

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2010 Legislative Session**

**Legislative Day No. 2**

**February 1, 2010**

**HOWARD COUNTY TO WIT:**

The Chairman called the legislative session to order at 8:05 p.m..

Courtney Watson, Chairperson; Mary Kay Sigaty, Vice Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Jennifer Terrasa, Council Member, were present.

Stephen LeGendre, Administrator to the County Council; Margaret Ann Nolan, County Solicitor; Paul Johnson, Deputy County Solicitor; James Vannoy, Assistant County Attorney; and Jennifer Sager, Legislative Coordinator, were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the journal for Day No. 1, January 4, 2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the following minutes:

Legislative Public Hearing – January 19, 2010  
Legislative Public Hearing Continued (CB 58 & 59, 2009) – January 20, 2010  
Legislative Work Session – January 25, 2010

The motion was seconded by Ms. Sigaty. The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to approve the minutes passed.

**INTRODUCTION OF LEGISLATION**

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

### **Appointments**

Council Resolution No. 6-2010 – Confirming the appointment of Dr. Byung H. Ahn to the Commission on Disability Issues

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A RESOLUTION confirming the appointment of Dr. Byung H. Ahn to the Commission on Disability Issues.

Council Resolution No. 7-2010 – Confirming the appointment of Stephen M. Rice to the Historic District Commission

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A RESOLUTION confirming the appointment of Stephen M. Rice to the Historic District Commission.

Council Resolution No. 8-2010 – Confirming the appointment of Joshua Tzucker to the Planning Board.

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A RESOLUTION confirming the appointment of Joshua Tzucker to the Planning Board.

### **Financial**

Supplementary Budget & Appropriation Ordinance No. 12-Fiscal 2010 – Transferring \$74,375 from the Grants Fund, Contingency Reserve to the Department of Police for the DNA Collection and Analysis Grant.

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AN ACT transferring \$74,375 from the Grants Fund, Contingency Reserve to the Department of Police for the DNA Collection and Analysis Grant.

### **General**

Council Bill No. 4-2010 – Authorizing Howard County to enter into Development Rights and Responsibilities Agreements pursuant to the authority granted by Article 66B, Section 13.01 of the Annotated Code of Maryland; establishing procedures and requirements for the consideration and execution of such agreements; making certain provisions regarding petitions filed prior to the effective date of this Act; and generally related to Development Rights and Responsibilities Agreements

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AN ACT authorizing Howard County to enter into Development Rights and Responsibilities Agreements pursuant to the authority granted by Article 66B, Section 13.01 of the Annotated Code of Maryland; establishing procedures and requirements for the consideration and execution of such agreements; making certain provisions regarding petitions filed prior to the effective date of this Act; and generally related to Development Rights and Responsibilities Agreements.

Council Bill No. 5-2010 - Adopting the International Building Code, 2009, the International Residential Code, 2009, the International Mechanical Code, 2009, and the International Energy Conservation Code, 2009; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; adopting the 2009 edition of the National Standard Plumbing Code Illustrated and the National Fuel Gas Code (NFPA 54-2009), as the Plumbing and Gasfitting Code for Howard County; regulating the design, construction, alteration, improvement, or modification of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting Code; altering the period certain types of plumbing permits remain in effect; making certain technical corrections; and generally relating to building and construction regulations in Howard County

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AN ACT adopting the International Building Code, 2009, the International Residential Code, 2009, the International Mechanical Code, 2009, and the International Energy Conservation Code, 2009; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; adopting the 2009 edition of the National Standard Plumbing Code Illustrated and the National Fuel Gas Code (NFPA 54-2009), as the Plumbing and Gasfitting Code for Howard County; regulating the design, construction, alteration, improvement, or modification of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting Code; altering the period certain types of plumbing permits remain in effect; making certain technical corrections; and generally relating to building and construction regulations in Howard County.

Council Resolution No. 9-2010 – Introduced by Courtney Watson - Supporting the creation of a committee with other jurisdictions to seek certification as a Maryland Heritage Area for the Patapsco Valley Greenway

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A RESOLUTION supporting the creation of a committee with other jurisdictions to seek certification as a Maryland Heritage Area for the Patapsco Valley Greenway.

Council Resolution No. 10-2010 – Approving a public interest use for telecommunications antennas and associated ground equipment on land owned by James and Ruth Welling; finding that the proposed use is in the public interest; approving an amendment to certain deeds of easement to release the land used for the telecommunications antennas and accessory ground equipment for a public purpose; and providing that the release is contingent on a certain payment to the County

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A RESOLUTION approving a public interest use for telecommunications antennas and associated ground equipment on land owned by James and Ruth Welling; finding that the proposed use is in the public interest; approving an amendment to certain deeds of easement to release the land used for the telecommunications antennas and accessory ground equipment for a public purpose; and providing that the release is contingent on a certain payment to the County.

## **FINAL CONSIDERATION**

### **Consent**

Council Resolution No. 2-2010 –Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board

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Council Resolution No. 4-2010 –Confirming the reappointment of William Neault to the Alcoholic Beverage Hearing Board

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The Chairperson moved to adopt Council Resolutions No. 2-2010 and No. 4-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolutions was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolutions No. 2-2010 and No. 4-2010 passed.

### **Appointments**

Council Resolution No. 3-2010 – Confirming the appointment of Guillermo A. Birmingham to the Human Rights Commission

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The Chairperson moved to table Council Resolution No. 3-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to table Council Resolution No. 3-2010 passed.

### **Financial**

Supplementary Budget & Appropriation Ordinance No. 11-Fiscal 2010 – Transferring \$380,000 from the Grants Fund, Contingency Reserve to the Department of Housing and Community Development for the Economic Development Initiative Special Project Grant

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The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 11-Fiscal 2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the ordinance was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Supplementary Budget & Appropriation Ordinance No. 11-Fiscal 2010 passed.

Council Resolution No. 1-2010 – Introduced by The Chairperson at the request of the Board of Education - Approving a transfer between capital projects in the Board of Education capital budget for Fiscal Year 2010 in order to transfer \$1,000,000 to capital project E-0980 (Systemic Renovations) from capital project E-1008 (Elkridge Elementary School)

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The Chairperson moved to adopt Council Resolution No. 1-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 1-2010 passed.

Council Bill No. 1-2010 - For the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$1,000,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. E-0980 (Systemic Renovations), more particularly described in the County's 2010 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith

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The Chairperson moved to adopt Council Bill No. 1-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 1-2010 passed.

### **General**

Council Bill No. 2-2010 – Introduced by The Chairperson at the request of the Compensation Review Commission - To repeal and enact a new Section 5.200 “Annual Salary” of Subtitle 2 “Compensation” of Title 5 “County Council” of the Howard County Code to set the annual salary of the members of the Howard County Council for the term beginning in December 2010

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The Chairperson moved to adopt Council Bill No. 2-1010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 2-2010 as follows: *This amendment removes the proposed initial increase and proposes an initial decrease.*)

On page 1, in line 15, strike “\$53,900” and substitute “\$52,892.60”.

