



# Virtual Binder



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## Contacts

### Task Force Members

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Judelle Campbell  
Nicole Campbell  
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Sharon Cooper-Kerr  
Greg DesRoches  
Rene DuBois  
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Executive Order  
25-09

**County Executive  
Of  
Howard County, Maryland**

**Executive Order: 2025-09  
Date: May 14, 2025  
Subject: Creating a New Town Task  
Force**

**WHEREAS**, the County's General Plan, HoCo By Design, was adopted in October of 2023 and took effect December of 2023; and

**WHEREAS**, to date, the Department of Planning and Zoning has worked to implement several aspects of HoCo By Design since its adoption, to include: convening an Affordable Housing Working Group to develop recommendations related to growth management strategies for this component of housing; convening the Adequate Public Facilities Act Review Committee to develop recommendations for revisions to the Adequate Public Facilities Ordinance (APFO); advancing a comprehensive master planning effort for the future of the 1,100 acre Columbia Gateway office park; progressing updates to the Howard County Landscape Manual; and will soon commence projects to update the Route 1 and Route 40 Design Manuals; and

**WHEREAS**, HoCo By Design describes the New Town (NT) zoning district in Columbia of over 14,000 acres and 28,000 parcels as having a unique sense of place that its residents want to preserve, enhance, and strengthen; and

**WHEREAS**, the General Plan identifies that a review of the New Town (NT) zoning district and its character-defining elements by a task force would provide an opportunity to ensure that the regulatory structure is calibrated to successfully carry forward New Town (NT) zoning; and

**WHEREAS**, the General Plan calls for the establishment of a task force to evaluate and make recommendations on how to carry forward New Town's planned community framework; and

**WHEREAS**, the General Plan specifies that the Task Force shall consist of members appointed by the County Council and the County Executive; and

**WHEREAS**, the County Executive received recommendations from the County Council for members to be appointed by this executive order.

**NOW, THEREFORE, BE IT ORDERED**, that the New Town Task Force is established.

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**AND BE IT FURTHER ORDERED**, that the duties and responsibilities of the Task Force are to evaluate and make recommendations on how to carry forward New Town's planned community framework, including but not limited to, modifications to zoning regulations and development processes.

**AND BE IT FURTHER ORDERED**, that the following individuals are appointed to serve as voting members on the New Town Task Force:

1. Matt Abrams
2. Nina Basu
3. Judelle Campbell
4. Nicole Campbell
5. David Costello
6. Sharon Cooper-Kerr
7. Greg DesRoches
8. Rene DuBois
9. Karin Emery
10. Brian England
11. Michael Golibersuch
12. Robbyn Harris
13. Ryan Hermann
14. Ian Kennedy
15. Joan Lancos
16. Tim May
17. Kristi Smith
18. Stacy Spann
19. Collin Sullivan
20. Ashley Vaughan

**AND BE IT FURTHER ORDERED**, that the Task Force shall issue a written report by May 31, 2026.

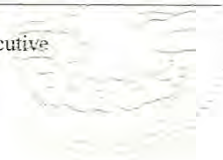
**AND BE IT FURTHER ORDERED**, that the Task Force's report shall be provided to the County Executive and County Council and shall be considered as zoning changes are developed for the New Town (NT) zoning district.

**AND BE IT FURTHER ORDERED**, that the New Town Task Force and the terms of its members shall cease to exist on or about September 30, 2026.

**IN WITNESS WHEREOF**, I, Calvin Ball, as County Executive of Howard County, Maryland have hereunto set my hand and caused the seal of Howard County to be affixed this 14 day of May 2025.



Calvin Ball  
County Executive



**County Executive  
of  
Howard County, Maryland**

**Executive Order: 2025-10  
Date: June 3, 2025  
Subject: Amending Executive Order  
No. 2025-09 in order to add  
a member to the New Town  
Task Force**

**WHEREAS**, on May 14, 2025, I issued Executive Order No. 2025-09 that established the New Town Task Force; and

**WHEREAS**, I wish to alter the membership of the Task Force to add a member.

**NOW, THEREFORE, BE IT ORDERED**, that Fran LoPresti is added as a voting member of the New Town Task Force.

**AND BE IT FURTHER ORDERED**, that all other provisions of Executive Order No. 2025-09 shall remain in effect.

**IN WITNESS WHEREOF**, I, Calvin Ball, as County Executive of Howard County, Maryland have hereunto set my hand and caused the seal of Howard County to be affixed this 3<sup>RD</sup> day of June 2025.



Calvin Ball  
County Executive



Section 125 of the  
Howard County  
Zoning Regulations:  
New Town District  
(NT)

SECTION 125.0: - NT (New Town) District

**A. Definitions, Requirements and Restrictions Applicable to NT Districts**

1. As used herein, the term "New Town" means an unincorporated city, town or village which:
  - a. Is designated and planned as an economically and culturally self-sufficient community with a population of at least 20,000 inhabitants; and
  - b. Is so designed and planned as to meet all of the requirements specified in this Section 125.0.
2. As used herein:
  - a. The terms "New Town District," "NT District" and "The District" mean the land zoned for the erection of a New Town under the provisions of this Section 125.0.
  - b. When a provision in this section requires that an action "will conform", "conform with", "conforms with", or "conforms to" the Downtown Columbia Plan or any part of the plan, the action being taken shall further, and not be contrary to, the following items in the Downtown Columbia Plan:
    - (1) Policies;
    - (2) Timing and implementation of the plan;
    - (3) Timing of development;
    - (4) Development patterns;
    - (5) Land uses; and
    - (6) Densities and intensities.
3. No NT District shall be created except by the procedure set forth herein. Each NT District must contain a total area of at least 2,500 contiguous acres. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights-of-way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 125.0. No NT District shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 125.0 thereof. The tenant under a lease having a term of not less than 75 years shall be deemed to be the holder of the beneficial title to the land covered by the lease for the purpose of this Section 125.0.
4. No NT District shall have a greater overall residential density than that produced by the total combined number of dwellings permitted in this Section 125.0.A. The maximum number of dwellings permitted under the Downtown Revitalization Approval Process is established in Section 125.0.A. The maximum number of dwellings permitted that are not subject to the Downtown Revitalization Approval Process is established by this section and shall be calculated by multiplying the total number of acres within the NT District by two and one-half. For development that is not subject to the Downtown Revitalization Approval Process, the following development restrictions shall apply:
  - a. In areas designated "single-family—low density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by two.
  - b. In areas designated "single-family—medium density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by four.

- c. In areas designated "Apartments" on the Final Development Plan the maximum number of apartments permitted shall relate to the overall total number of apartments in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by 15.
- 5. The use of land within NT Districts shall be limited to those uses specified in the "Final Development Plan," provided, however, that:
  - a. No uses permitted only in the R-MH or M-2 Districts under these Regulations may be permitted in an NT District; and
  - b. Attached or semi-detached dwellings may be erected only in areas designated "Downtown Revitalization," or "Apartments" on a Final Development Plan. Within areas designated "Downtown Revitalization" such units shall be subject to the provisions of Section 125.0.A. Within areas designated "apartments" such units must be provided:
    - (1) In groups having no more than 10 dwellings attached to one another if attached on the sides, or 16 dwellings if attached back to back; and
    - (2) In such numbers so as not to exceed 10 dwellings for each acre of such use, calculated by multiplying the number of acres so designated by 10; and
    - (3) In such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted as part of the Final Development Plan.
- 6. Except for accessory uses as hereinafter provided, no structure within an NT District shall be:
  - a. Erected except in accordance with the Final Development Plan, or
  - b. Used for any purpose other than the use designated for it on the Final Development Plan.
- 7. Except as otherwise provided in the Final Development Plan, the following restrictions shall be applicable to NT Districts:
  - a. Access shall be provided from every use site to a public street or to a system of common streets and ways connecting with the public street system.
  - b. The off-street parking requirements of Section 133.0 of these Regulations shall be applicable.
  - c. The accessory use provisions of Section 110.0 shall be applicable to all residential uses within the NT District.
  - d. The provisions of Section 128.0 (Supplementary Zoning District Regulations) shall apply to the NT District except for those provisions which specifically exclude the NT District.
- 8. Subject to any additional specific permitted uses of land which may be designated on an approved Final Development Plan pursuant to Section 125.0.C. of these Regulations, if an approved Final Development Plan designates POR, B-1, B-2, SC or M-1 District uses or any combination thereof for a specific area, then the general permitted uses for such area shall be those uses permitted as a matter of right in those districts. However, the bulk regulations for those districts regulating the location of structures, height limitations, setback provisions, minimum lot sizes, and coverage requirements shall not apply inasmuch as the controls therefore shall be included in the Final Development Plan approved by the Planning Board as provided under these Regulations.
  - a. Each New Town District must provide each of the following uses in the following proportions:

	(1) Minimum Percentage of	(2) Maximum Percentage of
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	Total Area of the District	Total Area of the District
Open Space Uses	36%	N/A
Single-family—Low Density	10%	N/A
Single-family—Medium Density	20%	N/A
Apartments	N/A	13%
Commercial (POR, B-1, B-2 and SC uses)	2%	10%
Industrial Uses (M-1 uses)	10%	20%
Other uses presently permitted in any zoning district other than those permitted only in R-MH or M-2 Districts	N/A	15%
	Note: N/A means Not Applicable	

- b. Except as provided in Section 125.0.A.8.c. below, the land use percentages in Section 125.0.A.8.a. do not apply to Downtown Revitalization. However for purposes of determining and maintaining compliance with the land use percentages chart in Section 125.0.A.8. for areas in the New Town District outside of Downtown Columbia, land uses recorded on Final Development plans within Downtown Columbia prior to the effective date shall continue to be included when calculating the land use percentages in this chart.
- c. Upon recordation of a Final Development Plan within Downtown Columbia, environmentally sensitive land areas that are designated "open space" on the Final Development Plan will be credited towards the minimum percentage of open space uses in Section 125.0.A.8.a. above.
- d. Each New Town District must also provide adequate public transportation facilities and public water and sewer systems in the areas shown on the Final Development Plan.
- e. As used in this Section the term "open space uses" is defined as being those uses which do not involve any extensive coverage of land with structures, as, for example, all lands devoted to raising of crops, agricultural uses, parks, playing fields, golf courses and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses. Open land designated for residential uses shall be considered qualified as "open space use" only if it is held for the common use of the public or persons residing in the particular locality within the community, and if it is larger than two acres in size. For the purpose of meeting the 36% requirement imposed above:

- (1) The term "open space uses" shall not include parking lots, streets, rights-of-way, amusement parks, golf driving ranges which are not ancillary to a golf course, or drive-in movies.
- (2) All lands approved and credited as open space use on the Final Development Plan of the NT District shall be conclusively presumed to satisfy the requirements of this section.

9. Downtown Revitalization:

- a. **Applicability:** To implement the recommendations of the Downtown Columbia Plan, new development or redevelopment of any property located within Downtown Columbia that is approved after April 6, 2010 must comply with all provisions applicable to Downtown Revitalization, except as provided in Section 125.0.A.9.f. Downtown Revitalization shall require approval of: (I), a Final Development Plan or Final Development Plan Amendment, and (II), a Site Development Plan.
- b. **Uses:** The following uses are permitted under the Downtown Revitalization Approval Process: All uses permitted in the POR, B-1, B-2, and SC Zoning Districts, Downtown Arts, Cultural and Community Uses and Dwellings. Structures may be developed with individual or multiples uses. Section 125.0.A.8. a. does not apply to Downtown Revitalization.
- c. **Development Levels:** The following maximum development level limits apply to Downtown Columbia for Downtown Revitalization, except as qualified by Sections 125.0.A.9.f.(1), (2) and (3).
  - (1) The maximum number of Downtown Net New dwellings permitted is 5,500 dwellings. The number of dwellings permitted under the Downtown Revitalization Approval Process, up to a maximum of 5,500 Downtown Net New dwellings, shall be in addition to the overall residential density established by Section 125.0.A.4.
  - (2) Any dwelling within a Low Income Housing Tax Credit (LIHTC) project owned wholly or in partnership by the Howard County Housing Commission located in Downtown Columbia is exempt from the maximum number of Downtown Net New dwelling units established by Section 125.0.A.9.c.(1). The maximum number of such LIHTC dwellings permitted in Downtown Columbia is 744.
  - (3) The maximum amount of Downtown Net New commercial office development permitted is 4,300,000 square feet of gross floor area.
  - (4) The maximum number of Downtown Net New hotel and motel rooms permitted is 640 rooms.
  - (5) The maximum amount of Downtown Net New commercial retail development permitted is 1,250,000 square feet of gross floor area.
  - (6) The maximum development levels permitted above for Downtown Revitalization shall be in addition to the number of dwellings and gross floor area of nonresidential uses shown on a Site Development Plan approved prior to April 6, 2010.
  - (7) Arts centers, public libraries, and government uses are not counted toward any of the development levels listed above.
- d. **Off-Street Parking:** Off-street parking and loading facilities within Downtown Columbia must be provided in accordance with the provisions for Downtown Revitalization in Section 133.0.E.3.
- e. **Previously Developed Properties.**
  - (1) Notwithstanding any other provision of these Regulations, any property currently improved with a building and any associated parking lots pursuant to a recorded

Final Development Plan and an approved Site Development Plan as of April 6, 2010, may continue to be used in accordance with the terms and requirements on the Final Development Plan, but only to the same size and dimensions in the same location as shown on the approved Site Development Plan, except for minor changes to the Site Development Plan, which shall be governed by Section 125.0.G.

- (2) Demolition of existing improvements that are located within Downtown Columbia that occurs after April 6, 2010 shall result in the creation of a Demolition Development Credit equal to the number of dwellings and gross floor area devoted to nonresidential uses that were demolished. A Demolition Development Credit: (I) may be used anywhere within Downtown Columbia; and (II) shall not be limited by or counted against recommended development levels in the Downtown Columbia Plan or the maximum level of development permitted by Section 125.0.A.9.c.
- (3) Any existing structure or improvement that is located within Downtown Columbia that is destroyed by fire, flood or other calamity may be restored to the same size and dimensions in the same location as the destroyed structure in accordance with the previously approved Site Development Plan, provided that a building permit is issued with two (2) years from the date such structure was destroyed and reconstruction begins within six (6) months after issuance of the building permit. The Planning Board may approve an extension for good cause shown up to a maximum two additional years to obtain a building permit and begin construction. Structures and improvements constructed under this Section 125.0.A.9.f.(3) shall not be limited by or counted against development levels in the Downtown Columbia Plan or the maximum Downtown Net New level of development permitted by Section 125.0.A.9.c.

f. Additional Requirements.

- (1) The maximum building height permitted for Downtown Revitalization shall conform to the building height shown on the Downtown Maximum Building Height Plan and shall not exceed twenty stories.
- (2) Any Downtown Revitalization Development shall provide for art in the community that is equivalent in value to 1% of the building construction cost.
  - (a) Art must be provided:
    - (i) On site;
    - (ii) On other property located within Downtown Revitalization Development provided with the written consent of the owner of the fee simple property; or
    - (iii) The petitioner may pay a fee in-lieu of providing art on-site that is equivalent in value to 1% of the building construction cost.
  - (b) Art may be provided in combination with other Downtown Revitalization Developments.
  - (c) Each in-lieu fee must be paid prior to issuance of a use and occupancy permit for the first building in the project that generates the requirement, and the collected funds must be used to provide art on property within Downtown Revitalization Developments.
  - (d) If the value of the art provided on site or in combination with other projects exceeds 1% of the building construction cost, then the excess value beyond 1% can be credited towards the requirements of this subsection for a subsequent-Final Development Plan subject to the procedures and requirements set forth in this subsection.

- (e) The following construction projects are not subject to the requirements of this section:
  - (i) Construction of places of worship and their accessory uses.
  - (ii) Renovations to existing or construction of new cultural facilities which include facilities located within a Downtown Arts and Entertainment Park, Downtown Arts, Cultural and Community Uses, and Downtown Community Commons.
  - (iii) Parking Structures.
  - (iv) Renovations to existing buildings or structures required by government mandated code compliance construction projects, such as projects exclusively designed for compliance with the Americans with Disabilities Act ("ADA"), the Maryland Accessibility Code, the National Fire Protection Association (NFPA) Life Safety Code, and/or fire sprinkler retrofits.
- (3) Except as provided in paragraph (4) of this Subsection, a developer of residential units shall provide affordable units as follows:
  - (a) 15% of all Net New dwelling units in buildings with 5 or fewer stories of residential units shall be affordable as defined by Howard County's Moderate Income Housing Unit program set forth in Title 13, Subtitle 4 of the Howard County Code;
  - (b) 12% of all Net New dwelling units in buildings with greater than 5 stories of residential units shall be affordable as defined by Howard County's Moderate Income Housing Unit program set forth in Title 13, Subtitle 4 of the Howard County Code;
  - (c) A developer of rental units may not utilize optional methods or alternative compliance as described in Section 13.402 of the Howard County Code and shall provide all of the affordable units:
    - (i) On the site of the development project;
    - (ii) In the same ratio of unit types as proposed for the development; and
    - (iii) Evenly distributed within each phase of development; and
  - (d) A developer of units offered for sale may, if approved, utilize optional methods or alternative compliance as described in Section 13.402 of the Howard County Code.
- (4) Paragraph (3) shall not apply if the County determines that the purposes of the Affordable Housing requirements of the Zoning Regulations and Title 13, Subtitle 4 of the Howard County Code will be served to a greater extent by entering into a Development Rights and Responsibilities Agreement with the developer in accordance with Title 16, Subtitle 17 of the Howard County Code if the property is identified for the development of affordable housing in an approved Development Rights and Responsibilities Agreement and appropriate covenants are recorded against the property consistent with the agreement. If a Development Rights and Responsibilities Agreement is approved and subsequently terminated, all development for which a site development plan has not received Technically Complete approval prior to the date on which the Development Rights and Responsibilities Agreement is terminated shall comply fully with the requirements set forth in paragraph (3) regardless of the number of affordable units developed under the Development Rights and Responsibilities Agreement. Development pursuant to a site development plan which received Technically Complete approval

before the termination of the Development Rights and Responsibilities Agreement shall be subject to the Development Rights and Responsibilities Agreement.

g. Open Space Preservation and Enhancement.

- (1) For the purpose of enhancing, preserving, conserving and increasing open space for enjoyment by the public, all land designated as credited open space on a Final Development Plan recorded prior to April 6, 2010 and depicted on the Downtown Open Space Preservation Plan shall, except as provided within this section, retain its character as one of the following four land types, as depicted on the Downtown Open Space Preservation Plan:
  - (a) Downtown Environmentally Sensitive Land Area.
  - (b) Downtown Parkland.
  - (c) Downtown Community Commons.
  - (d) Downtown Arts and Entertainment Park.
- (2) Construction of improvements that are included within one of the four above land type definitions in these Regulations is deemed to conform to and does not change the character of the land type as designated on the Downtown Open Space Preservation Plan.
- (3) There shall be no net loss of existing Downtown Community Commons as depicted on the Downtown Open Space Preservation Plan.
- (4) New Downtown Community Commons shall be provided in accordance with the following requirements:
  - (a) A minimum of 5% of the land located within Downtown Columbia that has not previously been designated as either (I) open space or (II) public right of way as shown on the Downtown Open Space Preservation Plan shall be provided as new Downtown Community Commons land.
  - (b) Downtown Community Commons may be located within areas designated as open space under a previously approved Final Development Plan. However, land counted toward the minimum requirement for new Downtown Community Commons land shall not include any environmentally sensitive land or land designated as credited open space on a recorded Final Development Plan for the purpose of fulfilling the 36% minimum open space requirement in the NT District.
  - (c) New Downtown Community Commons shall include sites of a character and location that are generally consistent with the amenity spaces shown on the Downtown Primary Amenity Space Framework Diagram and other sites which shall be identified and improved to enhance neighborhood development.
  - (d) Except for any neighborhood comprised entirely of land recorded as open space prior to April 6, 2010, each neighborhood shall include at least one Downtown Neighborhood Square. At least one Downtown Community Commons that meets the definition of Downtown Neighborhood Square in these Regulations and all the provisions of this section shall be completed and deeded to Howard County for public land as described in the Downtown Columbia Plan.
  - (e) The boundaries of all existing and new Downtown Community Commons shall be delineated on the proposed Final Development Plan with the total land area of each.
  - (f) New Downtown Community Commons must be constructed prior to occupancy of more than 50% of all existing and proposed buildings having a

façade adjacent to the space, or in accordance with a phasing plan approved as part of the Final Development Plan.

- (g) Each Final Development Plan shall designate 5% of the area that has not been previously designated as either open space or public right-of-way as Downtown Community Commons; except that if more than 5% is designated as Downtown Community Commons on any given Final Development Plan, the excess beyond 5% can be credited towards the Downtown Community Commons obligation on a subsequent Final Development Plan with the written consent of the fee simple owner of the land on which the Downtown Community Commons to be credited is located.
  - (5) Except as provided below, there shall be no net loss in the total area of existing Downtown Parkland as depicted on the Downtown Open Space Preservation Plan and only Downtown Parkland uses are permitted:
    - (a) In exchange for the use of Downtown Parkland for any other use, including other open space uses, each acre of Downtown Parkland or portion thereof being developed must be replaced with one acre of newly designated Downtown Parkland.
    - (b) Any area newly designated as Downtown Parkland in exchange for existing Downtown Parkland must consist of at least one contiguous acre.
    - (c) Downtown Environmentally Sensitive Land Area recorded after April 6, 2010 may not be exchanged to replace Downtown Parkland.
  - (6) Land designated as open space on a Final Development Plan recorded prior to April 6, 2010 on which a public facility such as a library or fire station has been constructed may be designated as Downtown Mixed-Use on an amended Final Development Plan, but may only be redeveloped after a replacement public facility is operating at an alternative location within Downtown Columbia.
  - (7) All types of Downtown open space should be designed and maintained to further the sustainability goals for Downtown Columbia, as described in the Design Guidelines and Sustainability Framework, through innovative design, construction and environmental enhancements and rehabilitation.
- h. Phasing and Implementation.
- (1) No permit for land disturbance activity in any phase of the Downtown Revitalization Phasing Plan shall be issued for Downtown Revitalization unless (I) the Community Enhancements, Programs and Public Amenities (CEPPAS) have been provided in accordance with the Downtown CEPPA Implementation Chart and CEPPA Flexibility Provisions, except as provided in Section 125.0.A.9.I.2 [this section reference in CB59-2009 is incorrect, should be Section 125.0.A.9.h(2)] and (II) building permits have been approved for at least the minimum levels of development identified in the Downtown Revitalization Phasing Plan for the preceding phase for retail, office, residential and hotel land use types.
  - (2) In no case shall the obligation to provide a Community Enhancement, Program or Public Amenity (CEPPA) be triggered:
    - (a) By the development or construction of Downtown Arts, Cultural and Community Uses, Downtown Community Commons, or Downtown Parkland; or
    - (b) When the development of an individual parcel of land shown on a plat or deed recorded among the County Land Records as of April 6, 2010 consists only of up to a total of 10,000 square feet of commercial floor area and no other development.

- (3) If a specific CEPPA identified in the Downtown CEPPA Implementation Chart cannot be provided because: (I) the consent of the owner of the land which the CEPPA is to be located or from whom access is required cannot reasonably be obtained; (II) all necessary permits or approvals cannot reasonably be obtained from applicable governmental authorities; or (III) factors exist that are beyond the reasonable control of the petitioner, then the Planning Board shall (I) require the petitioner to post security with the County in an amount sufficient to cover the cost of the original CEPPA; or (II) approve an alternate CEPPA comparable to the original and appropriate timing for such alternate CEPPA or alternative timing for the original CEPPA. In approving an alternate comparable CEPPA or timing, the Planning Board must conclude the alternate comparable CEPPA or timing: (I) does not result in piecemeal development inconsistent with the plan; (II) advances the public interest; and (III) conforms with the goals of the Downtown Plan.
    - (4) A Final Development Plan or Final Development Plan Amendment may also propose adjustments to the Downtown Revitalization Phasing Plan and/or the Downtown CEPPA Implementation Chart to take advantage of a major or unique employment, economic development or evolving land use concept or opportunity. The Planning Board may approve a request to adjust the Downtown Revitalization Phasing Plan or the Downtown CEPPA Implementation Chart under this provision only if such approval would (I) not be detrimental to the overall vision for Downtown Columbia expressed in the Downtown Columbia Plan; (II) not create an adverse community or economic impact; and (iii) establish a reasonable schedule for completion of any requested comparable alternative CEPPA.
10. Anything in other sections of these Regulations to the contrary notwithstanding, there shall be no restrictions upon the use of, or on the erection of structures on, land within an NT District, other than such as are provided in the various subsections of this section or in such other sections of these Regulations as are expressly stated to be applicable by the various provisions of this section. Nothing herein shall render inapplicable any regulation of the County relating to construction requirements and/or subdivision approval to the extent that any of the same are not inconsistent with the provisions of this section.
11. Notwithstanding any other provisions in this Section 125.0, if the criteria in a recorded Final Development Plan identifies a gasoline service station or Motor Vehicle Fueling Facility as a specific permitted use, a newly proposed Motor Vehicle Fueling Facility is permitted only upon approval by the Planning Board after a public hearing where the petitioner establishes that the general standards and specific criteria in Section 131.0 which are applicable to a conditional use for a Motor Vehicle Fueling Facility are met. To the extent there is any conflict between the criteria in the recorded Final Development Plan and the general standards and specific criteria for a Conditional Use for a Motor Vehicle Fueling Facility in Section 131.0, the more restrictive provision shall apply.

(Bill No. 46-2016(ZRA-159), § 1, 10-5-2016; Bill No. 54-2016(ZRA-170), § 1, 1-14-2017)

**B. Procedure for Creation of NT Districts**

1. The beneficial owner of any tract of land in Howard County meeting the requirements of Section 125.0 may petition the Howard County Zoning Board to designate the property described in the petition as an NT District. The petition shall contain:
  - a. The exact name and address of the petitioner and a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property in question to the petitioner is recorded. If the petitioner is not the legal as well as beneficial owner of the property, the petition shall:
    - (1) So state;

- (2) List the exact name and address of the legal title holder and give a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property to the legal title holder is recorded, and
    - (3) Contain a written assent to the petition signed by the legal title holder.
  - b. A metes and bounds description of the property covered by the petition and a survey thereof demonstrating that the same meets the requirements of Section 125.0.A.3.
  - c. A Preliminary Development Plan of the property covered by the petition. As used in this Section the term "Preliminary Development Plan" shall mean a generalized drawing or series of drawings of the proposed New Town, with appropriate text materials, setting forth:
    - (1) The major planning assumptions and objectives, including the projected population, the planned development schedule, the method of assuring that all open space uses will be permanently maintained and devoted to open space uses, the proposed public transit system routes and method of operation, and the facilities for the proposed cultural activities of the New Town;
    - (2) The proposed general layout of major roads and highways stating projected average daily traffic flows;
    - (3) A statement of the number of acres within the proposed NT District intended to be devoted to:
      - (a) Residential uses, broken down into the number of acres to be used for each of the following specific residential uses:
        - Single-family—low density areas;
        - Single-family—medium density areas;
        - Apartment areas;
      - (b) Employment uses (i.e. any use involving the employment of individuals, including office buildings, private schools, hospitals, institutions, commercial undertakings, industrial enterprises, and all other forms of business, professional or industrial operations); and
      - (c) Open space uses.
    - (4) The general location of the uses referred to in subparagraph (3) above, including proposed sites for recreational uses, schools, parks and other public or community uses and, to the extent the petitioner has determined locations for commercial uses at the time of the filing of the Preliminary Development Plan, including a separate designation of commercial areas;
    - (5) A description of the proposed drainage, water supply, sewerage and other utility facilities including projected flows; and
    - (6) A statement of the intended overall maximum density of population of the proposed NT District, expressed in terms of the average number of dwellings per acre.
2. The Preliminary Development Plan shall indicate the location and nature of any commercial uses in relation to residential areas. All proposed and identified commercial or industrial uses shall be indicated on the drawings in areas marked "Employment Centers," defined as those areas shown on the Preliminary Development Plan which the petitioner proposes to develop for employment uses.
  3. The Zoning Board shall consider the following guides and standards in reviewing the petition: the appropriateness of the location of the NT District as evidenced by the General Plan for

Howard County; the effect of such District on properties in the surrounding vicinity; traffic patterns and their relation to the health, safety and general welfare of the County; the physical layout of the County; the orderly growth of the County; the availability of essential services; the most appropriate use of the land; the need for adequate open spaces for light and air; the preservation of the scenic beauty of the County; the necessity of facilitating the provision of adequate community utilities and facilities such as public transportation, fire-fighting equipment, water, sewerage, schools, parks and other public requirements, population trends throughout the County and surrounding metropolitan areas and more particularly within the area considered; the proximity of large urban centers to the proposed NT District; the road building and road widening plans of the State and County, particularly for the area considered; the needs of the County as a whole and the reasonable needs of the particular area considered; the character of the land within the District and its peculiar suitability for particular uses; and such other matters relevant and pertinent to the relationship of the District to the comprehensive zoning plan of the area.

The petition shall be granted only if the Zoning Board affirmatively finds:

- a. That the petition complies with the provisions of these Regulations;
  - b. That a New Town District should be located at the proposed site; and
  - c. That the Preliminary Development Plan constitutes a general land use plan for the area covered thereby, designed to meet the objectives set forth in these Regulations.
4. If the petition is granted, the Zoning Board shall by Decision and Order approve the Preliminary Development Plan and shall create a New Town District covering all of the land included in the petition. If the proposed NT District contains more than 2,500 acres, the creation of the District may be accomplished by rezoning all of the land included in the petition at one time or, in the discretion of the Zoning Board, by rezoning the same in phases. If this latter course is taken:
- a. The area included in the first such phase shall be at least 2,500 acres, and each additional phase shall be of such size and at such location or locations as will permit effective and economic development of the portion so zoned as a part of the New Town shown on the Preliminary Development Plan; and
  - b. The overall density restrictions, the density restrictions as to particular use areas, and the restrictions as to the maximum and minimum areas devoted to particular uses shall be applied with respect to the entire area shown on the Preliminary Development Plan and not merely with respect to the area of the phase so zoned.
5. If the petition is granted as above provided:
- a. A copy of the Preliminary Development Plan shall be 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;
  - b. No further permanent improvements involving any new primary uses shall thereafter be erected on and no new primary uses made of, any part of the land within the new NT District prior to the approval of the Final Development Plan (or the phase thereof covering such development) as hereinafter provided, except for such as may be specifically approved by the Planning Board, but the petitioner shall discontinue any such use and demolish any such improvements so permitted by the Planning Board if such use and such improvements are not ultimately permitted by the Final Development Plan.
6. If the Zoning Board has approved a petition to create a NT District, then at any time thereafter the original petitioner may file a new petition to add to the NT District additional land which is owned by the petitioner and adjacent to the existing NT District. The new petition shall be subject to all the provisions of this Section, except that the minimum area requirement of Section 125.0.A.3 shall not apply.

### C. Comprehensive Sketch Plan

1. Except as provided in Section 125.0.E.1.a, within 30 days following notification of the approval of the Preliminary Development Plan, the petitioner shall notify the Planning Board of the target date for the presentation to the Planning Board of a proposed Final Development Plan of the NT District, pursuant to Section 125.0.D below, or of the first phase of a proposed Final Development Plan, if the petitioner desires to develop the NT District in separate geographical segments.
2. Promptly following the giving of such notice to the Planning Board, the petitioner shall file with the Department of Planning and Zoning for Planning Board approval of a Comprehensive Sketch Plan for that geographical phase of the NT District which the petitioner elects to develop.
3. As used herein, the term "Comprehensive Sketch Plan" shall mean a drawing or series of drawings, at an appropriate scale, of generally either one inch equals 200 feet or one inch equals 100 feet, setting forth:
  - a. The approximate boundaries and approximate acreage for each of the proposed land uses in sufficient detail to graphically illustrate the application of the adopted master final development plan criteria to the area encompassed by the Comprehensive Sketch Plan.
  - b. The location of all existing and proposed public streets, roads, and utilities.
  - c. The location of open space within which recreational, school, park and other public or community uses are permitted.
  - d. Text material (criteria) regulating the following:
    - (1) The general locations for all structures.
    - (2) The permitted "general use" or "specific use" as hereinafter defined, for each land use area, except that no uses shall be specified which are permitted only in R-MH or M-2 Districts.

Where the criteria designate the use for a particular structure, lot or parcel, as "uses permitted in a District" (e.g., "uses permitted in a B-1 District"), then the structure, lot or parcel may be used for all uses permitted in the particular district by the several sections of these Regulations, the use so designated being herein referred to as a "general use."

Where, however, the criteria designate a structure, lot or parcel for a specific use or uses (e.g., "gasoline station") the structure, lot or parcel must be used for those specific uses only, the use(s) so designated being herein referred to as "specific use(s)."
    - (3) Height limitations, parking requirements, front, side and rear yard areas, setback provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvements or types of improvements.
4. The Planning Board shall hold a public hearing prior to the approval of a Comprehensive Sketch Plan under the following conditions:
  - a. If the Comprehensive Sketch Plan includes land which borders on property not within the New Town District (unless the owners of all lands abutting the New Town District land covered by the Comprehensive Sketch Plan shall sign a written waiver of the right to be heard in connection with the request for approval of said plan).
  - b. If the Comprehensive Sketch Plan deviates from the approved Preliminary Development Plan in any of the following particulars:

- (1) If the overall maximum density of population within the NT District exceeds that stated in the Preliminary Development Plan; or
- (2) If the number of acres to be devoted to the permitted employment uses shall be increased more than 10%, or the number of acres to be devoted to permitted residential uses shall be decreased by more than 10%, from that stated in the Preliminary Development Plan; or
- (3) If the proposed Comprehensive Sketch Plan shows a use of land in the NT District within 300 feet of any outside boundary thereof which differs from that shown on the Preliminary Development Plan, unless the owners of all land abutting the NT District and within 300 feet of the land in the NT District, the use of which is to be changed, sign a written waiver of the right to be heard in connection with such change in use.

If a public hearing is required to be held for any of the above three deviations from the Preliminary Development Plan, such hearing shall be limited to the particular deviation(s) which required the hearing, and the Planning Board shall require publication of Notice of Hearing and posting of the property.

- c. If the criteria submitted as a part of the Comprehensive Sketch Plan include a gasoline service station among the specified land uses.
5. In acting upon a Comprehensive Sketch Plan, the Planning Board shall be guided by Section 125.0 of these Regulations and shall particularly consider:
    - a. The adequacy of the roads serving the proposed development and any proposed mitigation, in accordance with the Adequate Public Facilities Ordinance (Title 16, Subtitle 11 of the Howard County Code).
    - b. The location and adequacy of public utility and community facilities, including recreational uses and school properties, in relation to the density and distribution of population.
    - c. The location, extent and potential use of open space in the form of greenbelts, walkways, parkways, park land, etc., as it affects the general amenity of the community.
    - d. The impact of the proposed commercial and industrial uses on the residential uses within the NT District or adjacent thereto.
  6. After review of the material submitted in light of the General Plan, and after carefully considering public agency comments, petitioner's testimony, public hearing testimony and the factors set forth in Section 125.0.C.5 above, the Planning Board shall:
    - a. Approve the Comprehensive Sketch Plan as submitted by the petitioner; or
    - b. Approve the Comprehensive Sketch Plan as changed by the Planning Board; or
    - c. Reject the Comprehensive Sketch Plan in its entirety.
  7. The Planning Board shall not unreasonably disapprove or change a proposed Comprehensive Sketch Plan. The fact that the proposed Comprehensive Sketch Plan is not in conformity with the Preliminary Development Plan shall be sufficient ground for disapproval or change. The Planning Board shall approve no Comprehensive Sketch Plan which varies the areas of uses below the minimum or above the maximum percentages for particular uses specified herein.

**D. Final Development Plan—General Provisions**

1. If a Comprehensive Sketch Plan or Comprehensive Sketch Plan Amendment is required, upon its approval, the petitioner may submit a Final Development Plan or Final Development Plan Amendment to the Department of Planning and Zoning for approval by the Planning Board. The petition may cover all or a portion of the land covered by the Comprehensive

Sketch Plan. The drawings shall delineate the various land use areas by courses and distances. The text (criteria) shall be that which was approved by the Planning Board as part of the Comprehensive Sketch Plan.

2. The Final Development Plan shall be considered by the Planning Board at a public meeting. In acting upon the Final Development Plan, the Planning Board shall be guided by the approved Comprehensive Sketch Plan, and comments received from the various public agencies which reviewed the Final Development Plan, and shall not unreasonably disapprove or change the Final Development Plan. The provisions of this Section 125.0.D.2 do not apply to Downtown Revitalization.
3. At the time of the approval of the Final Development Plan, the Planning Board may provide for the subsequent approval by it of a Site Development Plan pertaining to the property which is the subject matter of such Final Development Plan. Site Development Plan approval is also required for all Downtown Revitalization. Site Development Plan approval shall not be a condition precedent to the approval and recordation of the Final Development Plan with respect to which a Site Development Plan is to be submitted, but shall be in addition to any administrative approvals required by the Subdivision and Land Development Regulations. Land use decisions made by the Planning Board as part of the approval of a Final Development Plan or Final Development Plan Amendment shall not be subject to review or further consideration as part of the subsequent Site Development Plan process.
4. In applying the provisions of this Section, where the proposed Final Development Plan is submitted in phases, the overall population density and the acres devoted to particular uses shall be recomputed by the Department of Planning and Zoning upon the consideration of each successive phase of proposed Final Development Plan so as to include all prior phases, but in making these recomputations, the gross area of the entire NT District covered by the Preliminary Development Plan shall be considered and not merely the area of the segments covered by the prior phases of the proposed Final Development Plan and the current phase being submitted for approval. The provisions of this Section 125.0.D.4 do not apply to Downtown Revitalization.
5. If the Planning Board shall disapprove the proposed Final Development Plan or Final Development Plan Amendment (or any phase thereof) or shall fail to approve or disapprove the same within 120 days after submission, then the petitioner, at his election, may take an appeal as permitted by law or may submit the proposed Final Development Plan or Final Development Plan Amendment (or the phase thereof in question) directly to the Zoning Board. If the petitioner pursues the latter course, the Zoning Board shall hold a public hearing on the proposed Final Development Plan or Final Development Plan Amendment (or the phase thereof in question), shall require publication and posting of the property and shall ask for recommendations from the Planning Board, all as in the case of the hearing on the Preliminary Development Plan. After such hearing, the Zoning Board may approve, with or without changes, or disapprove the proposed Final Development Plan or Final Development Plan Amendment (or the phase thereof in question). In making this decision, the Zoning Board shall consider the matters set forth herein.
6. Upon approval of the Final Development Plan or Final Development Plan Amendment (or upon the approval of each phase thereof if submitted on a separate segment basis) the same shall be recorded among the Land Records of Howard County and the provisions thereof as to land use shall bind the property covered with the full force and effect of specific Zoning Regulations. After such recordation, no new structure shall be built, no new additions to existing structures made, and no change in primary use effected different from that permitted in the Final Development Plan or Final Development Plan Amendment except by an amendment to the Final Development Plan.
7. Unless otherwise provided in a Downtown Implementation Phasing Plan approved as part of a Final Development Plan or Final Development Plan Amendment, if construction has not been commenced and completed to the extent of 25% of the ground floor area of a structure shown on the Final Development Plan within five years after the date of the approval thereof

(or the date of the approval of the last phase thereof if submitted in phases), then the approval shall be void and the entire matter resubmitted to the Planning Board for reconsideration in light of existing circumstances to the same extent as if the same were simply a proposed Final Development Plan; provided, however, that the Zoning Board may grant not more than two extensions of time of one year each to be added to said five year period if it considers such extension to be proper after the receipt and consideration of a report and recommendation from the Planning Board with respect to such extension or extensions.

8. Any construction which has been commenced shall not be subject to reconsideration upon any resubmission of a Final Development Plan under this Section, and the Planning Board shall make no changes in the Final Development Plan except in relation to areas where construction has not been commenced. During any such reconsideration the property covered by the Final Development Plan shall continue to be bound until such Plan is changed or disapproved in the manner described above.
9. If the Planning Board has denied a land use which was shown on a Final Development Plan or Final Development Plan Amendment and which would be a Conditional Use in any other zoning district, a petition for the same land use on the same parcel shall not be accepted for consideration by the Planning Board for a period of 12 months from the date of said denial except on grounds of new evidence or proof of changed conditions found to be valid by the Planning Board.
10. Except where expressly made inapplicable, the provisions of this Section 125.0.D also apply to Downtown Revitalization.

**E. Final Development Plan—Downtown Revitalization**

1. Required Process for Downtown Revitalization and Relation to Prior Adopted New Town Document.

The following development review process is required for all Downtown Revitalization, with the exception of Downtown Environmental Restoration Projects that are not part of a plan that includes other uses. The fee simple owner of any property located in Downtown Columbia using the Downtown Revitalization process shall submit a Final Development Plan or Final Development Plan Amendment to the Department of Planning and Zoning for approval by the Planning Board. An amendment to the Preliminary Development Plan or any previously approved applicable Comprehensive Sketch Plan or Final Development Plan is not required because Final Development Plans for Downtown Revitalization will supersede previous New Town documents.

2. Pre-Submission Requirements.

Prior to filing a Final Development Plan or Final Development Plan Amendment in each neighborhood for Downtown Revitalization:

- a. A Pre-submission Community Meeting is required using the same procedures established in Section 16.128(b)—(g) of the Subdivision and Land Development Regulations. In addition, notice in accordance with Sections 16.128(b)-(g) must also be given to:
  - (1) Each Village Board;
  - (2) The Columbia Association; and
  - (3) Each property located within the same Downtown Columbia Plan neighborhood as reflected on the Maryland State Department of Assessments and Taxation Public Records. For condominium properties, one copy to the Condominium Association shall be deemed to meet this requirement.

The concept plans and materials required under Section 125.0.E.4.a. must be presented at the pre-submission community meeting.

- b. The petition is required to submit proposed Downtown Neighborhood Design Guidelines for review by the Design Advisory Panel, for its recommendations in accordance with the applicable provisions in Title 16, Subtitle 15 of the Howard County Code. The Design Advisory Panel shall base its review and recommendations on the Downtown-Wide Design Guidelines. For neighborhoods with approved Design Guidelines, subsequent Final Development Plans or Final Development Plan Amendments that do not propose modifications to the guidelines do not require further Design Advisory Panel review.

3. Final Development Plan Submission Requirements.

The Petitioner for a Final Development Plan or Final Development Plan Amendment shall include the following information, as applicable, for the land area covered by the plan:

- a. The following neighborhood documents are only binding on property included within the boundaries of the Final Development Plan and are intended to provide a context for evaluation of the initial Final Development Plan and guidance for future Final Development Plan petitions:

- (1) A Neighborhood Concept Plan covering an entire neighborhood of Downtown Columbia as depicted on Exhibit E. The Neighborhoods:

- (a) A Neighborhood Concept Plan must show how the plan conforms with the neighborhood as described in the Street and Block Plan, the Neighborhoods Plan, the Maximum Building Height Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Circulation Plan, and the Downtown Open Space Preservation Plan of the Downtown Columbia Plan;
- (b) The Neighborhood Concept Plan must reflect any previously approved Final Development Plan for Downtown Revitalization, and any approved Site Development Plan for Downtown Environmental Restoration within the same Downtown Neighborhood; and
- (c) Each Neighborhood Concept Plan that is part of an approved Final Development Plan must be recorded with the Final Development Plan.

- (2) Neighborhood Specific Design Guidelines.

For new development or redevelopment, neighborhood specific Design Guidelines must be submitted for an individual neighborhood with the Final Development Plan and shall address the following:

- (a) Urban design, including scale and massing, block configuration, parking and service functions, building entrances, and street lighting and furniture;
- (b) Street design and framework;
- (c) Downtown Community Commons and Downtown Parkland;
- (d) Architectural design;
- (e) Green building and green site design;
- (f) Pedestrian and bicycle circulation features; and
- (g) Signage.

- (3) Neighborhood Specific Implementation Document.

A Neighborhood-Specific Implementation Plan, in conformance with the Downtown Revitalization Phasing Plan and the Downtown Community Enhancements, Programs and Public Amenities Implementation Chart approved as part of the Downtown Columbia Plan, which addresses the implementation schedule and benchmarks for the following:

- (a) The balance of uses within each implementation phase;
  - (b) The phasing of Downtown Mixed-Use Development;
  - (c) The phasing of Downtown Community Commons Spaces;
  - (d) The phasing of the transportation and circulation facilities;
  - (e) The phasing of the required infrastructure including public water and sewer;
  - (f) Transportation and circulation facilities;
  - (g) Environmental restoration;
  - (h) Downtown Arts, Cultural and Community Uses; and
  - (i) Any other items as specified in the Downtown Community Enhancements, Programs and Public Amenities Implementation Chart.
- b. An explanation and rationale for any change from the Downtown Columbia Plan exhibits or any neighborhood documents and materials that were part of a previously approved Final Development Plan. Limited change to building height is allowed based on compatibility, character and height of nearby existing and planned development and redevelopment, and open spaces in the area. However, in no event shall the maximum building height for Downtown Revitalization exceed twenty stories;
- c. Boundaries of the property covered by the Final Development Plan;
- d. Existing topography, woodlands, and 100-year floodplain areas;
- e. A context plan showing existing road connections, major pedestrian networks, land uses and major storm water management facilities, and open space within the entire plan area and adjoining land within 500 feet;
- f. Total acreage within the area covered by the plan;
- g. Location of developed and undeveloped land and parcels;
- h. From approved Site Development Plans for the area covered by the plan;
- (1) Summary of all existing and approved development;
  - (2) The square footage of proposed office, retail, and hotel space;
  - (3) The square footage of any other non-residential uses;
  - (4) The number of proposed hotel and motel rooms; and
  - (5) The number of proposed dwelling units.
- i. The approximate location and total land area of the following existing and/or proposed land uses:
- (1) Downtown Arts and Entertainment Parks;
  - (2) Downtown Community Commons;
  - (3) Downtown Environmentally Sensitive Land Areas;
  - (4) Downtown public facilities;
  - (5) Downtown Parklands; and

- (6) Downtown Mixed-Uses.
- j. The general location of existing and proposed Downtown signature buildings;
- k. Traffic and transit circulation systems showing existing and proposed streets, routes and facilities;
- l. A traffic study as specified in the Howard County Adequate Public Facilities Ordinance for the evaluation of the adequacy of transportation facilities;
- m. An explanation of how the proposed development addresses the environmental concepts of the Downtown Columbia Plan, and specifically addressing the concepts of green buildings and green site design;
- n. The locations and descriptions of historic and culturally significant existing sites, buildings or structures, and public art and an explanation of the methods proposed to retain and preserve these items;
- o. A statement describing how the petitioner proposes to fulfill the art in the community requirement;
- p. A statement describing how the petitioner proposes to fulfill the affordable housing requirement;
- q. Layout of the existing and proposed bicycle and pedestrian circulation systems;
- r. Conceptual storm water management plan;
- s. A proposed plan for fulfilling required community enhancements, programs and public amenities applicable to the Final Development Plan; and
- t. Text material regulating the following:
  - (1) Maximum number and unit types of net new dwellings;
  - (2) Maximum gross floor area of net new commercial office uses and commercial retail uses;
  - (3) Maximum number of net new hotel rooms;
  - (4) Maximum building heights;
  - (5) Maximum size of a retail-use footprint;
  - (6) A description of the Community Commons that will be included in the development;
  - (7) A statement identifying (I) the cumulative amount of development approved and built to date under Section 125.0.A.9 and (II) the status of any Downtown Community Enhancements, Programs and Public Amenities, Downtown Parkland, Downtown Community Commons, and infrastructure as addressed in the Downtown Columbia Plan;
  - (8) Proposed location for environmental restoration; and
  - (9) Proposed restrictions, agreements or other documents indicating a plan to hold, own, and maintain in perpetuity land intended for common, quasi-public amenity use and public art but not proposed to be in public ownership.

4. Planning Board Review and Approval Criteria

The Planning Board shall consider the Final Development Plan or Final Development Plan Amendment at a public hearing. The Planning Board shall approve, approve with conditions, or deny the petition based on whether the petition satisfies the following criteria:

- a. The Downtown Neighborhood Concept Plan, the Neighborhood Specific Design Guidelines, and the Neighborhood Specific Implementation Plan conform with the

Downtown-Wide Design Guidelines, the Downtown Columbia Plan, the Street and Block Plan, the Neighborhoods Plan, the Maximum Building Heights Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Plan, and the Open Space Preservation Plan, or that any propose change(s) will not be detrimental to the overall design concept and phasing for Downtown Revitalization. Limited change in building heights may be approved based on compatibility, character and height of nearby existing and planned development and redevelopment, and open spaces in the area. However, in no event shall the maximum building height for Downtown Revitalization exceed twenty stories;

- b. The Neighborhood Design Guidelines submitted with the Final Development Plan or Final Development Plan Amendment offer sufficient detail to guide the appearance of the neighborhood over time, and promote design features that are achievable and appropriate for Downtown Revitalization in accordance with the Design Guidelines and the Downtown Columbia Plan;
- c. The Final Development Plan conforms with the Neighborhood Documents, the Revitalization Phasing Plan, the Downtown Community Enhancements, Programs, and Public Amenities Implementation Chart and Flexibility Provisions, the Downtown-wide Design Guidelines, the Downtown Columbia Plan, the Street and Block Plan, the Neighborhoods Plan, the Maximum Building Heights Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Plan, and the Open Space Preservation Plan. Limited change in building heights may be approved based on compatibility, character and height of nearby existing and planned development and redevelopment, and open spaces in the area. However, in no event shall the maximum building height for Downtown Revitalization exceed twenty stories;
- d. The Final Development Plan, when considered in the context of surrounding planned or existing development, provides a balanced mix of housing, employment, and commercial and arts and cultural uses throughout each phase;
- e. The Final Development Plan satisfies the affordable housing requirement;
- f. The bicycle, pedestrian, and transit network creates convenient connections throughout the subject area and connect, wherever possible, to existing and planned sidewalks, path, and routes adjoining the development;
- g. The Final Development Plan protects land covered by lakes, streams or rivers, flood plains and steep slopes, and provides connections, where possible to existing and planned open space within the neighborhood and in surrounding area;
- h. The Final Development Plan provides the location of Downtown Community Commons required under Section 125.0.A.9.h as indicated in the Neighborhood Concept Plan;
- i. The Final Development Plan is in harmony with existing and planned vicinal land uses. In making this determination, the Planning Board shall consider, if appropriate:
  - (1) Landscape features on the boundary of the plan area, which may include protection of existing vegetation or grade changes that provide a natural separation, or landscape planting;
  - (2) The size of buildings along the edges of the plan area through limits on building height or other requirements;
  - (3) The use and design of nearby properties and
  - (4) The adopted Downtown Columbia Plan recommendations for height, building massing and scale, and neighborhood connectivity;
- j. The development proposed by Final Development Plan is served by adequate public facilities, including any proposed mitigation or development staging in accordance with

the Adequate Public Facilities Ordinances (Title 16, Subtitle 11 of the Howard County Code);

- k. The Final Development Plan protects environmentally sensitive features and provides environmental restoration in accordance with the Downtown Columbia Plan;
  - l. The Final Development Plan protects any historic or culturally significant existing sites, buildings or structures, and public art;
  - m. The Final Development Plan proposes any appropriate plan to satisfy the requirement for art in the community;
  - n. The Final Development Plan provides a plan to hold, own, and maintain in perpetuity land intended for common, quasi-public amenity use and public art that is not publically owned, including, without limitation, any Downtown Community Commons, Downtown Parkland, Downtown Arts, Cultural and Community Use, and Downtown Neighborhood Square shown on the Final Development Plan; and
  - o. To better ensure conformance with the Community Enhancements, Programs and Public Amenities provisions, the Final Development Plan provides for a plan to establish membership in the Downtown Columbia Partnership and payment of the annual charges. Each Final Development Plan shall show a consistent means of calculating and providing the required annual charges.
5. Withdrawal

At any time prior to final action and within 30 days after final action by the Planning Board on a Final Development Plan or Final Development Plan Amendment, the petitioner may withdraw the petition.

6. Recordation of Final Development Plan and Neighborhood Concept Plan

The approved Final Development Plan containing the Neighborhood Concept Plan, the Neighborhood Specific Design Guidelines and the Neighborhood Specific Implementation Plan shall be recorded in the Land Records of Howard County.

7. Site Development Plan Required

Planning Board Approval of a Site Development Plan shall be required for all Downtown Revitalization.

**F. Amendments to a Comprehensive Sketch Plan or Final Development Plan**

1. Amendments Submitted by Original Petitioner

Except as allowed by Sections 125.0.F.2 and 125.0.F.3 below, only the original petitioner for the New Town District may propose amendments to an approved Comprehensive Sketch Plan or Final Development Plan. A proposed Comprehensive Sketch Plan Amendment shall be reviewed in accordance with Section 125.0.C above. A proposed Final Development Plan Amendment shall be reviewed in accordance with Section 125.0.D or 125.0.E. as applicable.

2. Additional Uses on Individual Lots in Residential Land Use Areas

Within areas designated on a Comprehensive Sketch Plan for residential land use, any property owner may propose amendments to the Final Development Plan to allow a particular use on his or her property which is not allowed by the Final Development Plan criteria. No amendment shall be proposed which would either alter the land use designation established by the Comprehensive Sketch Plan or allow an increase in residential density. The proposed amendment shall be considered in accordance with the following procedures:

- a. The property owner shall submit the number of copies of the complete Final Development Plan as required by the Department of Planning and Zoning, with the proposed criteria amendments clearly noted on each copy, accompanied by an explanation of the request.
  - b. The proposal shall be considered by the Planning Board at a public hearing.
  - c. The Planning Board shall approve, approve with modifications or deny the proposed amendments to the Final Development Plan, stating the reasons for its action. The Planning Board shall approve the request only if it finds that:
    - (1) The use is consistent with the land use designation of the property as established on the recorded Final Development Plan and compatible with existing or proposed development in the vicinity.
    - (2) The use will not adversely affect vicinal properties.
  - d. If the use is approved:
    - (1) The Planning Board may provide for the subsequent approval by it of a Site Development Plan for the property which is the subject of the proposal; and
    - (2) Revised text for the Final Development Plan indicating the additional allowed use of the particular property shall be submitted by the applicant and recorded in the Land Records of Howard County.
3. The fee simple owner of any property located within Downtown Columbia may propose amendments to an approve Final Development Plan in accordance with Downtown Revitalization requirements.

**G. Site Development Plans—General Provisions**

**1. Planning Board Approval**

If the Planning Board reserved for itself the authority to approve a Site Development Plan and for all Downtown Revitalization, except as provided in "2" and "3" below, no permit shall be issued for any use until the Site Development Plan is approved by the Planning Board. The Site Development Plan shall be considered at a public meeting. The Petitioner, two weeks prior to the meeting, shall post the property in a prominent location and provide electronic notification to all Columbia Village Boards, the Columbia Association, Howard County Council members and pre-submission meeting attendees who provided email addresses.

