

Date: January 2021

Subject: **2021 Suggested Resolutions from the Howard County Citizens Association, HCCA**

**Items to Hopefully Review and Actions to Consider in 2021:**

- Elimination of fees-in-lieu of providing Affordable Housing and of providing storm water management.
- Elimination of the zoning known as the Community Enhancement Floating Zone District. Require the Petitioner to prove a “Change and Mistake” case in floating zones. Adhere to requirement that Zoning Counsel attend hearings to defend the current zone on all zoning map amendments.
- Require Pre-submission Community Meetings in commercial development, and for ZRA’s that clearly affect a specific project. Expand signage requirements to all adjacent properties. Place similar signage requirements on Planning/Zoning Board project specific case hearings also.
- Revamp the Zoning and Planning Boards. Amend the Howard County Charter to change the Zoning Board to be a hybrid of elected and appointed members, not the County Council. Have 3 elected in non-partisan staggered elections, 1 appointed by the Council and 1 appointed by the administration. Require 1 Planning Board Member from each Council District. All Members of both Boards should be required to attend an annual Zoning Training Session. **See Appendix at end, for rules of procedure update suggestions.**
- Have both the Design Advisory Panel and the Historic Preservation Commission become “Regulatory” bodies verses “Advisory.” Permit oral testimony at these hearings.
- As we see legislation on accessory units, protect the character of established communities, not limited to historic districts or environmentally sensitive areas. Recognize the needs and desires of existing residents, such as parking, traffic, and storm water management issues, and not just the desire for growth.
- The use of Redlines needs to be reviewed and details on criteria firmed up. A pre-submission meeting shall be required whenever an existing nonresidential or residential development exceeds 2000 square feet for transparency and open government. “The use of Redlines should only be for MINOR plan changes and therefore rationally be defined as changes of 5% or less. Greater changes should be declared as Variances and consequently subject to the existing submission requirements.”

- Technical issues: All Task Force(s) Information need to be displayed in one central location on the County website. Specifically define in zoning regulations: Minor, Compatibility, Surrounding Neighborhood, Substantive (regarding legislative amendments), minimize (regarding clearing/grading). Provide more publicized and easier use of programs that assist residents such as The Livable Homes tax credit, permitting details, online allowances for residential not just contractual, elimination of legal-sized paper requirements, senior tax credits, etc.
- Require all public buildings to have updated HVAC systems to remove viruses, like UV light scrubbers. Fund a grant/low-interest loan program or tax incentives to help restaurants, theaters, and other public venues to be able to do so as well.
- Grant Standing for all HoCo citizens in disputes involving environmental protection of properties since the environmental impact of development is not limited to the borders of a single development.

#### **Additional Scenarios Needing Action:**

- The General Plan 2040 -- “HoCo by Design” is required by Maryland to have a "community’s facilities element.” Schools fit into that element, but are completely unaddressed and should be since Howard County spends near 60% of its annual tax revenue for schools. The General Plan needs to include specifics that are enforceable and not just be a vehicle for developers to use to justify their proposed projects, and should be reviewed annually to assure successful planning goals.
- Update Storm water Management regulations to include two components: preventing run-off and guaranteeing that running water coming from building/parking lots won't damage structures. See examples in appendix.
- Eliminate the APFO provision that permits properties where schools remain over capacity after four years to be considered ‘open’ for development. Since the normal DPZ development plan processing takes three years, the maximum wait time needs to be defined as solely the years beyond the norm and thus longer. If APFO were really working, why do we have Portables or Trailers at our Schools? (Last count 234?)
- Implement a staff quality control and cross training program informed by County employee input on improving processes and detailing review of how staff can better assist the public. Managerial Quality Control elements are beneficial in private industry and the County should use them annually as well.
- Every piece of legislation regarding Zoning should include what project it affects, and require all Council Member sponsors to have to note the projects which are affected. If a proposed piece of legislation has a known project beneficiary that should be publicized, and if not, then DPZ should do an analysis of projects in the pipeline that are affected by the change in order to publicize them.

- Prohibit development of Targeted Ecological Areas (TEAs) anywhere in the County. Consider prioritizing the purchase and preservation of TEAs anywhere in the County. Fund agricultural and forested land preservation in the eastern half of the County also. Prioritize acquisitions of state-identified Targeted Ecological Areas and lands in or adjoining the Green Infrastructure Network.
- The HC ALLP is at risk of being overrun with CSF projects unless the Agricultural Board adopts criteria to insure that CSF projects do not overwhelm Agricultural use. One method would be for the Agricultural Board to require that the CSF not exceed a 2 Megawatt capacity and that the area utilized by the CSF not exceed 20% of the Land that is in active agricultural use (crops, vineyards, orchards, grazing meadows etc.). Forested areas, steep slopes, flood plains, stream valleys, in short all non-tillable land should not be included as an active agricultural use.

### **Appendix:**

Example - Storm water Management changes: Notice the "storm water management" being put in place at the new intersection in Clarksville at 108 and Shepard lane. The run off is literally opening up so that the overflow will flow down Shepard Lane. What will happen when the entire paved surface of the new shopping center gets 6 inches of rain?

Example of problem with definition of "minimize": The Planning Board accepted the plan that called for only the *possible* preservation of a single tree on land that would then be almost 100% regraded. Suggest a maximum of 40% clearing and grading to truly protect sensitive lands. This change could possibly be achieved through a ZRA-- preferably one put forward by Council member(s). As Clarion (zoning assessment review consultant) suggested, R-H-ED should be eliminated as there are NO other locations besides Savage, and as written, the evaluation criteria do not achieve the stated intent of the Zone.

### **Examples of Needed Zoning Board/Planning Board Rule Changes:**

- Zoning / Planning Board Rules of Procedure should be revised to specifically define the timing of Motions to be filed, and Summation/Closing of cases, maximum lengths.
- Allow attendees of Planning Board meetings to question DPZ staff after their presentation as can be done at Zoning Board meetings.