On page 2, in line 5, strike “\$2,500” and substitute “\$1,000”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 1 to Council Bill No. 2-1010 failed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 2-2010 as follows: *(This amendment reduces the base compensation and the stipend for the Chair.)*

On page 1, in line 15, strike “\$53,900” and substitute “\$53,400”.

On page 2, in line 5, strike “\$2,500” and substitute “\$1,750”.

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The motion was seconded by Ms. Sigaty.

Mr. Fox moved to adopt Amendment No. 1 to Amendment No. 2 to Council Bill No. 2-2010 as follows: *(This amendment proposes an initial decrease.)*

On page 1, in line 1, strike “\$53,400” and substitute “\$52,892.60”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Nay: Council Members Watson, Ball, Sigaty, and Terrasa; Yea: Council Member Fox.  
Amendment No. 1 to Amendment No. 2 to Council Bill No. 2-2010 failed.

The roll call vote called by the Chairperson on Amendment No. 2 was: Nay: Council Members Watson, Fox and Terrasa; Yea: Council Members Ball and Sigaty.  
Amendment No. 2 to Council Bill No. 2-1010 failed.

The Chairperson moved to adopt Amendment No. 3 to Council Bill No. 2-2010 as follows: *(This amendment reduces the base compensation and the stipend for the Chair.)*

On page , in line 15, strike “\$53,900” and substitute “\$53,400”.

On page 2, in line 5, strike “\$2,500” and substitute “\$1,000”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 3 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 3 to Council Bill No. 2-2010 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Ball, Sigaty, and Terrasa; Nay: Council Members Watson and Fox.  
Council Bill No. 2-2010 passed as amended.

Council Bill No. 3-2010 – Introduced by The Chairperson at the request of the Compensation Review Commission - To repeal and enact a new Section 6.100 “Annual Salary” of Subtitle 1 “Compensation of the County Executive” of Title 6 “County Executive and the Executive Branch” of the Howard County Code to set the annual salary of the members of the Howard County Executive for the term beginning in December 2010

The Chairperson moved to adopt Council Bill No. 3-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 3-2010 as follows: *(This amendment removes the proposed initial increase and proposes an initial decrease.)*

On page 1, in line 15, strike "\$162,698" and substitute "\$158,674.88".

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Nay: Council Members Watson, Ball, Sigaty, and Terrasa; Yea: Council Member Fox.  
Amendment No. 1 to Council Bill No. 3-2010 failed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 3-2010 as follows: *(This amendment removes the annual \$2,500 increase in base compensation for the County Executive's salary.)*

On page 1, strike lines 16 through 18, inclusive and in their entirety.

On page 1, in line 19, strike "(3)" and substitute "(2)".

On page 1, in line 30, strike "(4)" and substitute "(3)".

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 2 to Council Bill No. 3-2010 as follows: *(This amendment corrects a drafting error in the base compensation for the County Executive's salary.)*

On page 1, immediately prior to line 1, insert: "On page 1, in line 15, strike \$162,698 and substitute \$160,198".

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 2 to Council Bill No. 3-2010 passed.

The roll call vote called by the Chairperson on Amendment No. 2 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 2 to Council Bill No. 3-2010 passed as amended.

The roll call vote called by the Chairperson on Council Bill No. 3-2010 as amended was:  
Yea: Council Members Watson, Ball, Sigaty, and Terrasa; Nay: Council Member Fox.  
Council Bill No. 3-2010 passed as amended.

Council Resolution No. 5-2010 – Approving the source, amount and manner of spending certain funds received by the Board of Education pursuant to the American Recovery and Reinvestment Act of 2009 subsequent to the adoption of the Board’s Fiscal Year 2010 Operating Budget.

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The Chairperson moved to adopt Council Resolution No. 5-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 5-2010 passed.

Council Bill No. 58-2009 – Introduced by the Chair at the request of General Growth Properties - Adopting the Downtown Columbia Plan, a General Plan Amendment for the purpose of revitalizing and redeveloping Downtown Columbia; and generally relating to the Downtown Columbia Plan, a General Plan Amendment (*Life extended and tabled 12/07/09*) (*Removed from table - Amendments attached and tabled 01/04/10*)

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The Chairperson moved to remove Council Bill No. 58-2009 from the table. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to remove Council Bill No. 58-2009 from the table passed.

The Chairperson moved to adopt Amendment No. 3 to Council Bill No. 58-2009 as follows: (*This is a technical amendment creating chapter numbers in the table of contents of the attachment.*)

In the attachment, remove the first page and replace it with the page attached to this amendment. (*See attached.*)

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 3 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 3 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 4 to Council Bill No. 58-2009 as follows: (*This amendment clarifies that the Downtown Columbia plan does not presuppose a Downtown Columbia tax increment financing mechanism.*)

In the attachment, on page 31, delete the paragraph that begins at the end of the page and continues on the top of page 32 and insert:

“General Plan 2000 addresses Downtown Columbia under Policy 5.5: Encourage Downtown Columbia’s continuing evolution and growth as the County’s urban center. This Plan builds on and reinforces this policy as discussed in detail in the following sections. The successful evolution and growth of Downtown Columbia as recommended in *Downtown Columbia*:

A Community Vision and General Plan 2000 will depend on not only the addition of jobs and housing, but on the provision of a variety of high quality amenities and services that will attract new businesses, employees and homeowners to live, work and invest in downtown. Although most of the enhancements, amenities and services recommended by this Plan will be provided through private investment, a small portion of the public infrastructure (such as public parking garages) may be financed through alternative public or private mechanisms, such as, without limitation, tax increment financing (TIF) or Revenue Authority bonds.”

On page 37 strike from “RELATIONSHIP TO TAX INCREMENT FINANCING” through the third full paragraph on page 38, and insert:

“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 developments, 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.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 4 to Council Bill No. 58-2009 as follows: *(This amendment strikes the word “development” and substitutes “uses”.)*

On page 1, in line 26, strike “developments” and substitute “uses”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 4 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 4 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 4 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 4 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 5 to Council Bill No. 58-2009 as follows: *(This amendment clarifies the vision for Downtown Columbia, recognizes existing Town Center neighborhoods and adds a description of the Mall neighborhood.)*

In the attachment, on page 3, strike the third full paragraph 3, and substitute:

“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.”

In the attachment, on page 4, strike the first full paragraph 1, and substitute:

“THE NEIGHBORHOODS

This Plan includes six new and reconfigured downtown neighborhoods – Warfield, The Mall, The Lakefront and Lakefront Core, The Crescent, Merriweather/Symphony Woods and Symphony Overlook. The neighborhood structure for downtown encourages a greater mix of uses with the emphasis on certain uses varying between neighborhoods. As these new neighborhoods develop, it will be important to create convenient connections to the existing Town Center neighborhoods of Vantage Point, Banneker, Warfield Triangle and Lakefront. These connections along with the varied mix of uses and each neighborhood’s plan for amenity spaces will create a more cohesive community with distinctive identities for each neighborhood.”  
In the attachment, on page 6, strike the fourth full paragraph and substitute:

“Where the community gathers to shop, eat and be entertained.