**2. Minor Additions and Modifications**

Minor additions and modifications to Site Development Plans approved by the Planning Board and meeting the criteria below shall not require Planning Board approval. Also, minor new projects which have been granted a waiver of the Site Development Plan requirement by the Director of Planning and Zoning do not require Planning Board approval. However, all changes of use which require exterior site alterations shall require Planning Board approval.

**3. Minor Projects Not Requiring Planning Board Approval:**

- a. Minor additions to structures, with a floor area no larger than 10% of the existing floor area of the main floor, not to exceed 5,000 square feet.
- b. Minor new accessory structures if the location does not interfere with existing site layout (e.g. circulation, parking, loading, storm water management facilities, open space, landscaping or buffering).
- c. Minor additions to parking lots comprising no more than 25% of the original number of parking spaces required, not to exceed 25 spaces.

- d. Clearing or grading that does not exceed 5,000 square feet in area.
  - e. House-type revisions to approved Site Development Plans for single-family detached developments and for no more than 25% of the total number of dwelling units on the Site Development Plans for single-family attached or apartment developments.
  - f. Similar minor modifications as determined by the Department of Planning and Zoning.
4. Adjustments to Bulk Regulations for Individual Lots

Upon the request of the owner of a particular lot, the Planning Board may approve parking, setback, height, lot coverage, or other bulk requirements for such lot or parcel which differ from those required by the applicable Final Development Plan, in accordance with the following procedures:

- a. A public meeting shall be held on the Site Development Plan requiring the adjustment. If no Site Development Plan is available, an accurate plot plan drawn to scale shall be submitted for Planning Board review at the public meeting.
- b. A Site Development Plan or plot plan submitted for review shall clearly indicate the requirement from which relief is sought and the requested relief, and shall be accompanied by a written statement explaining the reasons for the requested adjustment.
- c. In addition to the notice for public meetings required by the Planning Board's Rules of Procedure, the property that is the subject of the application shall be posted with the date, time, and place of the meeting for at least 15 days immediately before the public meeting.
- d. The requested adjustment to the parking or bulk requirements shall be granted if the Planning Board finds that:
  - (1) The adjustment will not alter the character of the neighborhood or area in which the property is located, will not impair the appropriate use or development of adjacent property, and will not be detrimental to the public welfare; and
  - (2) The adjustment a) is needed due to practical difficulties or unnecessary hardships which arise in complying strictly with the Final Development Plan; and/or b) results in better design than would be allowed by strict compliance with the development criteria.
- e. The Planning Board may approve, approve with conditions, or deny a requested adjustment.

#### H. **Site Development Plan—Downtown Revitalization**

1. Pre-submission Requirements.
- a. Prior to filing a Site Development Plan for Downtown Revitalization that proposes any use, a pre-submission community meeting is required using the same procedures established in Sections 16.128(b)-(g) of the Subdivision and Land Development Regulations. In addition, notice in accordance with Sections 16.128(b)-(g) must also be given to each Village Board and the Columbia Association.
  - b. The Petitioner is required to submit the Site Development Plan for review by the Design Advisory Panel, for its recommendations in accordance with the applicable provisions in Title 16, Subtitle 15 of the Howard County Code. The Design Advisory Panel shall base its review and recommendations on the Neighborhood Design Guidelines.
2. Site Development Plan—Submission Requirements.

In addition to the submission requirements in Section 16.157 of the Howard County Code, the petition for a Site Development Plan or Site Development Plan Amendment shall include the following information, as applicable, for the land area covered by the plan:

- a. The applicable approved Final Development Plan.
  - b. A demonstration of how the Site Development Plan or Site Development Plan Amendment will implement and conform to the approved Final Development Plan or Final Development Plan Amendment, including provision of any required documentation relating to how the applicable Final Development Plan approval criteria and any imposed conditions are met by the submitted Site Development Plan or Site Development Plan Amendment.
  - c. Each Site Development Plan for Downtown Revitalization shall include a statement identifying (I) the cumulative amount of development approved and built, and (II) the status of any Community Enhancements, Programs and Public Amenities, Downtown Parkland, Downtown Community Commons and infrastructure as addressed in the Downtown Columbia Plan.
3. Planning Board Review and Approval Criteria.
- The Planning Board shall approve, approve with conditions, or deny a Site Development Plan that proposes Downtown Revitalization based on whether the petition satisfies the following criteria:
- a. The development conforms with the adopted Downtown Columbia Plan.
  - b. The development implements and conforms to the approved Final Development Plan or Final Development Plan Amendment including all applicable Final Development Plan approval criteria and conditions.
  - c. The development is well-organized in terms of the location of buildings and structures, downtown community commons, landscaping, pedestrian and vehicular circulation systems, and other Downtown Revitalization features.
  - d. If the development provides Downtown Community Commons and/or Downtown Parkland, they are reasonable and appropriate given the location, scale and anticipated intensity of adjacent uses in accordance with the Downtown Columbia Plan.
  - e. The maximum building heights will conform to the Final Development Plan.
  - f. The development satisfies the Downtown Public Art Program approved with the Final Development Plan or Final Development Plan Amendment approval.
  - g. The Site Development Plan satisfies the affordable housing requirements in accordance with the approved Final Development Plan and subsection A.9.f.(3) of this Section.
  - h. The development satisfies the Adequate Public Facilities Ordinance, if applicable.
  - i. The development indicates the manner in which any land intended for common or quasi-public use, but not proposed to be in public ownership, will be held, owned and maintained in perpetuity for the indicated purposes.
  - j. The petition is accompanied by documentation demonstrating membership in the Downtown Columbia Partnership including the required annual charges.
4. Minor adjustments to the general pedestrian, bicycle, and transit circulation system, road network, block configuration, and Downtown Community Commons shown on the Final Development Plan and Neighborhood Concept Plan may be approved as a part of the Site Development Plan, provided the adjustment(s) generally conforms with the Final Development Plan and will not be detrimental to the overall design concept and phasing for Downtown Revitalization.
5. At any time prior to final action and within 30 days after final action by the Planning Board on a Site Development Plan, the petitioner may withdraw the petition.

(Bill No. 54-2016(ZRA-170), § 1, 1-14-2017)

**I. Site Development Plan—Downtown Environmental Restoration that is not part of a Final Development Plan**

1. The petition for a Site Development Plan for a Downtown Environmental Restoration Project that is not part of a Final Development Plan shall meet the submission requirements in Section 16.157 of the Howard County Code.
2. Planning Board Review and Approval Criteria.

The Planning Board shall approve, approve with conditions, or deny a Site Development Plan that proposes a Downtown Environmental Restoration project based on whether the petition satisfies the following criteria:

- a. The project conforms with the adopted Downtown Columbia Plan; and
- b. The project conforms with the Downtown-Wide Design Guidelines pertaining to environmental restoration.

**J. Village Center Redevelopment, Major**

1. A proposal for a Major Village Center Redevelopment is not eligible for consideration under the process provided by Subsection B, C and D of this Section 125.0 and shall be filed only in accordance with the procedures of this Subsection F. The owner of any portion of a Village Center may propose a Major Village Center Redevelopment by filing a petition to amend an approved Preliminary Development Plan, Comprehensive Sketch Plan, or Final Development Plan for the owner's property in the Village Center. The owner ("petitioner") may propose amendments to allow any use or density, subject to the following limitations:

- a. The amendment shall comply with Section 125.0.A.5.a. concerning M-2 and R-MH uses;
- b. Uses not currently permitted by the Zoning Regulations are prohibited;
- c. The amendment shall comply with Section 125.0.A.4. concerning the maximum residential density of 2.5 dwelling units per acre in the NT District; and
- d. Any Major Village Center mixed-use Redevelopment shall be considered to be a "Commercial" use in the chart contained in Section 125.0.A.8. of the Regulations for purposes of calculating compliance with the chart's requirements as to the minimum and maximum percentage of "Commercial" in the total area of the New Town District. The Village Center Redevelopment shall not result in a net loss of open space.

2. Village Center Community Planning Process

- a. Notice of Intent to Develop—At least 60 days prior to the required initial pre-submission meeting, the petitioner shall deliver to the Board of Directors of the Community Association (The "Village Board") of said Village Center and the Department of Planning and Zoning a Notice of Intent to Develop.
- b. Village Center Community Plan—Within the ensuing 60 day period from the Notice of Intent to Develop, the Village Board may create or update a Village Center Community Plan, as follows:

- (1) A Village Center Community Plan may include but is not limited to:

- (a) The boundaries of the Village Center;
- (b) Planning and design concepts;
- (c) Minima, maxima, precise values, and specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density, and permitted uses;
- (d) Whether the Village Board has architectural review as designated in the village covenants; and

- (e) Identification of any historical or signature aspects of the Village Center.
  - (2) The Village Board may request assistance from Howard County Government.
  - (3) A Village Center Community Plan may be submitted to the Department of Planning and Zoning and, if submitted, is available to the public in accordance with the Maryland Public Information Act.
- c. Village Center Concept Planning Workshop—At least one week after the Notice of Intent to Develop and at least 30 days before the first pre-submission community meeting, the petitioner shall initiate and participate in a Village Center Concept Planning Workshop, as follows:
- (1) The workshop will be held in accordance with the procedural and notice provisions of Howard County Code Section 16.128; and
  - (2) The purpose of the Village Center Concept Planning Workshop is to facilitate a collaborative planning discussion which may include but not limited to the following:
    - (a) Village Center boundaries;
    - (b) Any community redevelopment visions or existing Village Center Community Plans;
    - (c) Planning and design concepts; and
    - (d) Appropriate uses.
  - d. The results of the workshop should be used by the petitioner to create the Concept Plan and by the Village Board to create or update its Village Center Community Plan.
  - e. Nothing in this section shall be interpreted to preclude a Village Board from adopting a Village Center Community Plan prior to the filing of a Notice of Intent to Develop.
3. Pre-submission community meetings and requests for Community Response Statements:
- a. Prior to petitioning to amend the Preliminary Development Plan, the petitioner is required to hold a pre-submission community meeting in accordance with Howard County Code Section 16.128. In addition to the written notice requirements of Howard County Section 16.128(c), the petitioner shall also notify in writing:
    - (1) All property owners identified in the records of the State Department of Assessments and Taxation of properties within the geographic boundaries of the Village Center as proposed by the petitioner; and
    - (2) The Board of Directors of the Community Association (The "Village Board") of all Village Centers.

Although Section 16.205 ordinarily requires only one pre-submission community meeting, a petitioner for a Major Village Center Redevelopment proposal is required to hold a minimum of two such meetings, the second of which shall be held at least 30 days after the initial meeting, allowing the petitioner to address any concerns or suggestions expressed at the initial meeting.

Subsequent to the first pre-submission community meeting and prior to filing the petition, the petitioner shall present the Concept Plan and Proposed Design Guidelines to the Design Advisory Panel for evaluation in accordance with the procedures established in Section 16.1500 of the Howard County Code. The Design Advisory Panel recommendations shall be forwarded to the Planning Board and the Zoning Board for their consideration of the Major Village Center Redevelopment.

b. Within two days after its acceptance of a petition for a Major Village Center Redevelopment, the Department of Planning and Zoning shall send a notice to the Village Board of the village in which the Village Center petitioning for redevelopment is located. The notice shall request that the Village Board submit a Community Response Statement outlining its comments on the redevelopment proposal. The notice shall direct the Village Board to:

- (1) Provide its responses to the Section 125.0.J.4.a. (8) criteria;
- (2) Address its comments in terms of any other specific approval criteria the Village Board recommends be considered by the Zoning Board in its decision on the Major Village Center Redevelopment; and
- (3) Provide a response regarding:
  - (a) The boundary of the Village Center proposed by the petitioner;
  - (b) Planning and Design Concepts, including but not limited to how it fits into the surrounding area;
  - (c) Whether the petition is in harmony with a Village Center Community Plan, if one exists;
  - (d) Minima, maxima, precise values, and/or specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density, and/or permitted uses; and
  - (e) Whether the Village Board has architectural review as designated in the village covenants.

c. If the Community Response Statement is submitted to the Department of Planning and Zoning within 45 days after the date of the notice, the Community Response Statement shall be considered by the Department as the Technical Staff Report is being prepared. A submitted Community Response Statement becomes part of the public record for the Major Village Center Redevelopment case, and will be forwarded to the Planning Board prior to its initial meeting on the Zoning Board case.

#### 4. Petition Information

a. The petition for amendment of the Preliminary Development Plan shall be to the Zoning Board and shall contain the following information:

- (1) The information set forth in Howard County Zoning Regulations Sections 125.0.B.1.a, b and c and 125.0.B.2.
- (2) A general description of the geographic boundaries, as proposed by the petitioner, of the Village Center which is the subject matter of the petition.
- (3) A copy of any covenants and/or deed restrictions of record.
- (4) A description of the Village Center including, the names of all property owners within the Village Center, the existing buildings and uses within the Village Center, and the proposed buildings and uses.
- (5) A concept plan that sets forth an informative, conceptual and schematic representation of the proposed redevelopment in a simple, clear and legible manner that provides information including, but not limited to the general site layout, proposed building types and uses, proposed number of dwelling units, square footage for non-residential projects, parking and traffic, pedestrian/bicycle circulation, proposed Village Center Amenity Area(s), exterior lighting and public transportation opportunities, general location and size of signage, landscape concept, any significant changes to topography and surface drainage, and the general location of natural features. In addition, the concept plan shall also comply

with the plan information requirements specified in Section 100.0.G.2.a of the Zoning Regulations.

- (6) Proposed design guidelines which will be imposed upon the Major Village Center redevelopment and Village Center;
- (7) Comment on whether the proposed redevelopment is in harmony with the Village Center Community Plan; and
- (8) A justification statement which identifies the impacts of the proposed Major Village Center Redevelopment on the nature and purpose of the Village Center and its relation to the surrounding community. The justification statement shall demonstrate how the Village Center Redevelopment meets the following criteria:
  - (a) The Village Center Redevelopment will foster orderly growth and promote the purposes of the Village Center in accordance with the planned character of the NT District;
  - (b) The amount of commercial business floor area contained in the Village Center Redevelopment is appropriate to provide retail and commercial service to the village as a location for convenient, diverse commercial business uses which serve the local neighborhoods of the village and surrounding local community;
  - (c) The Village Center Redevelopment will foster the purpose of a Village Center as a community focal point providing good opportunities for community interaction and communication;
  - (d) The location and the relative proportions of the permitted uses for commercial businesses, dwellings, and open space uses, and the project design will enhance the existing development surrounding the Village Center Redevelopment;
  - (e) The Village Center Redevelopment provides accessible useable landscaped areas such as courtyards, plazas or squares;
  - (f) The Village Center Redevelopment is compliant with all applicable environmental policies and requirements, and provides new environmental improvements to the redevelopment area through the use of methods such as, but not limited to, green building standards, water conservation, natural drainage systems, the planting of native vegetation, the removal of existing invasive plants, the improvement of stormwater deficiencies, and following low impact development practices;
  - (g) The Village Center Redevelopment fosters pedestrian and bicycle access;
  - (h) Public transit opportunities are appropriately incorporated into the Village Center Redevelopment;
  - (i) The Village Center Redevelopment is compatible with the surrounding community; and
  - (j) The Village Center will continue to meet the definition of a New Town Village Center.

5. Zoning Board Action

- a. In its evaluation of the proposed Major Village Center Redevelopment, the Zoning Board shall make findings on the following:
  - (1) Whether the petition complies with the applicable general guides and standards set forth in Howard County Zoning Regulations Section 125.0.B.3;

- (2) Whether the proposed Major Village Center Redevelopment complies with the specific definition for a New Town Village Center;
    - (3) Whether the petition complies with the Major Village Center Redevelopment criteria in Section 125.0.J.4.a.(8); and
    - (4) Regardless of the Zoning Board's findings on Subsections 5.a. (1) through (3) above, whether the petitioner's property is within the appropriate boundaries of the New Town Village Center.
  - b. Regardless of whether the Zoning Board conditionally approves or denies the petition, it shall make a decision on the Village Center boundaries.
  - c. The petition shall be granted only if the Zoning Board finds that the petition complies with these Regulations and that the amendment to the Preliminary Development Plan shall be permitted at the proposed site.
  - d. If the Zoning Board approves the petition, the Decision and Order of the Zoning Board shall:
    - (1) Approve design guidelines for the village center;
    - (2) Approve a concept plan;
    - (3) Establish minima, maxima, precise values and specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density and permitted uses; and
    - (4) Establish the Village Center boundaries
  - e. In the Decision and Order, the Zoning Board may make any amendments or modifications to the proposed boundaries of the Village Center, the proposed design guidelines and the proposed concept plan and may establish any other criteria which it deems to be appropriate. All later approvals and decisions for the properties included in the concept plan are bound by and must be consistent with the Decision and Order of the Zoning Board.
  - f. If the petition is granted, reproducible copies of all approved plans, and copies of all approved supporting documents such as any development guidelines and standards and the design guidelines, shall be certified as approved by the Zoning Board and verified copies of the same shall be forwarded to the Department of Planning and Zoning, the Village Board, and the petitioner. All parties notified pursuant to Section 125.0.J.2, and any other property owner within the boundaries decided by the Zoning Board, shall be provided with notice of the Zoning Board's Decision.
  - g. If the Zoning Board denies the petition, it may make a decision on the Village Center boundaries.
6. If the amendment to the Preliminary Development Plan is approved by the Zoning Board, then the petitioner is authorized to submit the amendments to the Comprehensive Sketch Plan and Final Development Plan in accordance with Howard County Zoning Regulations Section 125.0.C & D.
7. If the Comprehensive Sketch Plan and Final Development Plan are approved in accordance with Howard County Zoning Regulations Section 125.0.J.5, then the Petitioner is authorized to submit a Site Development Plan in accordance with the Howard County Zoning Regulations Section 125.0.G.
8. **Additional Planning Board Review Criteria for Major Village Center Redevelopments**

In addition to the established criteria used by the Planning Board in its evaluation and approval of Comprehensive Sketch Plans, Final Development Plans, and Site Development Plans, for Major Village Center Redevelopment proposals the Planning Board shall make findings on whether the Comprehensive Sketch Plan, Final Development

Plan, and Site Development Plan is in conformance with all the findings and conclusions of the Zoning Board Decision and Order for the Major Village Center Redevelopment.

**K. Village Center Redevelopment, Minor**

1. For a Minor Village Center Redevelopment, if the Village Center boundaries have not been established by the Zoning Board in a Major Village Center Redevelopment or by the County Council in a General Plan Amendment, then the property owner may develop using the provisions of Subsection C, D or E, as appropriate, of this section.
2. For a Minor Village Center Redevelopment, if the Village Center boundaries have been established by the Zoning Board or the County Council, then a village center property owner shall comply with Section 125.0.K.2.c, d or e. If Planning Board approval is required, then the petitioner shall also comply with the following provisions:
  - a. The petitioner is required to hold a pre-submission community meeting in accordance with Howard County Code Section 16.128. In addition to the written notice requirements of Howard County Section 16.128(c), the petitioner shall also notify in writing:
    - (1) All property owners identified in the records of the State Department of Assessments and Taxation of properties within the geographic boundaries of the Village Center as previously established; and
    - (2) The Board of Directors of the Community Association (The "Village Board") of all Village Centers.
  - b. Subsequent to the pre-submission community meeting and prior to filing the petition, the Petitioner shall present the concept plan and the design guidelines to the Design Advisory Panel for evaluation in accordance with the procedures established in Section 16.1500 of the Howard County Code. The Design Advisory Panel recommendations shall be forwarded to the Planning Board for their consideration of the Minor Village Center Redevelopment.
  - c. Within two days after its acceptance of a petition for a Minor Village Center Redevelopment, the Department of Planning and Zoning shall send a notice to the Village Board of the village in which the Village Center petitioning for redevelopment is located. The notice shall request that the Village Board submit a Community Response Statement outlining its comments on the redevelopment proposal. The notice shall direct the Village Board to:
    - (1) Provide its responses to the Section 125.0.J.4.a.(8) criteria;
    - (2) Address its comments in terms of any other specific approval criteria the Village Board recommends be considered by the Planning Board in its Decision on the Minor Village Center Redevelopment; and
    - (3) Provide a response regarding:
      - (a) Planning and design concepts, including but not limited to how it fits into the surrounding area;
      - (b) Whether the petition is in harmony with a Village Center Community Plan, if one exists;
      - (c) Minima, maxima, precise values, and specific requirements concerning, but not limited to, Village Center Amenity Areas, building heights, bulk requirements, parking, density, and permitted uses; and
      - (d) Whether the Village Board has architectural review as designated in the village covenants.
  - d. If the Community Response Statement is submitted to the Department of Planning and Zoning within 45 days after the date of the notice, the Community Response Statement

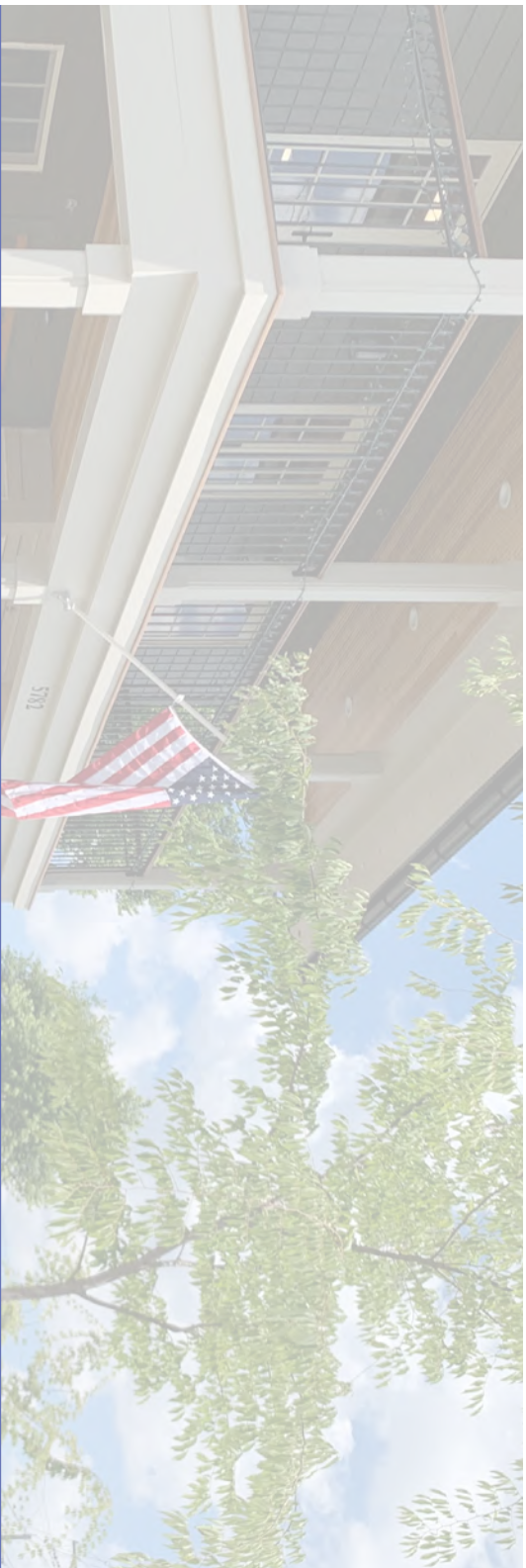
shall be considered by the Department as the Technical Staff Report is being prepared. A submitted Community Response Statement becomes part of the public record for the Minor Village Center Redevelopment case, and will be forwarded to the Planning Board prior to its initial meeting or hearing on the case.

e. Procedures and Approval Criteria

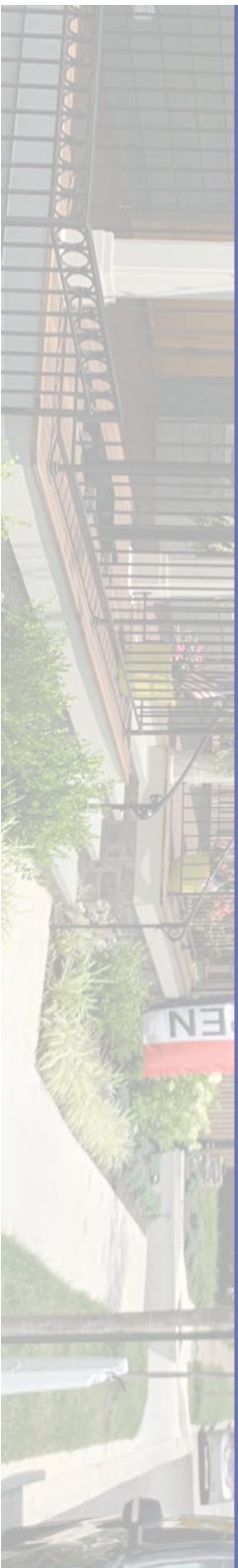
A request for an amendment to an approved Comprehensive Sketch Plan or an approved Final Development Plan for a Minor Village Center Redevelopment shall be reviewed in accordance with the Section 125.0.C requirements, except that the criteria to be used in the Planning Board evaluation shall be the same as those in Section 125.0.J.4.a. (8), (a) through (j) that are not related to residential uses.



# HoCo By Design (2023)



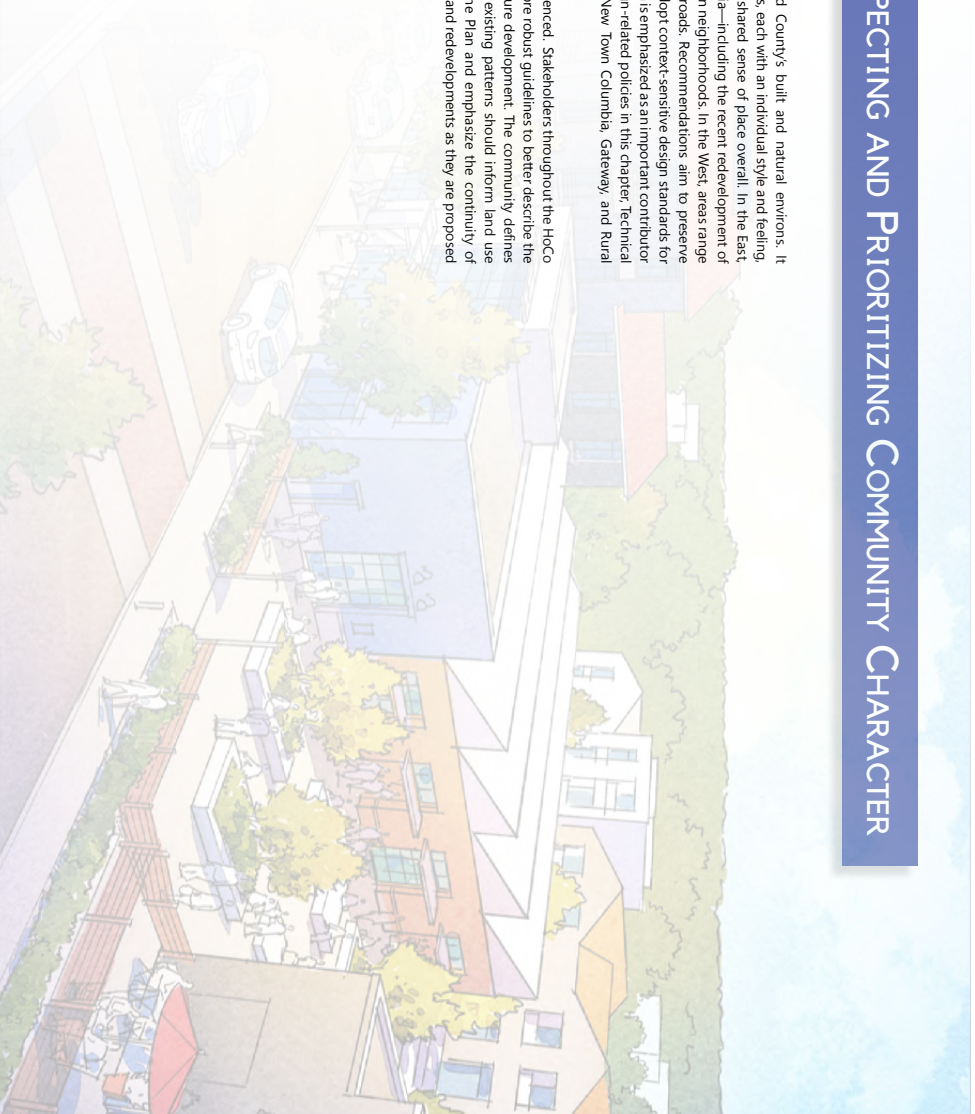
# CHAPTER 7 QUALITY BY DESIGN



## QUALITY BY DESIGN: RESPECTING AND PRIORITIZING COMMUNITY CHARACTER

This chapter celebrates the rich and varied character of Howard County's built and natural environs. It recognizes that the County is comprised of a variety of distinct areas, each with an individual style and feeling, and attempts to reinforce each area's character while providing a shared sense of place overall. In the East, these distinct areas range from the planned community of Columbia—including the recent redevelopment of Downtown Columbia—to historic districts and established suburban neighborhoods. In the West, areas range from farms to large-lot suburban residential areas and rural crossroads. Recommendations aim to preserve and promote character in future and existing developments, and adopt context-sensitive design standards for varying scales of development. Finally, historic resource preservation is emphasized as an important contributor of community character and tradition. As a supplement to the design-related policies in this chapter, Technical Appendix C presents illustrative concepts for three focus areas: New Town Columbia, Gateway, and Rural Crossroads.

Howard County continues to evolve to meet the growth it has experienced. Stakeholders throughout the HoCo By Design planning process expressed a clear desire to establish more robust guidelines to better describe the character of existing communities and serve as a reference for future development. The community defines its character through both the built and natural environs. These existing patterns should inform land use regulation updates, which will implement recommendations in the Plan and emphasize the continuity of existing neighborhoods. These updates will be used to shape infill and redevelopments as they are proposed over the coming decades.



## NEW TOWN COLUMBIA

New Town Columbia stands out as a carefully planned community initiated by a single developer with a vision to be carried out over time. In 1967, Columbia's founder, James Rouse, set out to design and build a city. A conscious, planned approach, this novel endeavor resulted in one of the most talked about New Towns of mid-20th century America, an inspiration for planned communities across the country. Rouse envisioned the planned community of Columbia as a socially responsible, environmentally friendly, and financially successful place in which people of all ages, incomes, and backgrounds could grow as individuals, neighbors, and citizens. Today, Columbia is a thriving, unincorporated city with over 100,000 residents living in ten villages, each containing multiple neighborhoods. His strategic vision for what was to be a new kind of community that he applied to the development of New Town Columbia included the following objectives:

1. Provide a real, comprehensive, balanced city.
2. Respect the land and allow the land to impose itself as a discipline on the form of the community.
3. Provide the best possible environment for the growth of people.
4. Realize a profit.

Columbia includes ten villages, each containing multiple neighborhood clusters organized around a village center. The ten villages are organized around Town Center, which includes Downtown Columbia. As "Respect for the Land" was one of the four formative goals for Columbia, clustered development patterns and the curvilinear road network are informed by the open space system, which is defined by the natural drainage patterns. The open spaces and roads, therefore, serve a dual role in both connecting and separating the distinct components of Columbia. Because it follows natural drainage patterns, much of the open space network has historically been located behind structures.

Most of Columbia's village centers are inward-oriented and located on neighborhood-serving roads. As Town Center and the village centers mature and, in some cases, redevelop, development patterns are following more recent trends that increase the visibility of retail uses and emphasize walkability. Other distinct characteristics of Columbia include the emphasis on landscape: the incorporation of lakes in Town Center and several villages, and the retention of historic features, such as former manor homes, barns, and hedges. Despite having an extensive pathway and sidewalk network, Columbia is generally auto-oriented. It is trending, however, toward redevelopment and has begun to incorporate infrastructure improvements that enhance bicycle accommodations and walkability.

### DOWNTOWN COLUMBIA

In 2010, Howard County adopted the Downtown Columbia Plan following five years of debate, discussion, and dialogue with a wide array of stakeholders. The plan's goal is to revitalize downtown, creating a diverse, mixed-use, physically distinctive, and human-scaled place with a rich variety of housing choices, business opportunities, and recreational, civic, cultural, and educational amenities. The plan's implementation is well underway, with many investments completed or in process to realize this vision.

### MAJOR PROVISIONS OF NEW TOWN ZONING

In 2014, Columbia Association's planning staff (the late Jane Dembner) prepared a New Town Zoning Briefing Paper for the Columbia Association Board of Directors. This briefing paper noted that New Town zoning regulations were adopted in 1965 and remained relatively unchanged until 2009 and 2010, when changes were made to address village center redevelopment and Downtown Columbia revitalization. The briefing paper listed the following as major provisions of New Town zoning regulations:

- **District size:** a New Town zoning district must contain at least 2,500 contiguous acres. (Columbia is the County's only New Town district and comprises 14,272 acres.)
- **Flexibility in land use:** New Town permits all uses allowed in other county zoning districts except heavy manufacturing and mobile homes.
- **Open space preservation:** New Town zoning requires that 36 percent of the lands zoned New Town be for open space uses. This requirement, combined with the design of Columbia, has resulted in a distinctive tight weave of Columbia's open space areas, residential neighborhoods, and clustered housing sites. Columbia's open space is a defining and distinguishing feature of Columbia.
- **Overall housing density:** Overall density (gross density) may not exceed 2.5 dwelling units per acre of New Town zoned land. The maximum number of dwellings permitted by the Downtown Columbia redevelopment process is in addition to this density limit.
- **Mixed-use requirements:** New Town requires a mix of various land uses, with minimum and maximum percentages and allows flexibility in the geographic placement of those uses.

The General Plan does not propose to change these provisions. New Town embodies much of HOCO By Design's intended goals: walkability, diverse housing options, and equitable access to open space. Continuity of neighborhoods is critical to the feel and success of New Town.



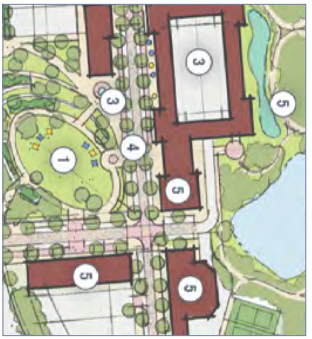


## NEW TOWN COLUMBIA DESIGN SESSIONS

Recognizing the special nature of Columbia, the HoCo By Design project team hosted discussions about general design principles in Columbia over the course of three different events. In May 2021, the team hosted two virtual meetings to discuss general design principles and how they contribute to Columbia's overall community character and sense of place. Through interactive polling, meeting attendees helped identify and prioritize aspects of community character to preserve, enhance, transform, or strengthen. At an in-person open house in July 2021, residents had a chance to view concepts that emerged from feedback at the May meetings and speak directly with the design team.



These concepts applied to village centers, commercial corridors, and employment centers. Following the in-person open house, the public was invited to share feedback on the illustrated concepts through a survey. In September 2021, the HoCo By Design team hosted a Draft Plan Workshop Series. As part of this series, the team presented more detailed drawings that highlighted the application of specific design concepts in Columbia. A selection of these drawings is provided below. The full set of drawings are included in HoCo By Design's Technical Appendix C: Focus Areas.



## PRESERVING CHARACTER IN FUTURE DEVELOPMENT

Development standards can and should encourage high-quality future development. These standards should clearly articulate the community's desired vision for an area targeted for development or redevelopment to help the County obtain the type and quality of development it seeks. New developments, redevelopments, and infill developments should use best practice placemaking and urban design principles to achieve high-quality built environments, preserve and incorporate natural features, and establish transitions between the built and natural realms. Key design elements could include the use of building articulation, building placement and site planning principles, building design transitions across landscapes, landscape design, plantings, stormwater management, and open spaces.

The County's existing ordinances regulate a largely-suburban built environment but could be enhanced to further protect the built and natural character of the County and to promote more walkable, high-quality development, where appropriate. The County's Zoning Regulations, Subdivision and Land Development Regulations, and design manuals will need to be reviewed and rewritten to support the vision and policies presented in the General Plan—especially provisions related to context-sensitive new construction in existing neighborhoods, and walkable, mixed-use development in new activity centers.

Conventional zoning may still be appropriate for existing single-family residential neighborhoods and strip commercial centers. However, the adoption of an ordinance or guiding document that incorporates more character-based (or form-based) elements will assist in achieving high-quality development that is in keeping with the character of Howard County and the desires of the community.

In contrast with conventional zoning that emphasizes separating uses, a character-based (or form-based) code uses character, or the look and feel of a place, as the primary organizing principle for new development. Hybrid codes may also combine conventional zoning with character-based elements.

According to the Development Regulations Assessment, there could be opportunities to revise the historic district zones in the County. Currently, the Zoning Regulations describe the requirements and restrictions applicable to historic districts instead of generally addressing the allowable land uses or development standards. Frequently, in zoning regulations, historic districts are identified with an overlay zone or as a character-based district that more clearly defines the boundaries and helps demonstrate how historic preservation regulations interact with underlying zoning and subdivision regulations. Overlay zones with a clearly defined base zoning district can help provide predictability of permitted uses within a historic district, encourage development patterns that are consistent with the historic character, and create opportunities to establish future districts that may benefit from such designation criteria.



## CHARACTER-BASED ELEMENTS

Character-based code elements emphasize context of development and may apply to a designated area or more generally within the overall land use regulations and zoning codes. They could be used to regulate a number of factors, including building height and placement, parking locations, street frontage, sidewalks, planting areas, drainage, density, and the street itself. This information is conveyed with specific instructions and often includes easy-to-understand diagrams or other graphic illustrations.

While character-based concepts can be applied anywhere, they are most successful in areas that have a mix of uses, historic communities, and Rural Crossroad areas. A character-based approach to land use regulation in Howard County may yield more walkable, compact, and diverse, mixed-use environments.

Character-based code elements are used to achieve the following:

1. Create neighborhoods where development is appropriately scaled to surrounding land uses and the public realm.
2. Encourage active transportation (e.g. walking, biking, etc.).
3. Foster social cohesion.

Columbia's original master plan contained a focus on open space in proportion to other land uses that has been preserved over the decades and results in a wooded suburban community. The architectural character, although representing an earlier era, is also part of the community's signature feel. One of Columbia's founding principles was to provide a full-spectrum of housing that still exists today and provides the majority of affordable housing options in the County. Older parts of Columbia have some of the County's highest proportion of multi-family units and more affordable older single-family homes and townhouses. This relationship should be acknowledged and considered when determining locations for new affordable housing.

The New Town Zoning District represents more than 14,000 acres and 28,000 parcels in Columbia. Created as a planned community by a visionary developer over 50 years ago, it is today frequently cited as one of the best places to live in the country. Columbia has a unique sense of place that its residents want to preserve, enhance, and strengthen. As a complement to character-based or hybrid zoning, pattern books or design guidelines and manuals can serve as a framework for preferred architectural patterns, styles, and details in the community. They can provide guidelines and standards for building types, building composition and massing, building materials, roof types and details, windows, doors, and other architectural elements. They can also include standards for landscaping, lighting, fences, walls, signage, and other outdoor elements. The scope is typically limited to specific districts, neighborhoods, or activity centers in the community. While pure form-based codes can be challenging to develop, form-based elements can be used to support more traditional zoning regulations using hybrid approaches to further achieve desired character outcomes.

The HoCo By Design Character Areas technical appendix provides additional design-related guidance for future code updates.

The regulatory framework of New Town zoning establishes minimum and maximum proportions of open space, residential, commercial, industrial, and other land uses in addition to an overall density cap. Past General Plans evaluated and recommended updates to this framework resulting in the 2009 Village Center Revitalization zoning process update and the 2010 Downtown Columbia Master Plan which added residential units above this cap and established different land use percentages for Downtown. The New Town District is comprised of 268 approved Final Development Plans (FDPs) that enumerate parcel-specific regulations and cross-reference use and bulk provisions of non-New Town zoning districts. The FDP structure was designed to provide significant flexibility to the master developer and majority land owner of this planned community as it was developing. This regulatory structure and associated processes could be evaluated to ensure more efficient administration of the New Town Zone.

A review of the New Town Zoning District and its character-defining elements by a task force would provide an opportunity to ensure that the regulatory structure is calibrated to successfully carry forward New Town zoning.



## HOWARD COUNTY'S DESIGN ADVISORY PANEL

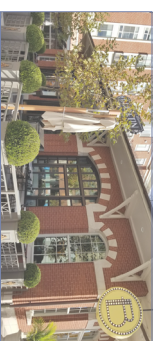
The Design Advisory Panel (DAP) is a seven-member panel of professionals, including architects, landscape architects, planners, urban designers, and civil engineers, who provide recommendations regarding proposed plans for development or redevelopment that are subject to DAP review.

Created by the Howard County Council in 2009, the purpose of the DAP is to encourage excellence in site design and architecture, promote design compatibility with surrounding development, promote revitalization, and enhance property values.

The DAP provides design advice on proposed subdivisions and site development plans when they are subject to the Route 1 Manual, Route 40 Design Manual, New Town Village Center Design Guidelines, Downtown-wide Design Guidelines or Downtown Neighborhood Design Guidelines, Clarksville Pike Streetscape Plan and Design Guidelines, compatibility criteria for conditional use applications, or design guidelines consistent with the requirements of the County's adopted Zoning Regulations.

The DAP also provides guidance regarding the following:

1. The design for buildings, vehicular circulation and access, pedestrian access and linkages, parking, loading, dumpsters, external mechanical units, existing trees, landscaping, hardscape, conceptual designs for graphic elements, and walls and fences.
2. Building scale and massing in relation to and compatible with the surrounding area and with significant and contextual adjacencies, and appropriate responses to existing site conditions, grading, and stormwater management.
3. Building architectural style, materials, entrances, windows, roof design, and colors.
4. Open space on the site including pathways, public spaces, street furniture, amenity areas, and similar features.
5. The design of exterior lighting devices and potential disturbances to the public and adjacent properties.
6. Principles of sustainability and green design.



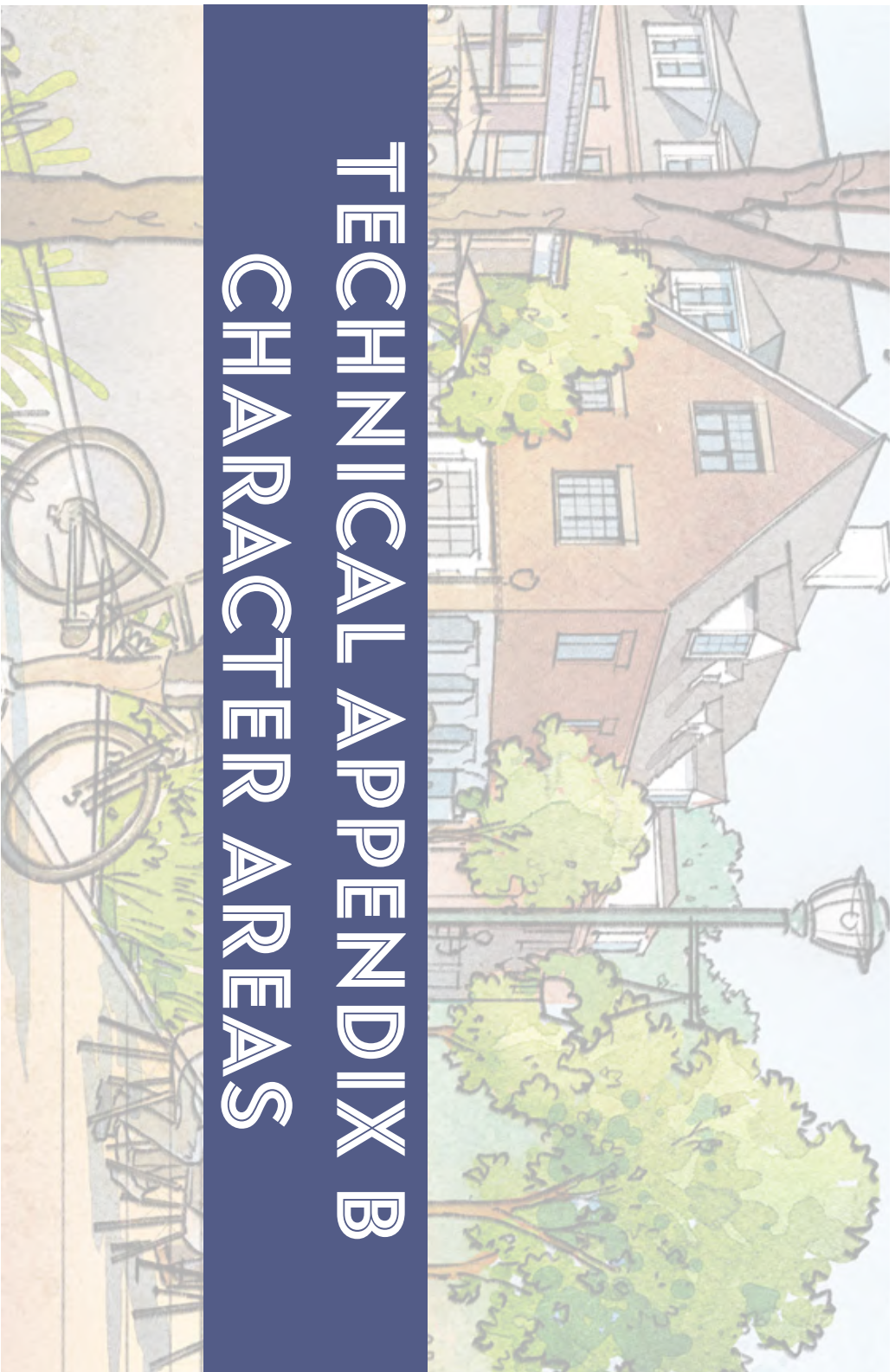
*Regional examples of how character and design can be prioritized in new development.*

### QBD-1 Policy Statement

Prioritize character and design in future development, recognizing variations in Howard County's unique areas.

#### Implementing Actions

1. Identify areas to investigate character-based zoning concepts and consider the use of pattern books, design guidelines and manuals, or a hybrid approach to establish an intended character and design elements for different character areas in Howard County.
2. Evaluate the existing historic district zones and consider replacing them with new historic zoning district overlays or form-based districts.
3. Review the current Design Advisory Panel (DAP) review areas and approved guidelines for updates. Consider whether the role of the DAP should be expanded to other areas within Howard County.
4. Create a taskforce that is appointed by County Council and the County Executive to evaluate and make recommendations on how to carry forward New Town's planned community framework.



# TECHNICAL APPENDIX B

## CHARACTER AREAS

# INTRODUCTION

HoCo By Design uses the term “character areas” to describe unique and discernible areas of the community depicted on the Future Land Use Map (FLUM) in the Growth and Conservation Framework chapter. The categories describe important elements that work together to instill a sense of place (or visitor experience) for residents, customers, or employees in the character area. A character-based planning approach prioritizes site design, public realm, building form and massing, and architecture over general land use and density.

Included in this appendix are detailed descriptions of the character areas and their typical street and block patterns, open space and natural resources, lot size and building placement, building types and massing, and transportation considerations. While the densities and building heights described for each character area represent intentions for contiguous properties in an area, there may be individual buildings that are larger or smaller than these ranges for a specific parcel. The County’s Zoning Regulations and Subdivision and Land Development

Regulations will provide more specific rules and standards. These will include provisions for permitted land uses, densities, block sizes, setbacks, parking and landscaping using HoCo By Design’s general character area guidance and recommendations.

Some character areas share commonalities and have cross-cutting land uses. Environmental and agricultural land preservation easements can be found across multiple character areas to preserve farmland and natural resources throughout the County. Areas under a preservation easement are depicted on the FLUM in the Growth and Conservation Framework chapter of HoCo By Design.

Areas to Preserve	Areas to Strengthen	Areas to Enhance	Areas to Transform
			
			
			
			
			

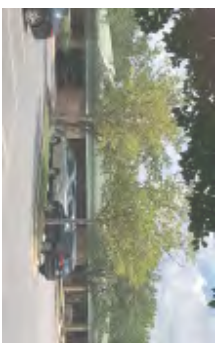


### Building Types and Massing

Buildings are generally one to five stories tall. Building footprints will vary from small to large depending on the use. Energy efficient technologies, such as solar panels or green roofs, are encouraged on new or improved buildings.

### Transportation Considerations

Streets in existing Suburban Commercial areas are generally auto-oriented without dedicated infrastructure for pedestrians or bicycles internal to the site. New or redeveloped areas must accommodate safe and efficient pedestrian or bicycle movements into and within the site using a "park-once" design concept for surface parking lots. Landscaped sidewalks with protective curbs and dedicated pathways with seating are encouraged.



## CHARACTER AREA: DOWNTOWN COLUMBIA

Land comprising Downtown Columbia. The Downtown Columbia Plan, adopted in 2010, creates a 30-year master plan for the revitalization and redevelopment of Downtown Columbia. The Downtown Columbia Plan states "Downtown Columbia will be a diverse, mixed-use, livable, physically distinctive and human-scaled place with a range of housing choices and recreational, civic, cultural and educational amenities." As part of the Downtown Columbia Plan, Neighborhood Design Guidelines ensure a consistent and high level of design standard for Downtown Columbia. For more information on the character of Downtown Columbia, refer to the Downtown Columbia Plan.<sup>1</sup>



<sup>1</sup> A copy of the Downtown Columbia Plan is available from the Department of Planning and Zoning.

businesses and start-ups to share facilities and amenities with more established businesses. Energy efficient technologies, such as solar panels or green roofs, are encouraged on new or improved buildings.

#### Transportation Considerations

Transit Activity Centers are designed to promote automobile alternatives, including transit, walking, and bicycling. All streets should be multi-modal in design, allowing safe and efficient pedestrian or bicycle movements throughout the center using a park-once, bus-once, or train-once approach. Key destinations should be directly linked to the Transit Activity Center via easily navigated pedestrian and bicycle facilities. Streets should have seating areas, bike racks, and other facilities for pedestrians and cyclists. Landscaped sidewalks with protective curbs and dedicated pathways with seating are encouraged.



## CHARACTER AREA: VILLAGE ACTIVITY CENTER

As defined in Howard County's code, Village Centers are mixed-use developments designed to be community focal points and gathering places for their surrounding village neighborhoods. Enhanced or redeveloped Village Activity Centers offer the opportunity to serve broader economic, civic, community, entertainment, and housing needs in the community and to reposition themselves in response to changing market conditions and consumer trends. The competitive position and conditions specific to each village center will be considered when determining whether they are prime for redevelopment or could be enhanced with programming or other amenities that serve their surrounding communities.

The design of Village Activity Centers should transition effectively between residential and nonresidential uses. Active public spaces should be included between buildings. Residential units or office space may be found above storefronts. Homes in and surrounding the center of development may offer several choices to live and experience the Village Activity Center. These housing types should include, but are not limited to, missing middle homes. Parking could be satisfied using on-street parking, structured parking, and shared rear-lot parking strategies. Sites should effectively minimize the impact of cut-through traffic on nearby neighborhood streets by orienting vehicle access and circulation away from adjacent neighborhoods.

Village Activity Centers should maximize their connections to the Columbia open space network, including safe and convenient pedestrian and bicycle access to the centers from nearby neighborhoods.

Transformation of these areas to support mixed-use development will require deliberate planning and phasing to keep the areas viable during their period of change. Redevelopment of Village Activity Centers should instill the principles from the original vision for Columbia, and the focus on Village Activity Centers to serve the needs of residents within, and surrounding, the centers.



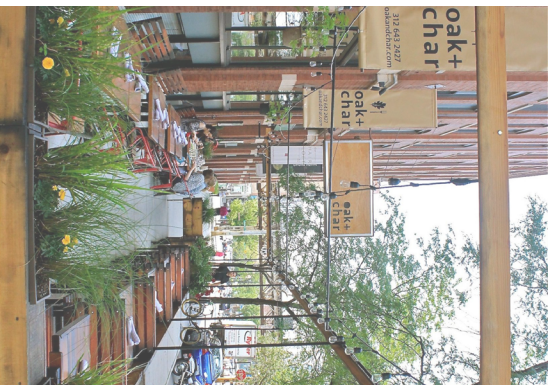


### Street and Block Pattern

Redeveloped Village Activity Centers should incorporate a pattern of small blocks and a hierarchy of walkable streets. Vehicle access and circulation should be oriented away from adjacent neighborhoods. Parking should be satisfied using on-street parking, structured parking, and shared rear-lot parking strategies located toward the interior of blocks. Formal and informal on-street parking should be provided throughout the activity center.

### Open Spaces and Natural Resources

Grading of topography and clearing of vegetation may be necessary to achieve the mix of uses desired. However, redeveloped Village Activity Centers must protect steep slopes, floodplains, streams, and wetlands, and meet forest conservation requirements. Redeveloped centers should promote opportunities to increase native tree canopy and replace lawns with native landscaping, including pollinator gardens and other wildlife habitats. Redevelopment also provides an opportunity to improve stormwater management.



Open space elements in a redeveloped Village Activity Center may include small parks, multiple gathering spaces, and community gardens, along with trails or greenways that connect them. Large, mature trees should be preserved to reinforce the overall vision and character of Columbia. Excess surface parking lots and other impervious surfaces are encouraged to be redeveloped as open space to the maximum extent possible.

