-48; p. 23, lines 1-8; p. 24, line 20	16.1103 (b, c); 16.1110 (y-ak)	N/A	Eliminate elementary school regions test and replace it with an adjacent (i.e., contiguous borders) schools test in which the capacity utilization of the school being tested and all adjacent elementary schools are totaled for a test of overall capacity utilization. If the grouping is greater than 115% then the school is deemed constraint.	8-8-1
	Require facilities to complete a mitigation plan prior to use-conversion that generates children	p. 8, line 21; p. 18, line 44-49	16.1103(c)(3); 16.1107 (b)(5)(i)	N/A	Require age restricted housing conversions to pass schools test and be subject to current mitigation measures	9-7-1
	Require facilities to complete a mitigation plan prior to use-conversion that generates children	p. 8, line 21; p. 18, line 44-49	16.1103(c)(3); 16.1107 (b)(5)(i)	N/A	Require single family-to-two family dwelling conditional use conversions to pass allocations and schools test and be subject to current mitigation measures	12-5
Outside APFO Recommendations	Include Environmental Concept Plan in subdivision regulations			County Code Title 16 Subtitle 1	Include Environmental Concept Plan in subdivision regulations	21-0
	Alter allocations levels in PlanHoward			PlanHoward 2030 Growth Chapter 6	Increase Established Communities annual allocation from 400 to 600, decrease Growth and Revitalization annual allocation from 1,200 to 1,000 - contingent on elimination of shared allocation pool	18-1
					RESCIND PASSED MOTION: Increase Established Communities annual allocation from 400 to 600, decrease Growth and Revitalization annual allocation from 1,200 to 1,000 - contingent on elimination of shared allocation pool	8-10-2
	Specify background traffic growth	p. 3, line 43; p. 20, lines 8-11	16.1101 (e)(2) ; 16.1110 (b)	Howard County Design Manual, Volume III Chapter 4, Section	Set background traffic growth @ 3% for the duration of the development project unless DPZ/DPW have cause to believe growth rate should be higher	6-11-1
	Water supply shortages impacting fire protection efforts			N/A	Require the County to develop a plan of action to address DFRS' public water supply/cistern needs in the western portion of the county	17-0
	Connectivity			N/A	Evaluate a fair and equitable plan to establish reasonable connectivity for sidewalks and bike paths over a reasonable amount of time	13-3-1
	Stormwater management			County Code Title 16 Subtitle 1	Include in stormwater management regulations that a project's stormwater management fees-in-lieu be expended on the impacted subwatershed	12-4
	Spending Affordability Committee			N/A	Review pros and cons of both impact fees and excise taxes	13-4
	CLV in Downtown Columbia			Howard County Design Manual	Raise CLV from 1500 to 1500 for Downtown Columbia in the Design Manual to be consistent with APFO	16-2
	Establish separate regulations for infill			N/A	Support DPZ's process of reviewing infill regulations to include such things as stormwater management and the density exchange program; urge that process is complete in 2016; fast track this motion if the County Council considers legislation	15-1
	Energy/Electricity			National Electrical Code 230.79(C)	Request the County to review the feasibility of an energy test that contains a mitigation requirement based on optimal cost-to-efficiency ratios	17-0

Passed
Failed