Location: Centered between Warfield, Symphony Overlook and the Lakefront neighborhoods.

The Mall in Columbia is currently a successful regional center with five department stores, a movie theatre and a diverse collection of restaurants. To enhance the economic strength of the Mall and as a response to increased competition, special attention is given to the Mall in this Plan by placing the Mall in its own neighborhood. Any redevelopment of the Mall must comply with the Design Guidelines for the Mall neighborhood. Through the Design Guidelines, any redevelopment of the Mall will provide amenities including but not be limited to, improvements to underutilized areas around the Mall such as sidewalks, curbs, plantings and landscaping, street furniture and other streetscape improvements, lighting, public art, enhanced hardscaping, transit improvements and improved safety features. These improvements will strengthen linkages between the neighborhoods and will provide attractive, pedestrian-friendly environments around the Mall that will encourage businesses to locate and remain in Downtown. The Design Guidelines will also promote the Mall as a center of social activity and economy for Howard County.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 5 to Council Bill No. 58-2009 as follows: *(This amendment corrects a neighborhood reference and clarifies a Design Manual reference.)*

On page 1, in line 17, between “Merriweather” and “Symphony” strike the slash and substitute a hyphen.

On page 2, in line 12, before the first “Design Guidelines” insert “Neighborhood” and, in the same line, after “Mall”, strike “neighborhood”.

On page 2, in line 19, before “Design Guidelines” insert “Neighborhood”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 5 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 5 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 5 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 5 passed as amended.

The Chairperson moved to adopt Amendment No. 6 to Council Bill No. 58-2009 as follows: *(This amendment clarifies a preference for public streets in Downtown.)*

In the attachment, on page 18, strike the third paragraph and substitute:

“This Plan seeks to create a Downtown Columbia served by a connected street network that would offer more route choices, disperse traffic over a wider network, provide more capacity and result in shorter, more direct trips with less delay. This network will consist of existing streets, new streets in new alignments, and the transformation of the mall inner and outer ring roads and selected surface parking lot drive aisles into genuine streets. The Plan envisions that the new streets will be predominately public.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 6 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 7 to Council Bill No. 58-2009 as follows: *(This amendment clarifies language relating to Symphony Woods, the Central Library, and cultural districts.)*

In the attachment, on page 6, strike “MERRIWEATHER”, and substitute “MERRIWEATHER-SYMPHONY WOODS”

In the attachment, on page 6, strike the first and second full paragraph and insert:

“Merriweather will be a new kind of cultural park where the landscape becomes a setting for arts, cultural and civic uses. It will be anchored by an enhanced Merriweather Post Pavilion and Symphony Woods. These uses may have compatible commercial uses such as a café in the park or museum shop. A new system of paths and infrastructure will support festivals and other events in the park. Natural areas will be improved by removing invasive species, restoring stream corridors with native vegetation and the planting of up to 15,000 new trees in accordance with the Columbia Town Center Merriweather & Crescent Environmental Enhancement Study. Merriweather-Symphony Woods will be connected to the heart of Symphony Overlook along a new north/south axis from Market Square at The Mall. Pedestrians will cross Little Patuxent Parkway at a new entrance to Symphony Wood Park. This intersection, designed to allow for safe crossing of the Parkway, will lead to a new Fountain Plaza which connects to Merriweather Post Pavilion. The access through Merriweather-Symphony Woods that connect to the civic and cultural uses will be compatible with the topography.”

In the attachment, on page 13, strike the first full paragraph under “HOWARD COUNTY LIBRARY” and insert:

“The Howard County Library is one of the best library systems in the country. While its success as a public institution is irrefutable, it has the exciting opportunity, given the right tools, to grow further into a leader of library innovation. This Plan recommends that a new Central Library be built downtown. This new library complex could move the Howard County Library into the direction of an “Experience Library,” an intellectual, interactive learning center combining visual exhibitions with interesting architecture and typical library elements.”

In the attachment, on page 31, strike the third and fourth full paragraphs and insert:

“With respect to the recorded open space within the Merriweather Neighborhood known as Symphony Woods, implementing legislation should require that new parkland be provided to replace any recorded open space. 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.”

In the attachment, on page 35, strike the fourth full paragraph and insert:

“As discussed above, this Plan recommends the creation of a cultural district in the Merriweather 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 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.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 7 to Council Bill No. 58-2009 as follows: *(This amendment to amendment makes several technical and clarifying corrections to the Merriweather-Symphony Woods language and nomenclature, and the Howard County Library language .)*

On page 1, in line 6, immediately following “Merriweather” insert “-Symphony Woods”.

On page 1, in line 8, immediately following “Symphony Woods” insert “Park”.

On page 1, in line 17, immediately following “Symphony” strike “Wood” and substitute “Woods”.

On page 1, in line 20, strike “connect to” and substitute “connects”.

On page 1, in line 30, strike “into” and substitute “in”.

On page 2, in line 3, immediately following the period, insert “The potential for a land swap could be explored as a means of facilitating construction of a new library complex and redevelopment of the existing library site.”.

On page 2, immediately following line 4, insert: “In the attachment, on page 13, under the heading, “HOWARD COUNTY LIBRARY”, strike the second paragraph in its entirety.”.

On page 2, in line 7, immediately following “to” insert “Downtown Parkland,” strike “the recorded open space within the Merriweather Neighborhood”. On the same page, in line 8, strike “known as Symphony Woods,” On the same page, in line 9, strike “recorded open space” and substitute “parkland lost to development”.

On page 2, in line 21, immediately following “fourth” insert “and fifth” and strike “paragraph” and insert “paragraphs”.

On page 2, in line 24, immediately following “Merriweather” insert “-Symphony Woods”.

On page 2, in line 25, strike “multi model” and substitute “multi-modal”.

On page 2, in line 28, immediately following “Merriweather” insert “-Symphony Woods”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 7 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 7 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 7 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 7 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 9 to Council Bill No. 58-2009 as follows: (*This amendment adds certain requirements to preserve the former Rouse Company Headquarters building.*)

In the attachment, on page 17, in the item for “Signature Buildings,” after the first sentence, insert the following:

“Downtown-wide Design Guidelines will provide for the preservation of the former Rouse Company Headquarters building and specifically set forth criteria for acceptable alteration to the exterior of that building. The Downtown-Wide Design Guidelines will not prohibit interior

alterations or future adaptive reuse that would better integrate the building into its surroundings and activate the adjacent pedestrian spaces as described in the guidelines and this Plan or prohibit reconstruction of the building in the event of casualty.”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 9 to Council Bill No. 58-2009 as follows: *(This amendment clarifies the intentions regarding culturally and historically important features and clarifies that the feasibility study for the former Rouse Company Headquarter building should be completed before the Downtown-wide Design Guidelines.)*

On page 1, before line 1, insert:

“In the attachment, on page 3, in the first sentence after “Section 1.2 SYMBOLS” that begins “A revitalized and” strike “and it will memorialize those elements of its past worth preserving and remembering.” and substitute “as it preserves the culturally and historically important features of the built and natural landscape.”.

