



Howard County

Internal Memorandum

Subject: Grandfathering for Technically Complete Site Development Plans to previous edition of the Landscape Manual (CR19-2026) – Time Limited

To: Division of Land Development

From: Lynda Eisenberg, AICP, Director

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Date: March 10, 2026

The purpose of this memo is to provide time-limited relief of Site Development Plans to the standard grandfather provisions for pending site development plans that were deemed technically complete prior to the adoption of the 2026 Landscape Manual.

On February 2, 2026, the Howard County Council adopted the latest (2026) version of the Howard County Landscape Manual under CR19-2026, which provides updated standards to meet Section 16.124 of the Subdivision and Land Development Regulations. The updates were drafted with several interim requests for public review and input. At the time of adoption, an amendment was approved that augmented planting requirements for almost every perimeter buffer type.

Unlike a Council Bill, which typically have a two-month grace period from adoption to effective date, the Landscape Manual was adopted by County Resolution, which is effective immediately. The Landscape Manual does not stipulate grandfathering provisions and therefore reverts to the standard applicability for pending subdivisions and site development plans stipulated in Section 16.102(h) of the Subdivision and Land Development Regulations. The timing for “grandfathering” is based stages in the approval process reached by plan type:

- (1) Preliminary plan original signature or preliminary equivalent sketch plan original signature approval;
- (2) Final plan approval letter for minor subdivisions and resubdivisions; or
- (3) Site development plan original signature approval.

Under Section 16.102(h) of Subdivision and Land Development Regulations, site development plans (SDPs) are not grandfathered until SDP plan originals are signed. This is inconsistent with the Final Plan approval for minor subdivision and resubdivisions that are grandfathered with the technically complete letter, even though both final (F) plans and SDPs must begin preparing developer’s agreements requiring legal review, securing surety, and prepare construction-level originals documents upon technical approval. Preliminary plans and preliminary equivalent sketch plans will continue to be grandfathered at plan original signature, since they do not create practical difficulties in last minute changes to developer’s agreements and construction level documents.

Site development plans for commercial projects and residential projects that did not require subdivisions (such as construction of an individual home on an existing lot) are experiencing unanticipated hardship by a strict interpretation of Section 16.102(h). Hardships include paying for additional site design after technical approval, unanticipated increases in landscape costs, increase in surety and bonding costs, and unanticipated changes to legal documents, all of which could lead to significant delays for project completion. This hardship is exasperated by government delays in processing developer's agreements over the last several months, resulting in complaints from applicants who believe their projects may have achieved signature approval of the originals if those delays had not occurred.

As such, site development plans (SDPs) that were issued a technically complete letter prior to the February 2, 2026 adoption of the 2026 Landscape Manual are *temporarily* grandfathered to the 1998-2010 Landscape Manual, provided that the project meets the APFO milestones outlined in Section 16.156(l)&(m) of the Subdivision and Land Development Regulations, and that SDP originals are signed on or before July 31, 2026.

Project managers should coordinate with the Bureau of Real Estate Management to identify plans subject to this policy to facilitate timely processing of developer agreements needed to advance to final signature approval of the SDP. The County will not be responsible for delays resulting from applicant (in)actions or delays from their private sector partners. Upon submission of plan originals for signature, please work with partner agencies to expeditiously review plans for any remaining comments to be addressed prior to signature. It is incumbent of the applicant and their consultants to work directly with County agencies to ensure remaining comments are adequately addressed during this time period. Upon expiration of this policy, the SDPs must be updated to meet 2026 Landscape Manual requirements.

SUNSET: This policy memo expires on July 31, 2026.