### Building Types and Massing

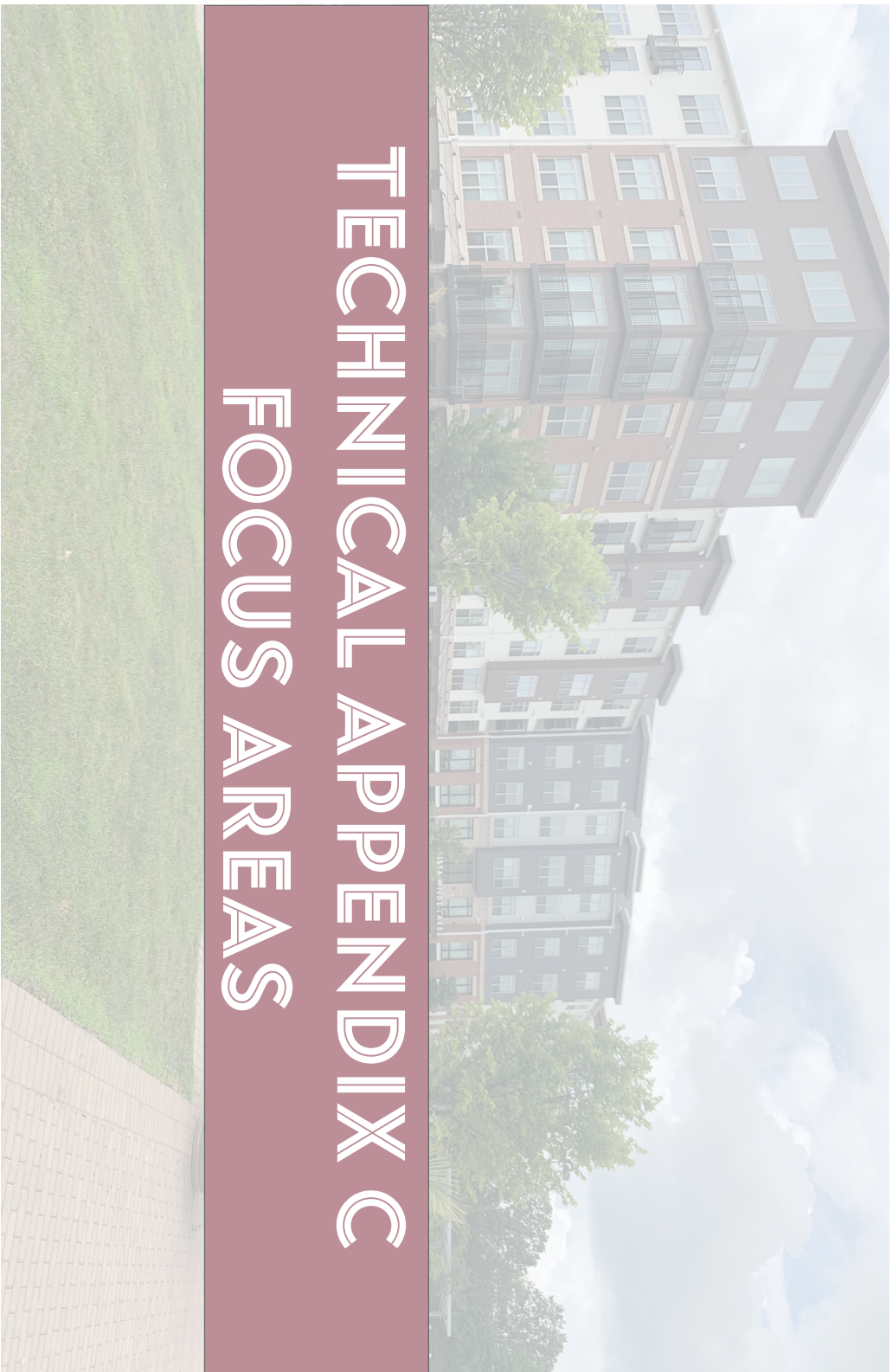
Building types should mix uses horizontally and vertically, and should include residential, office, and commercial uses to support the needs of those who live and work in and around the Village Activity Center. Buildings should be of a scale and design compatible with nearby development. Residential units or office space may be found above storefronts in the core of the development. Apartments or condominiums should be stacked over ground floor commercial. Village Activity Centers should provide a wide variety of housing choices including missing middle

housing types. Energy efficient technologies, such as solar panels or green roofs, are encouraged on new or improved buildings.

### Transportation Considerations

Development should support all modes of transportation. The Village Activity Center should accommodate safe and efficient pedestrian or bicycle movements internally and connect to adjacent neighborhoods. Streets should have seating areas, bike racks, and other facilities for pedestrians and cyclists. Landscaped sidewalks with protective curbs and dedicated pathways with seating are encouraged.





# TECHNICAL APPENDIX C

## FOCUS AREAS

## INTRODUCTION

This appendix presents the results of several focus area studies conducted as part of the HoCo By Design General Plan update. The concept plans, illustrations, and precedent images presented in this appendix depict redevelopment and infill approaches in different settings. Focus areas presented include New Town Columbia, Gateway, and Rural Crossroads.

The illustrative design concepts are supplementary to the design-related policies presented in the Quality By Design chapter, as well as the character area descriptions presented in the Growth and Conservation Framework chapter and the Character Areas technical appendix. The concepts illustrate hypothetical approaches and do not represent proposals for development.

Information presented in this appendix should inform different implementation activities that will follow adoption of the General Plan, including, but not limited to, forthcoming regulation updates, a master plan for Gateway, and/or new design guidelines and character-based or form-based codes.

### The Design Process

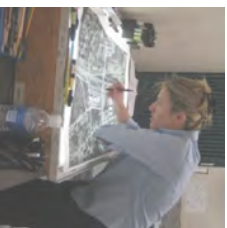
The design process for these focus areas varied; a brief summary of the process used for each area follows.

#### Columbia, New Town and Gateway

A series of design sessions for the New Town and Gateway areas in Columbia were held to study community character and possible approaches to redevelopment, should it occur. Each event built upon the previous effort to do the following: 1) identify design principles important for different areas; 2) present draft illustrative design concepts for comments, based on prior community feedback; and 3) present final illustrative design concepts.

#### Rural Crossroads

The HoCo By Design consultant team created two illustrative concepts to communicate potential design approaches for the Rural Crossroads character area. Public comments from a community workshop in the Rural West influenced some of the design principles depicted in the illustrations.



## APARTMENT COMPLEX REDEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how redevelopment of an older apartment complex could provide a variety of housing options organized around a meaningful public realm network that fosters a sense of community.

### Design and Planning Principles Illustrated in the Concept

1. Greater Housing Options
  - a. Aging multi-family housing is replaced with a mix of housing types in the same connected community that includes many of the missing middle typologies: duplexes, triplexes, quadruplexes, and live-work units.
2. Designed with the Grade
  - a. To maximize open space, the natural grade is used to incorporate some parking underneath multi-family structures.
  - b. Buildings are designed to fit the site's grade.
3. More Meaningful Open Space
  - a. Preserve garden-style green space and large setback areas with frontage to the road as an important design feature of New Town.
  - b. Public frontage for the village green is highly visible and accessible.
  - c. Buildings front onto open space, providing "eyes on the park" and helping activate the space.
  - d. Open spaces accommodate a mix of active and passive recreation.
4. Enhanced Natural Systems and Energy Efficiency
  - a. Natural open space corridors extend into the redevelopment site.
  - b. Stormwater management serves as an aesthetic and educational feature of the site design.
  - c. Tree canopy is increased and new woodland plantings extend into the site to connect to the broader woodland system.
  - d. Beneficial landscapes—including meadows, limited mow areas, and pollinator gardens—promote habitat diversity.
  - e. Mowed lawns are reserved for active open spaces and provide maintained edges to highlight that unique landscape typologies are intentional.
  - f. Solar panels and energy efficient or green building design may be used to reduce carbon footprints.
5. Multi-modal Connections
  - a. New street connections improve connectivity to destinations, including village centers.
  - b. Pathway networks link natural and useable open spaces with an internal walkable street network.
  - c. Complete streets support multiple modes of travel and provide bicycle amenities in open spaces.
  6. Sensitivity to Context and Development Transitions
    - a. Taller and larger buildings are located adjacent to areas with similar heights or adjacent to woodlands.
    - b. Building heights and massing transition are sensitive to adjacent neighborhoods.

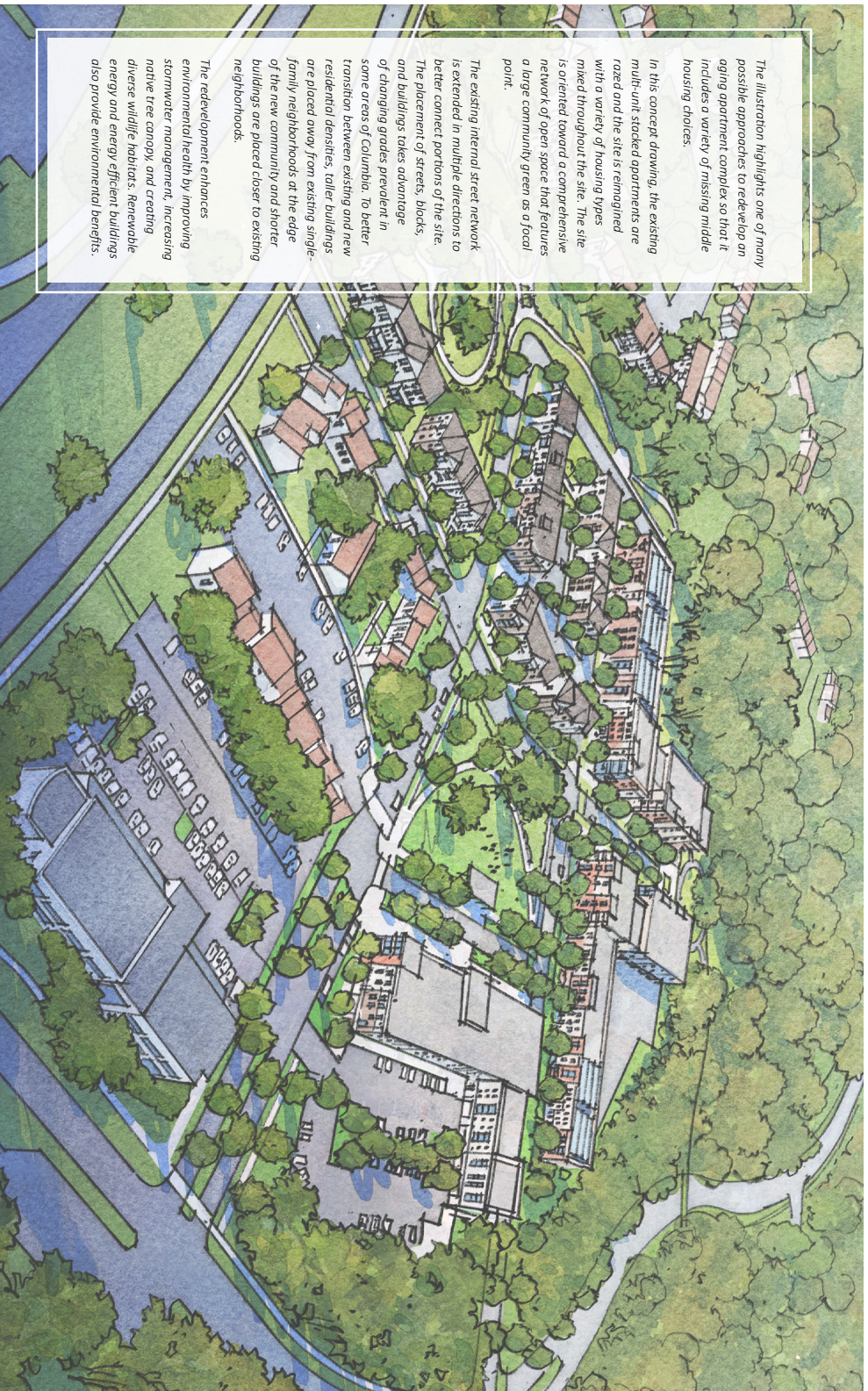


The illustration highlights one of many possible approaches to redevelop an aging apartment complex so that it includes a variety of missing middle housing choices.

In this concept drawing, the existing multi-unit stacked apartments are razed and the site is reimaged with a variety of housing types mixed throughout the site. The site is oriented toward a comprehensive network of open space that features a large community green as a focal point.

The existing internal street network is extended in multiple directions to better connect portions of the site. The placement of streets, blocks, and buildings takes advantage of changing grades prevalent in some areas of Columbia. To better transition between existing and new residential densities, taller buildings are placed away from existing single-family neighborhoods at the edge of the new community and shorter buildings are placed closer to existing neighborhoods.

The redevelopment enhances environmental health by improving stormwater management, increasing native tree canopy, and creating diverse wildlife habitats. Renewable energy and energy efficient buildings also provide environmental benefits.



The illustration highlights one of many possible concepts to develop a large, active community green for a residential community.

In this concept drawing, the green is large enough to host events for community members and may include formal and informal gathering areas. Residential buildings along the community green help frame the space and provide "eyes on the street" during all periods of the day.



TAC-9 Technical Appendix C: Focus Areas

HOCO BY DESIGN

HOCO BY DESIGN

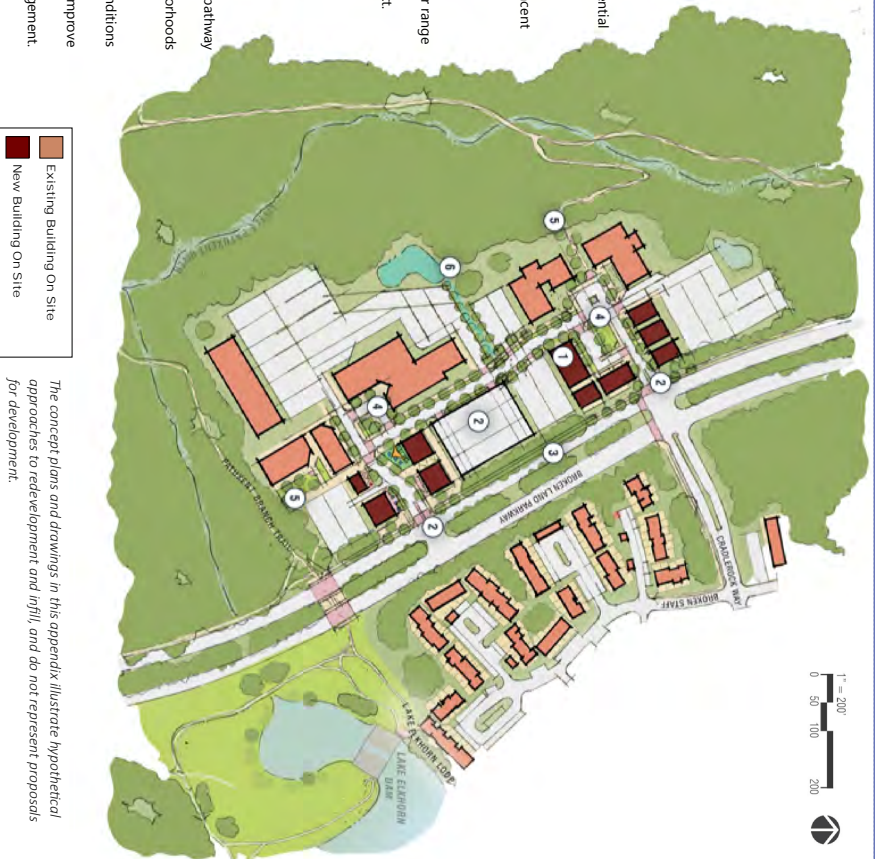
Technical Appendix C: Focus Areas TAC-10

# PARKING LOT INFILL DEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how infill development could de-emphasize the automobile, replace underutilized surface parking lots, and add useable open spaces that reinforce connections to adjacent neighborhoods and the region's open space and pathway network.

## Design and Planning Principles Illustrated in the Concept

1. New Land Uses
  - a. Mixed-use buildings contain spaces for smaller format retail or service uses with office or residential above.
  - b. Missing middle housing is introduced.
  - c. Office workers can walk to retail and services, reducing automobile trips.
  - d. Regardless of use, new buildings feature roof forms and massing that transition to adjacent neighborhoods (such as pitched roofs with asphalt shingles).
2. Infill Development
  - a. New buildings anchor intersections and complement the parkway/landscape.
  - b. Infill buildings front public spaces and internal streets.
  - c. New buildings and uses located near existing or potential transit/mobility stops support a broader range of mobility options.
  - d. Grade changes are used to provide access to multi-level parking while minimizing its visual impact.
  - e. Building massing, height, and form is complementary to adjacent development.
3. Parkway Design
  - a. Parkways are enhanced through continued understated commercial centers.
  - b. Landscape and expanded tree canopy minimize visual impact of parking areas.
4. Enhanced Public Realm
  - a. Meaningful open spaces unite infill development with existing uses.
  - b. Complete streets internal to the redevelopment areas promote walkability among uses.
5. Reinforced Connections
  - a. Clear connections are provided between useable open spaces and the natural open space and pathway systems.
  - b. To promote walkability, connections to nearby village centers, other activity centers, and neighborhoods are reinforced.
6. Enhanced Natural Systems and Energy Efficiency
  - a. Native tree plantings and enhanced stream and wetland buffers improve environmental site conditions and benefit the Green Infrastructure Network corridor that runs to the south of the site.
  - b. Environmental site design practices along internal street networks and throughout the site improve stormwater management.
  - c. Some areas of underutilized parking are replaced with expanded green space and stormwater management.
  - d. Solar panels and energy efficient or green buildings may be used to reduce carbon footprints.



*The concept plans and drawings in this appendix illustrate hypothetical approaches to redevelopment and infill, and do not represent proposals for development.*

The illustration highlights one of many possible approaches to infill new buildings and open space on surface parking lots, with sensitivity to existing neighborhoods across the street.

In this concept drawing, the large surface parking lot between Broken Land Parkway and the buildings at the Woodmere Office Park is replaced with a mix of residential and small format retail and office uses. A parking deck is added to accommodate parking needs. Small public spaces are added in between buildings.

Reimagining the area respects the parkway character (tree-lined streets) of Columbia with larger setbacks from the road. The building architecture used on the site complements the height, material, and roof design of the buildings in the lakeside neighborhood across the street (bottom left portion of the drawing).



# VILLAGE CENTER REDEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how a village center could be redeveloped with a mix of uses while strengthening connections to open space networks and nearby neighborhoods.

## Design and Planning Principles Illustrated in the Concept

1. Open Space Brought to the Forefront
  - a. A community gathering place is created with a visible public edge.
  - b. Connections between usable open spaces and the natural open space/pathway network are improved.
  - c. Stormwater management practices are integrated into the open space design and provide opportunities for interpretation and outdoor education.
  - d. Tree canopy is increased, and lawn is converted to native landscaping, including pollinator gardens.
2. Leveraged Amenities
  - a. Destination uses (restaurant, café, civic) are located where they can leverage the value of views to open space amenities.
  - b. Active uses, front open spaces to promote "eyes on the park" and natural surveillance by the users and occupants of those uses.
3. Destinations Created
  - a. The village center is established as a visible and meaningful destination along the open space and pathway network and from nearby neighborhoods.
  - b. Multiple destinations are located within the village center, including gathering places adjacent to interfaith centers, places for cultural expression and public art, and an activated public realm along internal street networks.
  - c. Infill development is designed with sensitivity to context in terms of building heights, form, and massing. Building height and mass gradually transition to adjacent lower-scale neighborhoods.
4. Transportation Choices
  - a. Multi-modal pathway connections tie the village center into the broader transportation network.
  - b. Complete streets accommodate multiple modes of transportation and green stormwater infrastructure.
  - c. Clear and intuitive connections to adjacent neighborhoods and open spaces are provided.
5. Expanded Land Uses
  - a. To the extent possible, a grocery store presence is maintained or a new anchor is provided.
  - b. Retail and service uses contribute to a vibrant public realm.
  - c. Residential uses support other uses, activate the open spaces, and provide housing options, including multi-family, townhouse, affordable/workforce, and missing middle housing (such as duplexes, triplexes, quadplexes, and live-work units).



The concept plans and drawings in this appendix illustrate hypothetical approaches to redevelopment and infill, and do not represent proposals for development.



The illustration highlights one of many possible concepts for creating more active, walkable village centers in Columbia. In this concept drawing, the village center would be redeveloped to focus on a community green large enough to host events for the surrounding neighborhoods. Destination-based uses are oriented toward the community green with residential uses above storefronts and professional offices. Building heights are sensitive to surrounding neighborhoods. Open space and trees are used to transition between adjacent uses. The village center's design, location, and surrounding infrastructure should promote walking and biking.

# COMMERCIAL CORRIDOR REDEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how commercial development along corridors can be reimagined to create activity centers that protect and improve the character of the corridor while providing a meaningful place connected to nearby neighborhoods.

## Design and Planning Principles Illustrated in the Concept

1. Focal Point Established for the Activity Center
  - a. A central gathering space serves as the focal point for the redevelopment area.
  - b. As existing community facilities and retail uses age, they are replaced with new facilities that activate the gathering space and public realm associated with the street network.
2. Expanded Land Uses
  - a. Residential or office uses are located above new first floor retail and may include missing middle housing types.
3. Walkable Public Realm
  - a. New land uses front onto the street and activate an existing street network.
  - b. New internal roads are complete streets that accommodate multiple modes and reinforce connections between land uses.
4. Local Transit and Mobility Options
  - a. Site is designed to anticipate long-term transportation choices (such as local bus, bus rapid transit, autonomous vehicles, bicycle, walking or other options).
  - b. Land uses include densities that support transit ridership.
  - c. Decommissioned rail lines are converted into new cross-county greenway connectors that provide off-road connections to neighborhoods and nearby employment centers.
5. Parkway Character Enhanced
  - a. Parkway character is maintained with street trees and vegetative landscape to screen parking areas, rear building facades, and service areas.
  - b. Where new buildings and land uses abut a parkway setback, the center of the development is designed to engage the overall landscape and contribute positively to the parkway character.
6. Future Flexibility
  - a. Surface parking retained through redevelopment allows for future infill development or replacement of surface parking with amenity space.
7. Enhanced Natural Systems and Energy Efficiency (not labeled on concept)
  - a. Environmental site conditions are improved through activities such as tree plantings and enhancements to stream and wetland buffers.
  - b. Environmental site design practices are used along internal street networks and throughout the site to improve stormwater management.
  - c. Some areas of underutilized parking are replaced with expanded green space and stormwater management.
  - d. Solar panels and energy efficient or green buildings may be used to reduce carbon footprints.

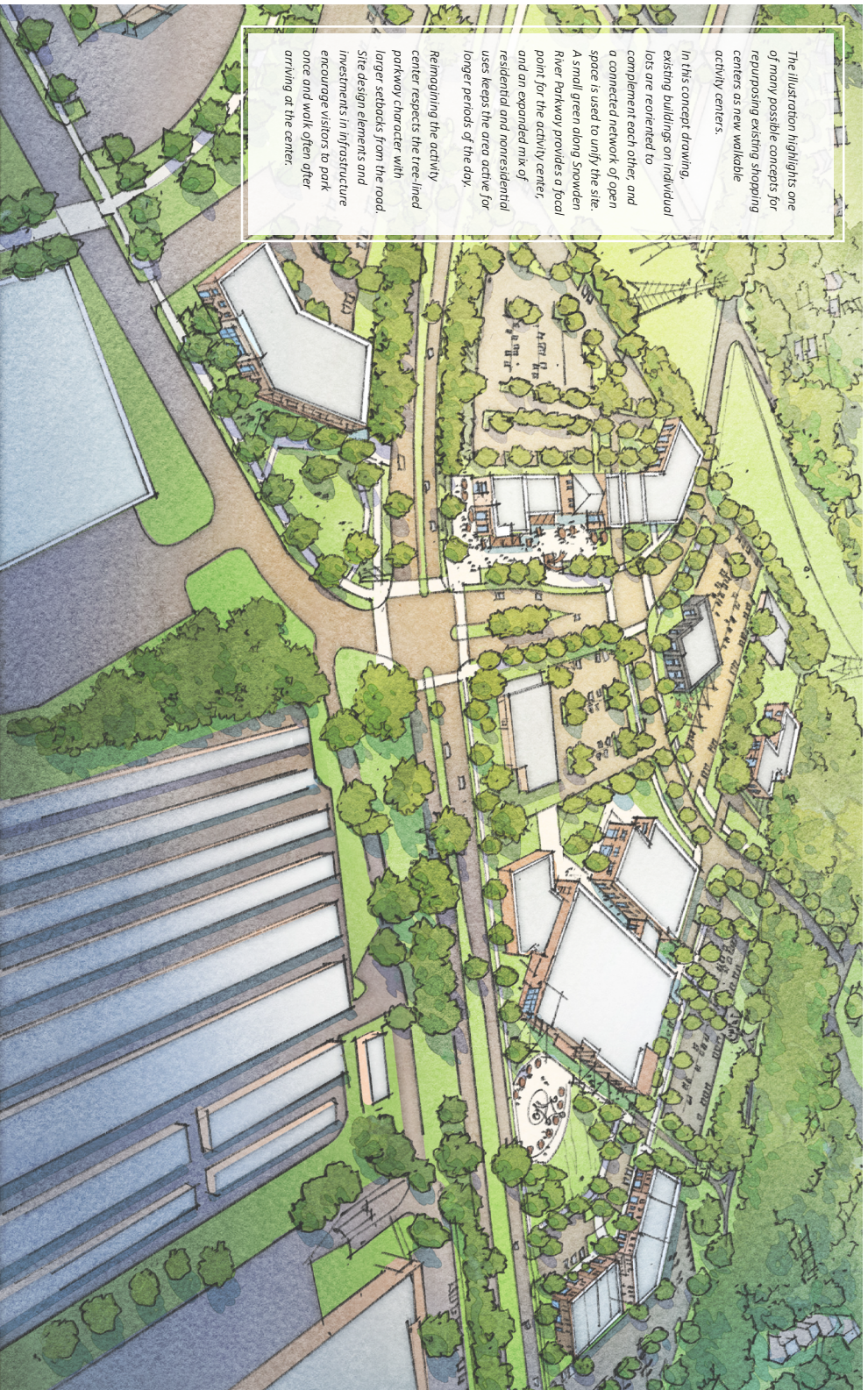


*The concept plans and drawings in this appendix illustrate hypothetical approaches to redevelopment and infill, and do not represent proposals for development.*

The illustration highlights one of many possible concepts for repurposing existing shopping centers as new walkable activity centers.

In this concept drawing, existing buildings on individual lots are reoriented to complement each other, and a connected network of open space is used to unify the site. A small green along Snowden River Parkway provides a focal point for the activity center, and an expanded mix of residential and non-residential uses keeps the area active for longer periods of the day.

Reimagining the activity center respects the tree-lined parkway character with larger setbacks from the road. Site design elements and investments in infrastructure encourage visitors to park once and walk often after arriving at the center.

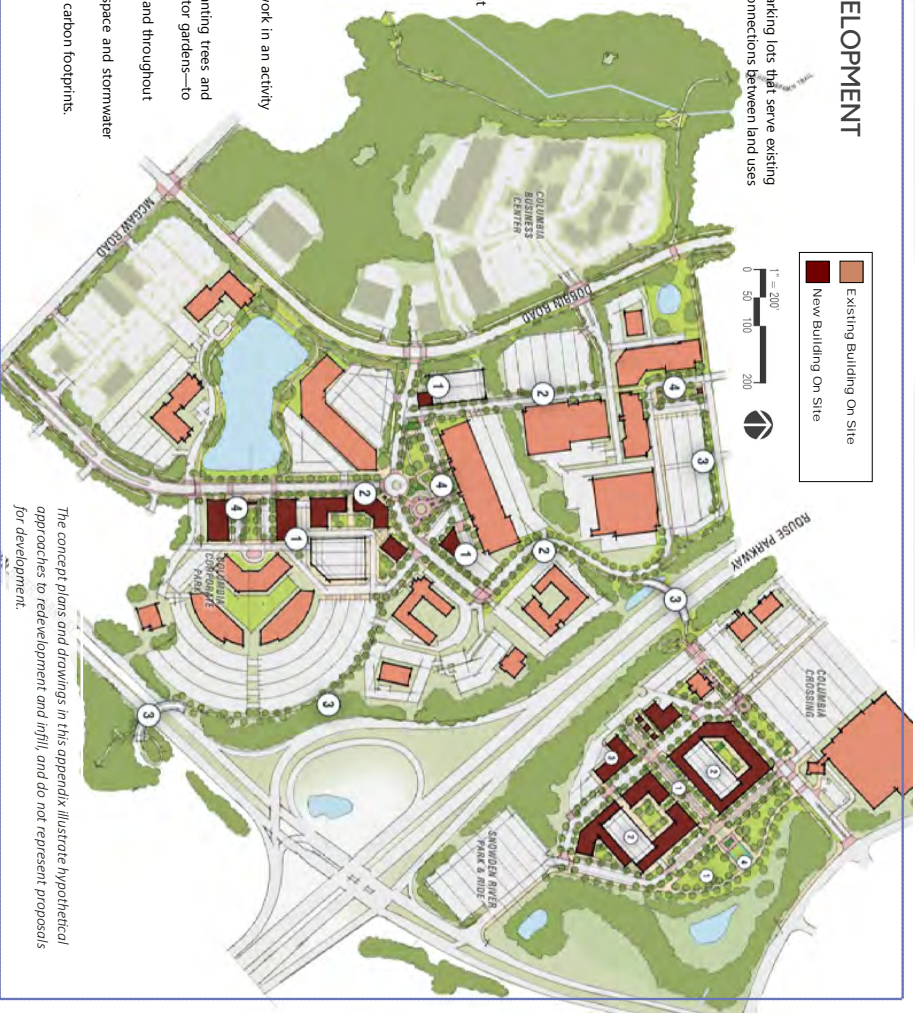


# COMMERCIAL CORRIDOR INFILL DEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how moderate infill development can occur on surface parking lots that serve existing suburban shopping centers or office parks; activate new open spaces; and foster connections between land uses and the broader open space/pathway network.

## Design and Planning Principles Illustrated in the Concept

1. Strategic Infill Development
  - a. New land uses leverage the value of activated space—whether natural open space or community gathering areas.
2. Extended Street Network
  - a. New internal streets connect the activity center to surrounding neighborhoods and employment centers, provide internal connections to destinations within the activity center, and offer more options for automobiles, bicyclists, and pedestrians moving around the activity center.
  - b. Internal streets are realigned to maximize opportunities for infill development and redevelopment.
3. Enhanced Connections
  - a. Throughout the activity center, an open space and pathway network is created that connects to a larger regional network.
  - b. Employment centers and neighborhoods are linked to new or reimagined activity centers to help reduce the County's dependency on automobiles for short trips.
4. Meaningful Open Spaces
  - a. Surface parking lots are replaced with amenity areas where buildings or uses front and activate open spaces.
  - b. Destinations and experiences are provided along the entire pathway network in an activity center.
5. Enhanced Natural Systems and Energy Efficiency (not labeled on concept)
  - a. Environmental site conditions are improved through activities such as planting trees and beneficial landscapes—including meadows, limited mow areas, and pollinator gardens—to promote habitat diversity.
  - b. Environmental site design practices are used along internal street networks and throughout the site to improve stormwater management.
  - c. Some areas of underutilized parking are replaced with expanded green space and stormwater management.
  - d. Solar panels and energy efficient or green buildings may be used to reduce carbon footprints.



*The concept plans and drawings in this appendix illustrate hypothetical approaches to redevelopment and infill, and do not represent proposals for development.*



The illustration highlights one of many possible concepts to infill existing office parks with different uses that keep the areas active for longer periods of the day.

In this concept drawing, the existing internal street network is extended in several directions to create a more connected grid of streets that supports non-automobile travel between destinations. A community green provides a focal point for the reimagined activity center. A connected network of open space throughout the center unifies the site and, where appropriate, connects to adjacent development to expand the community's walkshed within and adjacent to the center (see pedestrian bridge over Rouse Parkway on the right side of the drawing).

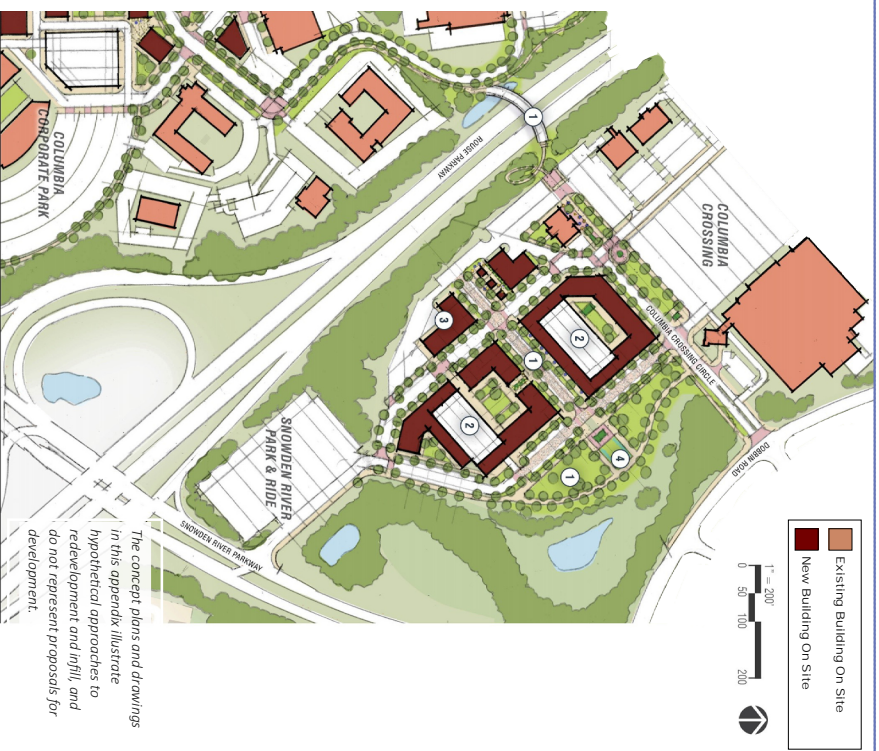
Over time, changes in transportation technology (such as autonomous vehicles or other technologies that reduce parking demand) may free up more surface parking lots for redevelopment or conversion to green open space.

# PARKING LOT REDEVELOPMENT ILLUSTRATIVE CONCEPT

The concept illustrates how large parking lots and underutilized big box uses can be repurposed with mixed-use development organized around an interconnected public realm.

## Design and Planning Principles Illustrated in the Concept

1. The Public Realm Serves as an Organizing Element
  - a. An Internal Complete Street network is established around which redevelopment can occur.
  - b. A network of meaningful and useable open spaces is introduced along the street network and connected to the broader natural open space system.
  - c. The site is connected to the broader bicycle and pedestrian pathway network to promote mobility options.
2. Infill Development
  - a. Infill buildings are designed around and front onto the public realm network.
  - b. Parking areas are located behind buildings or in parking structures wrapped with buildings.
  - c. Buildings and uses are located near existing or potential transit/mobility stops to support a broader range of mobility options.
  - d. Grade changes are used to provide access to multi-level parking while minimizing its visual impact.
  - e. New development is sensitive to the context of adjacent development in terms of building massing, height, and form.
3. A Mix of Land Uses is Introduced
  - a. Smaller-format retail, office, and a variety of housing choices, including missing middle housing types, are provided.
  - b. Public uses may be part of the redevelopment of large sites through adaptive reuse of large buildings.
4. Enhanced Natural Systems and Energy Efficiency
  - a. Environmental site conditions are improved through activities such as planting trees and enhancing stream and wetland buffers.
  - b. Environmental site design practices are used along internal street networks and throughout the site to improve stormwater management.
  - c. Some areas of underutilized parking are replaced with expanded green space and stormwater management (which can assist in reducing heat island effect).
  - d. Solar panels and energy efficient or green buildings may be used to reduce carbon footprints.



The concept plans and drawings in this appendix illustrate hypothetical approaches to redevelopment and infill, and do not represent proposals for development.

The illustration highlights one of many possible concepts for infilling surface parking lots at existing suburban shopping centers, featuring new buildings and open space to create unique and recognizable activity centers.

In this concept drawing, the large surface parking lot between Columbia Crossing Shopping Center and the Snowden River Park and Ride Lot is converted into a new activity center with a mix of residential and small format retail and office uses. Parking decks are used to accommodate parking needs after redevelopment of the surface parking lots. Small public spaces throughout the reimagined center are connected by a network of walkable streets that lead to a large community green where a collection of large, sometimes multi-tenant buildings stand currently. The large green included on the site is designed to improve stormwater management in the area.

A large pedestrian bridge over Route 175 connects this activity center to the one immediately south of the limited-access freeway.





# Development Regulations Assessment (2019)

# HOWARD COUNTY, MARYLAND

## DEVELOPMENT REGULATIONS ASSESSMENT & ANNOTATED OUTLINE

**CLARION**

PUBLIC DRAFT  
JANUARY 2018



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## PART 1: DIAGNOSIS OF CURRENT REGULATIONS

**Part 1** of this Assessment reviews each section of the six regulatory documents to identify strengths, weaknesses, and possible alternative approaches. **Part 2** of this document is an Annotated Outline of a revised Unified Development Ordinance (UDO) structure that would reorganize the current Zoning, Subdivision, and Land Development Regulations and incorporate the recommended changes identified in Part 1. In general, the changes recommended in the Part 1 diagnosis are not repeated in Part 2; Part 2 simply cross-references where the changes recommended in Part 1 would appear in the new UDO structure.

## ZONING REGULATIONS

### General Comments

#### Organization and Formatting

The organization of the current Zoning Regulations is confusing. Even regular users are not sure whether to look in the Zoning Regulations or Title 16 (Planning, Zoning and Subdivisions and Land Development Regulations) for the answers to basic questions. The Zoning Regulations are divided into 53 different sections that focus largely on regulations for specific zoning districts but also include information on parking, lighting, and nonconforming uses. The Planning, Zoning and Subdivisions and Land Development Regulations (Title 16 of the Code of Ordinances) are divided into 17 subtitles that cover a wide range of topics from forest conservation to the Design Advisory Panel. Subtitle 1 includes design standards and commonly-used procedures for subdivisions and site development plans.

In general, effective land use regulations should be organized to emphasize frequently used information where it can be easily referenced, and should reduce repetition by consolidating related information. The related and overlapping information in the Zoning Regulations and Title 16 should be consolidated into a single document. A new, more logical organization should help ensure that ordinance users can quickly find the information they need, particularly those who do not use the ordinance on a regular basis. A more logical and integrated regulatory structure makes it easier to find overlaps and inconsistencies between related sections and makes it easier to ensure that future amendments are consistent with existing materials.

The current formatting of the regulations could also be improved to help make them easier to read and understand. Several types of revisions are necessary. Most importantly, the revised regulations should establish a clear and logical organization of materials that enables users to find the answers to specific questions more quickly. In addition, a document layout with dynamic section and sub-section headers (which automatically update), footers, and consistent indenting would make the code more user-friendly. Finally, the use of tables, illustrations, pictures, diagrams, and flowcharts would go a long way to help readers understand the required or intended outcomes of different regulations and the steps in each review and approval procedure.











































#### 4.7.C. Role of Landscape Manual

The role of the landscape manual would be clarified as described previously. Mandatory requirements related to the size, location, and basic design of required landscaping features from the manual would be included or cross-referenced in Sections 4.7.D. Technical engineering standards and advisory design guidance would remain in the manual.

#### 4.7.D. General Landscaping Standards

This section would consolidate standards applicable to many types of required landscaping, such as minimum plant sizes, amounts of ground cover, any requirements for soil amendments or preparation, prohibited plant species, minimum planting bed dimensions, requirements or limitations on irrigation, vegetation for stormwater management, requirements or incentives for Low Impact Development, interpretation of overlapping landscaping standards, and similar topics. This avoids repeating requirements for different types of landscaping and stormwater management areas.

#### 4.7.E. Required Landscaping

This section would carry forward the landscaping requirements currently found in Section 16.124, but would not include the specific landscape plan requirements, which should be relocated to an administrative manual or the county website. This material would be reorganized to address:

- Street trees and frontage landscaping;
- Edge buffering between different types and scales of land uses;
- Parking lot landscaping; and
- Building foundation landscaping.

Title 16, Subtitle 1      Subdivision and Land Development Regulations  
Design Standards and Requirements  
*Sec. 16.124. - Landscaping.*

#### 4.7.F. Tree Preservation

This section would include incentives for preservation of existing mature trees, by clarifying that those trees may be counted towards landscaped area requirements. Because mature trees are much more effective at absorbing carbon dioxide, reducing heat islands, and buffering impacts of nearby uses than small replacement trees, some newer regulations go further to allow extra credit (i.e. they reduce the landscaping otherwise required) in return for preserving larger trees. Among other issues, inconsistencies between the tree preservation standards and the ability to timber harvest or cut trees before or after development need to be reconciled. This section should also cross-reference more detailed standards in the Forest Conservation Manual.

#### 4.7.G. Screening of Service Areas and Equipment

This section would consolidate standards requiring that rooftop and ground-mounted mechanical equipment, as well as commercial and industrial service and loading areas, be effectively screened from public streets and adjacent lands. Specific requirements from the Route 1 and Route 40 corridors would appear in this section as well.

#### 4.7.H. Fence and Wall Regulations

This section would include the fence standards that are currently in Section 128.0.









#### **4.12.B. Operating Standards**

This section would bring together all general (not use-specific) standards related to the operation of activities in the county, including standards related to noise, odors, vibration, smoke, glare, and the use of parking lots and vacant lots for unauthorized sales activities. Although the UDO would contain standards to reduce or prevent these types of operating impacts in the future, this section can make those general “good neighbor” and public health and safety requirements generally applicable to existing properties as well.

## 16.5. ZONING AND SUBDIVISION PROCEDURES

This article would address how Howard County reviews development proposals, makes development decisions, enforces the UDO, and treats uses and buildings that were legally created, but that for some reason do not comply with the standards and requirements of the UDO. This article answers the question: “Whose approval do I need to develop or redevelop my property, and what criteria will they use to make that decision?” Specific changes identified previously in the Assessment would be integrated into this article.

### 5.1. Review and Decision-Making Bodies

This section would describe each of the review and decision-making bodies involved in the land development process in Howard County.

#### 5.1.A. County Council and Zoning Board

This section would describe the duties and powers of the County Council and the Zoning Board related to the UDO.

Title 16, Subtitle 2	Zoning
Sec. 16.200. - Zoning authority; definitions; short title.	
Sec. 16.211. - Councilmanic election years.	

#### 5.1.B. Zoning Counsel

This section would describe the duties and powers of the Zoning Counsel, as carried over from Section 16.1000.

Title 16, Subtitle 10	Zoning Counsel
Sec. 16.1000. - Zoning Counsel.	

#### 5.1.C. Planning Board

This section would describe the duties and powers of the Planning Board, carrying forward a simplified version of Section 16.900. Provisions regarding processing deadlines would be located in an administrative manual or on the County’s website.

Title 16, Subtitle 9	Planning Board
Sec. 16.900. - Planning Board.	

#### 5.1.D. Hearing Examiner

This section would describe the role of Hearing Examiner, and separate that information from the description of the Board of Appeals. To the degree permitted by Maryland law, these provisions would be updated to reduce the confrontational, trial-like nature of current proceedings before the Examiner.

130.0	Hearing Authority
General	
Powers of the Hearing Authority	
Limitations, Guides and Standards	
Court Review	
Title 16, Subtitle 3	Board of Appeals
Sec. 16.302. - Jurisdiction of Hearing Examiner.	
Sec. 16.303. - Hearing examiner procedures.	

### 5.1.E. Board of Appeals

This section would describe the duties and powers of the Board of Appeals from current Subtitle 3 of Title 16 that refer to the Board of Appeals. To the degree permitted by Maryland law, these provisions would be updated to reduce the confrontational, trial-like nature of current proceedings before the Board, and would restructure the Board's procedures to follow general principles of appellate review rather than a de novo hearing. Details such as compensation should not appear in the UDO, but should be subject to establishment and amendment by the County Council by resolution from time to time.

<b>Title 16, Subtitle 3</b>	<b>Board of Appeals</b>
Sec. 16.301.	- Powers.
Sec. 16.304.	- Appeal to Board of Appeals.
Sec. 16.305.	- Terms of service.
Sec. 16.306.	- Termination of service.
<b>130.0</b>	<b>Hearing Authority</b>
General	
Powers of the Hearing Authority	
Limitations, Guides and Standards	
Court Review	

### 5.1.F. Historic Preservation Commission

This section would describe the duties and powers of the Historic Preservation Commission, carrying forward the provisions of Subtitle 6 of Title 16.

<b>Title 16, Subtitle 6</b>	<b>Historic Preservation Commission</b>
Sec. 16.600.	- Purpose.
<b>Title 16, Subtitle 6</b>	<b>Historic Preservation Commission</b>
Sec. 16.604.	- Historic Preservation Commission.
Sec. 16.605.	- Procedures of the Commission.
Sec. 16.606.	- Powers of the Commission.
Sec. 16.607.	- Standards for review.
Sec. 16.609.	- Powers of Howard County.

### 5.1.G. Design Advisory Panel

This section would carry forward Subtitle 15 of Title 16, revised as described previously in the Assessment. Material on meetings and records would be relocated to an administrative manual or county website. The role of the Design Advisory Panel would be clarified, strengthened in some cases, and reduced in other cases, as detailed in the Assessment.

<b>Title 16, Subtitle 15</b>	<b>Design Advisory Panel</b>
Sec. 16.1501.	- Duties.
Sec. 16.1502.	- Membership; staff, records; meetings.
Sec. 16.1503.	- Guidelines and principles.
Sec. 16.1504.	- Review required; recommendations; condition of decision.
Sec. 16.1505.	- Timing of recommendations; subsequent submittals; further review; appeal.
Sec. 16.1506.	- Rules of procedure.
<b>112.1</b>	<b>R-APT Residential: Apartments</b>
Design Advisory Panel	

### 5.1.H. Agricultural Land Preservation Board

This section would describe the duties and powers of the Agricultural Land Preservation Board, carrying forward Section 15.518 and other relevant provisions of Title 15, Subtitle 5.

Title 15, Subtitle 5	Agricultural Land Preservation
Sec. 15.518. - Agricultural Land Preservation Board	

### 5.1.I. Cemetery Preservation Advisory Board

This section would describe the duties and powers of the Cemetery Preservation Advisory Board, carrying forward Section 16.1302.

Title 16, Subtitle 13	Cemetery Preservation
Sec. 16.1302. - Cemetery Preservation Advisory Board.	

### 5.1.J. Director of Planning and Zoning

This section would describe the duties and powers of the Director of Planning and Zoning, carrying forward Sections 16.800 and 16.801. The authority of the Director to interpret the UDO, subject to appeal to the Hearing Examiner, would be clarified.

Title 16, Subtitle 8	Department of Planning and Zoning
Sec. 16.800. - General provisions.	
Sec. 16.801. - The Department of Planning and Zoning.	

### 5.1.K. Floodplain Administrator

This section would describe the duties and powers of the Floodplain Administrator, carrying forward Sections 16.708.

Title 16, Subtitle 7	Floodplain
Sec. 16.708. - Floodplain administrator.	

## 5.2. Summary Table of Procedures

### 5.2.A. Summary Table of Procedures

This section would consolidate information about each type of application, permit, or approval required by the UDO, the type of public notice required for that type of decision, which department or body reviews the application, who makes the decision, and who hears the appeal (if any) from the decision, and would cross-reference the section providing more detail on that specific type of application.

A portion of a Summary Table of Procedures from another community is shown below:

SUMMARY TABLE OF PROCEDURES					
R = Recommendation D = Decision A = Appeal Decider < > = Public Hearing O = Optional M = Mandatory					
Procedure	Pre-Application Conference	Staff Review	Planning Board	County Council	NOTICE REQUIRED M = Mailed N = published (newspaper) P = Posted
<b>Amendments</b>					
Rezoning	O	R	<R>	<D>	M, N, P
Code Text Amendment	O	R	<R>	<D>	N



### 5.3.E. Payment of Application Fees

This section would provide a cross-reference to the administrative manual or County website page where the fee schedule for applications would be located, and where they can be revised over time by resolution of the County Council without amending the UDO. It would require that all required application fees must be paid before the County will begin processing the application.

Title 16, Subtitle 2      Zoning  
Sec. 16.212. - Fees.

### 5.3.F. Application Completeness

This new section would state that the County would not process incomplete applications, the time within which the County would notify the applicant that an application is incomplete, the time within which an applicant must provide any missing materials, and the time after which the County will return incomplete application materials to the applicant and discontinue the application.

### 5.3.G. Simultaneous Review and Approval

This section would clarify that an applicant whose project requires two or more approvals may request that the County process those applications simultaneously (rather than sequentially). It would also clarify that if simultaneous processing is requested, any approvals by the review body for one application shall not be considered final until the review body on the last (generally the most complex) part of the application has been made.

### 5.3.H. Public Notice

This section would consolidate requirements for public notice of applications, hearings and decisions, in order to avoid unnecessarily repetition throughout the regulations (such as in Section 125.0). It would clarify what type of notice (e.g. mailed, published, posted, or electronic) is required for different types of applications and would cross-reference an administrative manual or County website page that lists the specific content that needs to be included in different types of public notice. In general, most newer regulations decrease reliance on mailed and published notice because of the time and costs involved, and increasingly rely on thorough requirements for posted and electronic notice to citizens and citizens' organizations.

### 5.3.I. Public Hearings

This section would describe the procedural requirements for public hearings, carrying forward content from Section 100.0. To the degree permitted by Maryland law, these provisions would be updated to reduce the confrontational, trial-like nature of current public hearing procedures.

100.0      General Provisions  
Department of Planning and Zoning Public Hearings  
Inactive Petitions  
Title 16, Subtitle 2      Zoning  
Sec. 16.206. - Conduct of hearings.

### 5.3.J. Criteria for Review and Decision

This section would clarify that in the event that Section 5.3 (Specific Procedures) or other sections of the UDO do not identify specific criteria to guide a land use decision, the criteria in this section would apply. Those criteria would generally include compliance with the UDO and other regulations adopted by the County and, in some cases, consistency with the adopted planning goals in Plan Howard 2030.

### 5.3.K. Referral to Planning Board

This new section would clarify that where the UDO authorizes the Planning Director to make a decision, but the Director determines that the proposed project is unusually large or complex, or may create impacts that were not considered when the UDO was drafted, the Director may refer the application to the Planning Board for decision.

### 5.3.L. Conditions on Approval

This section would consolidate various provisions in the current Zoning Regulations and Subdivision and Land Development Regulations authorizing the decision-maker to approve an application with conditions to mitigate its impacts on surrounding areas, which would reduce repetition of similar provisions throughout the UDO. In the case of decisions to be made by Planning and Zoning staff, conditions may only include those required to bring the application into alignment with UDO standards. In the case of decisions by another decision-making body, conditions may address any matter necessary to bring the application into compliance with the criteria to be applied by that decision-making body.

### 5.3.M. Appeals

This section would describe the process for appeals of different types of land development decisions, and would consolidate information from many different areas of the existing regulations.

Title 16, Subtitle 1	Subdivision and Land Development Regulations
General	
Sec. 16.105. - Appeals.	
127.0	MXD Mixed Use Districts
Appeal of Planning Board Decision	
Title 16, Subtitle 6	Historic Preservation Commission
Sec. 16.611. - Appeals.	
Title 16, Subtitle 12	Forest Conservation
Sec. 16.1214. - Appeals.	
Title 16, Subtitle 13	Cemetery Preservation
Sec. 16.1307. - Appeal.	

### 5.3.N. Lapsing of Approvals

Most newer land development regulations recognize that land development approvals should be used within a reasonable time after approval, and that “stale” approvals create challenges when applicants attempt to move forward with development after the standards for that type of development have been changed. This new section would consolidate existing materials and practices regarding the lapsing of development approvals.

### 5.3.O. Amendments of Existing Approvals

This section would clarify the general procedures for amending an existing development approval when market conditions, property users, financing, or other factors lead the property owner to change their plans. It would list the types of minor amendments to existing approvals that can be approved administratively by Planning and Zoning staff (subject to appeal), and clarify that other types of amendments that might have significant impacts on surrounding properties would have to go through the same process used for the original approval decision (including public notice and public hearing requirements, if applicable). This section should also codify the existing “redline” process for amending or correcting development plans.

125.0	NT New Town
Amendments to a Comprehensive Sketch Plan or Final Development Plan	

Title 16, Subtitle 17      Development Rights and Responsibilities Agreements  
Sec. 16.1705. - Amendments to executed agreements.

### 5.3.P. Adequate Public Facilities

This section would state that all types of proposed development subject to the Adequate Public Facilities Ordinance (APFO) will need to complete that process and receive a determination that adequate public facilities to support the development exist (or obtain approval of a plan to provide needed facilities) before the project will be allowed to obtain final land use approval. This would also carry forward the existing provisions of Subtitle 11, with only those changes that are a result of the APFO review process currently underway separately from this Assessment.

Title 16, Subtitle 11	Adequate Public Facilities
Sec. 16.1100.	- Short title; background; purpose; organization.
Sec. 16.1101.	- Adequate transportation facilities.
Sec. 16.1102.	- Housing unit allocation concept; housing unit allocation chart.
Sec. 16.1103.	- Adequate school facilities.
Sec. 16.1104.	- Housing unit allocation process.
Sec. 16.1105.	- Processing of plans subject to test for adequate transportation facilities and/or tests for adequate school facilities and/or test for housing unit allocations.
Sec. 16.1106.	- Milestones.
Sec. 16.1107.	- Exemptions.
Sec. 16.1108.	- Development monitoring system.
Sec. 16.1109.	- Appeals.
Sec. 16.1110.	- Definitions.

### 5.3.Q. Completion of Improvements

This section would carry forward and clarify Howard County's current policy that the property owner or applicant is responsible for all costs of required infrastructure and improvements for a subdivision, site plan, or other proposed development, unless the County has approved an agreement to share those costs or agreed that a different entity will be responsible for those costs. In addition, it would clarify the County's authority to require that improvements required to serve a new development or redevelopment be completed – or an agreement for an extension of time to complete those improvements be signed with the County – before certificates of occupancy for structures within the development will be issued.

### 5.3.R. Development Rights and Responsibilities Agreements

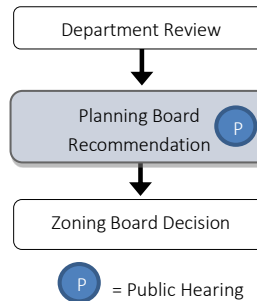
This section would carry forward much of the substantive text from Subtitle 17 of Title 16 regarding Development Rights and Responsibilities Agreements.

Title 16, Subtitle 17	Development Rights and Responsibilities Agreements
Sec. 16.1700.	- Purpose.
Sec. 16.1702.	- Applicability.
Sec. 16.1703.	- Contents of development rights and responsibilities agreements.
Sec. 16.1704.	- Procedures.
Sec. 16.1706.	- Termination of agreements; suspension; time limitations.
Sec. 16.1707.	- Applicable laws, regulations, and policies.
Sec. 16.1708.	- Recording.
Sec. 16.1709.	- Enforcement by interested parties.

## 5.4. Specific Procedures

This section would outline the process for reviewing each type of application for a permit or approval that may be issued under the UDO. A subsection for each specific procedure would describe the steps in the review and approval process, identify the reviewers and decision-maker involved, and state the criteria to be used in making the decision. As discussed in the Assessment, criteria for making each type of decision would be reviewed to make them as clear, objective, and predictable as possible. Specific procedures are generally ordered beginning with the least complex (and more frequently used) procedures and ending with the more complex (and infrequently used) procedures. Each process would also include a simple flowchart of the procedural steps. An example of a flowchart from another community is shown at the right.

### Conditional Use Permit



### 5.4.A. Permits and Approvals

This section would group together those procedures generally used for approval of a specific minor structure, street name change, or modification of a historic structure.

#### 5.4.A(1) Permits

This section would describe the procedures for administrative review and approval of general permits, including sign permits and fence permits.

##### Title 3, Subtitle 5 Signs

Sec. 3.509. - Permits and fees.

##### 128.0 Supplementary Zoning District Regulations

Permits for Special Farm Uses

##### 132.0 Temporary Uses

Procedures

#### 5.4.A(2) Street Name Changes

This section would carry forward without significant change the procedures for changing street names currently located in Title 16, Subtitle 4.

##### Title 16, Subtitle 4 Street Names and House Numbers

Sec. 16.400. - Street names and house numbers.