In the attachment, on page 3, in the fifth paragraph after “Section 1.2 SYMBOLS”, in the second sentence after “study”, insert “should be completed before the Downtown-wide Design Guidelines and”.”.

Convert lines 3 through 9 from small-caps to regular underlined font.

On page 1, in line 1, strike “after” substitute “strike” and after “sentence” strike the comma and substitute “and”. On the same page, in line 3, immediately before “Downtown-wide” insert the following: “Structures which require special architectural attention including the former Rouse Company Headquarters.”.

On page 1, in line 5, after the second “The”, strike “Downtown-Wide Design”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 9 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 9 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 9 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 9 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 10 to Council Bill No. 58-2009 as follows: *(This amendment requires the petitioners for Downtown Revitalization to submit Site Development Plans to the Design Advisory Panel prior to review by the Planning Board.)*

In the attachment, on page 17, strike the first and second full paragraphs, and substitute the following:

“As recognized by Downtown Columbia: A Community Vision, downtown building design review is undertaken by the developer of Columbia. In the future, this review will be augmented by Design Advisory Panel review at the following three important decision points to provide design input:

- After the submission by GGP of draft guidelines to the Design Advisory Panel as discussed below, the County Council should adopt downtown-wide broad design guidelines ("Downtown Design Guidelines") that will be used as a measure against which specific neighborhood design guidelines ("Neighborhood Design Guidelines") will be developed for each of the neighborhoods (Warfield, Symphony Overlook, The Lakefront and Lakefront Core, The Mall, Merriweather-Symphony Woods, and The Crescent). The Neighborhood Design Guidelines will then be used to evaluate the design elements of specific projects downtown.
- To assist the County Council in its review of the of the draft Downtown Design Guidelines, the Design Advisory Panel Act should be amended to require Design Advisory Panel review of the draft Downtown Design Guidelines and to provide the County Council with any suggested modifications for its consideration prior to its adoption of the Downtown Design Guidelines. Thereafter, it is recommended that the petitioner submit proposed Neighborhood Design Guidelines, along with a Neighborhood Concept Plan, with the Final Development Plans for each neighborhood. The Design Advisory Panel should then review the proposed Neighborhood Design Guidelines to evaluate their consistency with the Downtown Design Guidelines adopted by the County Council. The Design Advisory Panel would provide its recommendations to the Planning Board, and the Planning Board would then be responsible for approving the final Neighborhood Design Guidelines along with the Final Development Plan.
- During the Downtown Redevelopment process, petitioners are required to submit Site Development Plans to the Design Advisory Panel for review. The Design Advisory Panel is to make recommendations on Site Development Plans to the Planning Board. The Design Advisory Panel recommendation is to be made in accordance with the applicable provisions in Title 16, Subtitle 15 of the County Code and the Neighborhood Design Guidelines.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 10 to Council Bill No. 58-2009 as follows: *(This amendment to amendment makes a clarifying corrections pertaining to the Neighborhood Concept Plan. This amendment also ensures that references to Downtown-wide Design Guidelines will be consistent throughout the General Plan Amendment. )*

On page 1, before line 1, insert:

“In the attachment, on page 1, add a footnote after “INTRODUCTION” as follows:

“Any reference in this Plan to Downtown Design Guidelines or Downtown Columbia Design Guidelines shall be a reference to the Downtown-Wide Design Guidelines as defined in the Howard County Zoning Regulations.””

On page 1, in line 10, strike “Downtown” and substitute “Downtown-wide”.

On page 1, in line 18, strike “Downtown” and substitute “Downtown-wide”.

On page 1, in line 20, strike “Downtown” and substitute “Downtown-wide”.

On page 2, in line 2, strike “Downtown” and substitute “Downtown-wide”.

On page 2, in line 4, strike “the” and substitute “each” and strike “Plans for each neighborhood” and substitute “Plan”.

On page 2, after line 19, insert:

“In the attachment, strike each reference to “Downtown Design Guidelines” or “Downtown Columbia Design Guidelines” and substitute “Downtown-wide Design Guidelines.””

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 10 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 10 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 10 as amended was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 10 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 11 to Council Bill No. 58-2009 as follows: *(This amendment clarifies that references to General Growth Properties are intended to include its affiliates and any successors, assigns or purchasers.)*

In the attachment, on page 1, delete the fourth paragraph and insert:

“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.””

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 11 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 12 to Council Bill No. 58-2009 as follows: *(The amendment removes reference to specific critical lane volume requirements and clarifies that any change in critical lane volume will be established in subsequent adequate public facilities legislation.)*

In the attachment, on page 20, strike the first sentence in the section titled “New Level of Service Standard” and substitute:

“The level of service for all County-controlled intersections serving Downtown Columbia should reflect its more urban, pedestrian oriented character. Therefore, this plan anticipates a higher critical lane volume (CLV) than exists in the rest of the County. The appropriate level of service standard (CLV) will be established as part of the Adequate Public Facilities Ordinance legislation.”.

Also on page 20, after the last paragraph in the same section, insert:

“To consider the many recommended changes to the Adequate Public Facilities Ordinance, this Plan envisions the filing of an amendment to the Act within 120 days.”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 12 to Council Bill No. 58-2009 as follows: *(This amendment makes a technical correction to Amendment 12.)*

On page 1, in line 7, strike “(CLV)”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 12 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 12 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 12 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 12 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 13 to Council Bill No. 58-2009 as follows: *(This amendment incorporates certain documents necessary for environmental restoration projects, clarifies the types and timing of environmental restoration projects to be performed, clarifies the link between the Sustainability Program and design guidelines and clarifies the role of the Environmental Sustainability Board.)*

In the attachment, on page 26, in the first paragraph, strike the sentence that begins “Once the goals” through the end of that paragraph, inclusive.

In the attachment, on page 26, at the end of the second paragraph, after “avenues for achieving them.” insert:

“The Land Framework shall incorporate 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 Kittamaqundi Watersheds or alternate means of addressing the intent of those documents.”.

In the attachment, on page 26, at the end of the fourth paragraph after “diversity of all life.” insert:

“Design guidelines will be directly linked to the Sustainability Program to facilitate cross referencing, monitoring and compliance.

Once the Sustainability Program goals have been established, the Downtown Columbia 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 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.”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 13 to Council Bill No. 58-2009 as follows: *(This amendment to amendment makes several technical and clarifying corrections to the Downtown Design Guidelines nomenclature.)*

On page 1, in line 6, strike “incorporate” and substitute “identify the locations of”.

On page 1, in line 9, put a period after “Watersheds” and strike “or alternate means of addressing the intent of those”.

On page 1, in line 10, strike “documents.” and substitute “Future Site Development Plans shall identify the specific restoration project(s) or alternative means of addressing the intent of these environmental studies.”.

On page 1, in line 14, prior to “Design” insert “Downtown-wide” and strike “guidelines” and substitute “Guidelines”. On the same page, in line 17, strike “Downtown Columbia” and substitute “Downtown-wide”.

On page 2, in line 1, immediately following “the” insert “Downtown-wide”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 13 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 13 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 13 as amended was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 13 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 14 to Council Bill No. 58-2009 as follows: *(This amendment changes the Maximum Building Heights.)*

Remove Exhibit F, Maximum Building Height Plan, as attached to the Bill as previously amended and substitute a new Exhibit F, Maximum Building Height Plan, as attached to this Amendment. *(See attached.)*

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 14 to Council Bill No. 58-2009 as follows: *(This amendment changes the Maximum Building Heights.)*

In line 2, insert the following:

“In the attachment, on page 5, in the last full sentence on the page, strike “20” and substitute “15.”

In the attachment, on page 39, in the second full paragraph, in the fourth sentence, strike “20” and substitute “15.”

Substitute the attached “Exhibit F Maximum Building Height Plan”, for the attachment to Amendment 14 to Council Bill 58-2009 (as amended). *(See attached.)*

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 14 was: Nay: Council Members Watson, Ball, Fox and Sigaty; Yea: Council Member Terrasa. Amendment No. 1 to Amendment No. 14 to Council Bill No. 58-2009 failed.

The roll call vote called by the Chairperson on Amendment No. 14 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa. Amendment No. 14 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 15 to Council Bill No. 58-2009 as follows: *(This amendment clarifies the moderate income housing unit obligation required in downtown.)*

In the attachment, on page 8 strike the 5<sup>th</sup> paragraph that begins “As detailed below,” down through and including the last paragraph on page 10 that begins “As an alternative,” inclusive, and substitute:

**“MIXED-INCOME HOUSING UNIT (MIHU) REQUIREMENT**

Downtown Columbia should include a full spectrum of housing options. This Plan recommends the Howard County Council enact zoning legislation requiring that a minimum of 15 percent of all new housing units constructed in accordance with the new downtown revitalization process be moderate-income housing units. Moderate-income housing units must be provided in accordance with Title 13 of the Howard County Code.

The moderate-income housing units will be regulated under Title 13 of the Howard County Code, which is administered by the Howard County Department of Housing and Community Development. In order to assure that the moderate-income housing units are available to the intended beneficiaries, covenants will be recorded against those properties in downtown where units are to be constructed. Covenants will prohibit the sale or rental of these units except to eligible individuals or families, the Howard County Housing Commission, the County or an appropriate designee in accordance with the Housing and Community Development provisions of the Howard County Code. Limitations on the future sale or rental of each moderate-income housing unit would also apply as specified in the County Code.

The Howard County Department of Housing and Community Development is also encouraged to explore and consider alternative means of addressing the County's affordable housing needs in Downtown. One such alternative could provide for the inclusion of incentive-based alternative compliance options that would encourage the development of low-income as well as moderate income housing in downtown. The County Council would need to enact supplemental legislation to implement any alternative mechanism for affordable housing. Any alternative affordable housing obligation should be met downtown.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 15 to Council Bill No. 28-2009 as follows: *(This amendment revises the housing language in the Amendment.)*

On page 1, strike the description of the Amendment and substitute: “(This amendment revises the Plan's section on housing.)”

Strike beginning with line 4 on page 1 through line 5 on page 2, inclusive, and substitute:  
“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 Downtown Columbia Community Housing Foundation (“DCCHF”), as detailed below. The intent of this full spectrum housing program for Downtown Columbia is to satisfy all affordable housing requirements for downtown.

#### Initial Source of Funds

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 developer will provide a one-time, per unit payment to the DCCHF in the following amounts, to be imposed upon the issuance of any building permit for a building containing dwelling units. Payment will be contingent upon the 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:

- 1). \$2,000/unit for each unit up to and including the 1,500th unit.
- 2). \$7,000/unit for each unit between the 1,501st unit up to and including the 3,500th unit.
- 3). \$9,000/unit for each unit between the 3,501st unit up to and including the 5,500th unit.

The amounts to be paid under 1), 2) and 3) above will be subject to annual adjustment based on a builder's index, land value or other index provided in the implementing legislation.

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 DHCCF 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, 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 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.”

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 15 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 15 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 15 as amended was:

Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 15 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 16 to Council Bill No. 58-2009 as follows: *(This amendment changes several references to “consistent” and “consistency” in the Downtown Columbia Plan in order to mirror changes made by amendments to Bill 59-2009.)*

In the attachment, on page 33, strike the last sentence of the third paragraph and substitute:

“The exact location and nature of these pedestrian improvements must be shown on the Final Development Plan, which is required to conform with this Plan.”

In the attachment, on page 39, strike second and third sentences in the first full paragraph and substitute:

“It is therefore recommended that legislation allowing for the implementation of this Vision expressly require conformity with this Plan, including the Downtown CEPPA Implementation Chart or the CEPPA flexibility provisions discussed herein. The implementing legislation should also require an express determination that the amenity spaces, environmental enhancements and transportation infrastructure identified in this Plan are being provided in conformity with the Downtown CEPPA Implementation Chart or CEPPA flexibility provisions.”

In the attachment, on page 39, strike the second sentence of the second full paragraph and substitute:

“The Neighborhood Concept Plan must show how the proposed development conforms with the overall plan for the neighborhood as described in the Design Guidelines adopted by the County Council and as depicted on the Street and Block Plan (Exhibit C), Maximum Building Height Plan (Exhibit F), Primary Amenity Space Framework Diagram (Exhibit G), Street Framework Diagram (Exhibit H), and Downtown Open Space Preservation Plan (Exhibit K).”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 16 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 16 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 17 to Council Bill No. 58-2009 as follows: *(This is a technical amendment to retitle Exhibit I of the attachment)*

In the attachment, retitle Exhibit I, “BICYCLE CIRCULATION PLAN” to read “BICYCLE AND PEDESTRIAN CIRCULATION PLAN”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 17 to Council Bill No. 58-2009 as follows: *(This is a technical amendment to retitle Exhibit I of the attachment.)*

In line 3, insert:

“In the attachment, on page 52, strike “I. BICYCLE CIRCULATION PLAN”, and substitute “I. BICYCLE AND PEDESTRIAN CIRCULATION PLAN””.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 17 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 17 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 17 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 17 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 18 to Council Bill No. 58-2009 as follows: *(This amendment removes redundant and inconsistent language relating to CEPPAs.)*

In the attachment, on page 39, strike from the second paragraph under “COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES (CEPPAS)” through the end of page 40, and substitute:

“This Plan requires that GGP or other developers provide these CEPPAs in phases and on a schedule corresponding to the implementation of new development as outlined in the Downtown Implementation CEPPA chart and CEPPA flexibility provisions included in this Plan

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 18 to Council Bill No. 58-2009 as follows: *(This amendment clarifies that CEPPAs must be provided and certain building permits must be approved before any certain land disturbance can occur.)*

On page 1, before line 1 insert:

“In the attachment, on page 36, in the second paragraph after “Section 4.2” that begins “To create the” strike the third sentence that begins “The legislation should” and substitute “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 the attachment, also on page 36, strike the third paragraph after “Section 4.2” that begins “If a specific”, in its entirety, and strike the fourth paragraph after “Section 4.2” that begins “Additionally, because development”, in its entirety.”