Sec. 16.401. - Enforcement

#### 5.4.A(3) Certificate of Approval for Historic Districts and Structures

This section would describe the historic preservation review processes, including the establishment of historic districts and the Certificate of Approval process for modifications to designated properties, currently located in Subtitle 6 of Title 16.

##### Title 16, Subtitle 6 Historic Preservation Commission

Sec. 16.602. - Establishment of historic districts.

Sec. 16.603. - Certificates of approval.

Sec. 16.603A. - Review of development plans.

Sec. 16.608. - Structures of unusual importance.

### 5.4.B. Conditional Uses

This section would describe the conditional use process currently described in Section 131.0, highlighting where the process differs from the common procedures. Current sections of Section 131.0 addressing conditions on approval and enlargements or alterations to an approved conditional use would be addressed in Section 5.3 (Common Procedures) above. Current Section 131.0 provisions for revocation of a conditional use would appear in Section 5.6 (Enforcement, and Penalties).

131.0	Conditional Uses
	Pre-Submission Community Meeting, Petition and Public Hearing
	General Standards Required for Approval
	Burden of Proof
	Establishment of Conditional Use
	Abandonment
	Clarification of Decision and Order

### 5.4.C. Site Development Plan Approvals

The County reviews Site Development Plans of many residential and non-residential proposals before issuing a building or grading permit. All projects in some zoning districts and certain conditional uses also require approval of a Site Development Plan. Although not currently well described in the regulations, this process includes the submittal of an Environmental Concept Plan for proposed stormwater management facilities, which includes a conceptual design for stormwater management and the delineation of environmental features.

The section would also describe the Site Development Plan approval process outside of any New Town-specific districts. It would carry forward the provisions from Article V of Subtitle 1, Title 16, as described in the Assessment and would replace the current SDP and FDP processes in the current NT districts. Additional procedural requirements that are district-specific, such as those in the R-ED district, would also be relocated to this section. In the UDO, there would be only one standard process for review and approval of Site Development Plans.

Title 16, Subtitle 1	Subdivision and Land Development Regulations
	Procedures for Filing and Processing Site Development Plan Applications
	<i>Sec. 16.154. - Purpose.</i>
	<i>Sec. 16.155. - Applicability.</i>
	<i>Sec. 16.156. - Procedures.</i>
	<i>Sec. 16.157. - Required information for site development plans.</i>
107.0	R-ED Residential: Environmental Development
	Approval of the Site Development Plan by the Planning Board
112.0	R-H-ED Residential: Historic – Environmental
	Approval of the Site Development Plan by the Planning Board
117.3	OT Office Transition
	Site Development Plan
125.0	NT New Town
	Final Development Plan—General Provisions
	Site Development Plans—General Provisions
126.0	PGCC Planned Golf Course Community
	Approval of the Site Development Plan by the Planning Board
127.0	MXD Mixed Use Districts
	Site Development Plan

#### 5.4.D. Subdivision of Land

Currently, an applicant for a major subdivision must submit either:

- (1) An Environmental Concept Plan, (2) a Sketch Plan, (3) a Preliminary Plan, (4) a Final Plan, and then (5) a Site Development Plan; or
- (1) An Environmental Concept Plan; (2) a Preliminary Equivalent Sketch Plan; (3) a Final Plan, and (4) a Site Development Plan.

This section would carry forward the procedures for subdivisions of land currently located in Article IV of Subtitle 1, Title 16, as well as the procedural requirements for Sketch Plans and Preliminary Equivalent Sketch Plans in several zone districts. These procedures would be reviewed for potential to increase efficiency and predictability in the review process. Specific lists of application requirements and language for plat notes would be removed from the UDO and placed in an administrative manual or on the County's website. The role of the Environmental Concept Plan in subdivision design would also be clarified. This section would also clarify that preliminary plans for subdivisions differ from preliminary development plans that are used as a basis for zoning and use parameters in the districts that require PDPs.

Title 16, Subtitle 1	Subdivision and Land Development Regulations
	Procedures for Filing and Processing Subdivision Applications
	<i>Sec. 16.144. - General procedures regarding the subdivision process.</i>
	<i>Sec. 16.145. - Sketch plan; preliminary equivalent sketch plan.</i>
	<i>Sec. 16.146. - Preliminary plan.</i>
	<i>Sec. 16.147. - Final subdivision plan and final plat.</i>
120.0	SC Shopping Center
	Approval of Sketch Plans
107.0	R-ED Residential: Environmental Development
	Approval of the Preliminary Equivalent Sketch Plan by the Planning Board
112.0	R-H-ED Residential: Historic – Environmental
	Approval of the Preliminary Equivalent Sketch Plan by Planning Board

#### 5.4.E. Flexibility and Relief

This section would group together and describe the various ways (other than administrative amendments) that the development standards in the UDO can be modified to accommodate unique conditions and circumstances.

##### 5.4.E(1) Administrative Adjustments

Most newer development codes allow the Planning Director limited authority to approve minor adjustments to technical zoning and subdivision standards for an individual lot when the need for those adjustments is due to the size, shape, or topography of the lot, or some other factor beyond the control of the applicant. This section would include a table of administrative adjustments that can be approved by the Director (e.g. an adjustment of parking or lot coverage standards of 5 percent or less) without the need for a variance or other formal adjustment process. Approval of an administrative adjustment occurs during the course of staff review, and does not require a separate procedure. This section would be carry forward the provisions in Section 100.0 but may be updated to include additional minor adjustments based emerging experience around the U.S.

100.0	General Provisions
	Administrative Adjustments

### 5.4.E(2) Alternative Compliance

This section would outline the procedures and criteria for approval of alternative compliance with a development standard (formerly referred to as obtaining a waiver).

Title 16, Subtitle 1	Subdivision and Land Development Regulations
General	
Sec. 16.104.	- Waivers.
Title 16, Subtitle 12	Forest Conservation
Sec. 16.1215.	- Waivers.

### 5.4.E(3) Variance

This section would describe the procedures for obtaining a variance from different types of development standards.

Title 3, Subtitle 5	Signs
Sec. 3.513.	- Variances.
Title 16, Subtitle 7	Floodplain
Sec. 16.711.	- Variances.

## 5.4.F. Major Development Plan Approvals

This section would describe the various procedures for review of plans required in certain zone districts and for certain types of development between the time of zone district approval and detailed Site Development Plan approval.

### 5.4.F(1) Preliminary Development Plan for Zoning

This section would describe the process for approving Preliminary Development Plans for floating districts, as described in the Assessment, up to the point of Site Development Plan approval, where the standard provisions of Section 5.4.C (Site Development Plan Approval) would apply.

113.3	I Institutional Overlay
	Preliminary Development Plan
	Conformance with Preliminary Development Plan
117.1	BR Business Rural
	Conformance with Preliminary Development Plan
117.3	OT Office Transition
	Amendments to Preliminary Development Plan
124.0	SW Solid Waste Overlay
	Procedure for Creation of a SW District
125.0	NT New Town
	Procedure for Creation of NT Districts
127.0	MXD Mixed Use Districts
	Preliminary Development Plan and Criteria
127.1	PSC Planned Senior Community
	Amendments to Preliminary Development Plan and Criteria

### 5.4.F(2) NT Village Center Redevelopment

This section would describe a simplified process for approving NT Village Center redevelopment plans, as described in the Assessment, up to the point of Site Development Plan approval, where the

standard provisions of Section 5.4.C Site Development Plan Approval would apply. The current procedures appear to have been designed in part to compensate for fairly vague development standards and criteria in some original Columbia development documents by inserting multiple points at which public meetings and hearings are necessary. In contrast, many high-quality activity center redevelopment procedures simplify and shorten the time needed for design, review, and approval of redevelopment applications by replacing vague language with more objective and predictable development standards and criteria closely tied to preferred uses, scale, height, quality, circulation patterns, and character of the center. We recommend reviewing and revising the Village Center Redevelopment procedures based on this approach.

125.0	NT New Town
	Village Center Redevelopment, Major
	Village Center Redevelopment, Minor

### 5.4.F(3) NT Downtown Redevelopment

This section would describe a simplified process for approving NT Downtown redevelopment plans, as described earlier in the Assessment, up to the point of Site Development Plan approval, where the standard provisions of Section 5.4.C Site Development Plan Approval would apply. The comments on length, delay, and unpredictability of the Village Center Redevelopment process apply here as well, and we recommend a similar approach to address those weaknesses. Although much of the downtown Columbia land is now under the control of a single property owner (the Howard Hughes Corporation), the redevelopment process needs to be designed to work even if ownership changes or becomes more fragmented in the future.

125.0	NT New Town
	Final Development Plan—Downtown Revitalization
	Site Development Plan—Downtown Revitalization
	Site Development Plan—Downtown Environmental Restoration that is not part of a Final Development Plan

### 5.4.G. Amendments to UDO Text or Zoning Map

This section would carry forward the County's current procedures for adopting amendments to text of the UDO or the Zoning Map. In addition, it would clarify the different procedures and criteria applicable to text amendments for comprehensive rezonings and Zoning Regulation Amendments (ZRAs). In particular, the allowed applicants for ZRAs and the time limits for public applications for ZRAs should be reconsidered. The protocol for ZRAs that change significantly at County Council should also be revisited; significant changes should be required to go back to the Planning Board for review, with additional staff analysis of the changes. A clear definition of the type of changes that are considered significant should also be included to reduce ambiguity. Because of the new zone districts and development standards in the UDO, there should be significantly fewer needs for Zoning Regulation Amendments, and the criteria for consideration and approval of ZRAs would be tightened up and made more objective.

Title 16, Subtitle 2	Zoning
	Sec. 16.203. - Comprehensive zoning.
	Sec. 16.204. - Piecemeal map amendments and development plan approvals.
	Sec. 16.205. - Procedure.
	Sec. 16.207. - Judicial review.
	Sec. 16.208. - Zoning regulation text amendments.
100.0	General Provisions
	Amendments

114.0	Historic District
	Requirements and Restrictions Applicable to Historic Districts
	Findings Necessary to Establish an Historic District
117.1	BR Business Rural
	Criteria
	Procedure for Creation of a BR District
117.3	OT Office Transition
	Requirements for OT District
	Petition Requirements
	Standards for Approval of a Petition
	Amendments to Preliminary Development Plan
	Planning Board Recommendation
	Zoning Board Decision
125.0	NT New Town
	Comprehensive Sketch Plan
	Procedure for Creation of NT Districts
127.0	MXD Mixed Use Overlay Districts
	General Provisions
	Requirements for Mixed Use Development
	Preliminary Development Plan and Criteria
	Comprehensive Sketch Plan and Development Criteria
Title 16, Subtitle 6 Historic Preservation Commission	
	Sec. 16.602. - Establishment of historic districts.

#### 5.4.H. Adoption of Amendment of the General Plan

This section would describe the process for adopting or amending the General Plan for Howard County, as required by Maryland law.

### 5.5. Pre-existing Development and Nonconformities

#### 5.5.A. General Provisions

Nonconformities are situations when a property was developed or a land use was started in compliance with the County's development regulations, but that no longer conform to those regulations—usually because the County amended the zoning regulations or a public body purchased a portion of the site or adopted a new regulation after the property was developed. This would consolidate regulations for nonconforming situations that are currently scattered throughout several different sections of the Zoning, Subdivision, and Land Development Regulations. Substantive updates to this section would clarify the treatment of nonconforming lots, uses, buildings, and signs as noted in the following sections.

128.0	Supplementary Zoning District Regulations
	Noncomplying Structures and Uses
129.0	Nonconforming Uses
	General

#### 5.5.B. Nonconforming Use

This section would carry forward provisions from 129.0 regarding the confirmation, restriction, and expansion or change of nonconforming uses. We recommend making confirmations of nonconforming uses an administrative approval that is subject to appeal.

129.0	Nonconforming Uses
	Restrictions on Nonconforming Uses
	Confirmation of Nonconforming Uses
	Extension, Enlargement or Alteration of Nonconforming Uses

### 5.5.C. Nonconforming Structure

This section would carry forward and expand upon the existing provisions related to nonconforming structures in Section 129.0.

129.0	Nonconforming Uses
	Replacement of Destroyed Nonconforming Structures

### 5.5.D. Nonconforming Lot

This section would clarify that legally created lots that have become nonconforming, due to changes in minimum lot dimensions or sensitive land controls, may be improved with uses and structures permitted in their respective zoning districts, provided that the all applicable development standards are met.

### 5.5.E. Nonconforming Site Feature

This section would confirm that lots and parcels that have nonconforming parking, landscaping, lighting, or other site features may continue to be used, and that the nonconforming site features do not create an additional nonconformity or prevent the building or site from being used as otherwise permitted under Sections 5.5.C and 5.5.D.

134.0	Outdoor Lighting
	Noncomplying Outdoor Lighting

### 5.5.F. Nonconforming Sign

This section would consolidate the provisions on nonconforming signs that are currently located in Section 3.504 with the other nonconforming situations.

Title 3, Subtitle 5	Signs
	Sec. 3.504. - Nonconforming signs.

## 5.6. Enforcement and Penalties

This section would carry forward and consolidate Section 102.0 and Subtitle 16 of Title 16, as well as various other repetitive sections in the Zoning, Subdivision, and Land Development Regulations that specify other violations, enforcement, or penalty provisions. The sections that are carried forward would be cleaned up and improved significantly.

### 5.6.A. Violations

This section would describe what constitutes a violation of the UDO, carrying forward language from several sections of the existing regulations.

102.0	Violations, Enforcement, and Penalties
	Violations
Title 16, Subtitle 16	Enforcement of the Howard County Subdivision and Land Development Regulations and the Zoning Regulations
	Sec. 16.1600. - Definitions.
	Sec. 16.1601. - Authority of the County; nature of equitable relief.
	Sec. 16.1602. - Notice of violation.





Title 16, Subtitle 2	Zoning
Sec. 16.200. - Zoning authority; definitions; short title.	
Title 16, Subtitle 6	Historic Preservation Commission
Sec. 16.601. - Definitions.	
Title 16, Subtitle 12	Forest Conservation
Sec. 16.1201. - Definitions.	
Title 16, Subtitle 13	Cemetery Preservation
Sec. 16.1301. - Definitions.	
Title 16, Subtitle 16	Enforcement of the Howard County Subdivision and Land Development Regulations and the Zoning Regulations
Sec. 16.1600. - Definitions.	
Title 16, Subtitle 17	Development Rights and Responsibilities Agreements
Sec. 16.1701. - Definitions.	



# New Town White Paper (2014)



September 12, 2014

To: Columbia Association Board of Directors  
Advisory Committee Chairpersons  
Village Board Chairs  
Village Managers  
Members of the Press  
CA Management

From: Andrew Stack, Board Chair

**The Columbia Association Board of Directors Meeting will hold a Work Session on Thursday, September 18, 2014 at 7:30 p.m. at the Columbia Association Building, 10221 Wincopin Circle, Columbia, MD 21044.**

**BOARD WORK SESSION AGENDA**

- |  |          |
|--|----------|
| 1. Call to Order (Announce Directors/Staff in Attendance)                                      | 1 min.   |
| 2. Approval of Agenda  | 1 min.   |
| 3. Resident Speakout   | 15 min.  |
| 4. Work Session on New Town Zoning   | 120 min. |
| 5. Adjournment – Approximately 9:45 p.m.   |          |
| 6. <b>Closed Meeting of the Board of Directors follows the adjournment of the Work Session</b> |          |

**Next Board Meeting: Thursday, October 9, 2014**

**ARRANGEMENTS FOR AN INTERPRETER FOR THE HEARING IMPAIRED CAN BE MADE BY CALLING 410-715-3111 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.**

**CA Mission Statement**

Working every day in hundreds of ways to make Columbia an even better place to live, work, and play.

**CA Vision Statement**

Making Columbia the community of choice today and for generations to come.



To: CA Board of Directors

From: Jane Dembner, Director, Community Building and Sustainability Bureau

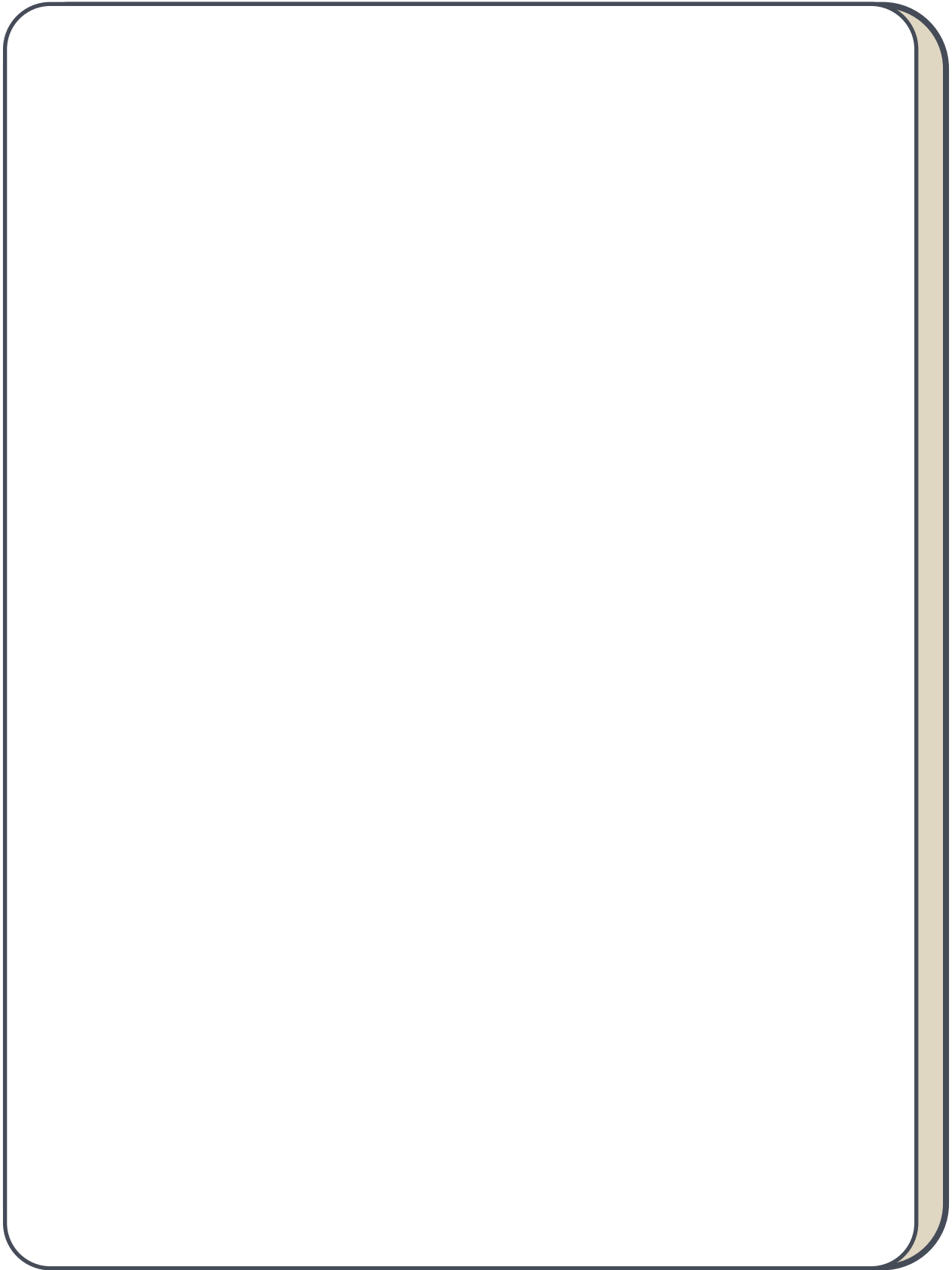
Through: Milton Mathews, President/CEO

CC: Sheri Fanaroff, General Counsel  
Scott Templin, Community Planner

Subject: New Town Zoning Work Session

Date: September 12, 2014

Attached is a New Town zoning briefing paper prepared by staff in preparation for the Board's upcoming work session on Thursday, September 18, 2014. The main body of the paper is brief (11 pages) and is presented in eight sections: seven that provide a concise overview of NT zoning and an eight section that highlights some issues that should be considered when the county undertakes the planned review and update of New Town regulations in 2015. The paper is supplemented by three short appendices



# **New Town Zoning Briefing Paper**

**Prepared by Columbia Association**

**for the**

**Columbia Association Board of Directors**

**for the**

**New Town Zoning Work Session, September 18, 2014**



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## New Town Zoning Briefing Paper

In FY 2015, the Columbia Association Board of Directors decided to hold periodic work sessions where there would be more time for discussion on specific topics of interest. Work sessions are less formal than board meetings and focus on discussion and do not include decision-making or policy-setting.

This paper was developed by Columbia Association planning staff in anticipation of the upcoming work session on the topic of Howard County's New Town zoning, the designation for much of Columbia. A future work session and associated background paper will address private covenants.

### 1. Introduction: Why Hold a Work Session on New Town Zoning? What are the Desired Outcomes?

On September 18, 2014, the Columbia Association Board of Directors will be holding a work session on Howard County's New Town zoning regulations. The purpose of this memo is twofold: to provide an overview of the New Town zoning regulations and to identify issues that should be considered when the county undertakes the planned review and update of New Town regulations in 2015.

The desired outcomes of the work session are for board members: (1) to acquire a better understanding of how the regulations work, including the review and approval process; and (2) to identify issues to be addressed and questions to be answered during the county's update process, anticipated to begin in 2015.

### 2. New Town Zoning Review Process: Why is Howard County Going to Review and Update New Town Zoning? When will this Occur?

In 2013, Howard County updated its zoning code following adoption of the new General Plan (*PlanHoward 2030*). At that time, the County Council chose to defer the review and update of New Town zoning because of its complexity and to allow the county to complete a comprehensive review of New Town zoning. That review, including a public process, is anticipated to begin in 2015. Given the upcoming elections and change in administration leadership, it is expected that the county will not announce the details of the review process until after the New Year.

### 3. Zoning Authority: Who is Responsible for Zoning and its Enforcement?

Promulgation of zoning regulations and their enforcement are government functions under Maryland law. As set forth in the Annotated Code of Maryland, the state's counties and municipalities have the power to control land use within their boundaries. This includes the power to prepare a comprehensive plan, zoning ordinances and subdivision regulations. The State of Maryland has delegated these planning and land use regulatory powers to the state's municipalities and counties, including Howard County.

As a result of the state's delegation of zoning powers to the county, the Howard County Code includes detailed rules and procedures related to the planning and zoning process, including the roles and authority of the County Council, Zoning Board, Planning Board and Department of

Planning and Zoning. See the text box below for a description of the authority for each of these government entities.

**Overview of Zoning Authority By Key Government Entities** (source: Howard County Code)

**County Council:** The Howard County Code gives the County Council authority for zoning. It states: “For the purpose of promoting the health, safety, morals and general welfare of Howard County, the County Council is hereby empowered to regulate and restrict the height, number of stories and size of buildings and other structures; the location, construction, alteration and use of buildings and other structures; the percentage of lot area that may be occupied by structures; the size of yards, courts and other open spaces; the density of population; and the location and use of land for trade, industry, government, residence or other purpose.”

The code empowers the County Council to enact comprehensive zoning and for amendments to the text of the existing zoning regulations. The code also authorizes the establishment of the Zoning Board, a legislative agency of the County Council. The Zoning Board consists of the County Council members.

**Zoning Board:** The Howard County Code designates to the Zoning Board the authority to approve piecemeal zoning map amendments (those dealing with map changes only or zoning changes to a particular piece of property). In addition, the Zoning Board has decision-making powers on various development plans.

**Planning Board:** The Planning Board makes recommendations to the County Council and Zoning Board on all matters relating to county planning and zoning, including the adoption and amendment of planning and zoning regulations and amendments to the zoning map. In addition to its advisory duties and responsibilities related to recommendations, in certain cases the Planning Board also has decision-making powers.

For petitions to develop Columbia property zoned New Town other than in lands in Downtown and the village centers, the Planning Board has decision-making authority for Comprehensive Sketch Plans, Final Development Plans and Site Development Plans (steps 2 through 4 of the New Town zoning approval process). In 1965, the County Commission approved the original Preliminary Development Plan (PDP) for Columbia (step 1 of the New Town development process). The PDP can only be amended by the Zoning Board following a public hearing.

For Downtown Columbia Redevelopment, both Final Development Plans and the Site Development Plans require Planning Board approval. (see note below)

For petitions for Major Village Center Redevelopment, the Planning Board reviews and makes recommendations on the Preliminary Development Plan to the Zoning Board, which has the authority to approve or deny the petitioner’s application for village center redevelopment. If approved, then the petitioner may proceed to the land development review process that includes amendments to the Comprehensive Sketch Plan, amendments to the Final Development Plan and a new Site Development Plan. The Planning Board has decision-making powers on all of these detailed plans. (see note below)

**Department of Planning and Zoning:** The Department of Planning is responsible for planning for the growth and development of the County including but not limited to the following functions: preparation of a comprehensive general plan; preparation of subdivision rules and regulations and their administration; preparation and enforcement of a comprehensive zoning plan (map and regulations) and enforcement; review and recommendations on petitions for amendment to the zoning map; assistance with public facility planning; responsibility for historic preservation; recommendations on the county’s proposed capital program; and operation of the county’s agricultural preservation program.

**Hearing Examiner:** The Hearing Examiner considers citations for violations of the subdivision and land development requirements. Also makes decisions on variances and conditional uses outside of the NT district.

**Board of Appeals:** A final order issued by the Hearing Examiner may be appealed by the alleged violator to the Board of Appeals.

(Note: Detailed flow charts for the Downtown Columbia and Village Center Redevelopment processes are included in the Appendix.)

### **Zoning Violations and Enforcement**

The zoning regulations define violations as follows: “Any structure erected, constructed, altered, enlarged, converted, moved or used contrary to any of the provisions of these regulations by any person taking such action, or permitting such action, and any use of any land or any structure which is conducted, operated or maintained by any person using, or permitting the use thereof, contrary to any of the provisions of these regulations, shall be, and the same is hereby declared to be unlawful.”

Enforcement is the responsibility of the Department of Planning and Zoning. The regulations state that the “Department of Planning and Zoning may initiate a court order for an injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove such erection, construction, alteration, enlargement, conversion or use in violation of any of the provisions of these regulations. The Department of Planning and Zoning may enforce the Zoning Regulations by issuing citations to alleged violators to be heard in Court or in Administrative Proceedings as provided by Law.” If a zoning violation is found to exist, a citation is issued. Penalties include fines and/or civil penalties.

#### **4. Overview of New Town Zoning and Process: What is the History of New Town Zoning?**

The New Town regulations were adopted in 1965 and have been in place for decades with relatively few changes in the overall structure until 2009 and 2010. In 2009, changes were made related to village center redevelopment and in 2010, the changes to zoning for Downtown Columbia revitalization.

New Town is the primary zoning classification in Columbia. More than 14,270 acres are zoned New Town. Approximately ten percent of Columbia is not zoned New Town. These lands are predominantly located in three general areas: Dorsey’s Search Village north of Route 108; the Gateway loop, and a portion of Snowden River Parkway near Robert Fulton Drive. There are other non-New Town zoned lands scattered throughout Columbia.

#### **5. What are the Major Provisions of New Town Zoning?**

The New Town zoning regulations have a number of distinctive features. These include:

- District size. A New Town zoning district must contain at least 2,500 contiguous acres. (Columbia is the county’s only New Town district and comprises 14,272 acres.)
- Flexibility in land use. New Town permits all uses in other zoning districts with the exception of heavy manufacturing uses and mobile homes.
- Open space preservation: New Town zoning requires that 36 percent of the lands zoned New Town be for open space uses. This requirement combined with the design of Columbia, has resulted in a distinctive tight weave of Columbia’s open space areas, residential neighborhoods and clustered housing sites. Columbia’s open space is a defining and distinguishing feature of Columbia.

- Overall housing density. Overall density (gross density) may not exceed 2.5 dwelling units per acre of New Town zoned land. The maximum number of dwellings permitted by the Downtown Columbia redevelopment process is in addition to this density limit.
- Mixed use requirements. New Town requires a mix of various land uses, with minimum and maximum percentages and allows flexibility in the geographic placement of those uses. The table below is from the New Town regulations.

	(1) Minimum Percentage of Total Area of the District	(2) Maximum Percentage of Total Area of the District
Open Space Uses	36%	N/A
Single-family – Low Density	10%	N/A
Single-family – Medium Density	20%	N/A
Apartments	N/A	13%
Commercial (POR, B-1, B-2 and SC uses)	2%	10%
Industrial Uses (M-1 uses)	10%	20%
Other uses presently permitted in any zoning district other than those permitted only in R-MH or M-2 Districts	N/A	15%
Note: N/A means Not Applicable		

Source: Howard County NT Zoning Regulations

Note: The last line of the table excludes mobile homes and heavy industrial uses.

## 6. What is the Development Process Under New Town Zoning?

The New Town zoning regulations set forth three different processes for development depending on the location of development: one for Downtown Columbia; another for village center redevelopment; and one for all other New Town zoned lands. These three processes are outlined below. Additional details are provided in Appendix A.

### A. General – New Town Zoning (not in Downtown or part of Village Center Redevelopment)

Step 1: Preliminary Development Plan (PDP).

- The original PDP for Columbia was approved in 1965. The regulations state that a PDP is to include a generalized drawing or set of drawings with associated text that establish the general location of land uses, major roads and public facilities. Also included in the requirements are the following:
  - Listing of major planning assumptions and objectives
  - Number of acres devoted to residential, employment and open space uses
  - Overall density (dwelling units per acre)
  - Overview of proposed drainage, water supply and discharge
- Only the original petitioner may file a new petition to add additional land to the New Town District or propose amendments to the PDP. That means that only Howard Research and Development (HRD), the original petitioner, can propose these changes.

- Changes to the approved PDP must be approved by the Howard County Zoning Board.

#### Step 2: Comprehensive Sketch Plan

- The Comprehensive Sketch Plan is comprised of a drawing or set of more detailed drawings and must include:
  - Boundaries and acreage of proposed land use categories (single family low and medium density, apartments, employment commercial and industrial, and open space); location of all existing and proposed public streets, roads and utilities; location of open space, recreation, school, park and other public and community uses.
- Associated text (criteria) for the general location of all structures; height limitations; parking, setbacks, front/side/rear yard areas, minimum lot sizes.
- Only HRD, the original petitioner for the New Town District, may propose amendments to an approved Comprehensive Sketch Plan.
- The Planning Board has decision-making authority for Comprehensive Sketch Plans.

#### Step 3: Final Development Plan (FDP)

- The FDP confirms or refines the Comprehensive Sketch Plan. It must provide the exact boundary descriptions and acreage of the permitted uses shown on the approved Comprehensive Sketch Plan and detail the permitted uses, setbacks, height limits and other requirements.
- The Planning Board has decision-making powers for Final Development Plans. If approved, they are recorded in the land records of Howard County prescribe the development of the property. Proposals to change or add primary uses require an amendment to the FDP.
- For single family residential lands, any property owner may propose amendments to the FDP but cannot alter the land use designation established by the Comprehensive Sketch Plan or increase the residential density. For all other lands, only the original New Town District petitioner, HRD, may propose amendments to an approved Final Development Plan.

#### Step 4: Site Development Plan

- The Site Development Plan is the last stage before building permits are issued and construction may begin.
- Detailed site engineering drawings must show exactly how a site will be used and developed including grading, utilities, buildings, driveways, parking areas, landscaping and other site details.
- Site Development Plans are required for all development in the New Town District.
- At this stage, the Planning Board may not revisit land use designations or criteria shown on the Final Development Plan. However, the Planning Board may grant variances to bulk regulations for a specific SDP.
- At the Planning Board's discretion, Site Development Plans may be reviewed and approved by the Planning Board or by the Department of Planning and Zoning (administrative review and approval).

- Minor additions or modifications to approved Site Development Plans do not need Planning Board approval. Minor new accessory structures, minor additions to parking, small areas of grading or clearing and other similar minor changes do not need Planning Board approval and can be reviewed and approved administratively.

#### **B. Downtown Columbia Revitalization Process**

This process is different from that for non-downtown New Town areas in that it permits any fee simple owner of any property located in Downtown Columbia to propose development. In addition, an amendment to the Preliminary Development Plan or any previously approved applicable Comprehensive Sketch Plan or Final Development Plan is not required because Final Development Plans for Downtown Revitalization supersede previous New Town documents.

- Steps 1-8 include submission of a Final Development Plan, Neighborhood Concept Plan, Neighborhood Specific Design Guidelines, and a Neighborhood Specific Implementation Document along with a number of technical studies and engineering documents. The steps also include a pre-submission community meeting and review by the Design Advisory Panel.
- The Planning Board has approval authority. Approved Final Development Plans and their associated Neighborhood Concept Plans, Neighborhood Specific Design Guidelines and Neighborhood Specific Implementation Plan are recorded in the land records of Howard County.
- Steps 9-16 of the Downtown Revitalization process relate to the Site Development Plan, and include a pre-submission community meeting and review by the Design Advisory Panel.
- The Planning Board has approval authority for the Site Development Plan.

#### **C. Village Center Redevelopment Process**

This process was established in 2009 via County Council approved amendments to the New Town zoning regulations related to the redevelopment of New Town Village Centers. As with the Downtown Columbia-related New Town regulations, any owner of village center property may propose land use changes without gaining permission from HRD. The village center redevelopment process includes the following:

- Permits an owner of any portion of a New Town Village Center to petition to amend existing development plans for their own property;
- Establishes standards for zoning board evaluation;
- Establishes a public notification and involvement process; and
- Defines a role for village associations including the development of a Village Center Community Plan and a Community Response Statement.

The process includes two stages and 14 steps for the petitioner, the county and the village association. Steps include Notice of Intent from the petitioner, a pre-submission meeting, the submission of a concept plan, review by the Design Advisory Panel, and the submission of a Final Development Plan amendment for recommendation by the Planning Board and approval by the Zoning Board. Only after the petitioner gains Zoning Board approval may he/she move on to the development process including submission of a detailed Site Development Plan.

## 7. What does the General Plan (*PlanHoward 2030*) say about New Town Zoning?

There are a few references to the need to update NT zoning. One of the most relevant discussions is on pages 139-140 as follows:

“With the adoption of the Downtown Columbia Plan, the corresponding zoning regulation amendments, and the new regulations to promote revitalization of older Columbia Village Centers, there needs to be revisions to the New Town (NT) Regulations to discourage scattered, uncoordinated redevelopment.”

“When the existing zoning regulations were enacted, the original petitioner of the NT District, Howard Research and Development Corporation (HRD), owned all the land in the NT District and actively controlled development through Final Development Plans and private covenants. The zoning regulations gave the original petitioner control over an extensive development plan that currently only it can petition to amend. Now, however, property owners within the NT District do not have the right to access the zoning directly, they are forced to seek permission from the original petitioner. To ensure coordinated, well planned redevelopment and allow property owners access to the zoning, the NT Zoning Regulations need to be revised to establish clear criteria for redevelopment in New Town, including amendments to Final Development Plans.”

“POLICY 10.2 – Focus growth in Downtown”

“Columbia, Route 1 and Route 40 Corridors, and some Columbia Village Centers, as well as some older commercial or industrial areas which have redevelopment potential.”

“Implementing Action:

- c. Comprehensive Review of NT Zoning. Revise the NT Zoning Regulations to provide clear criteria for redevelopment of older residential, commercial, or industrial areas outside of Downtown Columbia and the Village Centers.”

## 8. What are Some of the Issues that Should be Considered or Addressed During the County’s New Town Zoning Update Process?

This section provides a preliminary identification of issues and questions that should be addressed as part of the county’s review and update process. This also can serve as a framework for discussion at the CA Board Work Session on September 18.

### A. Issue: Definition of “Petitioner”

#### Background

- In Downtown Columbia and the Village Centers, the petitioner is defined as the fee-simple owner of a property that is seeking and requesting use changes. In all the other areas of New Town, only the original petitioner (HRD) can request a change to New Town zoned land (with the exception of single family land owners who may request limited changes). This means that land owners of non-residential lands who wish to make land use changes to their property that

are not in accord with the approved Preliminary Development Plan, Comprehensive Sketch Plan and FDP, need to get permission from HRD to move ahead.

- When the regulations were created, HRD owned all of Columbia, so this definition of the petitioner made sense. Today, there are many apartment and non-residential land owners.
- In addition, originally HRD was the master developer and thus had the incentive to make sure that its development proposals fit together and were in alignment. However, since ownership is now dispersed, the role of HRD has changed from overall developer and owner of land in Columbia to one of many developers and land owners.
- HRD, in addition to its role as the petitioner for most New Town-zoned lands, also holds enforcement authority over more than 40 sets of separate and private covenants for non-residential development areas in Columbia. Most of these covenants were executed as part of the terms for HRD's sale of New Town-zoned lands to enable HRD to control the use and architectural characteristics of the development. Covenants are private agreements and are not administered or enforced by Howard County.
- Some community members refer to HRD the original New Town District petitioner, as the "gatekeeper" because of the singular controls granted to HRD as described above. "Gatekeeper" is not a defined term used in the zoning regulations.

#### To be Addressed During the New Town Update Process

- The limitation of the permitted petitioner is inappropriate in the current context of property ownership and development in Columbia and should be revisited. For property located in Downtown Columbia and the Village Center Redevelopment areas, the issue has already been addressed by amending the New Town regulations to redefine who may be a petitioner.
- While there is a need to allow petitioners other than HRD, it remains important to coordinate the overall design and planning for Columbia. Under state and county statutes, it is Howard County that is responsible for planning, zoning regulations and zoning enforcement. During the New Town update process, consideration should be given to the question of how the founding characteristics will be retained, enhanced or modified as it evolves over its next 50 years. (See also, Issue F below)

### **B. Issue: Land Use Minimums/Maximums**

#### Background

- Land use minimum and maximum percentages in New Town zoning were established to assure the implementation of the mixed use nature of Columbia envisioned by James Rouse.
- DPZ tracks current land use percentages in relation to the New Town zoning thresholds.

#### To be Addressed During the New Town Update Process

- There is a need to evaluate whether the minimum and maximum land use percentages should be amended to address current development trends and projected development needs or to encourage/discourage land use changes.











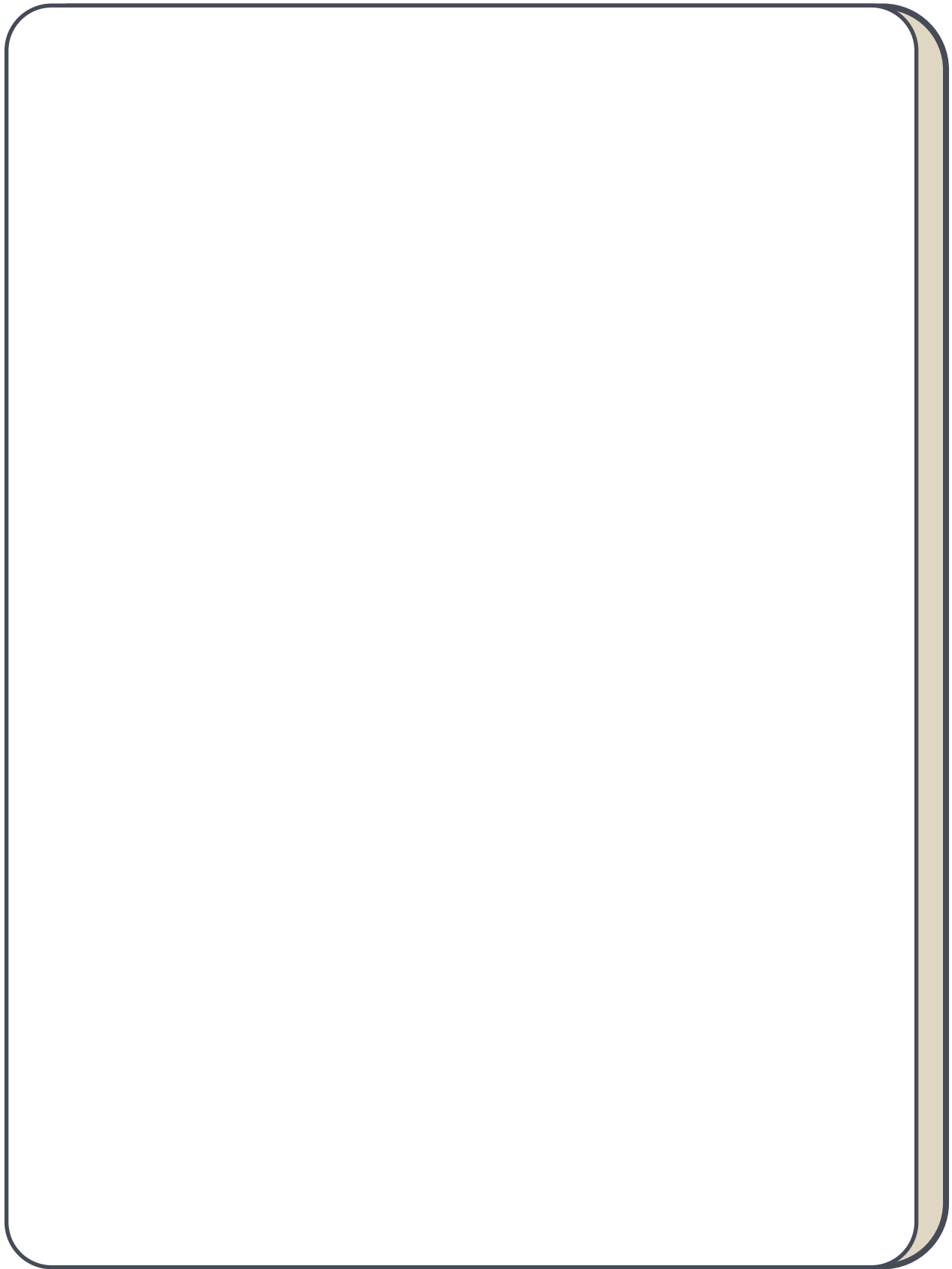






# Downtown Columbia Plan (2010)









WHEREAS, the 2000 Howard County General Plan also sets forth a central theme of sustainable development through a series of visions which encompass, but are not limited to, quality of life, public participation, community design, housing and economic development; and

WHEREAS, the 2000 Howard County General Plan also recognizes Downtown Columbia as the County's largest and most urban mixed-use center and establishes a policy and implementing actions to encourage Downtown Columbia's continuing evolution and growth as the County's urban center (Policy 5.5); and

WHEREAS, the 2000 Howard County General Plan has been amended a dozen times in accordance with County Council bill procedures; and

WHEREAS, in 2005, the Howard County Government led a week-long Charrette to gather thoughts from the community as to how Downtown Columbia should be redeveloped; and

WHEREAS, in 2005 and 2006, the Downtown Focus Group, a committee of community leaders, met 15 times with the Howard County Department of Planning and Zoning to discuss key issues and offer advice regarding redevelopment of Downtown Columbia; and

WHEREAS, in 2007, after additional community input, the County Executive, through the Department of Planning and Zoning, released "Downtown Columbia: A Community Vision" which articulates planning guidelines for the redevelopment of Downtown Columbia; and

WHEREAS, "Downtown Columbia: A Community Vision" provided that General Growth Properties would prepare a general plan amendment and zoning regulation amendment for submittal to the County Council; and

WHEREAS, "Downtown Columbia: A Community Vision" also explicitly provided that the proposed amendments "would be introduced to the public at the same time, so that the relationship between the downtown development master plan and its implementation through the Zoning Regulations would be clearly understood"; and

WHEREAS, on October 1, 2008, General Growth Properties formally submitted its Downtown Columbia redevelopment package consisting of a zoning regulation amendment and a general plan amendment, along with the following supplemental documents:

1. Adequate Public Facilities Amendment (draft proposal)
2. Columbia Town Center Sustainability Framework;
3. Columbia Town Center Merriweather and Crescent Environmental Enhancements Study;
4. Columbia Town Center Design Guidelines (draft proposal);
5. Columbia Town Center Generalized Traffic Study;
6. Columbia Town Center Generalized Traffic Study, Technical Appendix; and
7. Best Management Practices for Symphony Stream and Lake Kittamaquindi Watersheds; and

**WHEREAS**, the Howard County Planning Board, following advertisement for 30 days, held a series of public hearings/meetings and heard public testimony on December 11, 2008, January 8 and 22, 2009, February 5, 2009 and March 5 and 19, 2009; and

**WHEREAS**, the Howard County Planning Board also conducted a series of public worksessions on April 13 and 30, 2009, May 14 and 27, 2009, June 11 and 25, 2009, July 9, 16 and 23, 2009, August 20, 2009 and September 2 and 3, 2009; and

**WHEREAS**, on September 17, 2009, the Planning Board recommended approval with recommended changes to the general plan amendment; and

**WHEREAS**, the attached Downtown Columbia Plan, a General Plan Amendment, is being considered together with a bill proposing the adoption of a zoning regulation amendment based on Zoning Regulation Amendment 113 as amended pursuant to the recommendations of the Department of Planning and Zoning and the Planning Board; and

**WHEREAS**, the zoning regulation amendment is the principal means of implementing the revitalization and redevelopment plan for Downtown Columbia; and

**WHEREAS**, the attached Downtown Columbia Plan will be implemented by additional legislation, including but not limited to, Downtown Columbia Design Guidelines and amendments to the Adequate Public Facilities Act, the Design Advisory Panel and the Green Buildings Law; and

**WHEREAS**, these implementing mechanisms will promote the ongoing evolution of Downtown Columbia in a manner that reflects its unique character and aspirations in order to become a model for smarter, more livable communities.

## **NOW THEREFORE:**

**Section 1.** Be it enacted by the County Council of Howard County, Maryland, that the Downtown Columbia Plan, a General Plan Amendment attached hereto, is adopted as the revitalization and redevelopment plan for Downtown Columbia.

**Section 2.** Be it further enacted by the County Council of Howard County, that the Director of the Department of Planning and Zoning is authorized to publish this Plan adding covers, title pages and graphics to improve readability.

**Section 3.** Be it further enacted by the County Council of Howard County, Maryland, that the Downtown Columbia Plan, a General Plan Amendment, shall become effective 61 days after its enactment.

## Bill No. 52-2016

**WHEREAS**, on February 1, 2010, the Howard County Council (“County Council”) approved Bill No. 58-2009 approving the Downtown Columbia Plan, A General Plan Amendment (“Downtown Columbia Plan”); and

**WHEREAS**, the Downtown Columbia Plan envisioned a full spectrum housing program for Downtown Columbia to be achieved through the creation of a Downtown Columbia Community Housing Foundation subsequently recognized as the Columbia Downtown Housing Corporation (“CDHC”) which would administer the Downtown Columbia Community Housing Fund (“Fund”) to be created from contributions from the Downtown Columbia Community Developer or Howard Research and Development Corporation (“HRD”), other developer and property owner contributions, and other sources; and

**WHEREAS**, on March 31, 2014, CDHC presented its Second Annual Report in which CDHC advised that without changes in legislation it would be difficult to realize its goals regarding the development of affordable housing in Downtown; and

**WHEREAS**, between June and September of 2015, representatives of CDHC, HRD, the Howard County Housing Commission (“Commission”) and Howard County, Maryland (“County”) met to develop an alternative means of achieving a full spectmm of housing in Downtown Columbia, referred to as the Joint Recommendations; and

**WHEREAS**, on September 8, 2015, CDHC, HRD, the Commission and the County presented the Joint Recommendations to the County Council, and

**WHEREAS**, between September and November of 2015, the County conducted a series of analyses of the Joint Recommendations and presented them to the County Council; and

**WHEREAS**, the Joint Recommendations formed the basis of requests for legislative changes to the Downtown Columbia Plan, PlanHoward 2030, the Howard County Zoning Regulations, and the Howard County Code of Ordinances; and

**WHEREAS**, this Act amends certain provisions of the Downtown Columbia Plan in order to accomplish the goals of providing a broad spectrum of affordable housing in Downtown Columbia as laid out in the Joint Recommendations; and

**WHEREAS**, on May 10, 2016, the Howard County Planning Board recommended approval of the Downtown Columbia Plan amendments included in this Act with modifications.

**NOW, THEREFORE,**

**Section 1.** Be It Enacted by the County Council of Howard County, Maryland, that the Downtown Columbia Plan is hereby amended as follows and as more specifically shown in the attached pages:

1. Section 1.5, Diverse Housing, is amended as shown in the attached Exhibit A;
2. Section 4.1, General Plan, is amended as shown in the attached Exhibit B;

3. Remove the existing Downtown Revitalization Phasing Progression, as shown in Section 4.2, Phasing on page 73 of the adopted Downtown Columbia Plan, and substitute the attached revised Downtown Revitalization Phasing Progression as shown in the attached Exhibit C; and
4. The Downtown Columbia Community Enhancements, Programs and Public Amenities (CEPPAs) Implementation Chart is amended as shown in the attached Exhibit D.

**Section 2.** And Be It Further Enacted by the County Council of Howard County, Maryland that the Director of the Department of Planning and Zoning may correct obvious errors, capitalization, spelling, grammar, headings and similar matters and may publish this amendment to the Downtown Columbia Plan, A General Plan Amendment, by adding or amending covers, title pages, a table of contents, and graphics to improve readability.

**Section 3.** And Be It Further Enacted by the County Council of Howard County, Maryland, that this amendment be attached to and made part of the Downtown Columbia Plan, A General Plan Amendment.

**Section 4.** And Be It Further Enacted by the County Council of Howard County, Maryland that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court or competent jurisdiction, the invalidity shall not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are severable.

**Section 5.** And Be It Further Enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.

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*Lake Kittamaquidi, Downtown Columbia*

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## Introduction



*Gail Holliday Screen Print*

Columbia has an active and engaged community that was born out of the progressive urban planning ideas of the late Jim Rouse, its founder, more than 40 years ago. Now Rouse’s pioneering planned community is embarking on a new phase in its growth and development, as its residents and officials seek to redesign and rebuild its unique downtown.

Rouse hoped to make Columbia a new kind of American community that would, through rational planning, avoid the problems associated with the decay that was settling upon America’s big cities and the unplanned and often unsightly sprawl that marked its ever-burgeoning suburbs. Though in part motivated by social concerns, Rouse also was a successful business man who knew that Columbia had to be profitable if it was to survive and thrive.

Almost since Columbia’s founding, its residents and officials have debated how to improve its downtown core. Most recently, in October 2005, residents gathered with Columbia and Howard County government officials for a week-long series of public meetings called a “charrette.” The meetings were designed to listen to the thoughts of the community on how Downtown Columbia should be redeveloped over the next 30 years and from the input, to develop a master plan to guide downtown’s continued evolution as the County’s economic and cultural center.



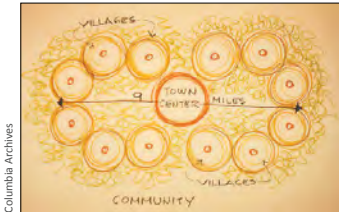
*Downtown Columbia Charrette*



Officials of General Growth Properties, Inc. which acquired Columbia’s original developer, The Rouse Company, in 2004, and its affiliates, including The Howard Research and Development Corporation, participated in those meetings as a majority landowner in the plan to redevelop Downtown Columbia. General Growth Properties, its affiliates, any successor or assign, and/or any purchaser of equity interests or assets that continues to serve in the capacity of the community developer of Downtown Columbia, is hereinafter referred to as “GGP” even if unaffiliated with General Growth Properties, Inc.

The consensus of those meetings was that Downtown Columbia should become more vibrant and relevant to Columbia’s residents and that these goals could be achieved by increasing the number of people living downtown and by adding more residences, shops and recreational and

## Introduction



Columbia Archives

*Town Center and Village Concept*

cultural amenities in Downtown Columbia, while also making downtown more attractive and easier for pedestrians to navigate.

As a result of the charrette, County officials, with the assistance of residents and planning consultants, released a preliminary draft master plan in February of 2006 that proposed new residential, office, retail and cultural development downtown, along with reconfigured road and pedestrian networks. A community-based task force was formed by the County to provide feedback. They met between February and September of 2006 and provided feedback that the County utilized in the writing of their subsequent vision plan.

In late 2007, the County released a document entitled *Downtown Columbia: A Community Vision*, which lays out a series of planning guidelines that County officials recommend will lead to a redeveloped downtown that is lively, friendly to pedestrians and sensitive to the environment. The document makes clear that County officials consider that Rouse's original goals for Columbia continue to be relevant and must guide any plan to rebuild downtown.

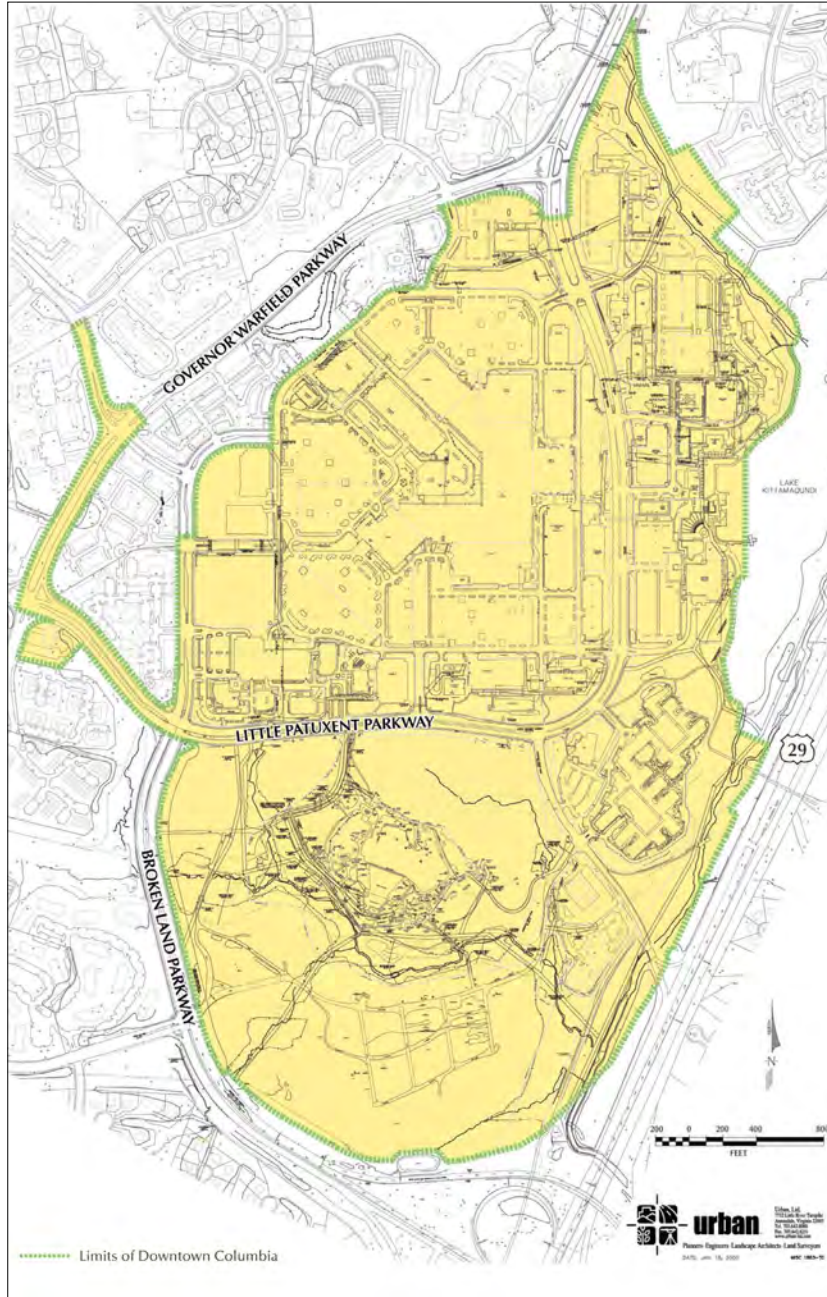
### **DOWNTOWN COLUMBIA PLAN, AN AMENDMENT TO THE HOWARD COUNTY GENERAL PLAN**

This Plan for Downtown Columbia ("Plan") in response to the guidance provided by *Downtown Columbia: A Community Vision*, is an amendment to the *Howard County General Plan* and creates a 30-year master plan for the revitalization and redevelopment of Downtown Columbia that is true to Jim Rouse's original vision and adheres to the guidelines contained in *Downtown Columbia: A Community Vision*. It specifically takes each chapter and sub-section outlined in the County's framework plan and provides a response.