On page 1, in line 5 strike “in phases”.

On page 1, in line 6, strike “and”.

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The motion was seconded by Ms. Sigaty

The roll call vote called by the Chairperson on the amendment to Amendment No. 18 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 18 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment 18 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 18 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 19 to Council Bill No. 58-2009 as follows: *(This amendment clarifies language relating to the Arts and Culture section of the General Plan Amendment.) (See attached.)*

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The motion was seconded by Ms. Sigaty.

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The Chairperson moved to adopt Amendment No. 1 to Amendment No. 19 to Council Bill No. 58-2009 as follows: *(This amendment to amendment makes several clarifying corrections pertaining to Downtown Arts and Culture Commission.)*

On page 1, in line 15, immediately following “Commission”, insert “, an independent non-profit organization,”.

On page 2, immediately following line 15, insert the following:

“Successful operation of the pavilion will require alternative customer parking arrangements when the adjacent land currently used for parking is either environmentally enhanced or developed. Alternatives which would be phased in through the development program implementation could include construction of shared use publicly owned parking facilities or agreements with existing facilities for off peak use of their garages and parking.”

On page 3, in line 22, insert the following:

“On page 34, in the fifth complete paragraph, after the last sentence, insert the following:

“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.” On the same page, strike the last paragraph.”.

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 19 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 19 to Council Bill No. 58-2009 passed as amended.

The roll call vote called by the Chairperson on Amendment No. 19 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 19 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 20 to Council Bill No. 58-2009 as follows: *(This amendment would replace the existing Downtown Revitalization Phasing Plan found on page 41 with the attached revised Downtown Revitalization Phasing Plan.)*

Substitute the attached page for page 41. *(See attached.)*

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 as follows: *(This amendment to amendment substitutes the attached Downtown Revitalization Phasing Plan chart for the attached chart in Amendment 20 to 58-2009.)*

Substitute the attached “DOWNTOWN REVITALIZATION PHASING PLAN”, for the attachment to Amendment 20 to Council Bill 58-2009 (as amended). *(See attached.)*

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The motion was seconded by Ms. Sigaty.

Council Member Terrasa moved to recess to meet in closed session for the purpose of obtaining legal advice. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to meet in closed session passed.

The legislative session was resumed at 9:28 p.m.

Council Member Terrasa moved to postpone a vote on Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 until a time certain of 9:45 p.m. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion passed.

The Chairperson moved to adopt Amendment No. 21 to Council Bill No. 58-2009 as follows: *(This amendment replaces the current CEPPA chart with the attached revised chart.)*

Substitute the attached pages for pages 42-47 of the attachment to the bill.

Renumber the remainder of the bill accordingly.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 21 to Council Bill No. 58-2009 as follows: *(This amendment to amendment substitutes the attached CEPPA chart for the attached chart in Amendment 21 to 58-2009.)*

Substitute the attached “DOWNTOWN COMMUNITY ENHANCEMENTS, PROGRAMS AND PUBLIC AMENITIES (CEPPAs) IMPLEMENTATION CHART”, for the attachment to Amendment 21 to Council Bill 58-2009 (as amended).

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 21 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 21 to Council Bill No. 58-2009 as follows: *(This amendment revises the CEPPAs related to the Downtown Columbia Community Housing Fund.)*

In the attachment, on page 44, after CEPPA #9, insert:

	<b>UPON ISSUANCE OF THE FIRST BUILDING PERMIT</b>
10.	<u>GGP shall contribute \$1.5 million in initial funding for the Downtown Columbia Community Housing Fund. Payment will be contingent upon the 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.</u>

	<b>UPON ISSUANCE OF THE BUILDING PERMIT FOR THE 400TH RESIDENTIAL UNIT</b>
11.	<u>GGP shall contribute \$1.5 million in additional funding for the Downtown Columbia Community Housing Fund. Payment will be contingent upon the 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.</u>

In the attachment, on page 46, after CEPPA #23, insert:

	<b>UPON ISSUANCE OF ANY BUILDING PERMIT FOR A BUILDING CONTAINING DWELLING UNITS</b>
26.	<u>To fulfill an affordable housing obligation, each developer will provide a one-time, per unit payment to the DCCHF in the following amounts, to be imposed upon the issuance of any building permit for a building containing dwelling units. Payment will be contingent upon the 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:</u>

	<p><u>1). \$2,000/unit for each unit up to and including the 1,500th unit.</u></p> <p><u>2). \$7,000/unit for each unit between the 1,501th unit up to and including the 3,500th unit.</u></p> <p><u>3). \$9,000/unit for each unit between the 3,501st unit up to and including the 5,500th unit.</u></p> <p><u>The amounts to be paid under 1), 2) and 3) above will be subject to annual adjustment based on a builder's index, land value or other index provided in the implementing legislation.</u></p>
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	<b>ADDITIONAL CEPPA CONTRIBUTION</b>
<u>27.</u>	<p><u>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.</u></p>

Renumber the CEPPAs accordingly.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 2 to Amendment No. 21 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 3 to Amendment No. 21 to Council Bill No. 58-2009 as follows: *(This amendment sets the charge for hotels at \$0.25 per square foot of net floor area and clarifies that the charge of \$0.25 per square foot of gross leasable area applies to office and retail uses.)*

In the attachment, in the box labeled with the number “23”, after “Gross Leasable Area”, insert “for office and retail uses and twenty-five cents (\$0.25) per square foot of net floor area for hotels”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 3 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 3 to Amendment No. 21 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 21 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 21 to Council Bill No. 58-2009 passed as amended.

At the approved time certain of 9:45 p.m., Council Member Fox moved to adopt Amendment No. 1 to Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 which was introduced from the floor. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion passed.

Council Member Fox moved to reconsider Amendment No. 1 to Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to reconsider Amendment No. 1 to Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 passed.

Council Member Fox moved to withdraw Amendment No. 1 to Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to withdraw Amendment No. 1 to Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson to adopt Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 was: Nay: Council Members Ball, Fox, Sigaty, and Terrasa; Yea: Council Member Watson.

Amendment No. 1 to Amendment No. 20 to Council Bill No. 58-2009 failed.

Council Member Fox moved to adopt Amendment No. 2 to Amendment No. 20 to Council Bill No. 58-2009 as follows: *(This amendment to amendment substitutes the attached Downtown Revitalization Phasing Plan chart for the attached chart in Amendment 20 to 58-2009.)*

Substitute the attached "DOWNTOWN REVITALIZATION PHASING PLAN", for the attachment to Amendment 20 to Council Bill 58-2009 (as amended). *(See attached.)*

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 2 to Amendment No. 20 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 2 to Amendment No. 20 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 20 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 20 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 22 to Council Bill No. 58-2009 as follows: *(This amendment establishes a Transportation Demand Management Plan in the General Plan and removes all references to the Transportation Management Association in both the Transit and Collaboration sections of the plan.)*

In the attachment, on pages 21 through 23, strike the Section entitled, “2.4 TRANSIT”, in its entirety, and substitute the following:

“2.4 TRANSIT | “Improve and expand transit service, reinforcing downtown as the central hub for the local bus system, adding a downtown circulator shuttle and setting the stage for the possibility of future bus rapid transit and rail mass transit.” —Downtown Columbia: A Community Vision

In order to reduce reliance on single-occupant vehicles as the predominant mode of transportation to and within Downtown Columbia, one of the key components of this Plan is to develop and implement alternative options for people to move around as well as to and from downtown. This will be one of the primary responsibilities of the Downtown Columbia Partnership.

#### TRANSPORTATION DEMAND MANAGEMENT PLAN (TDMP)

This Plan recommends development and implementation of a Transportation Demand Management Plan (TDMP) which may be coordinated in conjunction with the Downtown Columbia Partnership and Howard County. In addition, cooperation among General Growth Properties, Howard Community College, Howard General Hospital, Howard County, the Columbia Association, as well as other employers in Downtown Columbia is envisioned in both the development and implementation of the TDMP.

The TDMP should include recommendations for programs aimed at increasing the use of transit, walking, bicycling and ride-sharing for both commute and non-commute trips. In developing these recommendations, the TDMP should consider both the short and long term transportation initiatives discussed in the remainder of this section. In addition, this TDMP could include such things as: (1) installation of physical facilities such as bike racks and way finding signage, information kiosks, bus stops and the new transit center; (2) services including promotion of flexible work hours, promotion of transit benefits programs, promotion of the use of ZIP cars, distribution of ridesharing and transit information, formation and maintenance of a ride matching database, development of websites, etc; and (3) parking management programs such as reserved carpool/vanpool parking, parking information systems and reduced parking ratios.

To maximize the effectiveness of the TDMP, it should be developed and implemented as early in the Downtown Columbia revitalization and redevelopment process as possible.

#### HIERARCHY OF SERVICES

This Plan also seeks to provide a hierarchy of new and improved transit facilities and services that would reduce auto use, improve mobility for people of all ages and physical abilities and support a more pedestrian-friendly and walkable environment. This hierarchy of services would help facilitate short, medium and long distance trips within Downtown Columbia, and connect Downtown Columbia with other parts of Columbia and Howard County, and to Washington, Baltimore and the region. These services could in the future 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 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.

### DOWNTOWN COLUMBIA CIRCULATOR SHUTTLE BUS SERVICE

A key component of this Plan is to ensure that a circulator system serving Downtown Columbia is developed and maintained. Shuttle bus 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. A new and improved centrally located transit hub could include sheltered waiting areas, transit information booth, real-time 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.

The downtown transit hub 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 circulator shuttle, Howard Transit lines and potential future regional bus lines.

### 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 density (providing many more people – jobs and residents - within walking distance)
- Integrated local transit (Howard Transit and Downtown Columbia Circulator Shuttle)
- A relocated and enhanced transit hub

By recommending additional development downtown and through the implementation of the recommended TDMP, Downtown Columbia Circulator Shuttle, improved pedestrian linkages and new transit center, this Plan supports new and improved regional transit links to Columbia, including regional bus transit (RBT)/commuter bus; bus rapid transit (BRT); light rail transit (LRT); and extension of the Metro Yellow Line. Future development in Downtown Columbia would support transit directly through the new Downtown Columbia Partnership (discussed later in this Plan) and the new transit center, new bus shelters, downtown shuttle funding and improved pedestrian and bicycle connections to Downtown Columbia and transit facilities.”.

On pages 50 and 51, strike the Section entitled, “5.2 COLLABORATION”, in its entirety, and substitute the following:

“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

This Plan proposes the establishment of a private non-profit Downtown Columbia Partnership (DCP) organization to carry out important services and community functions in Downtown Columbia. The mission of the Downtown Partnership will be to promote economic development in Downtown Columbia, transportation initiatives as described in Section 2.2 and in the feasibility study of the Downtown Columbia Circulator Shuttle, market and promote Downtown Columbia and its businesses, promote public safety; educate and provide security patrols; implement downtown beautification and maintenance projects, cultural arts programs, sustainability programs; and to coordinate the programming of public spaces in Downtown Columbia.

It is envisioned the Downtown Columbia Partnership would be organized as a Section 501(c) (3) nonprofit corporation. 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.

The Downtown Columbia Partnership is one suggested means of addressing many ongoing matters of importance to Downtown Columbia. A suitable alternative may be developed as the Plan progresses that will also meet the objectives identified above.”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 22 to Council Bill No. 58-2009 as follows: *(This amendment:*

1. *Incorporates certain clarifications regarding the scope of the pilot pathway program between Blandair and the hospital;*
2. *Clarifies the roles that the various entities will play in the development of the Transportation Demand Management Plan;*
3. *Clarifies language related to the Downtown Columbia Partnership; and*
4. *Makes other clarifying amendments.)*

On page 1, in line 5 insert:

“In the attachment, on page 18, strike the first paragraph that begins “As discussed in detail”.”.

On page 1, in line 23, after “recommends” insert “that the County develop” and, in the same line strike “development and implementation of”.

On page 1, in line 24, strike “which may be coordinated”.

On page 1, in line 25, after “Partnership” insert a comma and, in the same line, strike “and Howard County. In addition, cooperation among”.

On page 1, in line 26, before “General” insert “County” and, in the same line, strike the last “Howard”.

On page 1, in line 27:

1. Strike “County,”;
2. Strike “as well as” and substitute “and”; and
3. Strike “is” and substitute a period.

On page 2, strike line 1 and substitute “It is envisioned that all of these parties will be engaged in implementation of the TDMP. As redevelopment progresses, the TDMP may be revised over time to reflect changing conditions.”.

On page 2, put a hard return before line 2, creating a new paragraph that begins “The TDMP”.

On page 2, in line 21, strike “short, medium and long distance”.

On page 2, in line 22:

1. After the first “Columbia” strike the comma;
2. Strike the second “Columbia”; and
3. After the third “Columbia” insert a comma.

On page 2, in line 23, strike “and to” and, in the same line, strike “could in” and substitute “will”.

On page 2, in line 24, strike “the future”.

On page 2, in line 29, strike “BICYCLE ROUTES” and substitute “BICYCLE AND PEDESTRIAN ROUTES”.

On page 3, after line 1, insert:

“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 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."

On page 3, before line 2, insert a return.

On page 3, line 2, strike "BUS".

On page 3, in line 4, strike "bus".

On page 3, in line 4, after "maintained" insert "as recommended by the shuttle feasibility study discussed in CEPPA No.5".

On page 3, strike line 16 and substitute "The new transit center could include sheltered waiting areas, bicycle parking facilities.".

On page 3, in line 22, strike "hub" and substitute "center".

On page 3, in line 25, strike "lines" and substitute ", existing commuter bus service".

On page 3, in line 26, strike "bus lines" and substitute "transit".

On page 4, in line 8 strike "density" through the end of the line and substitute "intensity (providing many more people – employees and residents – within walking".

On page 4, in line 12, strike "hub" and substitute "center".