This Plan reconfirms the recommendations of *General Plan 2000* concerning the future of Downtown Columbia. It also provides additional recommendations about its future redevelopment. Both *General Plan 2000* and *Downtown Columbia: A Community Vision* aim to continue the evolution of Downtown Columbia into a mixed-use urban center supported by a variety of open spaces and amenities in a pedestrian-friendly environment. This Plan focuses on Downtown Columbia specifically and recommends a number of policies and approaches to guide its redevelopment in the future.

This Plan does not attempt to modify existing language in *General Plan 2000*. Rather, the Plan is intended to provide a guide for creating the future of Downtown Columbia and recommends specific land use, transportation,

EXHIBIT A. DOWNTOWN COLUMBIA



## Introduction

environmental, community conservation and housing policies central to that guidance. This Plan is intended to be the controlling expression of planning policy for Downtown Columbia.

Unless otherwise provided in this Plan or other implementing documents, the drawings, sketches, photographs, and diagrams included in this Plan are for illustrative purposes only and are intended to convey a general sense of desirable future character rather than specific commitment.

The following recommendations for the revitalization and redevelopment of Downtown Columbia have been prepared to meet the demands and aspirations of today's residents, businesses and visitors, while providing the flexibility necessary to assure that the future will also be served.



*Lakefront Gathering Place, Downtown Columbia*

# Chapter 1: Making a Special Place

“Downtown Columbia will be a diverse, mixed-use, livable, physically distinctive and human-scaled place with a range of housing choices and recreational, civic, cultural and educational amenities.”

## 1.1 ROUSE VISION

“Continue and enhance Jim Rouse’s vision of Columbia as a thriving, socially responsible and environmentally-friendly place for people of all ages, incomes and backgrounds.”

*Downtown Columbia: A Community Vision*

Jim Rouse envisioned the planned community of Columbia as a socially responsible, environmentally-friendly and financially successful place in which people of all ages, incomes, and backgrounds could grow as individuals, neighbors and citizens. His strategic goals for what was to be a new kind of community included:

- Provide a real, comprehensive, balanced city
- Respect the land and allow the land to impose itself as a discipline on the form of the community
- Provide the best possible environment for the growth of people
- Realize a profit

Downtown Columbia will be a diverse, mixed-use, livable, physically distinctive and human-scaled place with a range of housing choices and recreational, civic, cultural and educational amenities. These goals remain as relevant today as they were 40 years ago, when Rouse first broke ground on Columbia. To achieve these goals, Rouse built Columbia as a series of nine interconnected residential villages, each with its own civic/service center, which surrounded a larger Downtown Columbia, intended to serve as Columbia’s downtown. Rouse’s new community was designed to provide a wide spectrum of retail, office, educational, recreational, and cultural uses, as well as a mix of residential offerings for people with a range of incomes. It has been successful in much of what was intended.

Despite the passage of four decades, however, Columbia’s downtown never developed the character one expects in the heart of a community. It is still primarily suburban in nature with relatively undistinguished office buildings and an enclosed shopping mall at its core. It is a sparsely populated, automobile-dependent area, with isolated amenities separated from one another by what has become a vehicular thoroughfare.



Columbia Archives

James W. Rouse

**Chapter 1**  
**Making a Special Place**

The planning challenge today is how best to complete Rouse’s vision of a “real city” by creating a vital Downtown Columbia in which residents can live, shop, work, entertain, exercise and enjoy cultural opportunities in an enriched natural setting. General Growth Properties intends to redevelop its property in Downtown Columbia and work with other property owners to create a dynamic, walkable downtown that lives up to its existing as well as future citizens’ needs and its founder’s expectations: a downtown that will serve as a strong new heart for Columbia.

**1.2 SYMBOLS**

“Conserve symbols of Columbia’s past found throughout the downtown area, recognizing that they contribute to the authentic character of downtown and reinforce its qualities as a special place.”

*Downtown Columbia: A Community Vision*



*Downtown Art: Bear and Nursing Cubs, The Hug, The Dealings*

A revitalized and redeveloped Downtown Columbia will look to the future in its planning and design, as it preserves the culturally and historically important features of the built and natural landscape.”

Such art and artifacts as “The People Tree,” the statue of Jim Rouse and his brother Willard, the granite sculpture of “The Bear” and its cubs, as well as “The Hug,” a memorial to Columbia architect and planner Mort Hoppenfeld, and the plaque listing the names of Wilde Lake High School’s first graduating class are part of Columbia’s history and will be part of downtown’s future redevelopment.

Lake Kittamaqundi and Symphony Woods intended as the primary landscape elements of Downtown Columbia, were planned to become lasting and emblematic symbols in the region. The redevelopment of Downtown Columbia will fulfill the vision for these seminal places.

The former Rouse Company Headquarters building, located at the Lakefront Core and designed by renowned architect Frank Gehry, is recognized as an existing signature building in downtown. Many residents view the building as a symbol of Jim Rouse and a reminder of Columbia’s beginnings and growth as a planned community. This Plan recognizes the cultural significance of the building and recommends that it be a part of Columbia’s future, although some interior and/or exterior renovation may be needed to assure its economic viability.



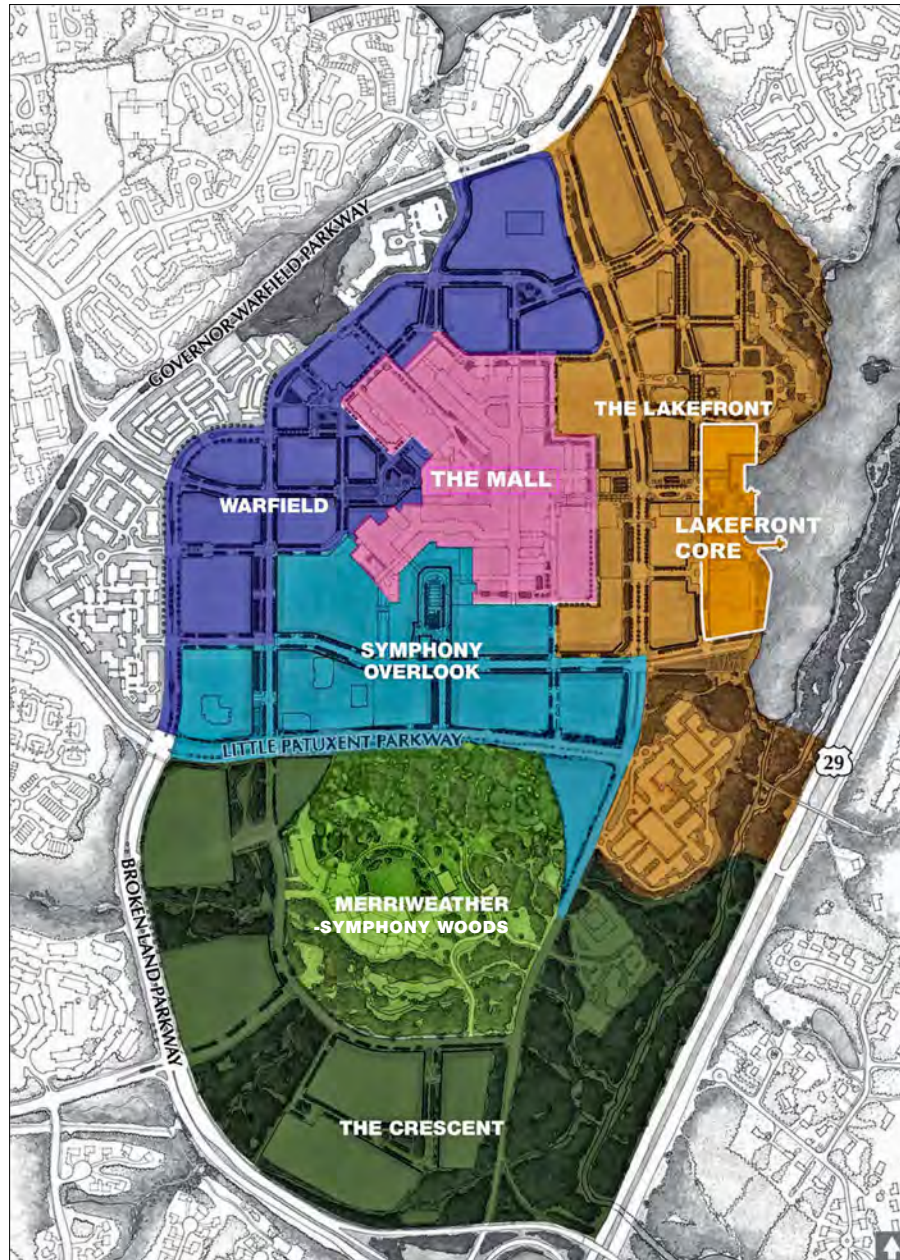
*Former Rouse Company Headquarters*

It is therefore recommended that the concept plan submitted with the first Final Development Plan for the Lakefront and Lakefront Core Neighborhood include a feasibility study for the former Rouse Company Headquarters building. The feasibility study should be completed before the Downtown-wide Design Guidelines<sup>2</sup> and should identify the best uses for the building and any architectural modifications that might be proposed. This Plan recommends that consideration be given in the feasibility study to how the building might integrate better with its surroundings and how to activate the adjacent pedestrian spaces, including the existing open space plaza

<sup>2</sup> See page 88



EXHIBIT E. THE NEIGHBORHOODS



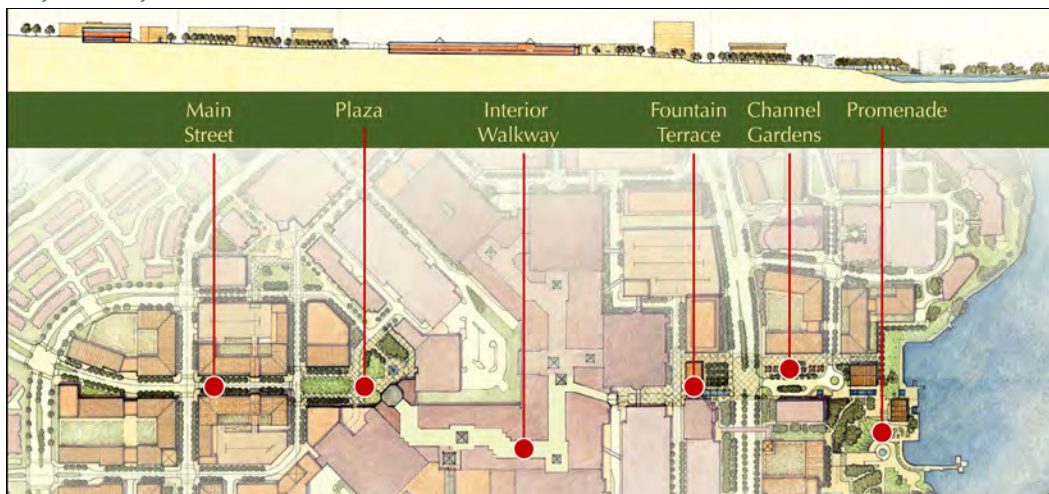


*Santana Row, San Jose, CA*

and sidewalks are expected to be active with both residents and shoppers. Parking will be provided both on-street and in garages. The sidewalks, parks, plazas, playgrounds and other public spaces in this distinctly urban residential neighborhood encourage interaction of residents and are activity centers for all ages.

The Warfield neighborhood will have a number of unique features. Development will include a cross-town walking route from the Warfield Parkway entrance to The Mall and through it to the Lakefront. After regular Mall operating hours, new sidewalk connections along all new streets will provide alternate routes for accessing the various Neighborhoods and amenity spaces downtown. These pedestrian connections should be attractive and well lighted. The existing plaza entry to The Mall will be expanded with additional green space; the resulting Warfield Plaza will be the focus of the neighborhood and serve as a daytime and evening gathering space for programmed and impromptu activities. Warfield Square, adjacent to restaurants and a cinema, will be another important gathering space that will be active into the evening hours. Warfield Plaza and Warfield Square will be connected by a retail-lined street. Warfield Playground will be a small neighborhood children's park that provides a safe and secure area for young children to play. Soft surfaces along with planted areas will characterize the space. Other small green respites and recreation spaces will further enhance the Warfield neighborhood.

*Warfield to Lakefront*



**Chapter 1**  
**Making a Special Place**



*Illustrative Master Plan, The Lakefront*

**THE LAKEFRONT AND LAKEFRONT CORE**

***Bringing Community Life and Activity Back to the Water's Edge.***

*Location: Lake Kittamaqundi westward to The Mall and from Little Patuxent Parkway on the north to The Crescent on the south.*

The Lakefront neighborhood will be a walkable community, connected and oriented to the Lakefront Core and Lake Kittamaqundi. The Lakefront and Lakefront Core should be designed to encourage access to Lake Kittamaqundi and the public spaces adjacent to the Lake. Design objectives for new construction in this area should include the creation of inviting and welcoming spaces and outdoor corridors to enhance visibility and access to the Lake. This is also the potential location for the development of additional signature buildings, in addition to the existing former Rouse Company Headquarters' signature building. The Design Advisory Panel Review of proposed Neighborhood Design Guidelines will be particularly important in the Lakefront and Lakefront Core.

The recorded open space in the Lakefront Core will retain its identity as an important historic and symbolic gathering place. Although additional public amenities may be added to enhance this area, its character will be preserved. The remaining land in the Lakefront Core may be revitalized with new development that could include cultural, retail, restaurant, office, residential and hospitality uses adjacent to the amenity area that will help bring people to this part of Downtown Columbia and activate the Lake. Specific Design Guidelines for the Lakefront Core must be prepared to

*Fountain Terrace, The Lakefront*





*Lakefront Event Space and Activities*



*Cafe and Promenade, The Lakefront*



address building height, massing, scale, building orientation, pedestrian and vehicular access and amenity area appropriate for its lakefront location. Restoration of the area's physical amenities and natural environment will also encourage more active use, as well as provide an enhanced setting for performances, festivals and other events.

The Lakefront area has been isolated from other areas of Downtown Columbia, and this Plan includes a variety of means to enhance connectivity. Three new amenity space corridors extending east to west will link The Lakefront neighborhood to other downtown destinations. The Mall will be connected to the central lakefront area by a series of terraces with fountains that descend down the slope to the water. The Symphony Overlook neighborhood will be linked to Lake Kittamaqundi by extending a major east/west retail street to a green park that slopes and terraces down to the water's edge. To the north, a pedestrian promenade will extend from the Warfield neighborhood to the natural area north of Lake Kittamaqundi. Each of these connections to the lake crosses Little Patuxent Parkway which will be transformed into a more pedestrian-friendly street with sidewalks, crosswalks and signal timing for pedestrians to encourage walking between adjacent neighborhoods.

Additionally, this Plan encourages exploring the possibility of improving the existing pathway connection between the Lakefront and Symphony Woods or providing a new pedestrian connection between these two activity centers. This Plan further recommends completing the pedestrian pathway around Lake Kittamaqundi.

**Chapter 1**  
**Making a Special Place**



*Park Side Residences, The Crescent*



*Legacy, Plano TX*

**THE CRESCENT**

*Where New Urban Settings Face an Extensive Wooded Park*

*Location: East of Broken Land Parkway, south of Little Patuxent Parkway, west of South Entrance Road and south of the Merriweather-Symphony Woods neighborhood*

The Crescent neighborhood will have many distinctive features. Its greatest asset will be its natural setting amidst preserved and enhanced woodlands and tributaries to Symphony Stream and the Little Patuxent River. A new mixed-use neighborhood with residences, offices, shops, restaurants, and other uses, The Crescent will become a live-work location as well as an employment center. Maximum building heights of 15 to 20 stories will frame the Merriweather-Symphony Woods neighborhood in a distinctive curving arc. A new street between The Crescent and Merriweather will provide an entry for these buildings. This curving street with sidewalks along building fronts and paths along the edge of the green space will connect The Crescent north to Symphony Overlook and The Lakefront. Paths will also connect The Crescent to Merriweather, which will allow parking built for office uses in The Crescent to be shared by patrons of Merriweather Post Pavilion.

*Weekend Market, The Crescent*













*Legacy, Plano, TX*

backgrounds and incomes will result in an ongoing exchange of ideas in an environment where residents, workers and visitors will have an opportunity to learn from one another and grow together as a community.

*Downtown Columbia: A Community Vision* recaptures the spirit of the Rouse vision for a complete city in which different types of people live together to create a fully realized community. In such respect, this Plan also recognizes the enrichment a community can experience through the diversity of its people. This Plan strives to achieve this objective through the provision of expanded residential opportunities for in-town living in both housing form and affordability, and through the establishment of a baseline moderate income housing unit requirement, a community housing fund, and the flexibility for developers to propose a mix of affordable housing policies that exceed the minimum requirements, which will be used to help meet the affordable housing needs of the community.

#### **BACKGROUND**

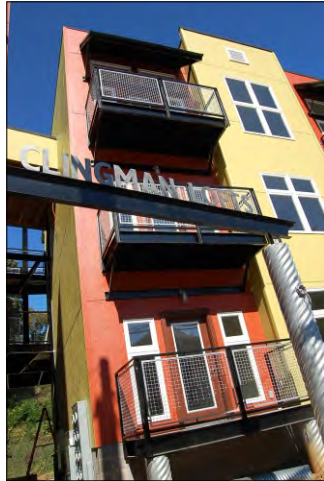
The need for affordable housing exists today and will likely continue to grow into the future. Significantly, however, what at times can be overlooked is the important relationship between reasonable opportunities for affordable housing and the economic health of the County. *General Plan 2000* recognized this significance and identified the important relationship between the need for affordable housing and the County's employment growth, and its demand for low- and moderate-income workers. In this regard, *General Plan 2000* recognized that to the degree low- and moderate-income workers can be housed in the County, the County's economic development prospects are improved. In addition, *General Plan 2000* further recognized that by providing more affordable housing it becomes possible for residents' children and parents, as well as teachers, firemen and policemen to live in the County. The accommodation of work force housing is a goal shared by all.



*Rockville Town Square, Rockville, MD*

*General Plan 2000* (Policy 4.2) recommends providing affordable housing for existing low- and moderate-income residents and for the diverse labor force needed for continuing economic growth. Policy 4.2 also recommends that new funding sources be identified to enable the Office of Housing and Community Development to expand the supply of affordable housing to serve low- or moderate-income households, including seniors and persons with disabilities. In a similar context, *Downtown Columbia: A Community Vision* expands upon these objectives and suggests that new models for developing affordable housing in combination with mixed-use development should generate new and innovative techniques for achieving these objectives. *PlanHoward 2030* expands on *General Plan 2000* affordable housing policy

## Chapter 1 Making a Special Place



The Real Estate Center

Clingman Avenue Lofts, Asheville, NC

emphasizing the most dominant impediment to achieving affordable housing choice is an inadequate supply of housing available to households below the median area income level. Policy 9.2 calls for expanding full spectrum housing for residents at diverse income levels and life stages, and for individuals with disabilities, by encouraging high quality, mixed income, multigenerational, well-designed, and sustainable communities. It is with these policy statements in mind that this Plan proposes a means of providing a full spectrum of housing for Downtown Columbia.

### DOWNTOWN COLUMBIA AFFORDABLE HOUSING PROGRAM

The Downtown Columbia Plan recommendations for the creation of full spectrum housing serving Downtown Columbia are designed to encourage a comprehensive set of options to meet affordable housing needs. The plan envisions use of the following methods for the development of affordable housing:

1. A minimum of 12% or 15% of all residential dwelling units, depending on the number of stories in the building, should be designated as affordable as defined by Howard County's Moderate Income Housing Unit ("MIHU") program;
2. A dedicated trust fund be established and managed by the Downtown Columbia Community Housing Foundation ("DCCHF"); and
3. The option for developers to propose innovative approaches to exceeding the minimum affordability requirement through a Development Rights and Responsibilities Agreement ("DRRA").

This Plan recommends amending the Downtown Revitalization provisions of the Zoning Regulations (which govern redevelopment in Downtown Columbia) to require that affordable housing be provided in Downtown Columbia in connection with these three methods, which are described in more detail below.

### Methods for the Development of Affordable Housing

*Method 1: A minimum of 12% or 15% of all residential dwelling units, depending on the number of stories in the building, should be designated as affordable as defined by Howard County's Moderate Income Housing Unit program.*

To ensure affordable housing is created within each downtown residential development, this plan recommends that the zoning regulations require either 12% or 15% of all units offered in each development, depending on the number of stories in a building and excluding Metropolitan and Parcel C, must be approved as MIHU pursuant to the MIHU law of the Howard County Code.



Pearl District, Portland, OR

## Chapter 1 Making a Special Place



The Woodlands, TX

To ensure affordable housing is created concurrent with market rate housing in each phase of development, this Plan also recommends a minimum number of residential dwelling units in each development phase must be affordable before moving on to a subsequent phase. These minimums provide a baseline for establishing affordable housing in proportion to market rate housing and will apply to all property owners.

*Method 2: A dedicated trust fund be established and managed by the Downtown Columbia Community Housing Foundation.*

A full spectrum housing program for Downtown Columbia should establish a flexible model that aspires to make new housing in downtown affordable to individuals earning across all income levels. In order to create an effective, flexible means of providing a full spectrum of housing for Downtown Columbia, GGP will establish the DCCHF, as detailed below.



Cherry Creek, CO

GGP will establish the DCCHF at its expense and will contribute \$1.5 million to the DCCHF upon issuance of the first building permit for new housing in Downtown Columbia. GGP will contribute an additional \$1.5 million upon issuance of a building permit for the 400th new residential unit in Downtown Columbia. Each payment will be contingent on expiration of all applicable appeal periods associated with each building permit without an appeal being filed, or if an appeal is filed upon the issuance of a final decision of the courts upholding the issuance of the permit.

### Ongoing Developer Contributions

Each owner of property developed with commercial uses pursuant to the Downtown Revitalization Zoning Regulations shall provide an annual payment to the DCCHF in the amount of five cents (\$0.05) per square foot of Gross Leasable Area for office and retail uses, and five cents (\$0.05) per square foot of net floor area for hotels. The payment will be made annually by the property owner, with the initial payment being made prior to the issuance of an occupancy permit for net new commercial development on the property. The amount of the charge will be subject to annual adjustment based on a builder's index, land value, or other index provided in the implementing legislation.

### DCCHF Notice of Sale

The DCCHF should be notified by the developer or joint venture, via first class mail, of land for or all residential units offered for initial sale in each new residential or mixed use building in Downtown Columbia. No later than 10 days after the sale of rental housing, the owner must provide written notice of the sale. The DCCHF also should be notified by the developer,

**Chapter 1**  
**Making a Special Place**



*Reston Town center, Reston, VA*



*Downtown Columbia*

via first-class mail, of all apartment units offered for rental in each new residential or mixed-use building containing rental units. In support of these objectives, GGP should involve DCCHF in meaningful discussion with land purchasers in Downtown Columbia in order to encourage full spectrum housing in each and every neighborhood.

**DCCHF Organizational Structure**

It is anticipated that Howard County, in consultation with GGP, will determine, by legislation, the organizational entity, organizational structure, membership, functions, and implementation of the DCCHF. The legislation should provide that, in order to be eligible to receive the funds provided for in this Plan, the DCCHF must be a non-profit entity organized for the purpose of providing full spectrum, below market housing in Downtown Columbia. Use of DCCHF funds is limited to providing full spectrum, below market housing in Downtown Columbia, which may include, but is not limited to, funding new construction; acquiring housing units; preserving existing homes; financing rehabilitation of rental housing; developing senior, family or special needs housing; providing predevelopment, bridge, acquisition and permanent financing; offering eviction prevention and foreclosure assistance.

*Method 3: The option for developers to propose innovative approaches to exceeding the minimum affordability requirement through a Development Rights and Responsibilities Agreement.*

DRRAs are a County vehicle used for promoting above minimum compliance with existing zoning law. In order to further increase the total percentage of affordable units in Downtown Columbia beyond the required amount, the County can determine that the purposes of the MIHU Law will be served to a greater extent by entering into a DRRA with the developers of residential property in Downtown Columbia.

Examples of mechanisms developers are encouraged to consider when pursuing a DRRA petition to the County include: designation of units to a broader income spectrum; the formation of public, private and nonprofit partnerships; the use of Low Income Housing Tax Credits; land dedication and land exchanges; and other conditions, restrictions and enhancements.

**1.6 ECONOMIC ACTIVITY**

“Support downtown’s function as a major financial and economic center for Columbia and for Howard County.”

*Downtown Columbia: A Community Vision*

The continued role of Downtown Columbia as a major financial and economic center is dependent on enhancements to the variety and availability of land uses and activities. Currently the economic core of Columbia is supported by the office concentration, The Mall in Columbia and other retail, the Sheraton hotel, Merriweather Post Pavilion and the existing residential base. Economic activity in terms of employment, spending and tax revenue generation is woven throughout these uses.















































## Chapter 2 Moving & Connecting People



Oakland Mills Village Center  
Master Plan Committee

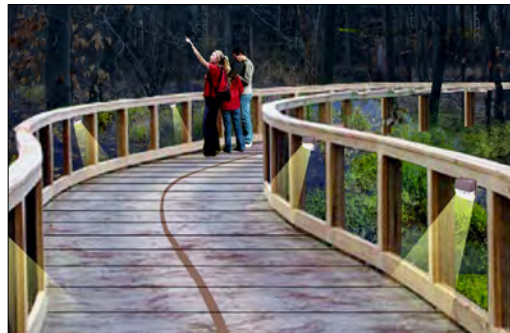
*Downtown-Blandair Connection Diagram*

Columbia’s extensive system of off-road paths and trails would be extended to and from Downtown Columbia. New and enhanced pedestrian paths would connect to Howard Community College, Blandair Park, Wilde Lake and Oakland Mills.\* The path from Wilde Lake would connect the Wilde Lake Village Center to Downtown Columbia on the south side of Twin Rivers Road. A lighted multipurpose path would expand an existing walk, overcome discontinuities in the current path and be designed for pedestrians and bicyclists. It would be setback from the road and laid out to avoid existing trees, curving amidst native plantings of grasses and shrubs. The walkway to and from Downtown Columbia to Oakland Mills would be upgraded to the same standards, extending from Lake Kittamaquidi to the pedestrian bridge over Route 29. This pathway would also be extended to Blandair Park to provide a direct connection to this regional park facility.

These improvements, taken together, would create a continuous pedestrian network. When coupled with a more interesting and active downtown, walking and bicycling would become a key part of movement and connection of people in Columbia.

It is recommended that the Access Committee of the County’s Commission on Disability Issues be consulted in the development of the pedestrian connections throughout Downtown Columbia.

*Lake Edge Path To Oakland Mills, below,  
Woodland Path to College, right*





**Chapter 2**  
**Moving & Connecting People**

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© Department of Transportation



*Complete Street*



*Multi-Use Pathway*

© Department of the University of Minnesota  
© Department of Transportation



*Pathway Enhancement*

the region. These services will converge at a new transit center where passengers could transfer between lines in a comfortable, attractive and interesting environment. This Plan therefore recommends that a suitable site be provided within the downtown area for a new transit center, and that the TDMP address the coordination of these various levels of service.

**Bicycle and Pedestrian Routes**

Bicycle Routes may be incorporated into roadways, as part of a shared pedestrian pathway system, or as dedicated bikeways. As indicated in this Plan, new downtown infrastructure and bicycle routes will be developed by GGP and other developers as a part of their infrastructure frontage improvements. See Section 4.2 for a full discussion of bicycle improvement phasing, and Exhibit I for the proposed circulation plan.

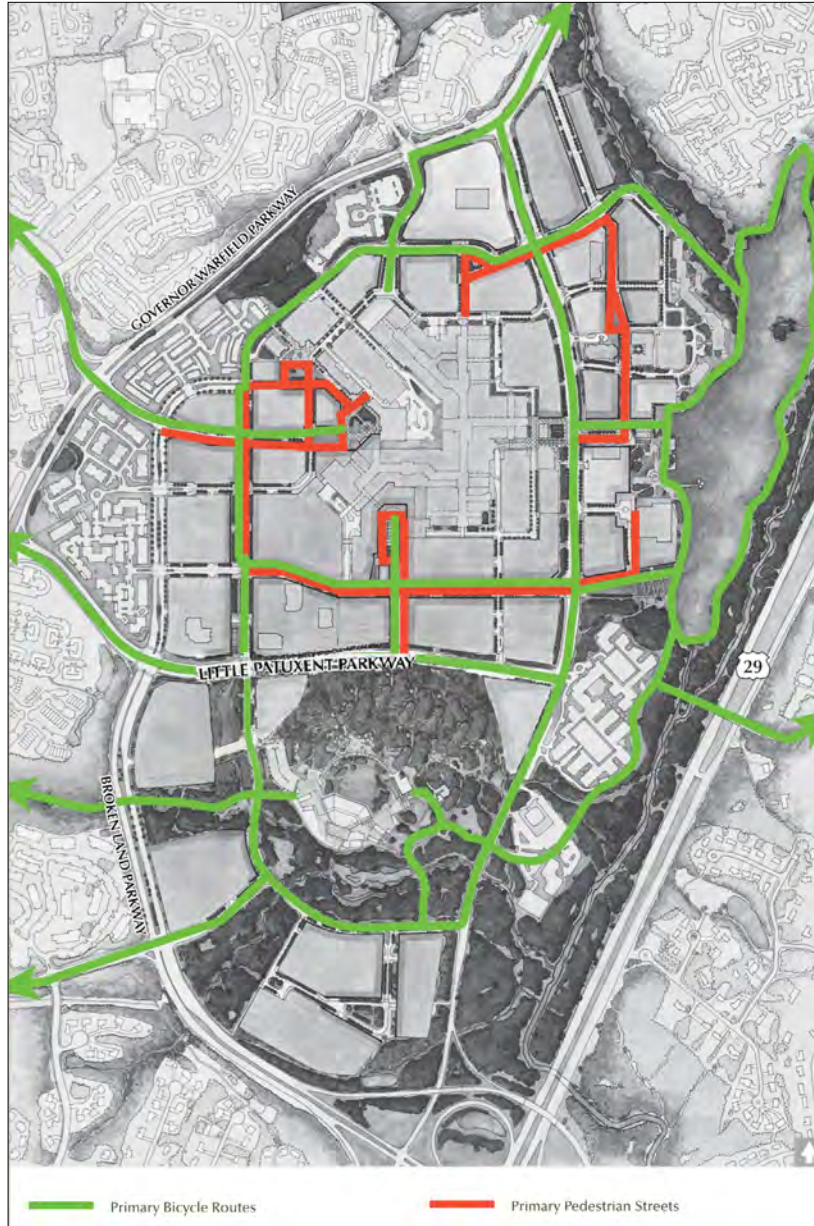
As an integral component of the new Downtown-wide Design Guidelines, design standards will be prepared for sidewalks, bicycle lanes and multi-use pathways. While sidewalks and bicycle lanes will be part of the design for “complete streets” and the urban core of Downtown, multi-use pathways typically used by pedestrians, joggers, skaters and bicyclists as two-way facilities will extend to outlying areas. These pathways will offer an aesthetic experience that attracts cyclists and pedestrians while also connecting land-uses, such as businesses, shopping, downtown, schools, recreational facilities and other community destinations to allow for alternate commuting and transportation modes.

These multi-use pathways will strive to be separated from traffic and roadways by locating them within existing recreational pathway alignments through Columbia’s open space, and on existing County road rights-of-way adjacent to a roadway. Where they are adjacent to roadways, there should be a minimum five foot or greater planting buffer, bio-swale or other physical barrier separating the path and edge of roadway.

Multi-use paths which are intended for two-way use by commuters and recreationists will be designed and built to a standard that accommodates the various users with minimal conflicts. The standard width of these paths will be ten feet with a two foot clear distance on both sides for safe operation.

Decorative light poles scaled appropriately for pedestrian usage will be placed along the path alignments to heighten visibility and safety of users. Shoulders will be widened at regular intervals for placement of benches and trash cans for user convenience and enhanced landscaping as well as enhanced landscaping and clearing of undergrowth on existing pathways to increase visibility to housing and businesses. Bicycle parking facilities should

**EXHIBIT I. BICYCLE AND PEDESTRIAN CIRCULATION PLAN**



**Chapter 2  
Moving & Connecting People**



*Bicycle Parking Facility*

be provided at both the trip origin and trip destination locations and at intermediate facilities and points of recreational interest. Providing bicycle parking facilities is an essential element in an overall effort to promote bicycling and path usage.

As its initial pilot pathway program and after completion of the new Downtown-wide Design Guidelines, GGP will complete the first multi-use pathway from Blandair Park on Columbia's east side, through Oakland Mills Village Center, linking Downtown Columbia, Symphony Woods and Howard Community College and Howard County General Hospital on Columbia's west side. Inclusive in this program may be a renovation of the existing Route 29 bridge to include new decorative guard rails allowing clear sightlines to vehicular traffic, resurfacing of the surfaces, enhanced and decorative lighting, potential video security and other enhancements to assure greater aesthetics and security of path users.



*Circulator Shuttle*

**Downtown Columbia Circulator Shuttle Service**

A key component of this Plan is to ensure that a circulator system serving Downtown Columbia is developed and maintained as recommended by the shuttle feasibility study discussed in Community Enhancement, Program and Public Amenity (CEPPA) No.5. Shuttle service will reduce Downtown Columbia traffic as residents, employees and visitors "park once," then walk or take the shuttle to other destinations in Downtown Columbia. Frequent and attractive shuttle service could be provided along a double loop route. This service will provide easy access to all parts of Downtown Columbia. Shuttle stops will be co-located at Howard Transit stops and at parking garages to facilitate easy transfer. The shuttle may also include a route that provides service to Howard Community College and Howard County General Hospital.

**Howard Transit Improvements**

Future improvements by Howard County to existing Howard Transit service might include new bus routes, higher frequency of service and improved stops and service information. The new transit center could include sheltered waiting areas, bicycle parking facilities, transit information booth, realtime service information, adjacent cafes and convenience stores. Future enhancements may be made to the connections between Downtown Columbia and the Village Centers, Gateway, Fort Meade, and other areas outside of Downtown Columbia.

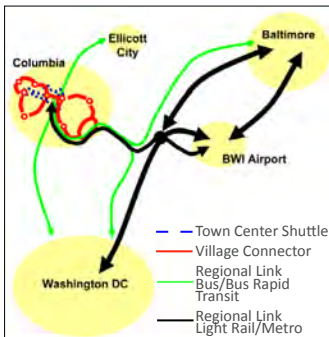


*Howard Transit Routes*

The downtown transit center should be appropriately located within Downtown Columbia, and preferably within a five-to-ten minute walk from each of the downtown neighborhoods. The center will form a key transfer point between a range of services, including the Downtown Columbia



Mass Transit Line



Future Connectivity Diagram, Region

circulator shuttle, Howard Transit, existing commuter bus service and potential future regional transit.

### Long Term Regional Improvements

As recognized by *General Plan 2000*, transit service requires significant public sector subsidies. To achieve even modest shifts from autos to transit requires a serious commitment of capital and operating funds from local and state governments.

In this regard, Columbia is not presently a strong market for potential rapid transit extensions due to its low density and dispersed single-land uses. However, the development recommended by this Plan and the anticipated private investment in Downtown Columbia would provide a strong incentive to the State and County to improve existing regional bus transit service and to implement new services due to the following:

- Mixed uses (providing strong passenger demand throughout the day in both directions)
- Higher intensity (providing many more people – employees and residents – within walking distance)
- Integrated local transit (Howard Transit and Downtown Columbia Circulator Shuttle)
- A relocated and enhanced transit center

By recommending additional development downtown and through the implementation of the recommended TDMP, Downtown Columbia Circulator Shuttle, improved pedestrian and bicycle linkages and new transit center, this Plan supports new and improved regional transit links to Columbia, including regional bus transit; bus rapid transit (BRT); light rail transit (LRT); and extension of the Baltimore and Washington Metro systems.

## 2.5 PARKING

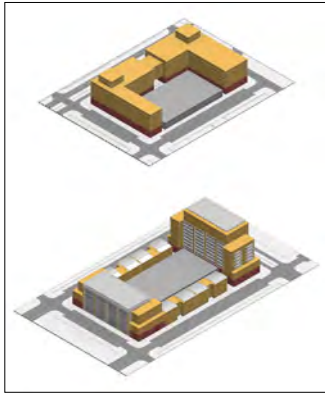
“Provide an appropriate level of parking fostering a park-once approach, substantially reducing or eliminating surface parking lots and integrating well-designed structured parking into downtown.”

*Downtown Columbia: A Community Vision*

Downtown Columbia redevelopment should be served by a sufficient number of parking spaces in accordance with the shared parking methodology and parking ratios in the Parking Requirements section of the Zoning Regulation Amendment. Excess parking should be avoided in order to discourage auto use and encourage walking, bicycling and transit use.

This Plan proposes a compact, mixed-use Downtown Columbia development that presents numerous shared parking opportunities. Shared parking is the use of a parking space by vehicles generated by two or more individual land uses without conflict or encroachment. The ability to share parking spaces is

## Chapter 2 Moving & Connecting People



*Examples of Parking Structures Internal to Blocks and Faced by Buildings*

the result of two conditions:

- Variations in the accumulation of vehicles by hour, by day, or by season for the individual land uses
- Relationships among the land uses that result in visiting multiple land uses on the same auto trip

Shared parking reductions of more than 40 percent have been measured at other mixed-use town centers as referenced in Table 3.5 of the Generalized Traffic Study included with this submission.

Additionally, to foster a “park once” approach strong pedestrian connections must be provided to link parking facilities with activity centers, retail and entertainment opportunities, work place and residences. Shuttle stops should be located adjacent to or near parking garages, which would allow drivers to park once and then walk or take a shuttle anywhere in Downtown Columbia.

As each parking structure is developed and constructed, consideration should be given to alternate forms of parking management systems to determine the most efficient means of utilizing shared parking concepts, and to assure efficient access and usage of all downtown garages. Systems could include “smart park” technologies, remote town wide space availability signage, paid parking systems and other means of assuring appropriate levels of service and inventory.



*Screened Multi-Level Parking Facility*

This Plan discourages the construction of large open surface parking lots in favor of attractively designed multi-level parking garages. Garage structures should be well-lit and designed for easy access and for the safety of users. Parking structures should be located and attractively designed so that they enhance the architecture of Downtown Columbia and, wherever possible, be located internal to the block. Parking structures which are located along a street should be “laminated” or “veneered” by residential, retail or commercial space on the ground floor facing the street, or the structures should be designed to be architecturally compatible with adjacent structures. Parking structures may also be located on building upper levels over ground floor uses.



*Upper Level Parking Structure*

Direct access to parking garages should be provided from collector or local streets, not arterial streets. Where feasible, multiple driveways should be provided to multiple parking levels in order to disburse traffic among several driveways and parking levels rather than concentrating it at a single driveway or on a single level.

# Chapter 3: Sustaining the Environment

“Downtown Columbia’s natural resources will be protected and enhanced; a network of public spaces will provide places for individual contemplation and social gathering.”

## 3.1 GREEN TECHNOLOGY

“Include green technologies to help build a sustainable environment, incorporating measures to reduce energy consumption and pollution while preserving the environment.”

*Downtown Columbia: A Community Vision*

With Howard County’s efforts toward making the County a model green community, the Columbia Downtown Columbia redevelopment has the potential to be the single largest effort toward that end and a catalyst that invigorates the application of green technologies and sustainability countywide. These efforts will undoubtedly enhance a natural sense of pride in place that many Columbia residents already share and might also appeal to others in the County.

This Plan recommends that each developer under the Plan comply with Title 3, Subtitle 10. of the Howard County Code (the “Green Building Standards”), with regard to building energy efficiency and environmental design, except that the Green Building Standards for Downtown Columbia will apply to buildings containing 10,000 square feet or more and will be reflected in the Downtown-wide Design Guidelines. In addition to Green Building Standards,



*Green Amenity*



**Chapter 3  
Sustaining the Environment**



*Community Planting*

Implementation Plan describes the process, methods and resources required to meet the goals and targets established as part of the Sustainability Framework. The Institutional Framework provides the structure and mechanisms for the Sustainability Program to continue in perpetuity, including governance, operations and long-term stewardship.

The Sustainability Framework will serve as the preliminary outline for the Downtown Columbia Sustainability Program. The Sustainability Program will strive to set clear, measurable and achievable long term goals for all elements of the community (energy, water, transportation, ecology, livability and materials).

The Sustainability Framework is comprised of two interdependent subsections: the Land Framework and the Community Framework. The Land Framework focuses on the physical or built elements of sustainability that are the result of land planning, site design, architecture, construction and management: water, transportation, energy, ecology, materials and livability. Each element includes a statement and description of goals, followed by a presentation of potential avenues for achieving them. The Land Framework shall identify the locations of those Downtown Environmental Restoration projects to be located in Downtown Columbia consistent with those identified in the Merriweather & Crescent Environmental Enhancement Study and the Best Management Practices for Symphony Stream and Lake Kittamaquondi Watersheds. Future Site Development Plans shall identify the specific restoration project(s) or alternative means of addressing the intent of these environmental studies.

The Community Framework addresses social elements of sustainability: justice, relationships, collaboration, stewardship, vitality and service. While the elements of the Land Framework are discussed at length in the outline, the Community elements must be developed, refined, implemented and managed by the community itself. The final structure of the Community Framework will be determined through an extensive community stakeholder effort.

The application of the Sustainability Framework in the future Sustainability Program will allow for the long-term, ever-evolving realization of a Downtown Columbia that continues to foster the growth of its people, respect the land, promote economic prosperity and celebrate the diversity of all life.

Downtown-wide Design Guidelines will be directly linked to the Sustainability Program to facilitate cross referencing, monitoring and compliance.



*Recycling Program*

**Chapter 3**  
**Sustaining the Environment**



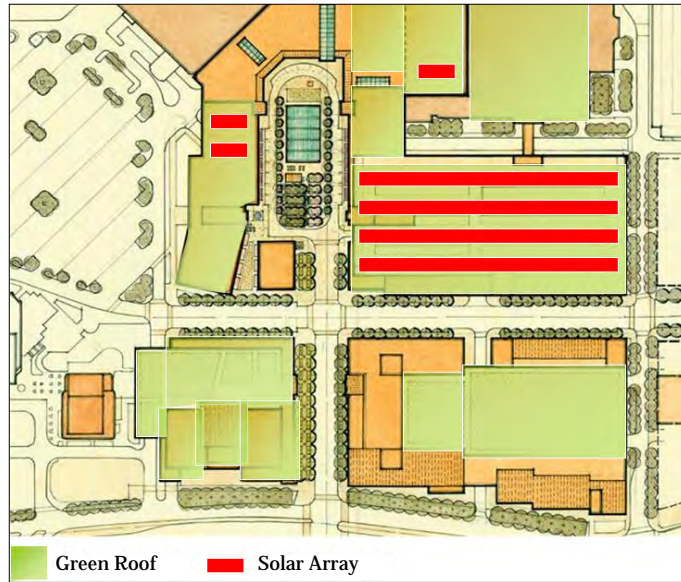
*Solar Powered Light*

Once the Sustainability Program goals have been established, the Downtown-wide Design Guidelines will be reviewed and revised through an integrated team process to articulate sustainability, green building and green neighborhood strategies and approaches that will help achieve the goals. Emphasis will be placed on allowing flexibility to accommodate future technologies as they emerge.

As part of the approval process for the Downtown-wide Design Guidelines, the Environmental Sustainability Board will be invited to review, evaluate and comment on the Sustainability Program. Their participation will ensure that the program fits the community's unique needs and includes practices and standards that satisfy those needs.

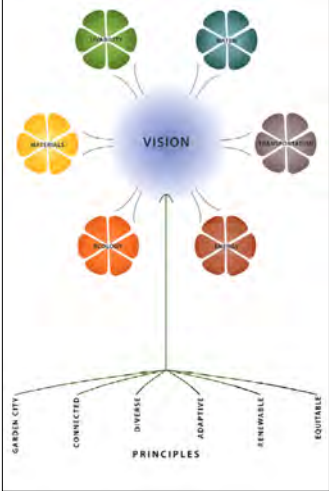
**Green Technologies**

The emerging market for green technologies is driven by the increasing cost of energy and a heightened concern over pollution, especially greenhouse gas emissions and water quality. Improvements that focus on energy and water efficiencies are most commonly evident with the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards, which were approved for adoption by Howard County in 2007. Building/home energy use, along with transportation, are the largest contributors to greenhouse gas emissions, and it is within these systems that the latest green technologies will be applied.



*Green Technologies, Market Square*

Chapter 3  
Sustaining the Environment



Sustainability Program Goals

Additionally, the USGBC is in the process of developing LEED for Neighborhood Development (LEED ND), which gives credits to projects that are sited as infill, designed to be compact, complete and walkable, have good transit access and incorporate resource conservation and efficiency mechanisms. Downtown Columbia’s awareness and application of components of the LEED ND framework will support many of Downtown Columbia’s goals for a more livable, complete and environmentally intelligent community in the heart of Columbia.

Outlined below are a series of green building and Sustainability systems and technologies that may be used in Downtown Columbia development. As future technologies and the Downtown Columbia program develop, the County green building guidelines as well as the Downtown Columbia Sustainability Program will be used together to guide final system and programmatic solutions.

Energy

Green building standards allow for the application of a range of energy efficiency and production technologies, from low-tech passive solar orientation and the unique design of new buildings to the next generation of solar and wind power generation incorporated into roof and building design. Recent advances in lighting, insulation, water use, heating and cooling have been made that not only reduce energy use and carbon emissions but provide for significant cost savings over the life of the systems. The influence of trees as a natural energy saver should not be underestimated. In the summer, shade has been shown to lower building energy costs. In significant densities, trees can modify and cool the local area microclimate further reducing the cooling required during peak summer energy usage. The energy reductions from the broad application of these systems within and around new and old buildings in Downtown Columbia can be calculated in estimating the overall reduction of Downtown Columbia’s greenhouse gas emissions.



Street Tree Plantings









**Chapter 3**  
**Sustaining the Environment**

**3.3 CENTRAL PARK**

“Identify Symphony Woods as Columbia’s “Central Park” area, which deserves special design and conservation measures.”

*Downtown Columbia: A Community Vision*

What was once a healthy forest ecosystem, Symphony Woods unfortunately has been degraded through impacts to soil and plants under the aging tree canopy. Efforts to maintain a lawn below the trees at Symphony Woods have prevented the growth of beneficial native shrubs and herbaceous plants, impaired the growing ability of the soil, and eliminated future generations of trees, all important factors in a healthy, sustainable forest.



*Bryant Park, New York, NY*

Under this Plan, environmentally sensitive areas in Symphony Woods should be restored and enhanced and Symphony Woods should remain a principle amenity space of Downtown Columbia with multiple purposes and functions from natural to cultural. It should become a place for contact with nature where the Symphony Stream and Little Patuxent River riparian ecology extends through low lying areas of Symphony Woods. It also should be a significant community and regional gathering space.

In the future, the Symphony Stream and Little Patuxent River watersheds and stream beds within Symphony Woods should be restored to a condition that will allow them to become rich habitats for animals, birds and aquatic life. Invasive species should be removed and thick vegetation established in this east-west corridor. This area should store and process runoff as part of a larger rainwater harvesting strategy for Downtown Columbia. This restoration to a more natural condition also should occur in corridors extending northward to filter rainwater runoff from impervious surfaces at higher elevations north of Symphony Woods. These natural areas of

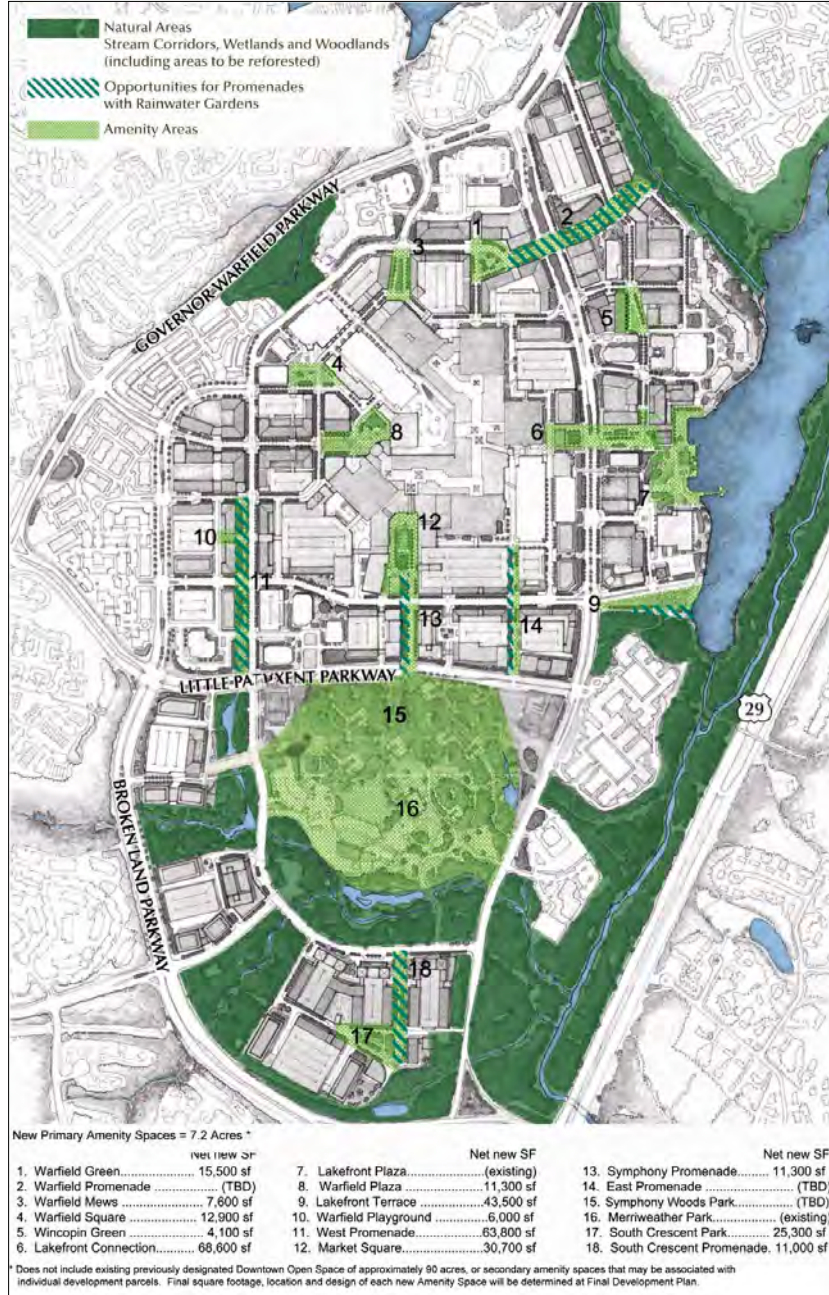
*River Legacy Park, Plano, TX*





**Chapter 3  
Sustaining the Environment**

**EXHIBIT G. PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM**





### Chapter 3 Sustaining the Environment



*Downtown Environmental Character*

sensitive areas. Limited enhancements that are consistent with this Plan and consistent with the space’s functionality should be permitted. However, the character of these existing open spaces should be retained with the one exception discussed below.

With respect to Downtown Parkland, implementing legislation should require that new parkland be provided to replace any parkland lost to development. Improvements such as playgrounds, walks, gardens, and fountains and minimal structures such as gazebos, pavilions, cafes, outdoor stages and kiosks will not require replacement space to be provided. This Plan intends that open space shown on a Final Development Plan recorded under the existing NT District continues to count toward the overall Columbia open space requirements, thus the obligation to retain its character. This Plan also intends that environmentally sensitive areas located within the Crescent Neighborhood be protected and recorded as open space under the existing NT Regulations.



*Legacy Park, Plano, TX*











Lakefront Amenity Area

*Kittamaquindi and Symphony Woods, to promote enjoyment by the growing numbers of Town Center residents and visitors. Work with Howard Research and Development Corporation, Columbia Association and the Town Center Village Board to continue the lakeside path either as a full loop around the lake or through bridge connections to the island in the lake.”*

*General Plan 2000*

In order to support the additional residential and commercial possibilities recommended by this Plan, it will be necessary to enhance existing open spaces. The creation of additional open space and the implementation of improvements to the Downtown Columbia environment in the form of natural and man-made amenity areas will be important to the creation of a sustainable downtown and are discussed previously in this Plan.

Enhancing existing open space areas is also recommended to increase the level of amenity provided and to encourage regular use by residents, workers and visitors. The introduction of arts, cultural and community uses in certain areas would further this goal and could be achieved with positive environmental results. Arts, cultural and community uses could include such things as a new library, museums, a children’s theater, galleries, sculpture gardens and a public square for assembly and the exercise of free speech. Where appropriate, development may also include related infrastructure intended primarily to serve these designated uses including pedestrian and bicycle paths, parking, road connections, utilities, and storm drainage and stormwater management facilities.



Outdoor Gathering Space

This Plan recommends that each downtown neighborhood be provided with a significant amenity space to serve as a community gathering place or neighborhood square. Each neighborhood square shall contain not less than 25,000 square feet and should be compatible with existing and planned adjacent uses and improvements. One of these neighborhood squares should be deeded to Howard County for public land. These gathering spaces could include plazas, parks, promenades, greens, gardens, arts, cultural and community uses or other public spaces. With respect to the Merriweather neighborhood, this recommendation may be satisfied by enhancing areas designated as open space on a previously approved Final Development Plan. This Plan also recommends incorporating additional amenity space where appropriate, including pedestrian and bicycle circulation systems, enhanced streetscapes and revitalizing environmentally sensitive areas as discussed elsewhere in this document. This Plan specifically recommends continuing the path around Lake Kittamaquindi to provide a complete loop around the lake.

#### Cultural Center

*“Encourage efforts to develop Town Center as an art, cultural and civic*

## Chapter 4 Balancing & Phasing Growth



*Cultural Streetscape*

*center (including indoor facilities and outdoor/open space activities) in addition to its function as an employment and retail focal point.”*

*General Plan 2000*

By encouraging efforts to develop Downtown Columbia as an art, cultural and civic center, this Plan recognizes and celebrates the power of art and culture to regenerate our communities by renewing the human spirit through continuing exploration of great ideas.

The cultural vision for Downtown Columbia will be unique to Columbia. Inclusion of cultural amenities in Downtown Columbia will be based in significant part on input received from the community. In this respect, this Plan recognizes the critical importance of having community members participate in forging Downtown Columbia’s cultural and civic identity. The cultural infrastructure to be developed from the vision that emerges from this dialogue should fit comfortably within the environment of which it is to become a part. The potential for bundling cultural infrastructure in a central location that enhances the connection between various uses in Downtown Columbia, including retail, residential and civic uses, should continue to be explored. The cultural infrastructure of Downtown Columbia also must further the intent of this Plan to create a self-sustaining and walkable environment.

To this end, this Plan recommends the formation of the Downtown Arts and Culture Commission and that GGP’s cultural consultant should work with the Commission in guiding the development of a Cultural master Plan for Downtown Columbia.

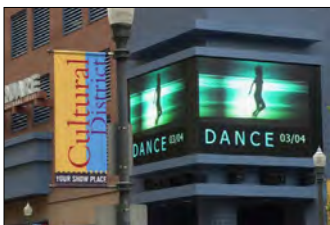
### Infrastructure

*“Encourage the Columbia Association, Howard Research and Development Corporation, and other private property owners in Town Center to adhere to high maintenance standards for streets, medians, pedestrian ways, landscaped areas and street furniture. Encourage them to develop a program of well-designed directional signage to aid orientation to Town Center sites, facilities, amenities and activities.”*

*General Plan 2000*

In order to create the sustainable environment needed to support the new Downtown Columbia, existing and future public spaces and amenities must be maintained to the highest standards. The standard of maintenance for open spaces, plazas, gardens, medians, pedestrian and bicycle systems and street furniture reflect the values of the community and therefore must be scrupulously maintained. As discussed elsewhere in this Plan, the potential creation of a Downtown Columbia Partnership among private landowners, the County, Columbia Association and other community entities should be

**Chapter 4  
Balancing & Phasing Growth**



District Identification

considered as a means of assuring that the desired level of maintenance is achieved.

This Plan also recommends a comprehensive signage plan be developed for Downtown Columbia and recommends that the Access Committee of the County’s Commission on Disability Issues be consulted in the development of this Plan. Clear signage will help orient residents, workers and visitors. Signage also can reflect the character of individual neighborhood within downtown, thus helping to establish local identity.

**Symphony Woods**

*“Encourage measures that enhance Symphony Woods as an attractive, inviting open space in which families and individuals could enjoy natural beauty within the urban setting.”*

*General Plan 2000*



Washington Park, Portland, OR

As discussed above, this Plan recommends the creation of a cultural district in the Merriweather-Symphony Woods Neighborhood. Creation of a cultural district including pedestrian and multi-modal linkages to the Lakefront and Symphony Overlook neighborhoods would complement the renovation of Merriweather Post Pavilion, activate and enhance Symphony Woods and create a destination by bundling different opportunities for residents and visitors. However, the Merriweather-Symphony Woods Neighborhood is not the only potential location for additional cultural amenities Downtown. This Plan recognizes that selective development of arts, cultural and community uses might also occur at other locations, including near or at the Lakefront Core. The addition of cultural uses or amenities near the Lake could increase activity and use of the Lakefront open space that already exists and could (with the Lake) form an anchor for the Lakefront Connection depicted on the Primary Amenity Space Framework Diagram (Exhibit G). Such development would also conform with and would further the objectives of this Plan. Pedestrian improvements to Little Patuxent Parkway between Broken Land Parkway and South Entrance Drive are recommended to enhance the pedestrian experience and pedestrian safety. Installation of a pedestrian crossing signal at these locations might also be desirable. These pedestrian improvements will improve access to and encourage further use of Symphony Woods.

**4.2 PHASING**

*“Establish targets for commercial and housing development for a balance of land uses and public services. This ensures that development does not place undue burdens on existing residents, infrastructure or service providers.”*  
Downtown Columbia: A Community Vision

**Overview**

This Plan at the end of this chapter recommends that the redevelopment of Downtown Columbia occur in three phases over an approximately thirty year period. The recommended phasing guidelines are based on currently anticipated absorption rates for the recommended land uses. Changing

## Chapter 4 Balancing & Phasing Growth



Shirlington Village, Arlington, VA

market conditions could result in actual absorption rates that differ from what is recommended in this Plan, and should be anticipated to some extent given the thirty-year estimated schedule for completion of the downtown. To create the special place downtown recommended by *Downtown Columbia: A Community Vision*, it will be necessary to assure an ongoing balance of uses downtown and the timely provision of new amenities and required infrastructure. Accordingly, legislation should be adopted that requires adherence to the CEPPAs and the flexibility provisions of this Plan. The legislation should also provide that before land disturbance activities associated with any development can begin that: (i) the Community Enhancements, Programs and Public Amenities identified in the Downtown CEPPA Implementation Chart in section 4.2 must be provided; and (ii) building permits for at least the minimum levels of development for each of the land use types designated in the Downtown Revitalization Phasing Plan for each phase must have been approved. In addition, the requirements of the Adequate Public Facilities Act must be met for each individual development project, regardless of which phase the project is in.

### Infrastructure

This Plan recommends that private developers, not current residents, be responsible for the cost to design, permit and construct, in addition to their own buildings and facilities, all necessary County roads, intersections and sidewalks, including upgrades to existing roads in accordance with the Adequate Public Facilities Act and new non-program sized sewer and water lines within Downtown Columbia. Water and sewer system improvements should continue to be funded by user revenues paid to the Water and Sewer Enterprise Fund.

The use of structured parking would support the more compact, vertical development scheme of Downtown Columbia. The goal of this development effort is to provide a “park-once” approach, whereby visitors to Downtown Columbia will park upon arrival in centrally located parking structures and walk or take public transit to the retail and commercial uses, as well as parks and recreational facilities being provided throughout the area. The parking structures would replace the large, open, surface parking lots that exist today, making room for more compact, higher density development.

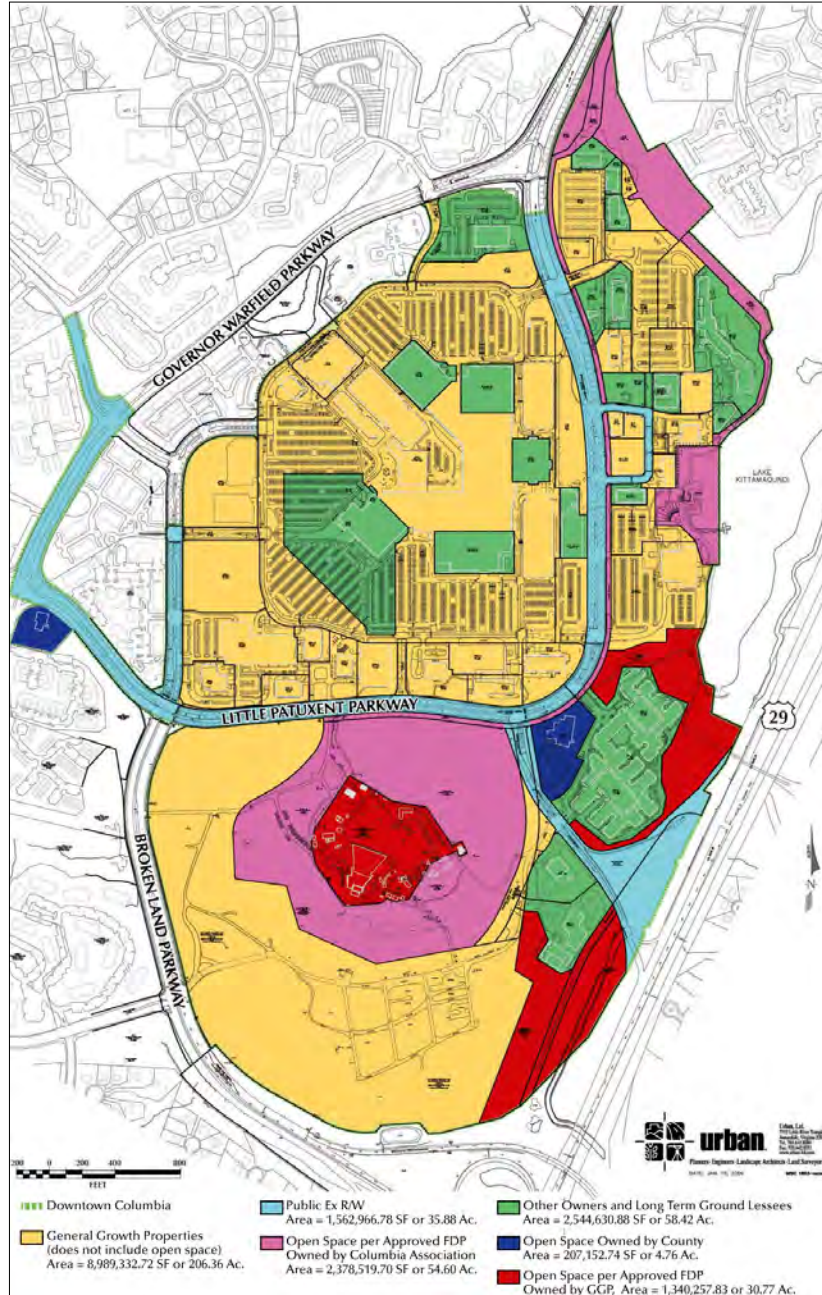
### Geographic Phasing Relationships

This Plan recognizes that phasing can be related to both development levels and location. Although General Growth Properties controls a significant portion of the land in Downtown Columbia, there are a number of third party land owners. General Growth and its affiliates own about 240 acres. Third parties own the remainder, including the Columbia Association



Development Pattern Example

**EXHIBIT B. LAND OWNERSHIP PLAN**















**Chapter 4  
Balancing & Phasing Growth**

<b>PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE 5,000,000<sup>th</sup> SF OF DEVELOPMENT</b>	
23.	GGP will provide \$1,000,000 towards the initial funding of a Downtown Circulator Shuttle.
24.	Transfer of ownership of Merriweather Post Pavilion to the Downtown Arts and Culture Commission for zero dollar consideration.
<b>PRIOR TO THE APPROVAL OF EACH FINAL DEVELOPMENT PLAN</b>	
25.	Each owner of property developed with commercial uses pursuant to the Downtown Revitalization Zoning Regulations shall participate as a member in the Downtown Columbia Partnership established pursuant to CEPPA No.6 and provide an annual per-square-foot charge in an amount of twenty-five cents (\$0.25) per square foot of Gross Leasable Area for office and retail uses and twenty-five cents (\$0.25) per square foot of net floor area for hotels to the Downtown Columbia Partnership. Each Final Development Plan shall show a consistent means of calculating and providing this charge, and require that the first annual charge be paid prior to issuance of occupancy permits for those buildings constructed pursuant to that Final Development Plan and subsequent Site Development Plans under Downtown Revitalization. This per-square-foot charge shall be calculated at the time of Site Development Plan approval and shall include an annual CPI escalator to be specified in each Site Development Plan.
	CEPPA #26 was removed by passage of Council Bill No. 52-2016
<b>ADDITIONAL CEPPA CONTRIBUTION</b>	
27.	Each owner of property developed with commercial uses pursuant to the Downtown Revitalization Zoning Regulations shall provide an annual payment to the DCCHF in the amount of five cents (\$0.05) per square foot of Gross Leasable Area for office and retail uses, and five cents (\$0.05) per square foot of net floor area for hotels. The payment will be made annually by the property owner, with the initial payment being made prior to the issuance of an occupancy permit for net new commercial development on the property. The amount of the charge will be subject to annual adjustment based on a builder's index, land value, or other index provided in the implementing legislation.



**Chapter 4**  
**Balancing & Phasing Growth**

include an evaluation of the level of development, transportation strategies and improvements, and an operational assessment of key facilities. Potential methods for evaluation may include: traffic counts, patron/employee/resident surveys, transit ridership data, Critical Lane Volume analysis, and Pedestrian and/or Bicycle Level of Service evaluation. The Transportation Reassessment Study must recommend mitigation of any substandard facility by identifying for potential acceleration of future transportation improvements construction, by recommending construction of additional transportation improvements or facilities, or by recommending new or expanded transportation demand management strategies.



*Community Meeting, Downtown Columbia Plan*

## Chapter 5: Involving Everyone

“The community will be actively engaged in decisions concerning the evolution of Downtown Columbia.”

### 5.1 PARTICIPATION

“Enhance communication between citizens and County decision-makers through opportunities for public information and public participation, so that citizens are knowledgeable about the planning and development of Downtown and have multiple opportunities for input.”

*Downtown Columbia: A Community Vision*

The process that has been undertaken to create this Plan began in the spring of 2005 with a series of Town Hall meetings hosted by General Growth Properties. This was followed in October of 2005, by a week long charrette, sponsored by Howard County, to further elevate the community engagement and conversation about the future of Downtown Columbia. The public release of *Downtown Columbia: A Community Vision*, the County’s resulting framework for the revitalization and redevelopment of Downtown Columbia, was accompanied by another set of public meetings. As GGP worked on the Downtown Columbia Plan, company representatives also met with a variety of civic and business organizations and other groups to gather information and guidance. Starting in March of 2008 and continuing through to the present, GGP has intensified its outreach, hosting an extensive series of community meetings.



Community Forum

#### THE COMMUNITY OUTREACH PROGRAM THAT GGP UNDERTOOK IN 2008 INCLUDED:

##### Community Forums

*Evening events in the Spear Center, GGP Building, featuring GGP design and planning team members:*

- March 5<sup>th</sup> Alan Ward, Sasaki Associates, Inc., the project landscape designer*
- March 19<sup>th</sup> Gail Dexter Lord, Lord Cultural Resources, the project arts and culture consultant*
- April 2<sup>nd</sup> Keith Bowers, Biohabitats, the project environment and sustainability consultant*
- April 9<sup>th</sup> Jaquelin T. Robertson, Cooper, Robertson & Partners, the project master plan architect*

## Chapter 5 Involving Everyone



Public Meeting Materials

### Many Voices; One Vision

- Draft Master Plan released April 28th
- Community presentation in the Spear Center, GGP Building, featuring Greg Hamm,
- Columbia's General Manager for GGP, and GGP planning team members

### Vision in Focus

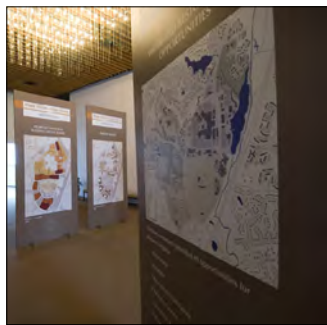
Issue-based community forums held in the Spear Center, GGP Building, featuring GGP design and planning team members

- May 6<sup>th</sup> Sustainability/Environment  
May 7<sup>th</sup> Transit/Traffic  
May 8<sup>th</sup> Culture  
July 9<sup>th</sup> The Neighborhoods

### Community Discussion Series

Village-based meetings to gather community comments and ideas relative to this Plan

- May 12<sup>th</sup> - 22<sup>nd</sup> Dorsey Search, Harper's Choice, Hickory Ridge, Kings Contrivance, Long Reach, Oakland Mills, Owen Brown, River Hill, Wilde Lake and Town Center



Downtown Plan Exhibit

### Vision in View

Exhibit showcasing key elements of the draft plan to revitalize and redevelop Downtown Columbia.

- July 16<sup>th</sup> - July 24<sup>th</sup> The Spear Center, GGP Building\*

These meetings engaged a wide variety of community members as participants in the planning process and contributors to the draft plans for the revitalization and redevelopment of Downtown Columbia.

Additionally, as the County detailed in its vision framework document, *Downtown Columbia: A Community Vision*, there are specific public processes – meetings where citizens can participate – included as part of the Planning Board and County Council review which will allow further community engagement and guidance.

It is only after this entire process is complete with all the requisite public meetings that the County Council will vote on the adoption of this Plan as an amendment to *General Plan 2000* and the associated Zoning Regulation Amendment.

Finally, even after the Plan is adopted, the review process will follow the zoning and subdivision regulations appropriate to each redevelopment phase, and at each step of that review there will be public meeting requirements and additional opportunity for community engagement.

The Downtown Columbia community outreach has involved an extensive community conversation and produced a plan that reflects an engaged community. It is clearly one vision as a result of many voices.

## 5.2 COLLABORATION

“Encourage a partnership in planning and implementation, realizing that many of the recommended strategies will depend on collaboration among the County, private property owners, residents, business owners and community organizations.”  
*Downtown Columbia: A Community Vision*



Gail Holliday Screen Print

This Plan proposes the establishment of the Downtown Columbia Partnership (DCP), an independent nonprofit organization, to carry out important services and community functions in Downtown Columbia. The mission of the Downtown Partnership will include supporting transportation initiatives as described in Section 2.4 and in the feasibility study of the Downtown Columbia Circulator Shuttle. Its mission will also include marketing and promoting Downtown Columbia and its businesses; promoting public safety and providing security patrols; implementing downtown beautification and maintenance projects; initiating and sponsoring cultural arts programs and sustainability programs; and coordinating with the Columbia Association for programming public spaces.

It is envisioned the Downtown Columbia Partnership would be an independent nonprofit organization. The Downtown Columbia Partnership would be managed by a Board of Directors that could be comprised of representatives of the County, General Growth Properties, the Columbia Association and other representatives of businesses and individuals living within Columbia. The Downtown Partnership would be established prior to issuance of the first building permit under this Plan.

Each owner of property developed with new commercial uses pursuant to the Downtown Revitalization Zoning Regulations shall participate as a member in the Downtown Columbia Partnership. It is envisioned that the Downtown Columbia Partnership will be funded in part by an annual per-square-foot charge in an amount of twenty-five cents (\$0.25) per square foot of Gross Leasable Area to the Downtown Columbia Partnership assessed on each property developed with new commercial uses pursuant to the Downtown Revitalization Zoning Regulations.



## Exhibits

### EXHIBIT DESCRIPTIONS

#### Planning Documents

Included in this Section are eleven plan documents which describe the intended configuration, massing, layout and master planning intent of the Plan. These conceptual documents should be used as a guide for review and approval of future development plans, infrastructure and amenities.

<b>A.</b>	<b>DOWNTOWN COLUMBIA</b> The Downtown Columbia plan graphically shows the approximate geographic area and limits of the Plan which is generally bound by Broken Land Parkway and Governor Warfield Parkway to the west and north, the western edge of Lake Kittamaquundi and Route 29 to the east, and Broken Land Parkway to the south.
<b>B.</b>	<b>LAND OWNERSHIP PLAN</b> Of the 364 total acres in Downtown Columbia, General Growth and its affiliates own or control about 240 acres. Third parties own the remainder, including the Columbia Association property at Symphony Woods and the Lakefront. This plan exhibit is provided as a reference to delineate the ownership areas of GGP and these third party owners.
<b>C.</b>	<b>STREET AND BLOCK PLAN</b> The Street and Block Plan frames a possible layout and dimension of streets, blocks, open spaces, and illustrates how buildings, streets and landscape support and reinforce the urban grid of Downtown Columbia.
<b>D.</b>	<b>ILLUSTRATIVE MASTER PLAN</b> The Downtown Columbia Illustrative Master Plan identifies possible locations and configurations of uses, the potential layout and dimension of streets, blocks and amenity spaces within the five distinctive neighborhoods.
<b>E.</b>	<b>THE NEIGHBORHOODS</b> This Plan exhibit defines the general limits of six new and reconfigured neighborhoods in Downtown Columbia – Warfield, The Lakefront, The Mall, The Crescent, Merriweather and Symphony Overlook.
<b>F.</b>	<b>MAXIMUM BUILDING HEIGHT PLAN</b> The Maximum Building Height Plan illustrates maximum building heights by neighborhood and sub areas. It is intended to provide planning guidance as to maximum building heights, while recognizing that as the overall redevelopment proceeds the goal is to achieve variety in heights within a neighborhood.
<b>G.</b>	<b>PRIMARY AMENITY SPACE FRAMEWORK DIAGRAM</b> The Primary Amenity Space Framework Diagram suggests a network of Amenity Spaces, including parks, promenades, natural areas, squares, plazas, mews, and greens and paths that form a Downtown Columbia Amenity Space system.
<b>H.</b>	<b>STREET FRAMEWORK DIAGRAM</b> The Street Framework Diagram classifies and describes the intended street network based on the distinctive character of the roadway and sidewalks, which may be defined by the number of potential lanes, and the presence of medians or other special treatment of the vehicular and pedestrian ways.
<b>I.</b>	<b>BICYCLE AND PEDESTRIAN CIRCULATION PLAN</b> The Bicycle Circulation Plan identifies a comprehensive bicycle circulation system for Downtown Columbia. The plan is based on the Street Framework Diagram, Street and Block Plan and Design Guidelines submitted with this Plan.
<b>J.</b>	<b>AMENDMENT TO GENERAL PLAN 2000 TRANSPORTATION POLICIES MAP</b> The Transportation Policies Map is amended to include a future full-movement, grade-separated interchange at Rt. 29 serving Downtown Columbia.
<b>K.</b>	<b>DOWNTOWN OPEN SPACE PRESERVATION PLAN</b> The Downtown Open Space Preservation Plan is a graphic depiction of Downtown Columbia including existing open space, public rights of way and recommended mixed use areas.

**TECHNICAL SUPPLEMENTAL DOCUMENT DESCRIPTIONS**

**Supplemental Documents**

Seven technical documents were submitted with this Plan for informational purposes. Although they are not intended to be considered as a part of this Plan, they are referred to occasionally and in some instances will require legislative action. They should be recognized as integral components for the implementation of this Plan and are as follows:

<p><b>ZONING REGULATION AMENDMENT</b>                  In accordance with the Master Plan &amp; Zoning Approach recommended by <i>Downtown Columbia: A Community Vision</i>, the attached Zoning Regulation Amendment (ZRA) establishes maximum levels of office, retail, hotel and residential development for Downtown Columbia and imposes new amenity space requirements. The ZRA also establishes specific development review criteria. The ZRA further requires each developer to provide a significantly greater level of detail at the first stage of the development review process, instead of waiting until the end of the process. Because a greater level of detail will be provided initially, the Zoning Regulation also modifies the development review process to increase its efficiency, while maintaining multiple opportunities for public review and input.</p>
<p><b>ADEQUATE PUBLIC FACILITIES AMENDMENT</b>                  The amendment to the Howard County Adequate Public Facilities Act (APF) eliminates the “Constrained Facilities” provisions of the APF in Downtown Columbia so that in the future all roads serving Downtown Columbia will be subject to the APF. The amendment also establishes 1,600 critical lane volume as the level of service standard for evaluating all County-controlled intersections serving Downtown Columbia. To assure safe and efficient pedestrian and bicycle access and circulation, the APF amendment also imposes a new requirement to prepare a pedestrian impact study as a part of the APF Traffic Study.</p>
<p><b>COLUMBIA TOWN CENTER DESIGN GUIDELINES</b>                  The Design Guidelines establish criteria for Downtown Columbia land development in order to ensure that new development contributes to the vision of Downtown Columbia as a sustainable, pedestrian-oriented environment with a desirable urban character through the design and placement of new buildings, streets and public amenity spaces. The Design Guidelines apply to all development within the boundaries of Downtown Columbia as depicted in this Plan.</p>
<p><b>COLUMBIA TOWN CENTER GENERALIZED TRAFFIC STUDY AND ITS TECHNICAL APPENDIX</b>                  This report presents the results of a Generalized Traffic Study of Downtown Columbia. Subsequent traffic studies will be submitted with each Final Development Plan application to satisfy the requirements of Howard County’s Adequate Public Facilities Act, as amended.</p>
<p><b>COLUMBIA TOWN CENTER SUSTAINABILITY FRAMEWORK</b>                  The Downtown Columbia Sustainability Program serves as one of the primary guidance documents for the design, construction, operations and programming of Downtown Columbia. The Sustainability Program is an ambitious effort to guide development of Downtown Columbia and the design of a livable, sustainable community. Submitted with this Plan is the Downtown Columbia Sustainability Framework which will provide the overarching components of the future program, and guide its final development.</p>
<p><b>COLUMBIA TOWN CENTER MERRIWEATHER AND CRESCENT ENVIRONMENTAL ENHANCEMENTS STUDY</b>                  A natural resources assessment was performed on over 5000 linear feet of stream and 120 acres in the Merriweather &amp; Crescent neighborhoods of Downtown Columbia. This report describes the findings of the assessment and articulates proposed environmental improvements to streambeds, wetlands, forests and vegetation management.</p>
<p><b>BEST MANAGEMENT PRACTICES FOR SYMPHONY STREAM AND LAKE KITTAMAQUONDI WATERSHEDS</b>                  In an effort to increase community awareness of water quality issues outside Downtown Columbia and their impacts to the Chesapeake Bay, GGP and its ecological consultant performed watershed assessments for the three sub watersheds of Symphony Stream, Wilde Lake and Lake Kittamaquondi located up stream of the Columbia Town Center Merriweather &amp; Crescent Environmental Enhancements Study area. Watershed assessments were performed to target stormwater retrofits and riparian corridor restoration opportunities for the watersheds of the two streams flowing through Downtown Columbia.</p>

For information or alternative formats contact:

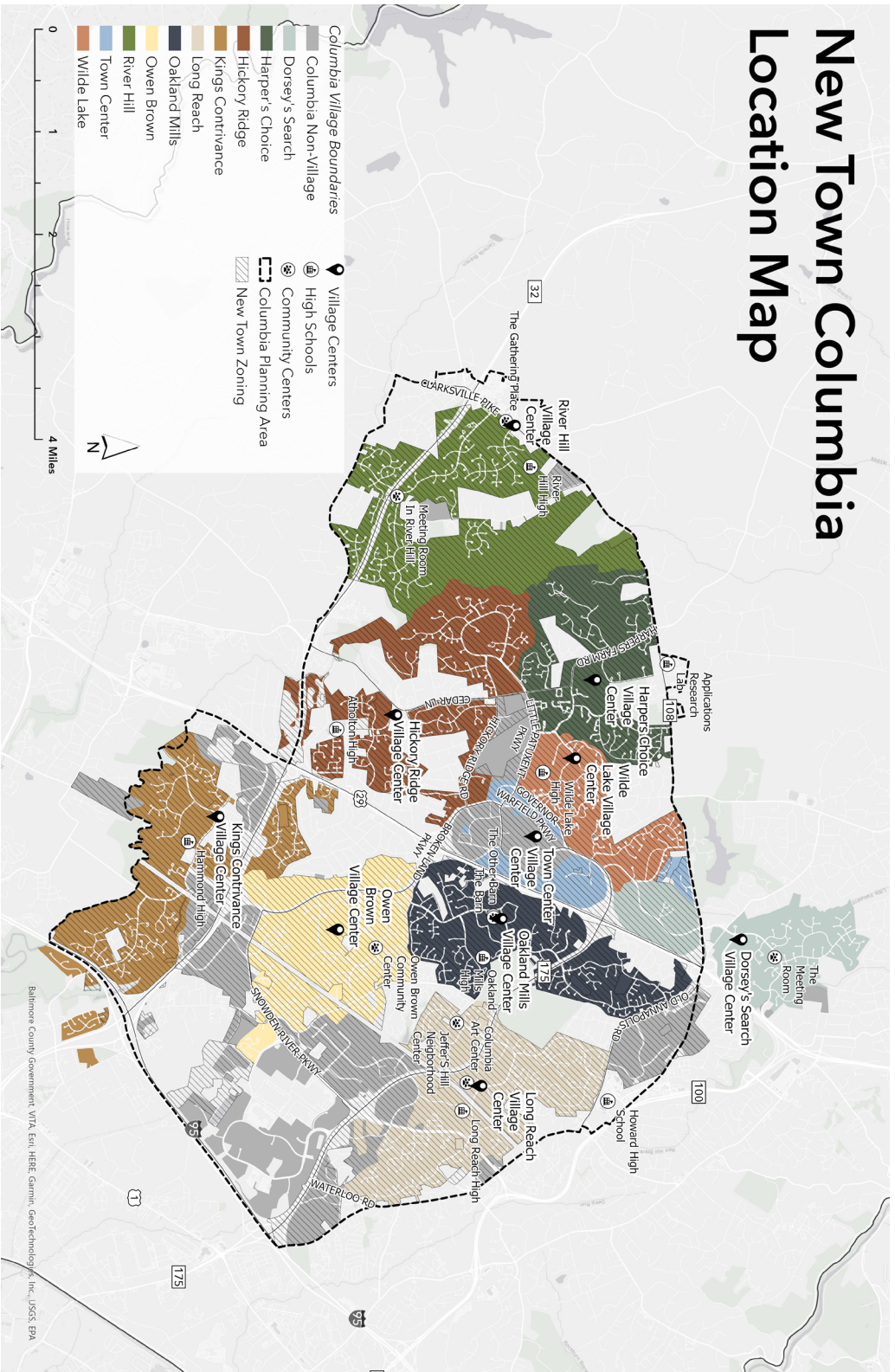
Department of Planning and Zoning  
3430 Courthouse Drive  
Ellicott City, Maryland 21043  
410-313-2350  
[howardcountymd.gov](http://howardcountymd.gov)



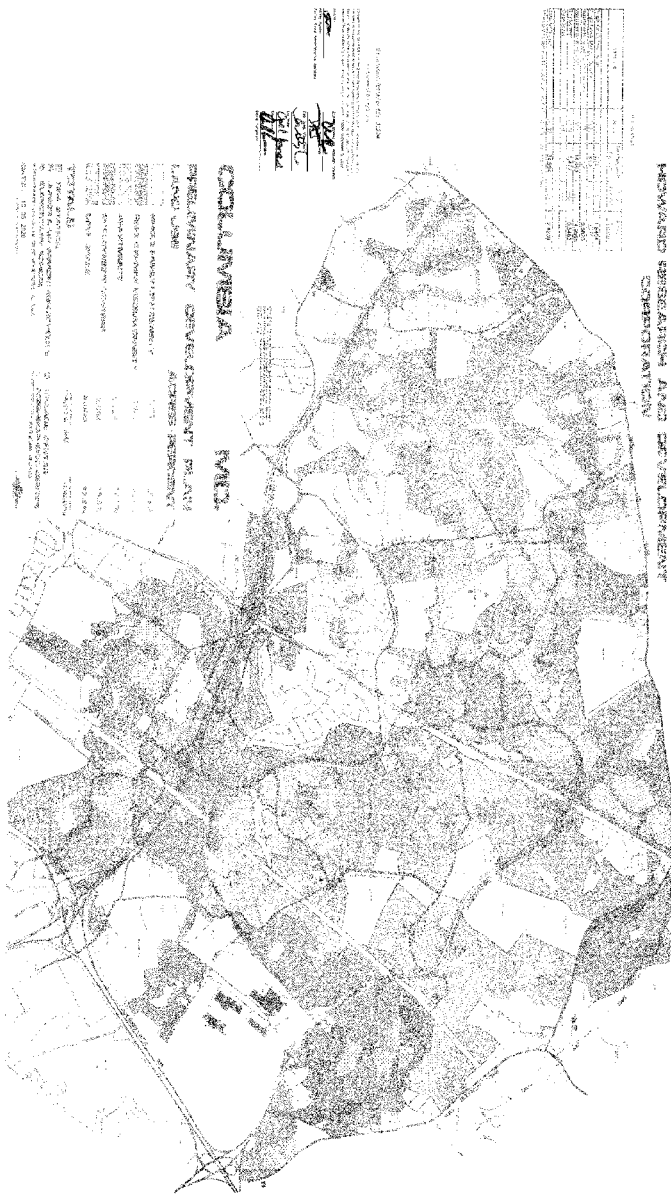


# Maps

# New Town Columbia Location Map



For a high resolution image of the PDP map, view the map on our [website](#)



Visit the FDP Map Application to view FDP land uses and regulations in Columbia.

**Howard County**  
 Department of Planning & Zoning  
**Final Development Plans**  
[Go to FDP App for Downtown Columbia](#)

FDP Land Use Overlay  
 Enter address to search:  
 Search Box

Click on the map for Scanned Overlay OR Click each item below.

- FDP 001\_A\_3
- FDP 002\_A\_10
- FDP 003\_A
- FDP 004\_A\_5
- FDP 005\_A\_11
- FDP 006
- FDP 007\_A\_and\_008A
- FDP 009\_A
- FDP 010
- FDP 011\_A\_1
- FDP 012
- FDP 013
- FDP 014
- FDP 015
- FDP 016
- FDP 017
- FDP 018

FDP Land Use Descriptions	
[Light Yellow]	Single Family
[Yellow]	Low Density
[Light Green]	Single Family
[Medium Green]	Medium Density
[Dark Green]	Apartment, Single Family Attached
[Light Purple]	Multi-family
[Purple]	Apartment
[Red]	Employment
[Orange]	Commercial
[Light Blue]	Industrial
[Green with Dotted Pattern]	Credentialed Open Space
[Light Green with Dotted Pattern]	Non-Credentialed Open Space
[Light Blue with Dotted Pattern]	Open Space
[Dark Blue with Dotted Pattern]	Mixed

Visit the [Downtown Columbia FDP Map Application](#) to view FDP land uses and regulations for Downtown Columbia.

**Howard County**  
Department of Planning & Zoning

### Downtown Columbia Final Development Plans

[Go To FDP Map for all Columbia Villages](#)

Enter address to search:  
Search Box

Click on the map for Scanned Overlay OR Click  
each item below.

- FDP DC\_CRSCHN\_1A
- FDP DC\_CRSCHN\_2
- FDP DC\_LL\_1\_1
- FDP DC\_LL\_2A
- FDP DC\_MSW\_1A
- FDP DC\_The\_Mall\_1
- FDP DC\_WARFIELD\_1A

The screenshot displays a map of Downtown Columbia, Maryland, with various zoning districts highlighted in different colors. Key landmarks and areas labeled include Wilder Lake, Bryant Woods, Stover edges, Howard County General, Bartlesville, Columbia, and the Postlethman Bridge. A search bar is visible at the top, and a list of zoning districts is provided on the right side of the map interface.



## Comments



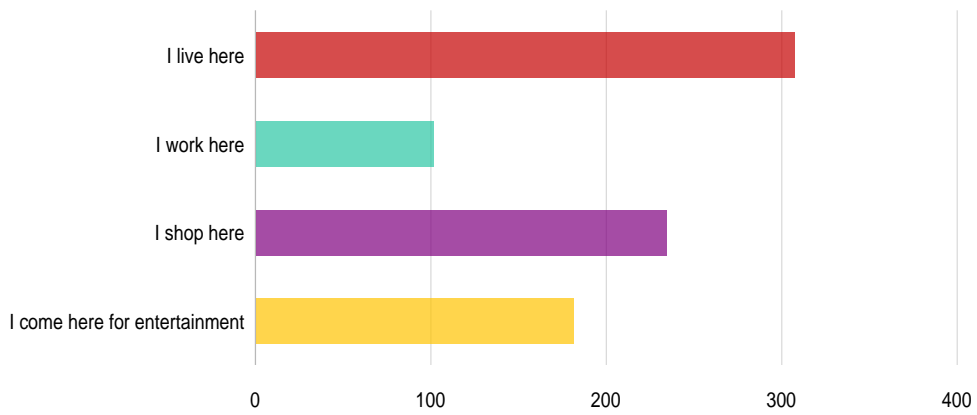
## The New Town Task Force Comment Log

#	Date	Event	Comment
1	October 20-21, 2025	New Town Task Force Public Meeting No. 1	<ul style="list-style-type: none"><li>-Can Columbia be designated a “Special Zone” (i.e. like Historical Areas) to preserve original design!</li><li>- Where is “Covenant enforcement”? At village level? To Columbia Association</li><li>- What is future of Brick and Mortar stores, re: problems w/mixed use developments</li><li>- What will zoning be for medical zoning (i.e. new hospital/rehab facilities)(senior population increases)</li><li>-Affordability and Sustainability of housing, going out 10-20 years?</li></ul>
2	October 20-21, 2025	New Town Task Force Public Meeting No. 1	Market these opportunities better. There should be a wider net cast, if you depend upon the current audience to share with their networks there will more than likely lack diversity in community commentary. Everyone does receive and know about the DPZ Ball Bulletin newsletters. I'll share with my networks but how do I convince them that this is important?
3	October 20-21, 2025	New Town Task Force Public Meeting No. 1	The presentative was quite informative about the task force, and I am interested in seeing how the group (task force) moves forward with the zoning aspect of the plan.
4	October 20-21, 2025	New Town Task Force Public Meeting No. 1	<ul style="list-style-type: none"><li>- There should be design guidelines (like the Downtown Columbia Plan) which allow people and orgs. (DPZ, Planning Board, etc.) to evaluate proposals (to FDP/SDP) for changes</li><li>- Should remove Original Petitioner role</li><li>- Since Columbia is developed, no need for CDPS</li><li>- The current zoning regs allow for up to a certain % of other zoning uses; so something like MX (mixed use) can be accommodated under the regs.</li><li>- Should separate credited &amp; non-credited open space</li><li>- Since Columbia was developed with a wide range of housing types, MIHU targets aren't needed, instead should preserve the current mixture.</li></ul>

5	October 20-21, 2025	New Town Task Force Public Meeting No. 1	The location of new development is so far very non-specific. How will new development affect existing Columbia housing, retail, education, etc.? Will the new development plan sufficiently for expanding school populations? Many expanded housing sites will put pressure on infrastructure and schools. Trailer classrooms cannot handle the expanding school populations. How was membership in Task Force decided?
6	December 9, 2025	Task Force Meeting #6	Downtown MOU: “Deed Covenant Modernization and Improvement Initiative The Developer shall make a good faith effort to work over the next 6 to 12 months after the enactment of the legislation, with the county, the Columbia Association, the Columbia Village Associations and commercial property owners throughout Columbia to improve and modernize the real property covenant structure throughout Columbia.” “Ultimately, the transfer of obligations to [CA] did not occur because not occur because they wanted the Developer to continue paying the 3 <sup>rd</sup> parts costs of these architectural reviews and enforcements.”
7	December 9, 2025	Task Force Meeting #6	Comment by member – “nothing to do with the covenants” EO says to make recommendations including but not limited to “development processes”. This includes covenants – see comments on Downtown MOU.
8	December 9, 2025	Task Force Meeting #6	City of Greenbelt has authority to grant “variances from the strict application of the Prince George’s County Zoning Ordinance with respect to lot size, setback, lot coverage, lot width frontage, green area, height and any other requirements of the Prince George’s County zoning.” Sec. 20-3(a) City of Greenbelt
9	December 9, 2025	Task Force Meeting #6	A member asked about the County Council being the Zoning Board. For a history and explanation please see Turf Valley Assoc. v. Zoning Board of Howard County 262 Md 632, 278 A2d 574 (1971)

# Howard County New Town Survey

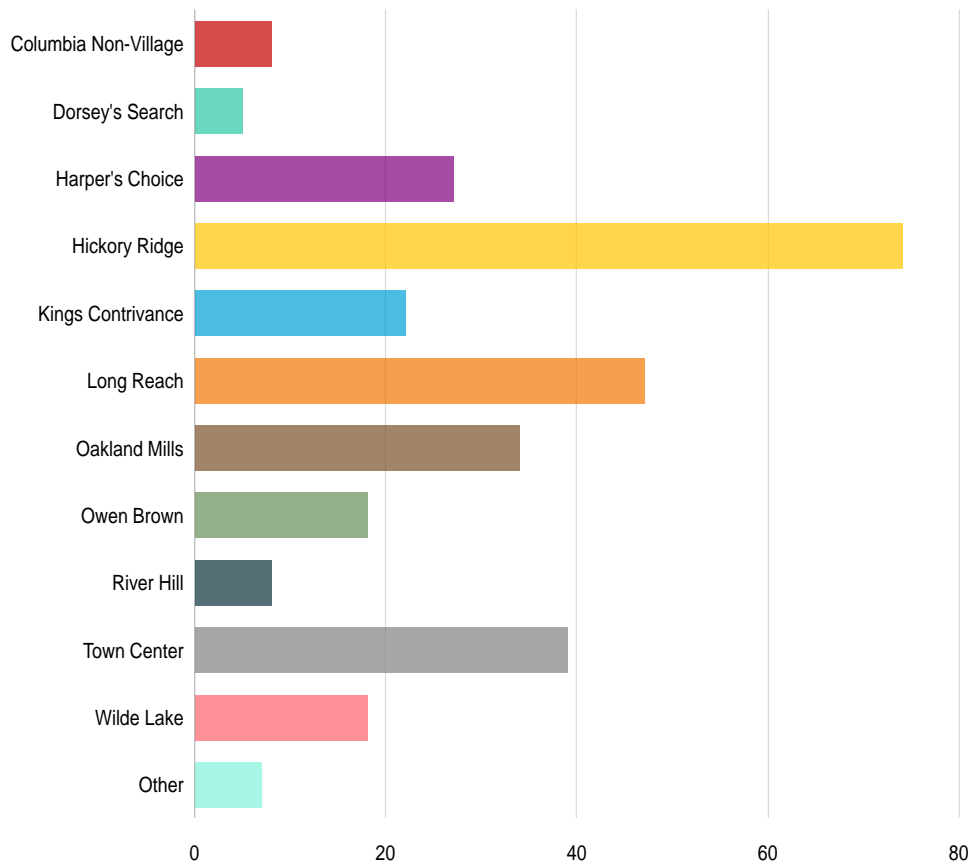
## 1. What is your relationship with Columbi... \*



Answers	Count	Percentage
I live here	307	76.94%
I work here	101	25.31%
I shop here	234	58.65%
I come here for entertainment	181	45.36%

Answered: 399 Skipped: 0

## 1a. What village/area do you live in? \*



Answers	Count	Percentage
Columbia Non-Village	8	2.01%
Dorsey's Search	5	1.25%
Harper's Choice	27	6.77%
Hickory Ridge	74	18.55%
Kings Contrivance	22	5.51%
Long Reach	47	11.78%
Oakland Mills	34	8.52%

Owen Brown	18	4.51%
River Hill	8	2.01%
Town Center	39	9.77%
Wilde Lake	18	4.51%
Other	7	1.75%

Answered: 307 Skipped: 92

**Other response \***

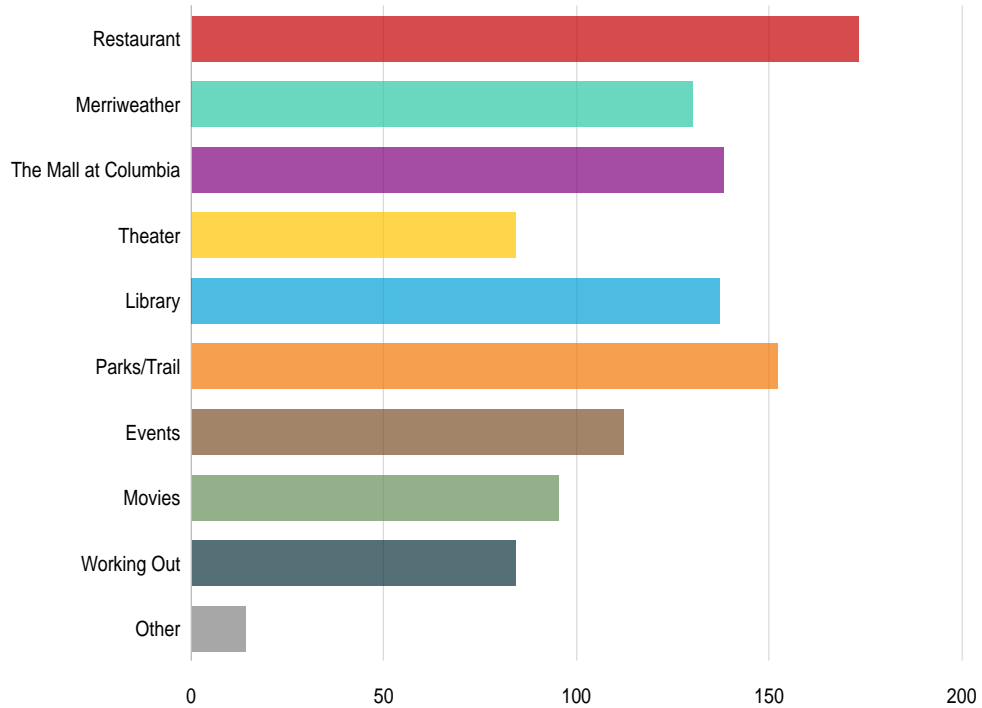
The word cloud requires at least 20 answers to show.

Response	Count
Sewell's Orchard	1
River Hill	1
Out-parcel.	1
Grace	1
Fultob	1
Ellicott city NEAR Dorsey Search	1
Clarksville	1

Answered: 7 Skipped: 392

**1b. What types of entertainment do you enjoy in the are... \***

Empty response area for question 1b.



Answers	Count	Percentage
Restaurants	173	43.36%
Merriweather	130	32.58%
The Mall at Columbia	138	34.59%
Theater	84	21.05%
Library	137	34.34%
Parks/Trails	152	38.1%
Events	112	28.07%
Movies	95	23.81%
Working Out	84	21.05%

Other	14	3.51%
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Answered: 181 Skipped: 218

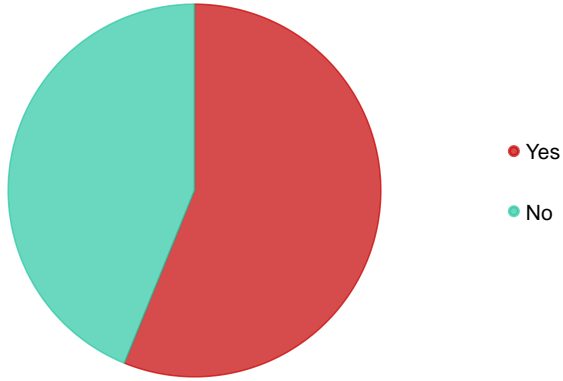
**Other response \***

The word cloud requires at least 20 answers to show.

Response	Count
Walking trails	1
Walking Columbia's trails & Kayaking on the lakes.	1
Special events, religious services, community volunteering	1
Socialize with friends and neighbors	1
Running by	1
Playing sports	1
Neighbors!	1
LakeFest, walking the Columbia lakes	1
festivals & concerts	1
family and friends in/nearby	1
Donate blood here	1
Coaching and playing sports.	1
Bain Center	1
Arts events	1

Answered: 14 Skipped: 385

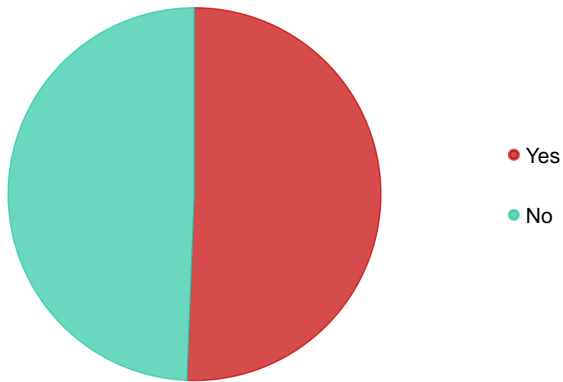
**2. Are you aware that the predominant zoning for the majority of Columbia i... \***



Answers	Count	Percentage
Yes	224	56.14%
No	175	43.86%

Answered: 399 Skipped: 0

**3. Are you aware that New Town Zoning functions differently than the... \***

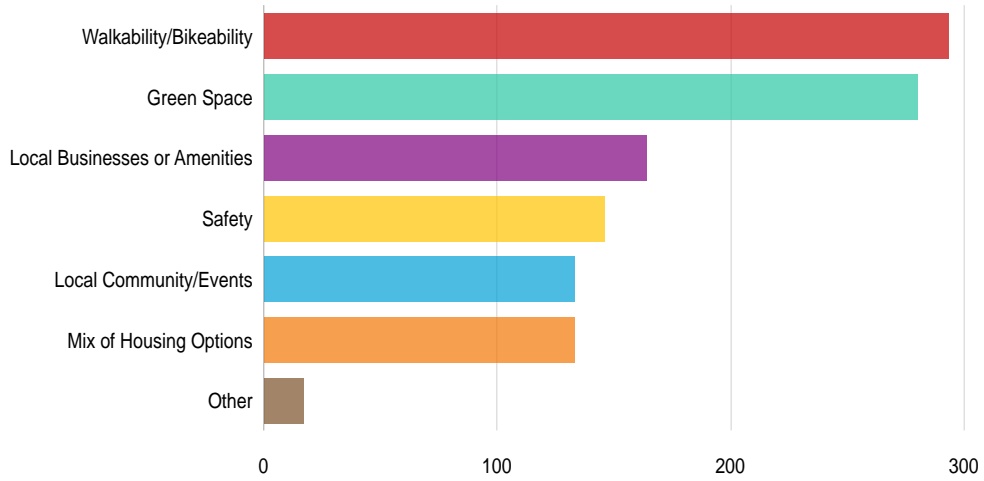


Answers	Count	Percentage
Yes	202	50.63%
No	197	49.37%

Answered: 399 Skipped: 0

### Community Needs and Development Preferences

#### ● 4. What are the top three things you like about New Town Columbi... \*



Answers	Count	Percentage
Walkability/Bikeability	293	73.43%
Green Space	280	70.18%
Local Businesses or Amenities	164	41.1%
Safety	146	36.59%
Local Community/Events	133	33.33%
Mix of Housing Options	133	33.33%

Other	17	4.26%
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Answered: 399 Skipped: 0

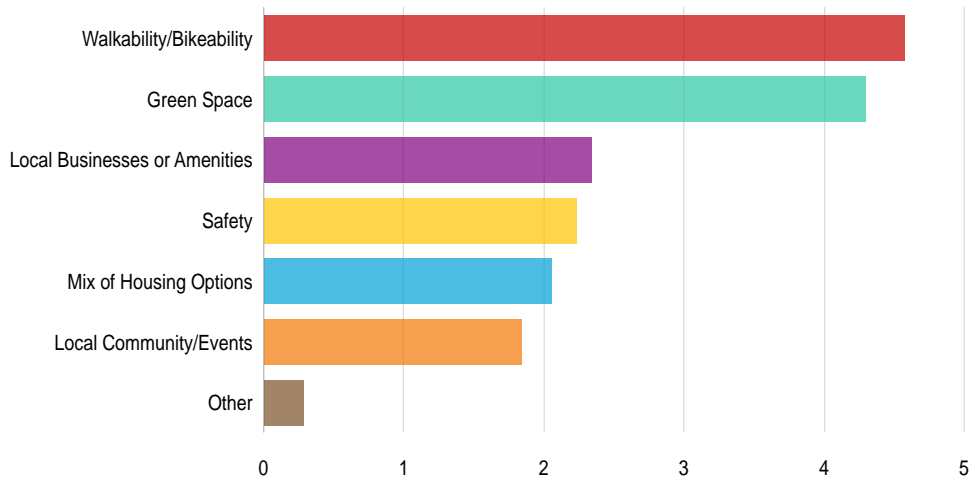
● Other response \*

The word cloud requires at least 20 answers to show.

Response	Count
Relatively large number of long time residents	1
Protective, unchangeable zoning	1
Nothing	1
No above ground power lines, control of maintenance, colors, etc.	1
Mass Transit	1
Long-term planning of development	1
I don't agree that Columbia needs to be redeveloped	1
Helped guide zoning for rest of the county. Good when began, but why does it need to be different from thr rest of the county zoning now?	1
Handicapped safety and access	1
Diversity, pathways, safety	1
diversity	1
Convenient to my work	1
Convenience. Most of the things I need/want are within a 20 minute drive.	1
control of density and the coverts	1
Close to work	1
affordable homes for 55+	1
50+ Centers	1

Answered: 17 Skipped: 382

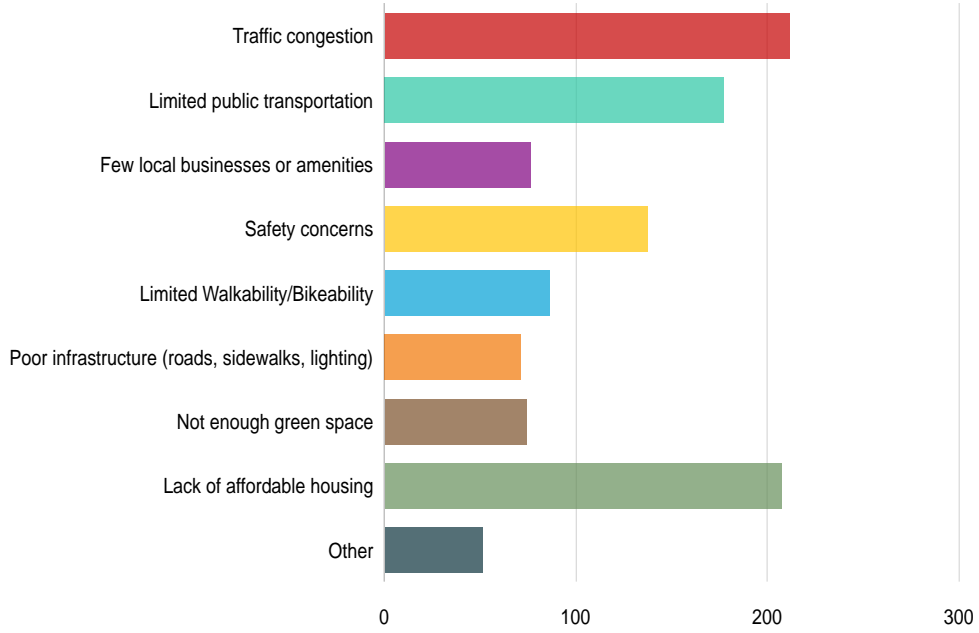
● Please rank your top three: \*



Rank	Answers	1	2	3	4	5	Average score		
1	Walkability/Bikeability	31.08%	27.82%	14.54%	0%	0%	0%	4.57	0%
		124	111	58	0	0	0		0
2	Green Space	22.31%	33.83%	14.04%	0%	0%		4.29	
		89	135	56	0	0			
3	Local Businesses or Amenities	9.02%	10.53%	21.55%	0%	0%	0%	2.34	0%
		36	42	86	0	0	0		0
4	Safety	15.54%	8.77%	12.28%	0%	0%		2.23	
		62	35	49	0	0			
5	Mix of Housing Options	14.54%	9.27%	9.52%	0%	0%	0%	2.05	0%
		58	37	38	0	0	0		0
6	Local Community/Events	4.51%	7.77%	21.05%	0%	0%		1.83	
		18	31	84	0	0			

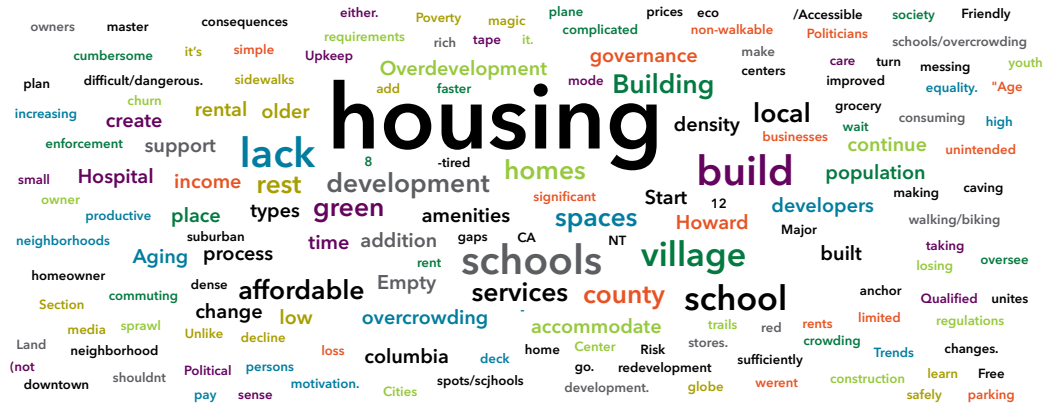
Answered: 399 Skipped: 0

● 5. What do you see as the top three challenges in New Town Columbi... \*



Answers	Count	Percentage
Traffic congestion	211	52.88%
Limited public transportation	177	44.36%
Few local businesses or amenities	76	19.05%
Safety concerns	137	34.34%
Limited Walkability/Bikeability	86	21.55%
Poor infrastructure (roads, sidewalks, lighting)	71	17.79%
Not enough green space	74	18.55%
Lack of affordable housing	207	51.88%
Other	51	12.78%

● Other response \*



Response	Count
Overdevelopment	2
While there are trails and sidewalks, there are significant gaps, making walking/biking as a mode of productive commuting difficult/dangerous.	1
Village Center decline, loss of anchor grocery stores.	1
Upkeep of older neighborhoods, enforcement of CA requirements of homes	1
Unlike the rest of Howard County, we have affordable housing	1
types of local businesses and amenities in the village centers -tired	1
too much red tape - complicated for a home owner to add a simple addition and Major redevelopment is very time consuming for developers	1
Too much new development taking away green spaces and new housing that is increasing population faster than the schools are improved and built to accommodate it.	1
Too much low income housing in my village	1
Too much building on former green spaces	1

Too much affordable housing and it's unintended consequences	1
the process for a homeowner to make a small change to build a deck or addition is cumbersome	1
suburban sprawl	1
Section 8 housing limited to a few spots/scjhoods and caving in to the rich who don't care about equality.	1
Schools and support services	1
School crowding	1
School and hospital overcrowding	1
Risk of losing the magic of this place through non-walkable or not sufficiently dense development.	1
Qualified persons to oversee the NT process and regulations	1
Poverty	1
Politicians messing with neighborhood schools/overcrowding	1
Political motivation. Build something to start and build the plane as we go. Cities across the globe werent built in a master plan and we shouldnt be either. Trends change, society changes. Start the construction and learn as we go	1
Not enough parking, school overcrowding	1
Not enough condominium unites in downtown for owners to build a sense of community. The high rent prices continue a churn of new people in all of the rental buildings.	1
no local media	1
Most homes are not "Age Friendly /Accessible to accommodate an older population	1
More economic development needed	1
Land developers interests in higher-rise dwellings and businesses.	1
Lack of housing that's affordable (not necessarily "affordable housing")	1
Lack of clarity in governance	1
Lack of buildable land.	1

Lack of +55 homes as compared to rental units	1
Insufficient sustainable building	1
I don't know	1
How to get the rest of Howard County to continue to pay for more amenities and better services in Columbia than the rest of the county receives.	1
Housing density leads to overcapacity in local schools, and the school district never has enough funding to build more schools!	1
Hospital can't support the demand, population size it serves. A 12 hour emergency wait to be seen is typical.	1
Grace pollution	1
Getting worn. Needs updating	1
Free spaces for youth to gather safely and productively	1
Empty stores/offices at the village centers. Maybe the rents are too high. Empty storefronts will minimize use which in turn will create slum-like look.	1
eco system services	1
displacement of long time residents and generations of columbiaans from lack of housing supply. A mix of housing types, including duplexes and missing middle housing, should be allowed in all columbia neighborhoods.	1
covenants that restrict development and create possibility of blight and outdated buildings and uses	1
concentration of low income housing without adequate supports that directly impacts schools and disparities (and perceptions) between schools	1
Clear and robust governance	1
Building density with associated removal of trees and green space	1
Aging in place options	1
Aging housing stock	1
Affordability	1

Answered: 51 Skipped: 348

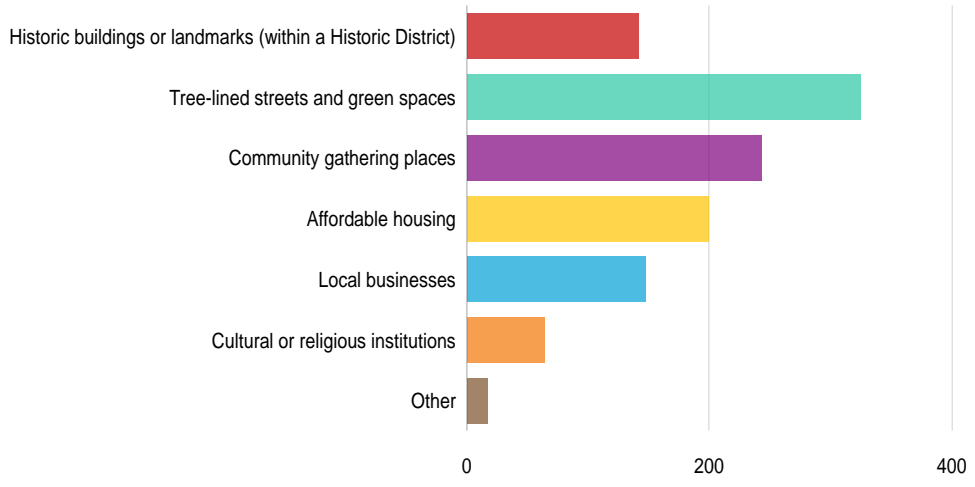


Local businesses 3.76% 0.37% 7.00% 0% 0% 0% 0%

Answered: 399 Skipped: 0

**Values and Priorities**

● **6. What features of New Town Columbia should be protected for the futur... \***



Answers	Count	Percentage
Historic buildings or landmarks (within a Historic District)	141	35.34%
Tree-lined streets and green spaces	324	81.2%
Community gathering places	243	60.9%
Affordable housing	199	49.87%
Local businesses	147	36.84%
Cultural or religious institutions	64	16.04%
Other	17	4.26%

Answered: 399 Skipped: 0

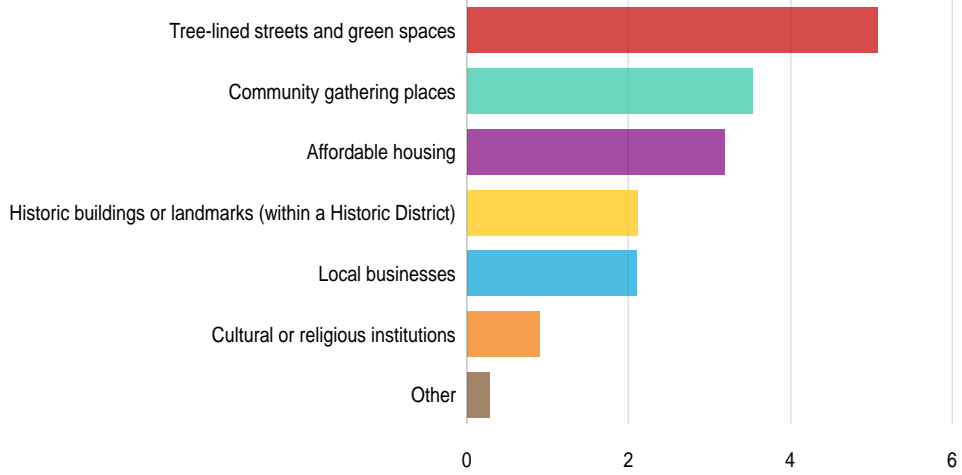
● Other response \*

The word cloud requires at least 20 answers to show.

Response	Count
Walking paths	1
walkability and bikability	1
The ten villages do not have equal percentages of low income thus WL and OM, with higher percentages create inequality. Why did that happen. Fix it.	1
Protect undeveloped areas to preserve the environment.	1
preservation of a variety of housing types at a variety of price points. We are allowing Columbia to become a wealthy enclave instead of a vibrant, integrated community.	1
Please stop concentrating poverty in Columbia	1
Open space ratios as required under Newtown zoning	1
mix of housing types and options	1
It is being close-minded that any of this is considered for not being protected.	1
eco system services	1
Dont increase density there without increasing in the rest of the county.	1
development of Town center	1
Density should remain at 2.5 units per acre.	1
Covenants and Land Use Ratios	1
CA Pathways and Trails	1
Access to the Downtown Columbia Lakefront for arts and culture events on the New Lakefront Stage. Construction projects at Sterrett Place and Wincopin Circle could eliminate parking and infrastructure space for large community arts events.	1
:Mowed lawn in open space for recreation.	1

Answered: 17 Skipped: 382

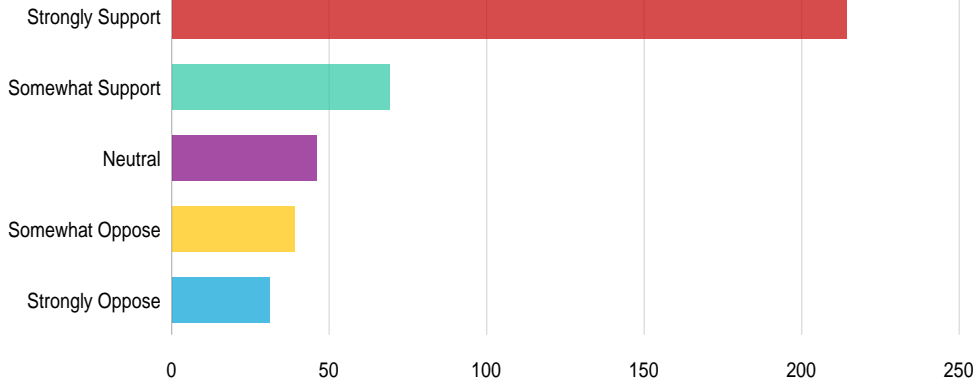
● Please rank your top three: \*



Rank	Answers	1	2	3	4	5	Average score
1	Tree-lined streets and green spaces	39.1% 156	23.81% 95	18.3% 73	0% 0	0% 0	5.08 0
2	Community gathering places	11.53% 46	25.81% 103	23.56% 94	0% 0	0% 0	3.53
3	Affordable housing	29.57% 118	10.28% 41	10.03% 40	0% 0	0% 0	3.19 0
4	Historic buildings or landmarks (within a Historic District)	8.27% 33	18.05% 72	9.02% 36	0% 0	0% 0	2.11
5	Local businesses	5.76% 23	14.04% 56	17.04% 68	0% 0	0% 0	2.10 0
6	Cultural or religious institutions	2.76% 11	4.01% 16	9.27% 37	0% 0	0% 0	0.90

Answered: 399 Skipped: 0

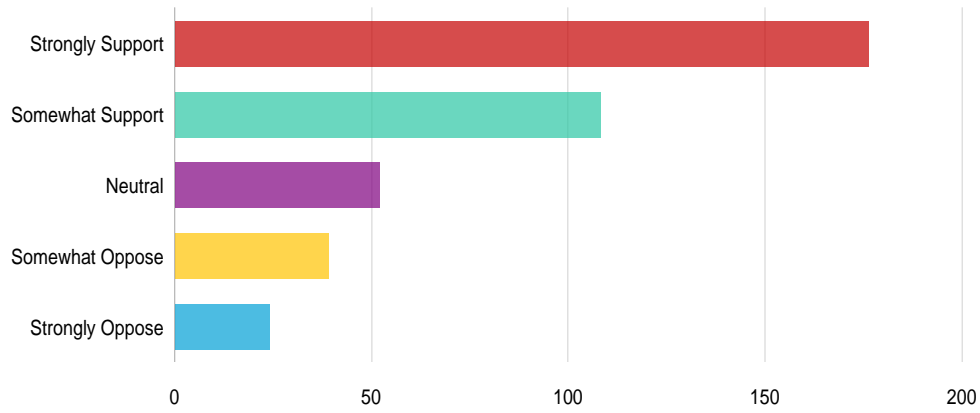
● 7. The most recently adopted County General Plan (2023) supports... \*



Answers	Count	Percentage
Strongly Support	214	53.63%
Somewhat Support	69	17.29%
Neutral	46	11.53%
Somewhat Oppose	39	9.77%
Strongly Oppose	31	7.77%

Answered: 399 Skipped: 0

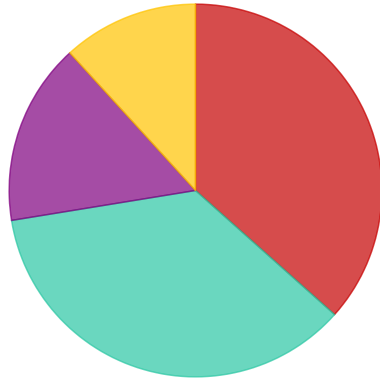
● 8. The most recently adopted County General Plan (2023) supports mixe... \*



Answers	Count	Percentage
Strongly Support	176	44.11%
Somewhat Support	108	27.07%
Neutral	52	13.03%
Somewhat Oppose	39	9.77%
Strongly Oppose	24	6.02%

Answered: 399 Skipped: 0

● 9. Which is most important to yo... \*



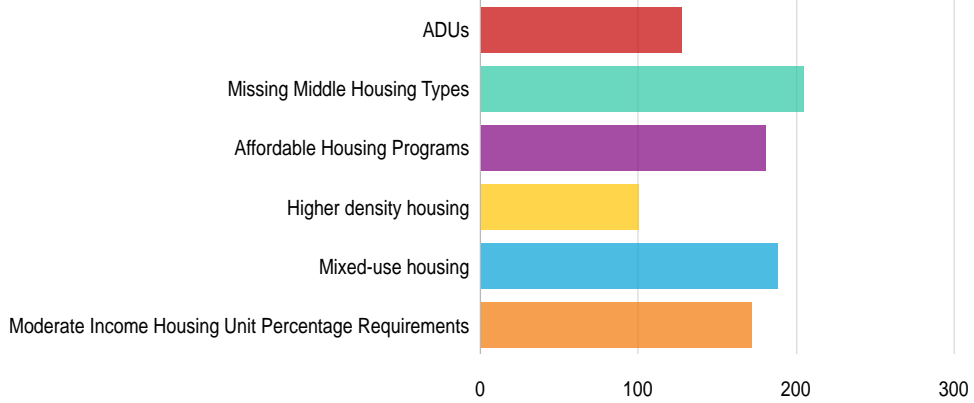
- Walkability/Bikeability
- All are equally important
- Parking availability
- Public transit access

Answers	Count	Percentage
Walkability/Bikeability	146	36.59%
All are equally important	143	35.84%
Parking availability	63	15.79%
Public transit access	47	11.78%

Answered: 399 Skipped: 0

### Impacts and Concerns

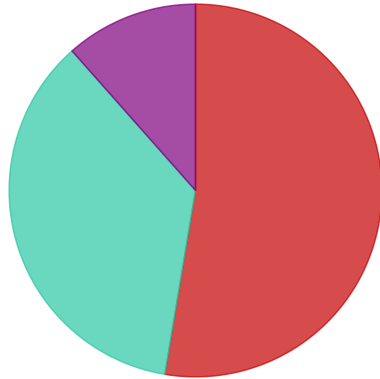
- 10. What are possible ways you see housing affordability in New Town Columbia... \*



Answers	Count	Percentage
ADUs	127	31.83%
Missing Middle Housing Types	204	51.13%
Affordable Housing Programs	180	45.11%
Higher density housing	100	25.06%
Mixed-use housing	188	47.12%
Moderate Income Housing Unit Percentage Requirements	171	42.86%

Answered: 399 Skipped: 0

- 11. Are there parts of New Town Columbia that you think would benefit... \*



- Not Sure
- Yes
- No

Answers	Count	Percentage
Not Sure	210	52.63%
Yes	143	35.84%
No	46	11.53%

Answered: 399 Skipped: 0

● 11a. Please Specify the area(s) that you think would benefit from redevelopment. \*



Response	Count
Village centers	11
Long Reach Village Center	7
Long Reach	4
Columbia Gateway	3
The mall	2
Gateway	2
x	1
Wilde Lake, Oakland Mills	1
Wilde Lake and Long Reach village areas	1
Wilde Lake	1
West Columbia needs more transit access and more affordable housing. It's all too concentrated in East Columbia and the excuse has always been that there's not good transit. I want more affordable housing -- but it needs to be mixed in, not concentrated!	1
We need to rethink our commercial (village) centers that are dying due to increased competition. We need to be careful in balancing quality of life with redevelopment though. We need a holistic view to what we decided to do.	1
Village centers; older apartment/condo communities	1
Village Centers, vacant or underutilized office parks	1
Village Centers, Dobbin, Gateway	1
village centers, big box shopping centers, single story flex-space areas	1
village centers!	1
Village Centers with generic tenants, architecture and high vacancies. Outdated rundown townhome, condo and apartment complexes.	1
Village centers should all be denser (like around the Mall / Wilde Lake)	1

Village Centers in Oakland Mills, Owen Brown and Long Reach, and the Gateway Center	1
Village and Neighborhood Centers are easy focal points for redevelopment	1
Village and neighborhood centers	1
vicinity of Oakland Mills Village Center	1
Updating village centers	1
Unused/vacant office space repurposed for low income housing like other major cities	1
Underutilized village centers	1
town center	1
The village centers, especially Harper's Choice, Hickory Ridge, Owen Brown and Oakland Mills	1
The village centers since they are somewhat outdated now	1
The mall. It should be a combination of housing, shopping, restaurants and entertainment with parking that does not sprawl	1
The mall.	1
The Lakefront! Needs to be more vibrant- natural epicenter of the community. Mall should be re-imagined!	1
The huge empty parking lot behind the gas station, and the adjacent low rise office buildings.	1
The area around Whole Foods - so car-focused!	1
Terrible apartments near 175 / Columbia Rd. Similar problem with apartments by library, Oakland Mills area and more. All this oozy manna, cheap housing brings crime and more voucher holders and then more crime.	1
Surrounding Columbias village centers	1
Stephen's Forest , most Village Centers	1
some of our village centers	1
Snowden River Parkway, Route 175	1
Single-floor, underutilized office parks, Village Centers, Downtown Columbia	1

Several of the Village centers, such as Long Reach, Hickory Ridge andHarper's Choice	1
Route1 Corridor/Long Reach/Gateway	1
river's edge	1
River Hill, Dorsey Search	1
River hill should have apartments and a mixed housing community like all of the other villages	1
RePurpose unused/under-used buildings. Stop building new ones.	1
Recapitalize the mall as mixed use and residential	1
Public transit as there is no access to that either except either Baltimore or DC	1
Phelps Luck, Longfellow, Bryant Woods, Gateway	1
Phelps luck	1
Owen Brown Village Center	1
One-story buildings on Hickory Ridge Road south of hospital could be redeveloped to multi-story.	1
OM and WL; need more people traffic in downtown	1
Older villages on East Side	1
Older villages and schools	1
Older villages and older village centers	1
Older villages - Wilde Lake, Oakland Mills, Long Reach, Harpers Choice	1
Older villages	1
Older village shopping centers	1
Older village centers	1
Older neighborhoods, village centers	1
Older centers	1
Older apartment complexes in Harper's Choice	1

Older Apartment Complexes	1
Oakland Mills, Long Reach, Harpers Choice, River Hill (there's no affordable housing there)	1
Oakland Mills, Harper's Choice, Fairway Hills, Columbia Mall, Village Centers	1
Oakland Mills Village Center	1
Oakland Mills Town Center	1
Oakland Mills and Owen Brown	1
Oakland mills	1
Maryland	1
Mall, village centers	1
Mall	1
Long Teach Village	1
Long Reach, Thunder Hill, Hickory Ridge	1
Long reach, oakland mills	1
Long Reach, Hickory Ridge	1
Long Reach Village Center. Oakland Mills Village Center.	1
Long Reach Village Center, Snowden River strip malls and huge parking lots	1
Long Reach Village Center, Oakland Mills Village Center, Wilde Lake Villaage Center	1
Long Reach Village Center, Merriweather (continue as planned), areas adjacent to Gateway	1
Long Reach Village Center, Columbia Gateway	1
Lakefront, Mall (remove parking), and Wilde Lake Village Center	1
Industrial parks	1
Hickory Ridge Village Center, Lakefront North, Gateway,	1
Hickory Ridge Village Center, but we don't need additional expensive rental units.	1

Hickory ridge village	1
Hickory Ridge and Harpers Choice Village Centers	1
Harper's Choice and Long Reach	1
Harpers Choice	1
Glen Meadows area.	1
Gateway, Snowden Corridor	1
Gateway, Snowden River, Route 1	1
Existing garden apartments in almost every village	1
Empty area on Sterrett place	1
East side & the Mall	1
Downtown Columbia	1
downtown	1
Connection of Oakland Mills village center to downtown Columbia. Separated by a highway.	1
Columbia has a lot of previously called Section 8 housing. I would like these neighborhoods to become more mixed use housing including missing middle housing..	1
Columbia gateway and Failing Village centers	1
Clarksville should not be just for the affluent.	1
Changing commercial buildings to housing	1
Cedar Lane and freetown road	1
Broken land parkway? gateway business area.	1
As agreed upon, selected areas already and add as needed	1
Areas with abandoned or decaying businesses or homes that can be reclaimed before breaking ground on pristine land. (This is happening on Cedar Lane. Well done)	1
Areas close to the mall, Banneker area	1

Area between Mall and Lake, Sterrett Place, Long Reach Village Center	1
Anywhere around Snowdon Parkway where it's too car-centric with big box stores.	1
all village centers would benefit from redevelopment, and all neighborhoods would benefit from ADUs, missing middle, and more inclusive housing options.	1
All village centers should be modernized to attract more/better businesses and to include mixed-income housing. Priorities: Long Reach, Kings Contrivance, Hickory Ridge, Oakland Mills, Owen Brown	1
All village centers	1
All Town Centers	1
All of the strip mall/shopping centers. They need wide sidewalks, bike lanes leading to them, and better overall incorporation into non-car travel. More bike racks. Stop making tiny pockets of neighborhoods that are surrounded by car-only infrastructure.	1
All of it. Please start development.	1
All of Columbia should be much more dense	1
All of Columbia	1
All	1
Aging condo and townhouse developments in the villages	1

Answered: 143 Skipped: 256

● 12. Are there parts of New Town Columbia you think should not be... \*



Response	Count
Village centers	4
open space	4
Green Spaces	4
Town Center	3
Green space	3
Symphony Woods	2
Parks	2
Mall Area	2
Wildlake	1
Wilde Lake village, most single-family home neighborhoods	1
Wilde Lake Village center is great.	1
Wilde Lake and Oakland Mills	1
Wilde Lake and Lakefront at Lake Kitt	1
Wilde Lake and Lake Kit	1
wilde lake	1
We need to ensure there is green space around development, and not just sidewalk strips and flower beds.	1
Village centers. Encourage small businesses to come back to the villages	1
Town Center, Kings Contrivance	1
Town Center, by the lake	1
town center is already overcrowded and more housing is not the answer.	1
Town center already is over crowded. if we add more housing, more traffic it will lose the reasons i moved here.	1

Town Center (Downtown especially) already has enough planned units to be built, so we don't need more. Better to repurpose the buildings that are already standing to include multipurpose use.	1
The two lakes with the parks around them	1
The parks, walking trails, and current open spaces	1
the mall - leave it alone, please.	1
The lakes	1
The Lake Kitt Lake Front , area around the Lake in Wilde Lake, and around Lake Elkhorn	1
The Banneker firehouse is a historic property. We should not remove every piece of the original Columbia.	1
The areas around Wilde Lake and Lake Elkhorn. Should remain low-density, single family residences.	1
The area around the mall. Snowden River Pway north of 175.	1
The area around Lake Kittamaquandi	1
Symphony woods, green spaces and pathway systems	1
Stop building on green spaces	1
Some villages have plenty of mixed housing like Oakland Mills, Wilde Lake, and Harpers choice. River Hill does not have the variety that older villages have.	1
Snowden River Pkwy	1
Snowden River parkway	1
single family sections	1
See above	1
Scenic roadway areas	1
River Hill,	1
River Hill	1
Residential areas and open space	1
Reduction of green space to build mix-use development.	1

Please preserve our lakes	1
Pathways and green spaces would be ideal if they weren't encroached upon	1
Paths and lakes	1
open spaces near the lakes. Places managed by CA open space open space.	1
Open space, parks and paths	1
Open space owned and maintained by Columbia Association	1
Older residential areas with distinctive character.	1
Nothing if not done for the county as a whole. Why shouldn't the rest of the county have access to greater density and adds, etc.	1
Not jamming in more townhouses and apartments, build some single story detached homes for seniors in the price range of about \$500K.	1
No new multi-million dollar library.	1
no more medical buildings and stop the monster library	1
No more building at Lake Kit, downtown Columbia.	1
No ADU's within two miles of Downtown.	1
Much of the open/green space that currently exists	1
Most Village Centers (except for Long Reach), the Lakefront, existing neighborhoods of detached single-family homes	1
Most of the residential areas, although there are old garden apartments that could be rebuilt to add affordability.	1
Most of the local "lakes" already have much residential development around them. While some projects may need to be torn down and something else put in their place, I would not favor higher buildings or greatly increased density on their shores.	1
Most of it	1
Most of Columbia was built this way on purpose and should not become a busy city	1

Most areas of NT already developed with privately-owned housing on residential streets so redevelopment of that is up to property owners. There should be more flexibility to add ADUs	1
Merriweather, open spaces, pathways	1
merriweather	1
Maintain green space around merriwether. It has been greatly reduced over the past few years.	1
low density neighborhoods	1
Limit amount of housing & business ... do we really need coffee shop/fast food at every corner.	1
Lakeside areas	1
Lakes and green spaces and multi-use trails	1
Lakefront areas	1
Lakefront and its pathway should be preserved	1
lakefront	1
Lake Kid	1
Lake area	1
Keep the lake and enhance adjacent lake-oriented amenities.	1
Keep natural woods and habitats!	1
I think Town Center is good as it is.	1
I really like where I live. Good mix of outdoors and buildings	1
I do not want low- or middle-density areas to be "redeveloped" in order to create more density or more commercial use.	1
Huntington East is such a confined area that there's little room for additional housing.	1
Hobbits Glen, where newer businesses just went in	1
Hickory Ridge Village Center. Do not turn this into another Wilde Lake. Do not have schools or traffic controls to support.	1
Hickory Ridge village center area. Would like to see businesses come back that were driven away	1

Hickory Ridge Village Center	1
Hickory Ridge already has a wide variety of housing types: Section 8, apartments, town houses, single family. Leave it alone now. It is becoming overly congested with hospital, community, college, high density housing. Develop elsewhere.	1
Harpers Choice	1
Hard to say. Only in the area for 2 years but don't just build on small plots such as done on corner of Cedar Ln and Freetown Rd.	1
green spaces, trails.	1
Green spaces around the lakes need to be preserved. It has been incredibly sad and disappointed seeing all the green spaces destroyed and replaced by tall buildings around merriweather. I'd hate to see that happen to other green spaces.	1
Green spaces and bike pathway systems	1
green space/open space; changing housing zoning from single to multiple unit homes	1
Green space.	1
Green space should remain green space.	1
Green Space and walking trails	1
Green Space / Walking trails	1
Frontage on lakes	1
Existing village residential	1
Existing residential streets.	1
Existing open and green spaces.	1
existing green spaces	1
Excess parking, Older Lake House units	1
Everywhere is becoming too developed!	1
Established neighborhoods.	1

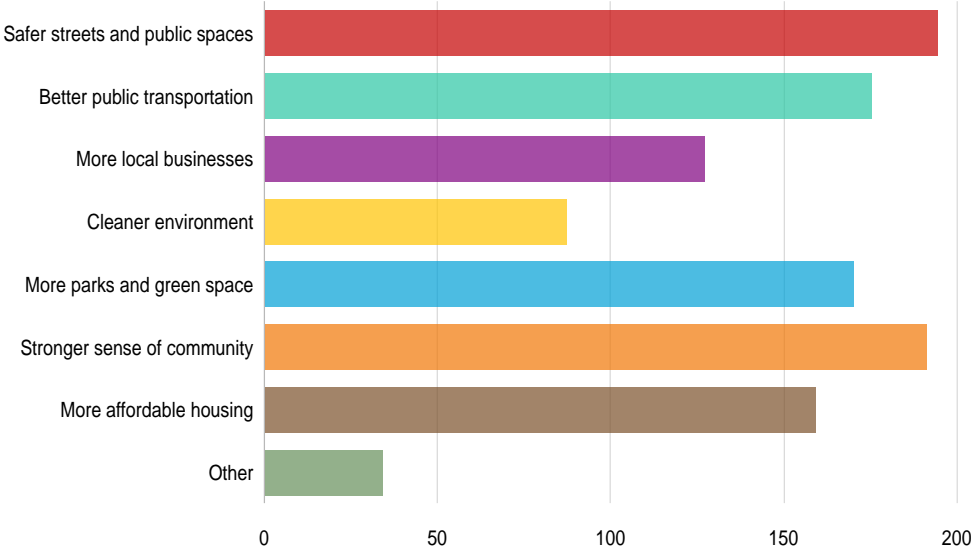
Entire parcel. Put effort into making the existing community work as planned.	1
downtown, WL	1
Downtown lakefront	1
Downtown is becoming increasingly congested. Improve transportation congestion and provide interconnected public transportation	1
Downtown	1
Dorsey's Search, River Hill, Town Center	1
Developed residential areas like my neighborhood	1
current residential housing areas and green spaces - do not take away green space!	1
Current green spaces	1
Colorburst park is amazing	1
Clemens crossing. Kings contrivance	1
Certain green spaces and open spaces	1
Bike paths, open space, neighborhoods with mix of housing types, lakes,	1
Banneker Fire Station Historic Bldg. (1st Fire Station & Gehry Architecture)	1
Around the lakes	1
Around Lake Kitamaquandi	1
Areas near existing homes	1
Areas around lakes and ponds such as Lake Elkhorn, Sewell Pond, Jackson Pond and Wilde Lake	1
Areas around lakes and parks	1
Anything that is privately owned	1
Anything around Middle Patuxent Environmental Area	1
Any open space should be kept as open space	1
Any of the lake areas	1

Along the lakes' and its surrounding woodlands. Ezisting woodlots greater than a few acres. Woodlands that provide connected corridors for wildlife and attracting birds.	1
All the areas where poverty is already concentrated	1
All of them	1
All of the lakes, existing bike lanes, multi-use paths.	1
All of NT zoned property.	1
All of it. Columbia should not allow the development of unbroken ground, village centers, or forests and floodplains/riparian zones	1
All	1

Answered: 150 Skipped: 249

**Vision for the Future**

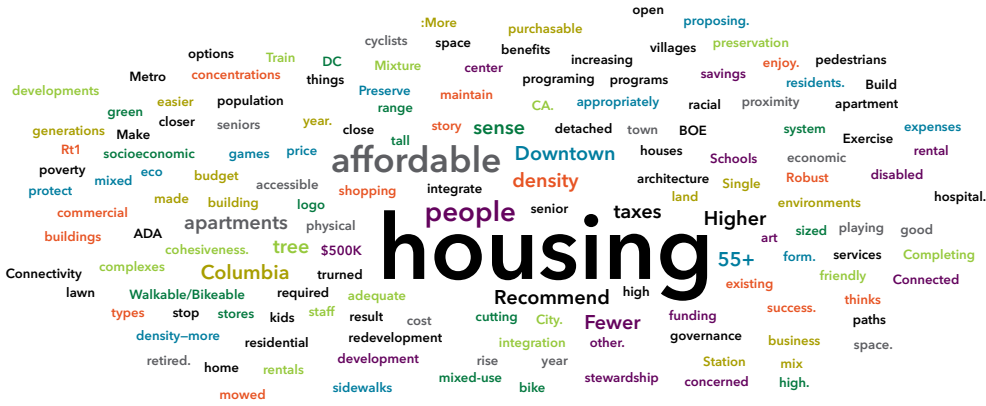
● 13. Imagine the New Town Zoning District area 20 years from now, what would mak... \*



Answers	Count	Percentage
Safer streets and public spaces	194	48.62%
Better public transportation	175	43.86%
More local businesses	127	31.83%
Cleaner environment	87	21.8%
More parks and green space	170	42.61%
Stronger sense of community	191	47.87%
More affordable housing	159	39.85%
Other	34	8.52%

Answered: 399 Skipped: 0

● Other response \*



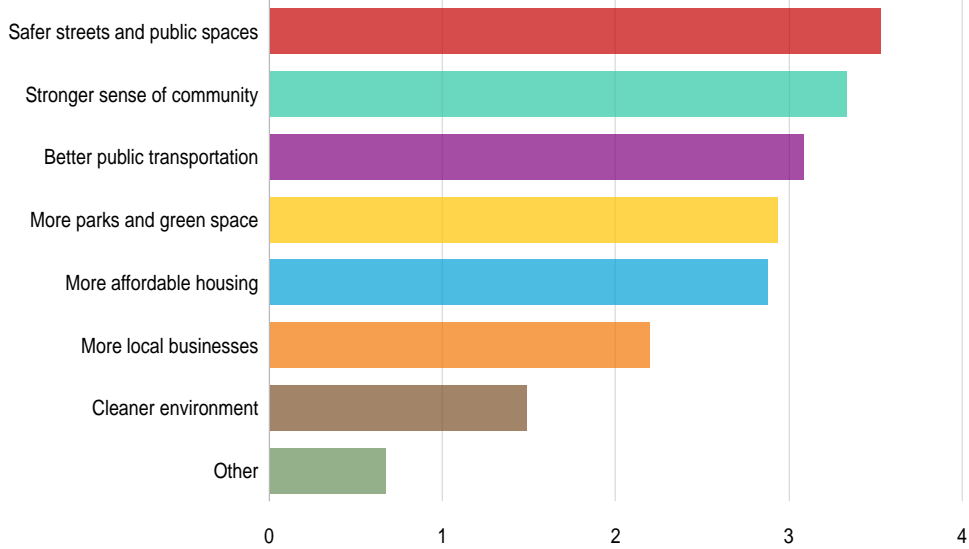
Response	Count
Walkable/Bikeable	1

The downtown architecture has no sense of cohesiveness. Recommend that every building, existing and new, be required to integrate a sense of the people tree either physical or art form. Recommend that the people tree logo be turned over to CA.	1
Single story detached houses for seniors that are in the \$500K price range	1
senior friendly environments with housing and shopping close and ADA accessible	1
Schools appropriately sized for the population with an adequate budget to maintain programing without the BOE playing funding games and cutting programs and staff every year.	1
Robust governance	1
redevelopment of town center	1
Preserve the socioeconomic and racial integration that first made columbia a success.	1
More things to do for kids	1
More housing that's affordable	1
More economic development	1
more eco system services	1
more density	1
Mixture of land uses, namely commercial and residential, in closer proximity to each other.	1
mixed use housing with stores below and housing above	1
Make Columbia a City. It is easier than everyone thinks and would result in more benefits and cost savings to residents.	1
Less tall apartment complexes and business buildings	1
Less people, stop increasing taxes every year	1
Housing for the disabled	1
Higher density—more apartments and mixed-use housing	1
Higher density in the villages	1
Fewer new rentals and more purchasable housing	1

Fewer concentrations of poverty	1
Exercise good stewardship to protect our green space preservation for generations to enjoy. Build affordable housing to own than high rise rental apartments as you are proposing.	1
DC Metro Train Station near Rt1	1
Connectivity for pedestrians and cyclists,	1
Connected sidewalks and bike paths	1
Completing Downtown	1
Better mix of housing types and options	1
Being able to keep my home once retired. I'm concerned the taxes and expenses will be too high.	1
Another hospital.	1
Affordable 55+ housing	1
55+ affordable housing developments	1
:More mowed lawn in open space.	1

Answered: 34 Skipped: 365

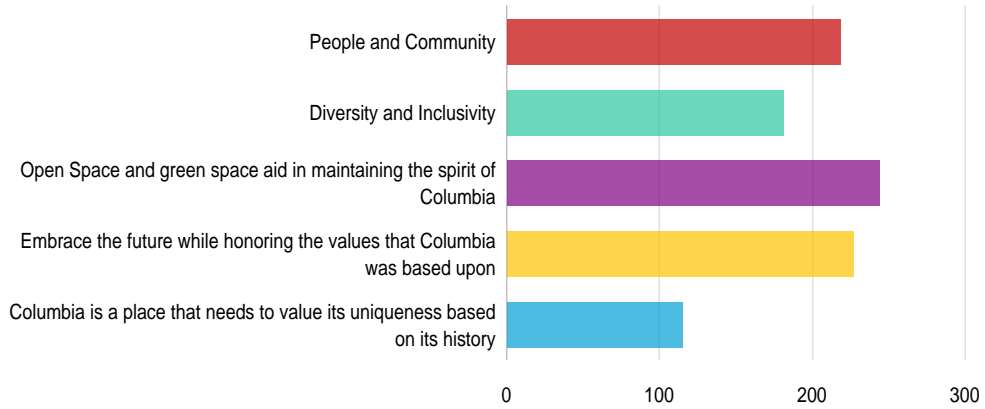
● Please rank your top three: \*



Rank	Answers	1	2	3	4	5	Average score	
1	Safer streets and public spaces	23.56% 94	13.53% 54	11.53% 46	0% 0	0% 0	0% 0	3.52 0
2	Stronger sense of community	14.29% 57	17.04% 68	16.54% 66	0% 0	0% 0	0	3.33
3	Better public transportation	12.78% 51	19.05% 76	12.03% 48	0% 0	0% 0	0% 0	3.08 0
4	More parks and green space	11.53% 46	14.54% 58	16.54% 66	0% 0	0% 0	0	2.93
5	More affordable housing	19.3% 77	9.52% 38	11.03% 44	0% 0	0% 0	0% 0	2.87 0
6	More local businesses	7.77% 31	12.53% 50	11.53% 46	0% 0	0% 0	0	2.19

Answered: 399 Skipped: 0

● 14. Which phrases best identify your vision for the New Town Zoning District area 2... \*



Answers	Count	Percentage
People and Community	218	54.64%
Diversity and Inclusivity	181	45.36%
Open Space and green space aid in maintaining the spirit of Columbia	244	61.15%
Embrace the future while honoring the values that Columbia was based upon	227	56.89%
Columbia is a place that needs to value its uniqueness based on its history	115	28.82%

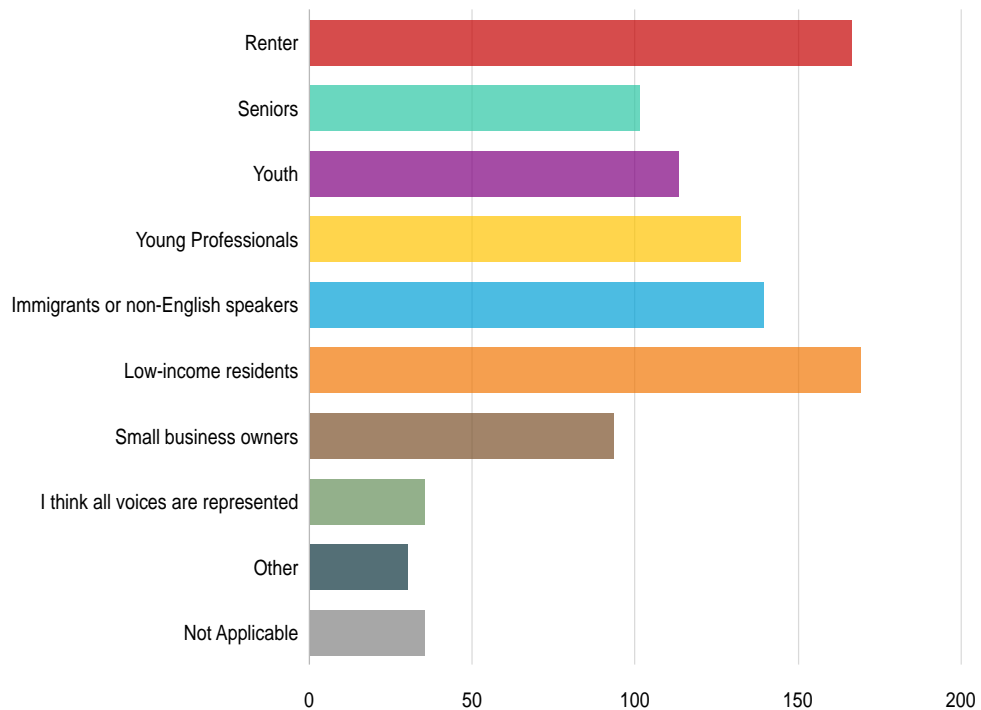
Answered: 399 Skipped: 0

● **Other response** \*

There are no answers to this question yet.

**Additional Input**

● **15. Whose voices do you think are missing from zoning discussion...**



Answers	Count	Percentage
Renters	166	41.6%
Seniors	101	25.31%
Youth	113	28.32%
Young Professionals	132	33.08%
Immigrants or non-English speakers	139	34.84%
Low-income residents	169	42.36%
Small business owners	93	23.31%
I think all voices are represented	35	8.77%
Other	30	7.52%



Long time residents and people who helped create the concept of Columbia, is this what Rouse had in mind?	1
Long time residents	1
Long term home owners	1
LGBT community members	1
ldk	1
I really don't know as I am not part of this zoning discussion	1
I have no idea.	1
I don't know, but I strongly suspect Low Income Residents' voices are not as well heard as everyone else.	1
I don't know who does not or cannot participate. Find out.	1
I cannot say from this survey who has been seated at the table.	1
Howard County residents who don't live in Columbia. We pay and have no say.	1
Homeowners	1
HCPSS, parents in over crowded schools	1
Families with children	1
Environmentalists	1
Don't know	1
Developers outside of Columbia for feasibility and reality of outcomes that may result from proposals to change the code.	1
Busy families! The bread & butter of Columbia	1
Black/African Americans newer to the county (less than 15 years here)	1

Answered: 30 Skipped: 369

● 15a. Do you have any suggestions for how we can best reach out to these groups?



Response	Count
no	7
Na	2
N/A	2
Door to door	2
Young Professionals and Small business owners thru the Chamber of Commerce, youth thru schools.	1
Yes. Go to social media and target them.	1
Work through the nonprofit, business and social organizations that serve or engage with these constituencies.	1
Well... you should know!	1
Well publicized community town hall out reach, public announcements letter to residents of Columbia and county residents	1
Via HoCo gov	1
Utilize the myriad of relationships that have been developed with 501 C3 organizations through Leadership Howard County.	1
Use the local village center, reach out to Non Profits like The Village In Howard	1

Use the 50 + centers	1
Use both social media and town hall discussions.	1
Update the village centers so they are relevant to this demographic. Cookie cutter aesthetic & chains are boring.	1
translators available to make immigrants' voices heard	1
Town halls and targeted group surveys	1
Town Hall meetings with young people during school hours in schools within the zoning boundaries. Reaching out to community leaders within low-income/non-English speaking communities. Town Halls in buildings/centers where young professionals are living.	1
Tour local businesses and have conversations. Record their feedback	1
Through village offices and local church/religious organizations	1
Through schools and HCC	1
Through HCC, property managers, employers	1
Talk to students at HCC	1
Take the message to them	1
Tabling/outreach at Columbia Association events	1
Stop concentrating poverty in the same places	1
Spread messaging via Howard Community College, high schools, and organizations that provide services to low-income residents (such as Columbia Community Cares)	1
Speak to users of Senior centers	1
Some Villages have renters mailing addresses. Work through Village managers who have more contacts.	1
Social media, senior centers, local organizations	1
Social media, boots on the ground (tables outside starbucks, etc to find out what people need), talk with HoCo workers (literally government employees, firefighters, teachers, etc to find out what they need...they cannot afford to live in this county)	1

social media that meets them where they are	1
Social media outreach may be helpful to engage younger people, multilingual advertising in buses might be useful for engaging lower-income and ESL residents.	1
Social media groups	1
Social Media Blast, WTOP	1
Social media and through public schools.	1
Social media & local business associations	1
Social media	1
Snail mail notifications	1
Seniors via the Senior Centers and local churches. Low Income via Social Workers or any school or interaction they would have with a landlord or other government entity.	1
Seniors are a hard group to reach Most do not travel at night only some use computers for any kind of digital connection	1
Send this survey out by all means possible including a direct mailing to every address and including it in water/sewer bills, advertise the survey on TV and the radio	1
Schools, multi-lingual emails	1
Schools - PTAs, health department, The Village in Howard County and 50+ Centers	1
Schedule a meeting	1
Renters and low-income residents is easy: Reach out at apartment complexes and through CAC who help with S8 rental assistance and other benefits. Young professionals: reach out on social media, like Reddit and Instagram.	1
reach out to PTAs and have them survey their members asking for their childs input	1
Reach out to colleges & chamber pf commerce	1
Public outreach. Community is important.	1
Provide free childcare at events	1
presentations in communities timed for participants schedules.	1

Physically going and knocking on doors, educating with items that residents can reach out to for comment	1
Perhaps working with area non-profits that serve low income residents	1
Pass out flyers to businesses around the area	1
Partnerships with churches like Union Church.	1
Partnerships	1
Participate in young professional networking events, attend Chamber of Commerce events, and touch base with immigration advocacy groups.	1
Paid focus groups targeting these individuals, with childcare options if not virtual events.	1
Outreach in native languages	1
Online/social media open-ended questions	1
Not at this time	1
NO	1
More property tax reduction to seniors with medium income as well as now income seniors	1
More press about this	1
More presentations explained in venues that seniors spend time at, libraries, senior centers, grocery stores.	1
More effective communication.	1
More social media campaigns	1
Monthly meeting at community centers & show in Howard County Tv. Discuss 1 topic paper 2 hr session...	1
Meetings on non work and school days	1
meetings at the village level	1
Meet with renters where they live. and have an event for younger people that will offer them something	1

Meet them where they are- social media, flyers, what's app, translators, library...	1
Meet them where they are and help people to understand the bigger picture	1
Meet them where they are - not sure exactly how though!	1
Meet them where they are - at the mall, houses of worship, at HCC, at housing complexes	1
Meet residents in public spaces	1
Make them stakeholders in the plan. When people have a stake in something they do and participate more. I am a small business owner. What are you doing to make me a stakeholder in these plans?	1
Make sure those who stand to make a large profit from new zoning don't drown out community voices. Remember who are the paid voices.	1
Mailing to nonprofits; ask HS student government to get involved; Have a few sessions at popular places just after work lets out.	1
Mailers, community meetings, respond to input with changes in plans	1
Mailers to the apartment buildings, signs in the around or within the apartment buildings. Recommend reaching out to the management to maybe have a community meeting.	1
Mailers	1
Mail surveys	1
Looking at the population of immigrants and non-English speaking to identify where they gather for their community and ensure documents in their native language are available at those places and on the website.	1
local government staff and electeds outreach in person, online and social media	1
local and national news outlets and groups like ULI (Urban Land Institute)	1
invite them to luncheons	1
In-person events, block party, discussion panels, rent parties, etc.	1
Include us in the planning	1
immigrant cultural associations, hold meetings at apartment complexes, go to local restaurants & bars	1
I think you just need to focus heavily on affordability even if that makes current residents unhappy	1

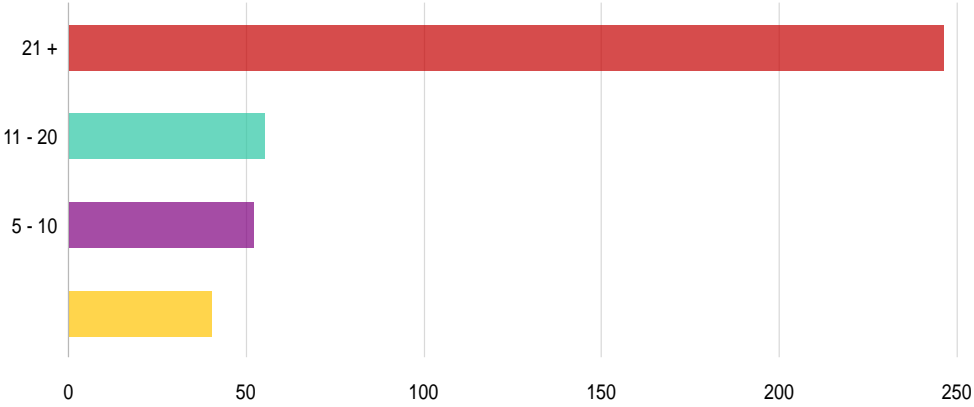
I don't have any good suggestions. But I think often input is heavily given by those who don't have work and obligations with small children.	1
I believe it is more an issue of businesses and development companies having an outsized voice in zoning discussions.	1
How to get the VC owners (ie Kimco) to achieve full occupancy.	1
Hold on site meetings not at George Howard	1
Hold events that allow for candid conversations	1
HOA groups	1
hcc, columbia md social group, omnihedral all have youth connections. You should reach out to daycares to hear from parents of young children. Ask APL , the hospital, school system, and other larger county employers to connect with their affinity groups	1
have representatives from your zoning group reach out specifically to groups who meet here like Interfaith Refugee Ministry, the HOCO biking group, etc.	1
Grab a clip board and go door to door	1
Go to where they live	1
Go to where they are. For instance, set up a table in apartment buildings	1
Go to them, meet in their communities, speak their language.	1
Go to them with trusted allies from each group. Please define terms like ADUs in a survey like this!	1
Go to their business and apts	1
Go to the various nearby apartment buildings and hold meetings rather than making them come to you	1
go to the Small business professional associations	1
Go to the apartment complexes. Go door to door.	1
Go to apartment communities, meet apartment managers and ask for their help, or go through existing agencies or nonprofits with connections to these communities.	1

Go into schools and ask the kids what they want to do in their free time. They need locations to go and play/spend time that don't require a car to get there, and are not expensive to be at. Low-income residents can be reached via door-to-door flyers.	1
Go back to reaching out to people by mail. Not just online.	1
Focus on the core of Columbia and communities. Many long time residents feel left out--much like the rest of the country. Realize there ARE conservatives in the county.	1
Farmers Markets and similar events	1
Explain why they should care, hold meetings virtually	1
Engage renters, non-English, and low-income residents in surveys, meetings, and discussions. I cannot speak for the latter two, but renters seem to have little say in improving rental life and perhaps building residents could build forums to raise issues.	1
Engage Columbia Social leaders, a community of over 1000 central MD young professionals who are 20s-30s	1
Engage better with local HOAs	1
Email them	1
Don't selectively listen to/cater to the affluent.	1
Do more in Spanish	1
Coordinate with apartment building management to advertise	1
contact the small business owners and get their input. they take a risk starting a business in Columbia and many have given up	1
Contact the groups who serve those populations and engage them in ways that work for them (for example, providing child care, translators, meals).	1
Connect and survey these businesses	1
Community meetings, webinars, perhaps direct mail	1
Community meetings and outreach	1
Community centers, religious institutions, after school programs, Columbia Mall, libraries	1
Columbia newsletter	1

Churches for immigrants as well as cultural associations. Low income folks via our Dept of Housing. Renters by contacting every HOA to distribute leaflets.	1
Chamber of Commerce and industry associations	1
Canvas, putting information in the businesses they frequent, host social events that welcomed them	1
call them	1
Better marketing of opportunities , everyone doesn't get the Ball Bulletin.	1
Be out in the community more.	1
Attend local places of worship, grocery shopping and schools.	1
Announced meetings with each of these groups.	1
All Social Media / Senior & Church Groups / Associations	1
Advocacy groups, schools, churches	1
A community paper-local news is almost non-existent with the loss of The Columbia Flier. Citizens are poorly informed.	1

Answered: 148 Skipped: 251

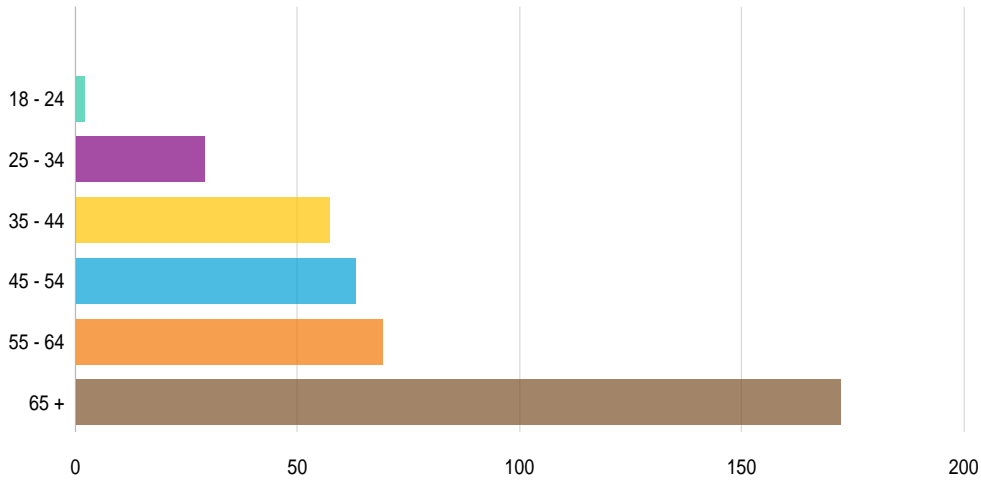
● 16. How many years have you lived in the County?



Answers	Count	Percentage
21 +	246	61.65%
11 - 20	55	13.78%
5 - 10	52	13.03%

Answered: 393 Skipped: 6

● 17. Please select your age



Answers	Count	Percentage
18 - 24	2	0.5%
25 - 34	29	7.27%
35 - 44	57	14.29%
45 - 54	63	15.79%
55 - 64	69	17.29%
65 +	172	43.11%

Answered: 392 Skipped: 7



## Oakland Mills Community Association

The Other Barn | 5851 Robert Oliver Place

Columbia, MD 21045

410-730-4610 | oaklandmills.org

December 18, 2025

The Oakland Mills Village Board and cOMMunity have great interest in the Department of Planning and Zoning's NT Zoning evaluation with the NT Task Force. We realize that Columbia is 58 years old, and a review of NT zoning's viability for the next 20-30 years is warranted.

### **New Town Zoning - NT**

NT zoning has been extremely successful. It was the tool that the Rouse Company used to realize James Rouse's vision.

James Rouse established **four key goals for Columbia**:

- **Build a complete city:** Rouse aimed to create a comprehensive urban environment that would serve the needs of its residents.
- **Respect the land:** Rouse emphasized the importance of preserving natural resources and the environment.
- **Provide for the growth of people:** Rouse sought to foster the development and growth of the community.
- **Make a profit:** Although not the primary goal, Rouse also aimed to generate economic returns from the development.

**Sources:** Columbiamaryland.org, Preservationmaryland.org, and Columbia Association.

The Rouse Company created the unincorporated city of Columbia and used New Town zoning with the covenants to guide development. That process delivered one of the best places to live in the United States as rated by U.S. News, Money Magazine, Sperling's Best Places, Niche.com and Livability.

If changes to NT zoning and the covenants are desired, how easily can they be amended? According to a presentation to the Columbia Association Board in 2023 by one of the original Rouse Company lawyers, the covenants and NT zoning are almost impossible to change. Rouse designed it that way to preserve the integrity of Columbia. The Columbia Association legal counsel noted the same point in a presentation to Village Board Chairs, Vice-Chairs and Village Managers earlier this year.

Our Board realizes that some changes would be good. Approximately ten years ago each Columbia village created its Village Center Community Plan that would guide any future redevelopment of the Village Center area within the context of NT zoning. Oakland Mills VCCP calls for more upscale owner-occupied housing if any can be added. The VCCP is filed with the Department of Planning and Zoning.



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NEWS

# Zoning for equity: raising all boats

By Smart Growth America, March 21, 2019



Sundance Square in downtown Fort Worth, TX, which was developed under form-based standards. Image: Randy Hutcheson.



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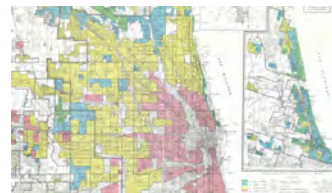
primarily in whiter, wealthier neighborhoods. The divide between these two residential zones often closely mirrors the **redlining maps** of old that—along with other insidious tools like racial covenants—directed investment away from low-income and minority neighborhoods and were used to keep African Americans and other people of color out of white communities.

Chicago isn't unique in this regard; zoning in many communities continues to keep people of color out of white neighborhoods while concentrating poverty in select zip codes, even if that's not the intent. But instead of being a tool for segregation, if done right, zoning can be a tool for creating more equitable, just communities.

## From separation to integration

Form-based codes present a particularly promising strategy when confronting segregation. From the very start, this type of zoning uses an exhaustive community visioning process to inform the physical character and design of a community. And rather than separating housing from jobs and services, form-based codes encourage a mix of uses—and a greater **diversity of housing types**—which can dramatically cut transportation costs by allowing people to live closer to where they need to go.

If crafted thoughtfully, zoning reform can address ingrained inequities, especially when paired with other equity-driven initiatives for developing/preserving affordable housing, preventing displacement, and supporting small businesses.



A "residential security" (i.e. redlining) map of Chicago. Red areas were considered "hazardous," yellow "definitely declining," blue "still desirable," and green "best." Image: Mapping Inequality



Here are the main categories where we are seeing communities employ form-based codes to improve equity across the country:

- Community benefit program:** Allowing taller buildings or more housing units in exchange for a certain "community benefit" is one way to encourage developers to include important resources or features in their projects. New Rochelle, NY's form-based code offers developers up to four additional floors if projects include greater energy efficiency, attainable space for low-income artists, historic preservation, affordable housing, or certain community facilities. Developers can alternatively pay into a community benefit fund that supports workforce training, job placement services, and relocation assistance for residents and businesses.
- Affordable housing requirements:** Some form-based codes require developers to provide a minimum amount of affordable units for low- and moderate-income residents. This provision is often adopted along with other complimentary affordable housing programs in places like Columbia Pike in Arlington County, VA where 20–30 percent of net new units must remain affordable for 30 years to households earning up to 60 percent of the area median income.



The Arlington Mill Residences on Columbia Pike is a four-story, 122-unit complex that is 100 percent affordable (for 60 percent AMI). It includes 98 two- and three-bedroom units to support larger families and 13 units designated for formerly homeless individuals and families. Image: staff photo.

- Small business sensitivity:** Zoning regulations for commercial development can be designed to support small or minority-owned businesses and help retain local workers. Winoski, VT's form-based code permits smaller-than-usual business frontages to enable affordable space for immigrant-owned restaurants.
- Approval priority:** Expedited approval and reduced review fees are being used to reward projects that include affordable or workforce housing under Bradenton, FL's form-based code.
- Conservation strategy:** The form-based code for Columbia Pike in Arlington County, VA also includes a transfer of development rights and conservation area standards to protect sensitive properties and preserve existing affordable housing units.
- Expanding housing choice by regulating form, not density:** Form-based codes enable an array of building types that fill the void of missing middle housing—things like cottage apartments, bungalow courts, and triplexes—that can create smaller-sized and more affordable dwelling units. Fort Worth, TX, for example, permits accessory dwelling units by right without restricting size in its Near Southside form-based code and Hartford, CT's form-based code allows for stacked flats and row buildings in most neighborhood districts. And when communities open up formerly exclusive, single-family areas to these types of housing, a wider array of people can live in them. And with more people—and the more walkable street grids that form-based codes promote—these neighborhoods can better support and be served by public transportation.



Hartford's zoning regulations include a description of various building types with local examples, as seen above for the "Row Building Type." Image: City of Hartford.

- Adjusting parking requirements:** High minimum parking requirements typically require developers to construct expensive parking, the cost of which gets passed onto renters (whether they own a car or not) through higher rents. Reducing or eliminating these costly requirements around transit stops, in walkable neighborhoods, or on properties with affordable housing can improve affordability. A citywide form-based code for Miami, FL makes gentle density and missing middle housing more economically viable by eliminating parking requirements in urban neighborhoods. Alternatively, cities like Seattle require developers to "unbundle" parking cost from housing costs, so that only those who need parking are required to pay.



2/19/26, 8:20 AM

## Zoning for equity: raising all boats - Smart Growth America

Most of these examples of more equitable zoning strategies revolve around increasing affordability—a first essential step toward desegregation and shared prosperity. Other strategies like improving access to public services and a more equitable distribution of public infrastructure investments must also be addressed to develop a truly equitable community.

Here are Smart Growth America, our motto—improving lives by improving communities—refers to all lives. While zoning has historically been a tool for separating people, it can be used to raise all boats in the community, regardless of a person's age, race, ability, gender, or income. Zoning reform won't create an equitable city by itself, but communities across the nation are using it as a crucial tool to remedy past wrongs and open up additional policy options for a more equitable future.

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3/4

ROYAL FARMS – SNOWDEN RIVER PARKWAY  
CIRCUMVENTING THE RULES

**Executive Summary:**

By reviewing various documents, including the New Town District Memorandum and Order, 2030 Howard County General Plan, Planning and Zoning Regulations, FDP's, Department of Planning and Zoning Communications, Deeds and Covenants it is clear that a retail gasoline station is not permitted under the current regulations and that the Petitioner is trying to circumvent these regulations. The correct process is for the Petitioner to Amend the FDP.

The Columbia Association has the authority and responsibility to ensure that the correct process is followed.

The pages that follow enumerate 18 specific points that we believe support this conclusion. For each point, the rule or regulation is referenced, followed by the specific documentation that supports each rule or regulation, and the resulting impact/requirement that each point stipulates.

After reviewing this package, we believe that no other conclusion can be reached - that the petitioner in this case must be required to follow established procedures and requirements in order to gain approval for their proposal.

We believe that the Columbia Association has the authority and responsibility to require the property owner to pursue their application only by following established procedures and regulations.

**Fact #1:**

In order to rely on the zoning an FDP is recorded on the land records and can only be amended by the County Council/Zoning Board:

**Supporting Documentation:**

**Howard County Zoning Regulations— New Town (NT) Section 125 D. 6.**

6. Upon approval of the Final Development Plan or Final Development Plan Amendment (or upon the approval of each phase thereof if submitted on a separate segment basis) the same shall be recorded among the Land Records of Howard County and the provisions thereof as to land use shall bind the property covered with the full force and effect of specific Zoning Regulations. After such recordation, no new structure shall be built, no new additions to existing structures made, and no change in primary use effected different from that permitted in the Final Development Plan or Final Development Plan Amendment except by an amendment to the Final Development Plan.

**Impact:**

**The property owner must amend the FDP to comply with the regulations.**

**Fact #2:**

A gas station must be specifically sited on an FDP, pursuant to The Howard County Planning Board Policy Concerning Final Development Plan Phase Criteria, adopted 1/17/79:

**Supporting Documentation:**

**Specific Language:**

'2. Specific uses permitted under the FDP Phase Criteria recorded prior to October 3, 1977, in the Land Records of Howard County, whether listed by name or by referenced section of the Zoning Regulations, which are only permitted as a Special Exception under the 1961 Zoning Regulations of Howard County outside of the New Town District, shall require Planning Board approval of the location of said uses except where a singular use has been assigned to a specific parcel under a recorded FDP Phase Criteria. In these matters the Planning Board of Howard County may refer to the specific considerations set forth under Section 19 of the Howard County Zoning Regulations (adopted May 16, 1961) "Special Exceptions," for the evaluation and approval of applicable uses.' (Emphasis added)

**Impact:**

**The property owner must amend the FDP to comply with the policy.**

**Fact #3:**

Special Site Criteria are required for all gas stations in New Town pursuant to the 1979 Planning Board policy.

**Supporting Documentation:**

Below is an example of Special Site Criteria for a gas station in New Town (FDP 118):

*Special Site Criteria For Gasoline Stations  
(Parcel A-32)*

- A. *PARCEL SIZE: The minimum parcel size which shall be used for a gasoline service station site shall be one (1) acre, provided that this size is adequate to satisfy the necessary service, setback, and buffering requirements.*
- B. *PARCEL FRONTAGE: A minimum frontage of one-hundred fifty (150) feet on a public road shall be required for any site used for a gasoline service station.*
- C. *ACCESS: Access points and driveways shall be so located and designed as to ensure safe, efficient movement of traffic onto and off of the site from the lane of traffic nearest to the curb and relating to traffic passing the site. The paved areas onsite shall provide for safe movement of vehicles and pedestrians. The location, design, and construction of all driveways shall conform to the applicable County and/or State standards and specifications.*
- D. *SETBACKS:*
  - (1) *A minimum fifty (50) feet shall be required between the public right-of-way and any building on the site.*
  - (2) *Adjacent to residential land uses the building setback line shall be one-hundred (100) feet from the adjacent residential property line.*
  - (3) *Parking and storage areas shall not be permitted within ten (10) feet of any property line nor within fifteen (15) feet of an adjacent residential property line.*
- E. *BUILDINGS:*
  - 1. *The main building, the pump island, and any ancillary buildings shall be harmonious in design with adjacent development and appropriate to the character of the neighborhood.*
  - 2. *Provision shall be made for restroom facilities for use by the public.*
  - 3. *Materials, textures, and colors shall be compatible with surrounding uses. Reflective and fluorescent material shall not be permitted.*
  - 4. *Cigarette, snack and/or soft drink dispensers are allowable provided they are either enclosed or effectively screened and are integrated with the architectural design of the service stations.*
- F. *SERVICE EQUIPMENT, OUTDOOR STORAGE AND REFUSE AREAS:*
  - 1. *Service racks and/or pits shall be located within the main building.*

[Above is an excerpt with additional sections following]

**Fact #4:**

The Definition of gas station does not include a convenience store per the Howard County zoning regulations – Section 103 (A) 93:

**Supporting Documentation:**

Section 103 (A) 93. Gasoline Service Station: A facility offering retail sales to the public of gasoline, motor fuels, travel aids, and minor automobile accessories. A gasoline service station may also provide motor vehicle service, repairs and maintenance, including painting and bodywork.’

**Impact:**

A gasoline service station in M-1 zoning does not include a convenience store.

**Fact #5:**

FDP 55 (Grinell – Property Owner’s site) specifies that a gasoline service station can only be ancillary to or compatible with an approved M-1 use.

**Supporting Documentation:**

‘7. PERMITTED USES – SECTION 17.031 D:

**EMPLOYMENT CENTER LAND USE-INDUSTRIAL LAND USE AREAS**

All uses permitted in Industrial districts or industrial land use zones are permitted including, but not limited to, all uses permitted in M-1 and M-R districts except, however, that uses only permitted in M-2 and T-2 Districts are prohibited. Commercial uses ancillary to, or compatible with, permitted industrial uses are permitted including, but not limited to, all of the following:

- a. Restaurants and lunchrooms, and similar establishments serving food and/or beverages.
- b. Personal service shops and retail stores which primarily sell or service merchandise manufactured on the premises.
- c. Banks
- d. Gasoline Service Stations.
- e. Wholesale Distributors.
- f. Savings and Loan Association.
- g. Business and Professional Offices.
- h. Parking Lots or Garages.
- i. Building Supplies and Lumberyards.
- j. Storage of prepared dairy products and other food products to be distributed on truck vending routes.
- k. Such other ancillary uses as may be approved by the Howard County Planning Board. ‘

**Impact:**

**The intent was to allow approved Industrial Uses to have gasoline as an ancillary use for their business, e.g. Columbia Association has a gas station to fill up their vehicles. Nothing herein can be construed to allow for a retail gasoline station open to the public.**

**Fact #6:**

The Zoning Regulations specifically address that that retail is strictly limited in the M-1 Zone:

**Supporting Documentation:**

'Section 122: M-1 (Manufacturing: Light) District

54. Retail, limited:

For any manufacturing plant or warehouse permitted in the M-1 District, retail sales may be permitted, provide that:

- a. The products sold are either manufactured on the site, sold as parts or accessories to products manufactured on the site, or stored or distributed on the site;
- b. Not more than 30 percent of the floor space of the first floor of the main structure may be devoted to the retail sales of articles made, stored or distributed on the premises; and
- c. Any service facilities are limited to the repair and/or service of products manufactured, stored or distributed by the owner or lessee of the site.

Nothing herein contained shall be construed to permit the operation of general retail sales businesses except where such sales are in compliance with Section 122.B.53 of these Zoning Regulations.

Note next to February 5, 2003 Text Amendment states, 'The M-1 and M-2 Districts need to be reserved for industrial and employment uses.'

**Impact:**

**It was noted in the narrative to the text amendment that set forth the strict limits on retail, that M-1 and M-2 districts need to be reserved for industrial and employment uses.**

**Fact #7:**

The M-1 Zone specifically restricts retail as addressed in the Howard County Zoning Regulations in Section 122 B. (55):

**Supporting Documentation:**

'Retail centers. Retail centers to serve the employees and users of projects within this zoning district are permitted within projects of at least 200 acres when such centers conform to the requirements set forth below.

- a. Purpose: The purpose of such retail centers is to provide employees and users of development in this zoning district with conveniently located commercial, retail and personal services; to reduce the need for vehicle trips off and onto the site to obtain such services; to provide employees and users with the useable open space and amenities associated with such services (e.g. outdoor eating areas); and to make more efficient use of the site by clustering together related retail, commercial and service activities in retail centers which would typically not exceed 40,000 square feet of gross floor area.
- c. (4) Retail center(s) may not be located on a lot that fronts on or abuts any street or highway unless such street or highway is internal to the project. All access to the retail center(s) shall be from interior streets within the project. The distance from any lot line of the retail center lot to the nearest street or highway right-of-way external to the project shall be no less than 500 feet and signage for the center shall not be oriented to such external streets.'

**Impact:**

**A limited amount of retail was allowed in order to support the employees of the manufacturing district and those customers who were using/visiting the industrial/manufacturing facilities.**

**Fact #8:**

The Deed between HRD and the Grinnell Corporation clearly outlines the restrictions intended for the property:

**Supporting Documentation:**

‘And Subject further, that neither the herein described property, nor any portion thereof, nor any structure erected thereon shall be used or permitted to be used as a discount department store, variety store or department store; nor shall said Property be in any way combined with or used in connection with any other property as a shopping center or a retail sales establishment.’

**Impact:**

**This further demonstrates the intent to limit retail uses in industrial zoned properties.**

**Fact #9:**

There are existing gasoline fueling locations within the EGU – demonstrating the intent and reason for citing gasoline stations as an ancillary or compatible use with an approved M-1 use.



**Impact:**

18 lots in the EGU have had gasoline/fuel as an ancillary use since 1970. This demonstrates that the intent of the FDP was to allow industrial users to have fueling capabilities for their own fleets/vehicles.

**Fact #10:**

Allowing retail within the Industrial Zones, effectively eliminates the Industrial use classification from the Columbia land use percentages. Section 125 NT (New Town) District stipulates the proportions for a minimum and maximum percentage as outlined below:

**Section 125.A.8**

8. a. Each New Town District must provide each of the following uses in the following proportions:

	(1) Minimum Percentage of Total Area of the District	(2) Maximum Percentage of Total Area of the District
Open Space Uses	36%	N/A
Single Family – Low Density	10%	N/A
Single Family – Medium Density	20%	N/A
Apartments	N/A	13%
Commercial (POR, B-1, B-2 and SC uses)	2%	10%
Industrial Uses (M-1 uses)	10%	20%
Other uses presently permitted in any zoning district other than those permitted only in R-MH or M-2 Districts	N/A	15%
Note: N/A means Not Applicable		

**Impact:**

Commercial land is more valuable than Industrial zoned land. Therefore, by allowing general retail to be placed in Industrial Zoned land will inevitably lead to the unintended conversion from approved industrial uses to retail.

**Fact #11:**

If a retail gasoline station was allowed, the Rouse Company would have placed one here many years ago as major oil companies paid the highest dollars for these sites. There was only 1 gas station in M-1 zoning within the NT zone which was sited on a specific parcel, with specific criteria.

**Supporting Documentation:**

Rivers Corporate Park - Permitted Uses – Section 125-C-3-d (2):

**‘7. D. EMPLOYMENT CENTER LAND USE – INDUSTRIAL LAND USE AREAS**

The uses permitted in industrial land use areas are listed below. Commercial uses ancillary to or compatible with the permitted industrial uses and planned as an integral part of the predominately industrial area are permitted as approved by the Howard County Planning Board.

16. A gasoline service station is permitted on Parcel F-2. (Emphasis added)

**Impact:**

**The gasoline service station had service bays and did not have a convenience store. The gas station was specifically sited on the FDP along with special specific site criteria.**

**Fact #12:**

There have been numerous letters and emails from DPZ outlining the process that must be followed in order to put new retail in an M-1 zone within New Town. The FDP had to be amended in order for Wegman's to be allowed.



3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.ellicottcity.md.us](http://www.ellicottcity.md.us)  
FAX 410-313-3467  
TDD 410-313-2323

December 4, 2003

Richard B. Talkin  
Richard B. Talkin, P.A.  
5100 Dorsey Hall Drive  
Ellicott City, Maryland 21042-7870

RE: Retail Grocery Stores;  
Final Development Plan 117-A-1

Dear Mr. Talkin:

This is in response to your letter dated December 1, 2003, in which you request an interpretation concerning properties located in the areas delineated on Final Development Plan 117-A-1 (the "FDP"). Most of the areas covered by the FDP are designated Employment Center-Industrial, and you ask whether this designation would allow retail grocery stores as a matter of right.

The FDP was most recently recorded in 1994, and the section of the FDP which specifies the permitted uses states that all uses permitted in the M-1 (Manufacturing: Light) District are permitted on Employment Center-Industrial properties of the FDP. In the 1993 Zoning Regulations, as amended to the time of the FDP recording in 1994, retail grocery stores were not permitted in the M-1 District, and are also not permitted in that district under the current Zoning Regulations. Even at the time of the previous amendment to the FDP in 1973, the M-1 District regulations in the 1961 Zoning Regulations, as amended to 1973, specifically prohibited retail uses in the M-1 District. Therefore, this is to confirm that a retail grocery store use is not permitted on the Employment Center-Industrial properties of the FDP. If you have any questions, please call Bob Lalush at 410-313-2350.

Sincerely,

George L. Beisser, Chief  
Division of Public Service  
and Zoning Administration

LB/JRL:jrl  
Marsha McLaughlin, Director

**Fact # 13**



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.org](http://www.howardcountymd.org)  
FAX 410-313-3467  
TDD 410-313-2323

February 4, 2010

Mr. Sang W. Oh  
Talkin & Oh, LLP  
5100 Dorsey Hall Drive  
Ellicott City, MD 21042

Re: E.G.U. - Columbia, Section 2, Area 4  
(Final Development Plan 99A, Part 1)

Dear Mr. Oh,

In response to your January 6, 2010 letter, I have reviewed the above referenced Final Development Plan (FDP) in conjunction with the materials you provided. The E.G.U. - Columbia, Section 2, Area 4 property was originally developed as a 26.918 acre portion of the nearly 200 acre EGU Subdivision (Guilford Industrial Park). Most of this 26.918 subject property is to be redeveloped as two hotels and a bank, which are permitted M-1 uses.

The FDP designated the land-use for this property as Employment Center - Industrial, allows all uses permitted in the M-1 zoning district. It also states that "commercial uses ancillary to or compatible with permitted industrial uses and planned as an integral part of the predominantly industrial area are permitted as approved by the Planning Board." Most of the E.G.U./Guilford Industrial Park continues to be used for M-1 industrial purposes.

A small amount of ancillary or compatible commercial is appropriate and would logically be located along an arterial road with good access and visibility, rather than a more isolated, interior portion of the industrial park. The subject property is so located. The amount of commercial use that is proposed to be included on the undeveloped portion of this property is quite small in relation to the rest of the industrial park. I believe your proposal for a small retail building that might include a convenience store, cell phone outlet, and liquor store is ancillary and compatible with the other M-1 uses in this industrial park. The Site Development Plan must of course be approved by the Planning Board.

Sincerely,

Marsha S. McLaughlin  
Director

cc: Cindy Hamilton  
Kent Sheubrooks  
Mike Antol

opposite  
of  
zoning  
regulations

## **Fact # 14**

**Boone, Laura**

---

**From:** Sheubrooks, Kent  
**Sent:** Wednesday, February 15, 2012 2:04 PM  
**To:** Coughlin, Michael  
**Cc:** Butler, Thomas; McLaughlin, Marsha; Lalush, Bob  
**Subject:** RE: Snowden River Pkwy / Royal Farms Store Plan  
**Attachments:** 20120215135323988.pdf

Michael,

After our meeting yesterday I examined the proposed site plan for the Royal Farms store, gas station, car wash and pharmacy building and I need to bring the following to your attention before this proposal proceeds too far along in the process. Do you know whether Royal Farms has inquired at DPZ about the permitted uses for this proposal? The reason being that this site is zoned "NT-Employment Center Industrial" and is regulated by FDP Phase -55 for EGU, Section 2. Area 2, [the zoning document that regulates the permitted land uses] (see attached). I verified through our Zoning Division that the FDP does permit the gas station use including the accessory use for the carwash and possibly the convenience store as accessory to the gas station use (although retail is not permitted under this land use category) and certainly not the stand alone retail pharmacy building. Retail uses are only permitted under item 7.b of FDP-55 if the retail store sells or services merchandise manufactured on the premises. Please note that general retail sales is also not permitted under the "M-1" zoning district regulations. If you have any further questions, please contact me at your convenience. Thanks.

*Kent Sheubrooks*  
Chief, Division of Land Development  
Department of Planning and Zoning  
Phone No. (410) 313-4390  
Fax No. (410) 313-3407  
[ksheubrooks@hosecountymd.gov](mailto:ksheubrooks@hosecountymd.gov)

---

**From:** Coughlin, Michael (mailto:MCoughlin@emragta.com)  
**Sent:** Tuesday, January 17, 2012 5:50 PM  
**To:** Monk, William; DeLuca, Mark; Sheubrooks, Kent; Auyeung, Thomas; 'Jeff Bainbridge'; Jacobson, Jonis A.; 'Sang Oh'  
**Subject:** RE: Snowden River Pkwy / Royal Farms Store Plan

All,

See attached cost estimate. This cost estimate has increased significantly from the 1.25 M figure that was discussed at our last meeting. In addition to the plan revisions, the revised estimate accounts for the additional existing utilities that were picked up by our survey crew after Miss Utility marked the underground lines within the Snowden River Parkway right-of-way. As noted in the estimate, the numbers for the various utility relocations are still a work in progress.

---

Michael G. Coughlin, PE, LEED AP  
Project Manager

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**Fact #15:**

HRD, the Columbia Association and the Village Boards all have a responsibility to enforce the covenants and make sure the rules of development are followed.

**Supporting Documentation:**

Columbia Board of Directors—Architectural Resource Committee (ARC) Charter

Mission Statement

The mission of the Architectural Resource Committee (the “Committee”) is to provide advisory input to the Columbia Association (“CA”) Board of Directors (the “Board”) by developing policies and procedures to strengthen the covenant enforcement process in Columbia.

The Committee also serves as an information resource to the Board by collecting, interpreting and distributing information related to covenant enforcement.

Goals

6. To develop policies and procedures for review of covenant violations.
7. To establish policies, procedures and mechanisms for taking legal action to enforce the covenants.
10. To publicize new policies and mechanisms for covenant enforcement in order to inform the public of the community’s intent to enforce the covenants.

**Impact:**

**HRD provided the CA and the Village Boards with the power to enforce the entire declaration of covenants. Failure to do so undermines the entire “planned” community.**

**Fact #16:**

The East Guilford Industrial Park shall be “preserved and maintained as a first class industrial center” per the restrictions, deed, agreement and declaration of the EGU:

**Supporting Documentation:**

ARTICLE IX  
Construction of these restrictions

‘HRD, and the Architectural Committee to the extent specifically provided herein, may adopt reasonable rules and regulations regarding the administration, interpretation and enforcement of the provisions of this Declaration. In so adopting such rules and regulations, and making any finding, determination, ruling or order or in carrying out any directive contained herein relating to the issuance of permits, authorizations, approvals, rules or regulations, HRD, and the Architectural Committee, shall take into consideration the best interest of the Owners and of the Property to the end that the Property shall be preserved and maintained as a first class industrial center.’

**Impact:**

**Allowing non-industrial uses is incompatible with the covenant to maintain East Guilford Industrial Park as a first class industrial center.**

**Fact #17:**

The 2030 Howard County General Plan specifically calls out the following policies which address these issues:

- Improving alternative transportation methods for bicycles and pedestrians
- Strengthening the Village Centers
- Reduce energy consumption
- Improving the air quality
- Reducing highway congestion
- No extension of retail strip centers

**Supporting Documentation:**

**Policy 5.6 – Plan for Class A office, industrial, and mixed-use redevelopment of commercial and industrial properties within the Snowden-GE area where appropriate.**

a. **Plan for Coordinated Redevelopment.** Work with Snowden River Parkway and east Columbia Village Center property owners, as well as other community stakeholders to evaluate market conditions and redevelopment options to determine how to best position redevelopment of different parts of the Snowden River Parkway area in relation to redevelopment of the Village Centers.

**Policy 5.7 – Plan for future transportation services and facilities that connect Downtown Columbia, the Snowden River Parkway area, Gateway, and Route 1 to regional connections to Baltimore, Washington, and Fort Meade.**

c. **Alternative Modes of Transportation.** Study the feasibility of alternative modes of transportation, including facilities for bicyclists and pedestrians, to connect Downtown Columbia, the Snowden River Parkway area, Gateway, Route 1, and other major business and residential nodes in and near the County.

**Fact #17 (continued):**

**POLICY 5.8 – Continue to enhance the vitality and redevelopment of Columbia’s Village Centers.**

a. **Strengthen Village Centers.** Encourage Village Center property owners, Village Boards, and residents to develop and implement plans for enhancing or redeveloping older Village Centers to maintain them as attractive focal points for the villages.

c. **Connect Commercial Centers.** Plan for future transportation connections, including bicycle, pedestrian, and transit, among and between Village Centers and other commercial centers.

**POLICY 7.1 – Increase public awareness of the relationship between personal vehicle miles traveled and highway congestion, air quality, greenhouse gases, and energy independence, as well as how more compact growth patterns and alternate modes of travel can help achieve a sustainable and more environmentally and personally healthy balance.**

a. **Green Website.** Update the County’s website that is devoted to providing information to consumers designed to help make Howard County greener, healthier, and sustainable to address transportation’s role in achieving a healthy community. Include emissions calculators and other tools residents can use to measure greenhouse gas savings, map walking or biking distances, organize ridesharing, and access car sharing.

b. **Awareness.** Expand resident and business awareness and use of alternative transportation modes, including transit, carpooling, walking, and cycling.

c. **Safe Routes.** Expand, support and promote programs such as the Safe Routes to School Program that will enable communities to make walking and bicycling to school a safe and routine activity. Safe routes to school should also be part of the capital and development planning process.

**Fact #17 (continued):**

**POLICY 7.5 – Utilize regional studies to develop an effective plan for significantly expanded regional transit service.**

- a. **Corridor Evaluation.** Evaluate existing and potential transit corridors for future ridership, transit mode options, and cost-effectiveness in order to prioritize public investment within transit corridors.
- b. **Rights-of-Way.** Preserve transit rights-of-way within existing and potential transit corridors.
- c. **Transit Nodes.** Identify locations within the Targeted Growth and Revitalization areas for more detailed planning for the development of transit-supportive densities and land uses, as well as pedestrian and bicycle connectivity.
- d. **Compact Development.** Adopt land use policies and regulations to promote compact development patterns that support transit demand through sufficient densities and interconnected street and pedestrian networks.

**POLICY 7.6 – Reduce highway congestion, energy consumption, and greenhouse gases by increasing the number of residents using alternate modes of transportation.**

**Implementing Actions**

- a. **Bicycle Master Plan.** Develop a Bicycle Master Plan that defines priority projects and identifies those that can be integrated with pedestrian improvements and transit facilities. Establish an implementation schedule and identify funding.
- b. **Pedestrian Master Plan.** Assess progress and refine priorities of the existing Pedestrian Master Plan.
- c. **Bus Stops.** Expand the study of bus stop infrastructure needs to identify gaps in bicycle and pedestrian connections between bus stops and surrounding destinations.
- d. **Evaluate Alternative Mobility Options.** Evaluate the options to meet the needs of seniors and people with disabilities.
- e. **Complete Streets.** Promote complete streets by amending the Design Manual for road improvements to address bus stops and transit shelters, as well as pedestrian pathways, crossings, and bicycle improvements.

**Fact #17 (continued):**

**POLICY 7.7 – Reduce highway congestion, energy consumption, and greenhouse gases.**

a. **Ride Sharing.** Promote car share and bike share systems, HOV programs, and expanded park and ride lots.

**POLICY 10.2 – Focus growth in Downtown Columbia, Route 1 and Route 40 Corridors, and some Columbia Village Centers, as well as some older commercial or industrial areas which have redevelopment potential.**

**Implementing Actions**

a. **Monitor Redevelopment.** Monitor and, as needed, refine the redevelopment goals and strategies for Route 1, Route 40, Downtown, and Columbia Village Centers.

b. **Other Opportunities.** Identify other older commercial or industrial areas such as the Snowden River Parkway area that are expected to have redevelopment potential by 2030. Determine redevelopment goals and implementing actions.

c. **Comprehensive Review of NT Zoning.** Revise the NT Zoning Regulations to provide clear criteria for redevelopment of older residential, commercial, or industrial areas outside of Downtown Columbia and the Village Centers.

**Fact #17 (continued):**

**POLICY 10.4 – Review and update all County development regulations to respond to County General Plan development goals and changing market conditions, and to improve the efficiency of the County’s review process.**

**Implementing Actions**

- a. **Zoning Regulation Review.** Develop Zoning Regulations that better address infill and redevelopment goals and issues.
  
- c. **Updated Conditional Use Regulations.** Review and, as appropriate, amend the County’s conditional use regulations to reflect updated land use policies. The regulations should reflect current best practices and policies to minimize the impact of development on the environment. For example, the regulations regarding gasoline service stations need to reflect changes in the gasoline industry in the last decade and the challenges of blight and environmental mitigation required for redevelopment of abandoned gasoline stations.

**POLICY 10.6 – Improve the competitiveness and design of commercial areas.**

**Implementing Actions**

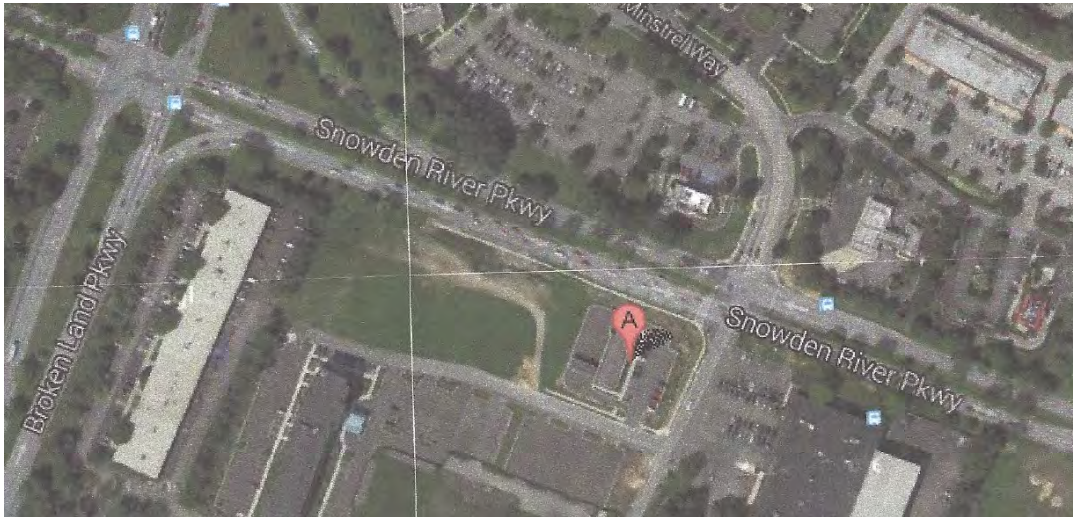
- a. **No Extension of Commercial Strips.** Reaffirm the policy of past General Plans to not extend strip commercial development into residential areas along major roads beyond their present limits or allow new areas of strip centers on these roads unless there are adjacent strip centers on both sides.

**Impact:**

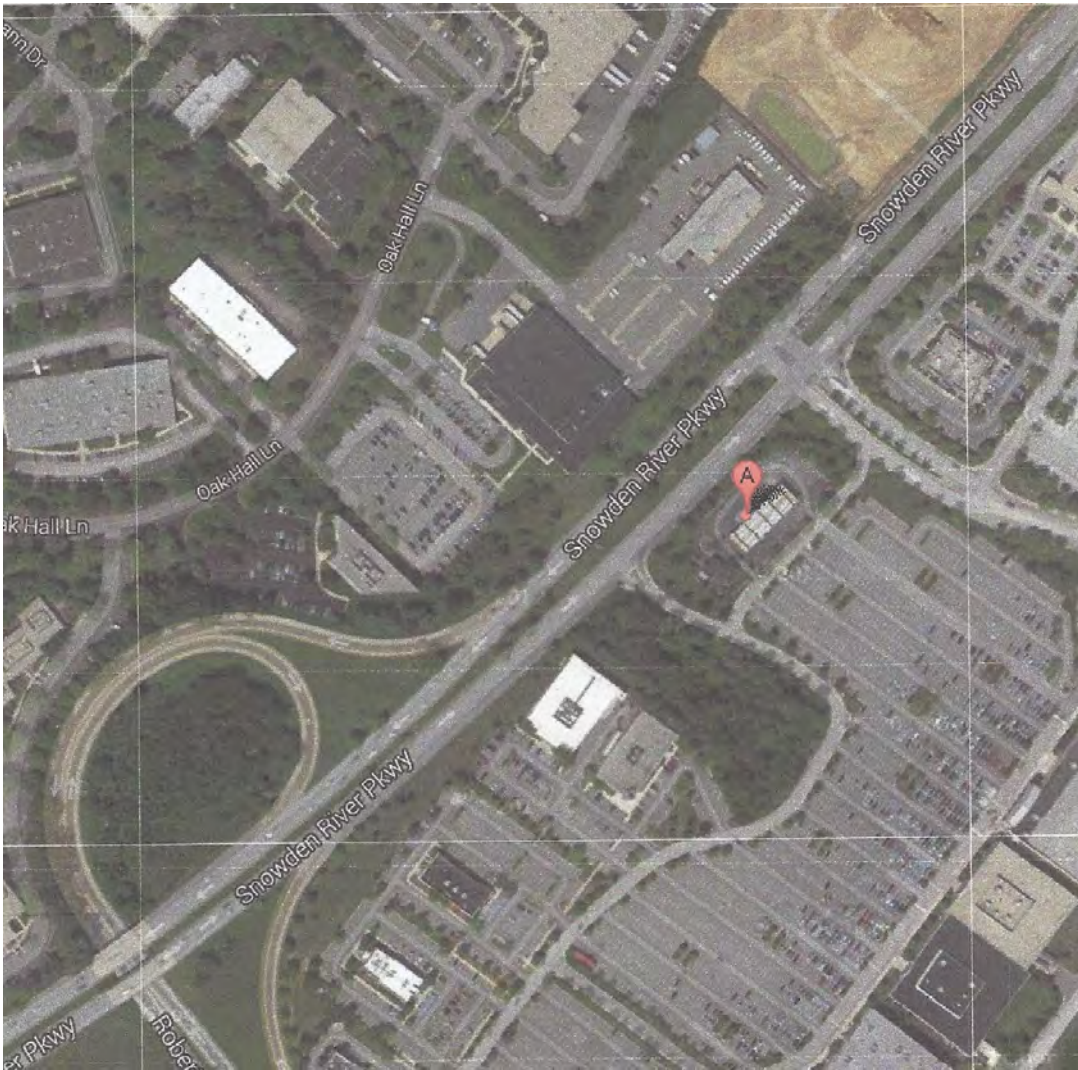
**The 2030 Howard County General Plan supports improving the environment; protecting and strengthening the Village Centers; reducing pollution; encouraging pedestrian and bicycling routes; reducing traffic congestion and eliminating retail strip center sprawl. All of which are contrary to the development of a Royal Farms gas station on Snowden River Parkway.**

**Fact #18:**

There is no other single retail user with direct access along Snowden River Parkway:



There is no direct access anywhere along Snowden River Parkway for a single use (continued)



**Impact:**

**Snowden River Parkway is a limited access highway.**

**Conclusion**

The Property Owners are trying to circumvent the procedures and policies that have been in place for years. There is nothing in the Zoning Regulations or 2030 General Plan that supports this use at the subject location.

The Columbia Association, Village Boards and Planning Board must ensure that rules and procedures are followed and that the zoning regulations and intentions that were laid out in all the Howard County and New Town documents are followed.

## **Appendix**

- Page 3. Howard County Zoning Regulations—New Town (NT) Section 125 D. 6
- Page 4. Howard County Planning Board Policy—Final Development Plan Phase Criteria, adopted 1/17/79
- Page 5. Special Site Criteria for Gasoline Service Station—FDP 118
- Page 6. Howard County Zoning Regulations—Section 103 A. 93.
- Page 7. FDP 55—Grinnell Site— Royal Farms Proposed Location
- Page 8. Howard County Zoning Regulations— M-1—Section 122 B. 54.
- Page 9. Howard County Zoning Regulations— M-1—Section 122 B. 55.
- Page 10. Deed between HRD and Grinnell Corporation
- Page 11. From MDE UST Database
- Page 12. Howard County Zoning Regulations—Section 125 A. 8.
- Page 13. FDP 184—A—IV—Rivers Corporate Park
- Page 14. Letter from DPZ to Richard Talkin; Re: Land Use on FDP’s
- Page 15. Letter from DPZ to Sang Oh; Erroneous Letter on M-1 Retail
- Page 16. Email from DPZ to Michael Coughlin; Re: M-1 limited retail uses
- Page 17. Columbia Board of Directors—Architectural Resource Committee (ARC) Charter
- Page 18. East Guilford Industrial Park—Declaration of Covenants
- Page 19. Howard County General Plan—Policies 5.6, 5.7, 5.8, 7.1
- Page 20. Howard County General Plan—Policies 7.5, 7.6
- Page 21. Howard County General Plan—Policies 7.7, 10.2
- Page 22. Howard County General Plan—Policies 10.4, 10.6
- Page 23. Google Aerial Photo—Snowden River Parkway—Limited Access
- Page 24. Google Aerial Photo—Snowden River Parkway—Limited Access

**February 16, 2026**

**From: Christopher J. Alleva, Columbia, MD<sup>i</sup>**

**Subject: The Columbia Original Petitioner, The History, Purpose, and Future**

**Question: Should The Original Petitioner’s Exclusive Rights to Approve Amendments to Employment Commercial and Employment Industrial Final Development Plans be continued, amended, or deleted from Section 125.F.1 of the Zoning Regulations (“HCZR”)?**

**Executive Summary**

In 1986 Howard Research and Development Corp. (“HRD”) was granted the exclusive power as the Original Petitioner to amend Commercial Final Development Plans to limit their liability and ensure the development of Columbia in accord with the common scheme of development.<sup>ii</sup>

HRD (Rouse) was sold to GGP in 2004. GGP failed to recognize their liabilities and abandoned their responsibilities in 2007 without notice when they were in discussions with the Howard County Government for lucrative entitlements in what they now call Downtown Columbia. These entitlements were awarded in 2009 when GGP was in bankruptcy.

In 2011, a new company was spun out of the bankruptcy, Howard Hughes Corp, to own the properties associated with these entitlements. Howard Hughes’ investors were induced to invest in this newly listed company in part based on the unrealized value of the Columbia entitlements. Howard Hughes continued to fail to live up to their responsibilities as Original Petitioner and mishandled their duties to administrate and enforce the Columbia covenants resulting in numerous claims and culminating with a \$16.9 million judgement against them to compensate for damages caused by their conduct.

The history and legal underpinning of the development of Columbia as a common scheme of development strongly supports the creation of a successor to the Original Petitioner.

**Background:**

This timeline documents the history, operation, and conduct of the “Original Petitioner” (e.g., HRD the developer of Columbia, Maryland) from 1965 to the present. Before we begin this memo, it should be noted that the Original Petitioner abandoned its responsibilities many years ago so continuation is off the table.

**The Timeline:**

1. Howard Research and Development Corporation (“HRD”), incorporated in 1963, originally petitioned in 1965 (hence the Original Petitioner) the then County

Commissioners to rezone what is now 14,200 acres to “New Town” a so-called floating zone.

2. The authorized land uses in floating zones float over the land until attached via the Final Development Plan process. Upon the approval and recording of a final development plan (the “FDP”), it has the full force and effect of a zoning regulation under section 125.D.6 of the HCZR.
3. Around 1986, HRD successfully lobbied for the exclusive right to amend FDPs in the commercial areas of Columbia presently codified under section 125.F.1.<sup>iii</sup> At the time Columbia was around 50% complete and there were then numerous other property owners in the New Town after 20 years of land sales.
4. This amendment was granted because the County Executive (DPZ) and the County Council concluded that without it HRD could not guarantee delivery of Columbia within the percentages of the six (6) different types of land use codified in section 125.A or within the official Comprehensive Sketch Plan as approved and promised to Howard County as well as all subsequent purchasers of land in Columbia both residential and commercial.
5. HRD largely sought this amendment to limit its liability from the property owners they sold land to in the New Town because it was planned and built under a common scheme of development as described in the sales and marketing materials provided along with the purchase contract, including the Plan of General Development, that is one and same as the **official** Comprehensive Sketch Plan. These are called non-possessory property rights in the parlance of real property law. In the residential villages of Columbia these rights are in part protected and sustained by the resale package requirement for the sale and transfer of homes in Columbia. This requirement was implemented at the inception of Columbia in the mid-1960s.
6. To ensure an unbroken chain of these rights and responsibilities, the documents in the package become a part of the deed of each property owner. All successor owners are required to have and to hold these documents and abide by them. The documents memorialize all the rights and responsibilities that inure to the benefit of property owners in Columbia. Additionally, a letter of compliance may be requested to ensure the subject property is free of covenant violations. An analogous process for commercial properties does not exist, but they often retained repurchase rights. In any event, anything resembling a resale package was abandoned by HRD years ago, without notice, exposing all property owners, residential, commercial, and institutional to title defects and diminution in value risk.<sup>iv</sup>

- 7.** The original grant of these rights was written in purchase contracts along with the sales and marketing materials delivered to each purchaser at the point of sale and subsequently transferred by the resale package. The intent of granting exclusive authority to HRD was to limit their liability. Control of the FDPs, coupled with their purported control of the recorded covenants, gave them the tools they needed to complete the project in full compliance with the Comprehensive Sketch Plan, the Plan of General Development and the HCZR's and to manage and limit their liability.
- 8.** HRD gave constructive notice of this responsibility that the County conferred on them under section 125.F.1 several times but specifically in 1999 recognizing that "HRD is the entity that established, recorded and enforces Final Development Criteria (i.e. zoning and use provisions.)"<sup>v</sup> Because FDPs have the full force and effect of a zoning regulations, HRD was effectively deputized by the County to enforce ALL zoning and land use controls in Columbia. Not some, not only when it was in their interest, but ALL. Moreover, they had an implied duty to exercise this authority in good faith and be reasonable.
- 9.** In December 2004, the Rouse company along with its subsidiary HRD were sold to GGP. GGP's main interest was in the shopping mall assets. GGP had never developed a large scale planned community and had no experience with the kind of developer liabilities that arise from something like Columbia.
- 10.** GGP/HRD first abandoned its responsibilities under 125.F.1 in 2007 when they failed to enforce the FDP provisions on a lot covered by FDP 117 as they were under pressure from the County Executive and conflicted by the lucrative development rights the Howard County Executive was dangling in front of them at the time. It should be noted that the owners of the very same lot attempted to change their use in 2003 and were properly turned down by Rouse by virtue of their authority section 125.F.1.<sup>vi</sup> Furthermore, the County denied the change of use under a clear reading of the FDP.<sup>vii</sup>
- 11.** In 2009, GGP declared bankruptcy. Later that year Howard County granted GGP more than 5000 units of residential density and several million square feet of commercial development rights in what they now call Downtown Columbia despite the fact these development rights exceed the indisputable limits of the official Comprehensive Sketch Plan and the Plan of General Development delivered to all land purchasers during the development period.
- 12.** Now, twice removed from the Rouse Company, in 2011, Howard Hughes Corporation ("HHC") was spun out of the bankruptcy and succeeded to the title of 60 acres

surrounding the Merriweather Post Pavilion, the Pavilion itself, 12 acres at the Mall, the office buildings surrounding the Mall and parcels in Gateway.

13. Conflicts ensued almost immediately as HHC defiantly refused to live up to their responsibilities under section 125.F.1 and the covenants, discriminating against some property owners while favoring others depending on what their own (HHC) interests were at the time.
14. In 2016, HHC/HRD declared that they would sign off any FDP amendments in contravention to section 125.F.1. Thereafter, they included a signing statement that they took no position on any amendment. Since then, numerous FDP amendments have been submitted. By taking no position, they effectively abandoned their responsibilities and nullified the law. Despite knowing this, DPZ continued to require owners to submit proof that HRD had reviewed and approved proposed plans for redevelopment sites throughout Columbia that we now know were fictitious from the IMH lawsuit more about which in due course.
15. In 2023 a company called IMH Columbia LLC brought a lawsuit and claimed, among other things, that HHC/HRD had improperly rejected their plans because of parking conflicts and a restriction that prohibited residential on the site. At trial it was discovered that no architectural committee existed, nor were HHC/HRD engaging in anything that could be called a legally sufficient review of IMH's plans or any other plans.
16. In April of 2024 a jury in Howard County awarded IMH \$16.9 million in damages for HHC/HRD's mishandling of the covenant enforcement. This judgment was affirmed by the Appellate Court December 19th, 2025.<sup>viii</sup>

**Conclusion:**

The foregoing account shows that a master planned development like Columbia needs a successor to the Original Petitioner to ensure the integrity of the common scheme of development and maintain the character and stability of the community. When people purchase property in Columbia they buy a bundle of rights along with their home. It begins with the house but includes common areas, roads, drainage systems, institutional uses, amenities and the protections afforded mosaic of covenants and the FDP zoning controls. The Rouse Company took this responsibility very seriously.

After the sale of the Rouse Company (HRD) in 2004, the purported successors to the Original Petitioner abandoned their responsibilities under section 125.F.1 and deserted their post as Declarant of the Common Scheme of Development culminating in the largest jury verdict in the history of Howard County. The record shows things broke down when the successors to the Rouse Company succumbed to conflicts of interest and exposed themselves to material liabilities

from all property owners in Columbia. This dereliction of duty was made even worse as the jury found they made repeated misrepresentations that they were in fact enforcing the covenants. As recently as December 10, 2024, in their Appellant Brief they stated that: “HRD enforce [sic] the covenants, ensuring that Columbia matures in a manner beneficial to all residents, not just those willing to pursue haphazard growth through unencumbered development.”<sup>ix</sup>

As I have detailed above, this is simply untrue and the Appellate Court of Maryland was clearly unpersuaded. The IMH case is not an outlier. There are several related cases percolating. Also, there are other cases ripening or cases that may be refiled in light of this reported opinion. Moreover, their unilateral decision to abandon their responsibilities under 125.F.1 likely does not provide them with any so-called “safe harbor.” By not enforcing the terms of the FDPs they are in fact taking a position. If they want to be relieved of this responsibility, they need to amend the HCZR.s.

After the Appellate Court upheld the jury verdict, HHC officials issued a statement that they are willing to work with the community going forward: “*We are disappointed by the recent decision and remain committed to collaborating with the community to bring the Downtown Columbia Plan to life.*” While this is encouraging, I can only hope they are equally committed resolving the questions concerning the whole of Columbia, not just the Downtown. Also, it should be noted that Downtown Columbia is inseverable from the Columbia Common Scheme of Development. No matter how the successor to the Original Petitioner is established it needs to be completely independent and anchored by a clear set of rules and guidelines, with an independent appeals process to prevent the haphazard redevelopment and chaos over the last 20 years caused by their abandonment of this indispensable function.

### **End Notes**

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<sup>i</sup> **I am a longtime resident of Columbia.** I have been involved in nearly all major Columbia zoning issues spanning several administrations and ownerships, both professionally and individually. As of this writing I am not engaged by any persons or entities, and I received no remuneration for this memorandum. I have irreplicable institutional knowledge of Howard County and Columbia Zoning history. I am sharing this as a service to my community.

<sup>ii</sup> There are five elements that are indicia of a **common scheme of development**. They are often cited in case law as evidence to show that a community was developed under a master plan and that property owners enjoy the rights and responsibilities associated with comprehensive planning. Columbia meets all five elements and was developed under a common scheme of development.

(1) There is a common grantor (The Howard Research and Development Corporation in this case) of property who has a general plan or scheme of development (the Preliminary Development Plan) for the property;

- 
- (2) the common grantor conveys parcels or lots in the development subject to servitudes (restrictive covenants) designed to mutually benefit the properties in the development and advance the plan of development;
  - (3) it can be reasonably inferred, based on the common grantor's conduct, representations, and other oral and written materials such as slide shows or advertisements, that the grantor intended the property against which the servitude is imposed to be subject to the same servitudes imposed on all of the properties<sup>ii</sup> within the plan of development against which the servitude is imposed to be subject to the same servitudes imposed on all of the properties within the plan of development (Numerous examples and evidence of this abound);
  - (4) the property owner against whom the restriction is enforced has actual or constructive notice of the imposed servitude (all declarations of covenants and restriction are recorded in the land records);
  - (5) the party seeking to enforce the restriction possesses an interest in property in the development that is subject to the servitude and has relied upon the representations or the express or implied representations of the common grantor that other properties within the general scheme of development will be subject to the servitude.

<sup>iii</sup> **Excerpt from HCZR Section 125.F**

It appears this amendment was adopted as part ZB 808 in 1986. I have requested this file several times. DPZ reported it missing.

**F. Amendments to a Comprehensive Sketch Plan or Final Development Plan**

1. Amendments Submitted by Original Petitioner

Except as allowed by Sections 125.0.F.2 and 125.0.F.3 below, only the original petitioner for the New Town District may propose amendments to an approved Comprehensive Sketch Plan or Final Development Plan. A proposed Comprehensive Sketch Plan Amendment shall be reviewed in accordance with Section 125.0.C above. A proposed Final Development Plan Amendment shall be reviewed in accordance with Section 125.0.D or 125.0.E. as applicable.

2. Additional Uses on Individual Lots in Residential Land Use Areas

Within areas designated on a Comprehensive Sketch Plan for residential land use, any property owner may propose amendments to the Final Development Plan to allow a particular use on his or her property which is not allowed by the Final Development Plan criteria. No amendment shall be proposed which would either alter the land use designation established by the Comprehensive Sketch Plan or allow an increase in residential density. The proposed amendment shall be considered in accordance with the following procedures:

- a. The property owner shall submit the number of copies of the complete Final Development Plan as required by the Department of Planning and Zoning, with the proposed criteria amendments clearly noted on each copy, accompanied by an explanation of the request.
- b. The proposal shall be considered by the Planning Board at a public hearing.
- c. The Planning Board shall approve, approve with modifications or deny the proposed amendments to the Final Development Plan, stating the reasons for its action. The Planning Board shall approve the request only if it finds that:

- 
- (1) The use is consistent with the land use designation of the property as established on the recorded Final Development Plan and compatible with existing or proposed development in the vicinity.
  - (2) The use will not adversely affect vicinal properties.
- d. If the use is approved:
- (1) The Planning Board may provide for the subsequent approval by it of a Site Development Plan for the property which is the subject of the proposal; and
  - (2) Revised text for the Final Development Plan indicating the additional allowed use of the particular property shall be submitted by the applicant and recorded in the Land Records of Howard County.
3. The fee simple owner of any property located within Downtown Columbia may propose amendments to an approve Final Development Plan in accordance with Downtown Revitalization requirements.

<sup>iv</sup> **Zoning is a part of land title.** If title insurers and lenders determined, they could not rely on the zoning it is possible they could refuse to write title policies and lenders would be reluctant to make loans.

A diminution of value claim arises from a certain event, omission or failure to enforce that provably damages the value of the property. For example, if you purchase a home next to commercial buildings and the owner decides to build a petrochemical plant the homeowner could have grounds for a claim, particularly if they relied on representations and warranties made by the seller about the activities on a neighboring property.

<sup>v</sup> **Recorded in Howard County Land Records** liber 4890 folio 73 and rerecorded at liber 4986 folio 567.

<sup>vi</sup> BA 517 Howard Hearing Examiner Board of Appeal March 24, 2004. The walls of the Columbia Master plan began cracking at the seams prior to the sale of the Rouse Company. In the run up to sale of the 2004 Company raced several plans through that violated the Comprehensive Sketch Plan. Despite these clear violations, DPZ and the Planning Board rubber stamped them.

<sup>vii</sup> Letter, December 4, 2003, from George Beisser, Section Chief, Howard County DPZ to Richard Talkin.

<sup>viii</sup> THE HOWARD RESEARCH DEVELOPMENT CORPORATION V. IMH COLUMBIA LLC  
Appellate Court of Maryland, 752, September 2024

<sup>ix</sup> **Page 3 Appellants Brief**, THE HOWARD RESEARCH DEVELOPMENT CORPORATION V. IMH COLUMBIA LLC. December 2024, ACM-REG 0752-2024