On page 4, in line 15, after "pedestrian" insert "and bicycle".

On page 4, in line 17, strike "(RBT)/commuter bus".

On page 4, in line 18, strike "Metro Yellow Line" and substitute "Baltimore and Washington Metro systems".

Strike beginning with "Future" in line 18 down through "facilities." in line 22, inclusive.

On page 4, in line 23, insert:

"In the attachment, on page 24:

1. In the second full paragraph that begins "Additionally", in the second sentence, strike both references to "bus"; and
2. In the third full paragraph that begins "As each parking", in the first sentence, after "constructed," strike "GGP and other developers along with the Transportation Management Association will review and analyze" and substitute "consideration should be given to".

In the attachment, on page 33, in the fourth full paragraph that begins “This Plan recommends”, in the first sentence strike “to be relocated to” and substitute “be located in”.

In the attachment, on page 48:

1. In the last sentence of the third paragraph after “Section 4.3”, strike “and Transportation Management Association”;
2. In the last paragraph that begins “As noted above,” in the second sentence, after “study” insert “is recommended to be undertaken by the County” and strike the rest of the sentence; and
3. In last paragraph that begins “As noted above,” in the last sentence, put a period after “strategies” and delete the rest of the sentence that continues onto page 49.”.

On page 4, in line 32, strike “a private non-profit” and substitute “the”.

On page 4, in line 33, strike “(DCP) organization” and substitute “(DCP), an independent nonprofit organization,”.

On page 5, in line 1, strike “be to promote” and substitute “include”.

On page 5, in line 2, strike “economic development in Downtown Columbia,” and substitute “supporting”.

On page 5, in line 3, strike “Section 2.2” and substitute “Section 2.4”.

On page 5, in line 3, strike the comma after “Shuttle” and substitute a period.

On page 5, strike lines 4 through 7, inclusive and in their entirety, and substitute:  
“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.”.

On page 5, in lines 9-10, strike “organized as a Section 501(c)(3)” and substitute “an independent”.

On page 5, inline 10, strike “corporation” and substitute “organization”.

On page 5, strike lines 24 through 26, inclusive and in their entirety.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 22 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 22 to Council Bill No. 58-2009 as amended. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 22 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 23 to Council Bill No. 58-2009 as follows: *(This amendment states a preference for order of development that promotes connectivity.)*

In the attachment, on page 33, after the third paragraph, insert:

“In addition, in order to improve walkability and develop more complete internal pedestrian connections and to avoid isolation for early residents, this plan recommends phasing of development that promotes connectivity between the Mall, Lakefront, Merriweather and existing development as well as early development in the Warfield, Lakefront and Symphony Overlook neighborhoods.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 23 to Council Bill No. 58-2009 as follows: *(This amendment removes a reference to timing of development.)*

On page 1, in line 3, strike “plan recommends phasing of”, and substitute: “Plan recommends”.

Also on page 1, in line 5, after the first “development”, strike the remainder of the text through line 6 and substitute a period.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 23 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 23 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 23 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 23 to Council Bill No. 58-2009 passed as amended.

The Chairperson moved to allow introduction of Amendment No. 24 to Council Bill No. 58-2009 which was not prefiled. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to allow introduction of Amendment No. 24 to Council Bill No. 58-2009 passed.

The Chairperson moved to adopt Amendment No. 24 to Council Bill No. 58-2009 as follows: *(This amendment provides direction to DPZ to publish graphics, title pages, and covers to improve readability of the bill.)*

On page 6, in line 30, insert:

“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.”

Renumber the remaining section accordingly.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 24 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 24 to Council Bill No. 58-2009 passed.

The roll call vote called by the Chairperson on Council Bill No. 58-2009 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 58-2009 passed as amended.

Council Bill No. 59-2009 (ZRA-113) – Introduced by: The Chair at the request of General Growth Properties - Amending the Howard County Zoning Regulations to create a new Downtown Columbia revitalization process in the New Town District; defining new terms; establishing a new residential density for Downtown Columbia; establishing new land use percentages for open space in Downtown Columbia; establishing an affordable housing provision for Downtown Columbia revitalization; establishing new off-street parking requirements for Downtown Columbia revitalization; and generally relating to the New Town zoning district *(Life extended and tabled 12/07/09)*  
*(Removed from table - Amendments attached and tabled 01/04/10)*

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The Chairperson moved to remove Council Bill No. 59-2009 from the table. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to remove Council Bill No. 59-2009 from the table passed.

The Chairperson moved to adopt Council Bill No. 59-2009. The motion was seconded by Ms. Sigaty.

The Chairperson moved to reconsider Amendment No. 1 to Council Bill No. 59-2009. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to reconsider Amendment No. 1 to Council Bill No. 59-2009 passed.

The Chairperson moved to reject Amendment No. 1 to Council Bill No. 59-2009. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to reject Amendment No. 1 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 4 to Council Bill No. 59-2009 as follows: *(This amendment clarifies that Community Enhancements, Programs, and Public Amenities completion is required in all phases.)*

On page 19, in line 12, strike “PHASE 2 OR PHASE 3” and substitute “ANY PHASE”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 4 to Council Bill No. 59-2009 as follows: *(This amendment makes technical revisions to the Amendment.)*

On page 1, in line 2, insert:

“On page 19, in line 18, strike “SECTION 125 I.2 AND (II) SITE DEVELOPMENT PLANS”, and substitute: “SECTION 125 A.9.I.2 AND (II) BUILDING PERMITS””.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 4 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 4 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 4 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 4 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 5 to Council Bill No. 59-2009 as follows: *(This amendment provides for no net loss of parkland in Downtown Columbia by requiring an acre for acre replacement.)*

On page 18, in line 14, after “PARKLAND”, strike the remainder of the text through line 20, and substitute a period.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 5 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 5 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 6 to Council Bill No. 59-2009 as follows: *(This amendment makes certain changes to open space preservation and enhancement requirements in order to:*

1. *Remove certain redundant language;*
2. *Reorganize certain language;*
3. *Clarify the nature of future sites for downtown community commons; and*
4. *Clarify what happens if downtown community commons are identified in excess of the requirement.)*

On page 12, strike lines 21 through 30, inclusive and in their entirety.

On page 13, strike lines 1 through 3, inclusive and in their entirety.

Renumber the remainder of Section 125.A.9 accordingly.

On page 17, in line 17, strike “LAND” and substitute “DOWNTOWN COMMUNITY COMMONS MAY BE LOCATED WITHIN AREAS DESIGNATED AS OPEN SPACE UNDER A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN. HOWEVER, LAND”.

On page 17, in line 24, strike “BE” and substitute “INCLUDE SITES”.

On page 17, in line 25, strike “IS” and substitute “ARE”.

On page 17, in line 27, after “DIAGRAM” insert “AND OTHER SITES WHICH SHALL BE IDENTIFIED AND IMPROVED TO ENHANCE NEIGHBORHOOD DEVELOPMENT”.

On page 17, in line 28, before “AT” insert “EXCEPT FOR ANY NEIGHBORHOOD COMPRISED ENTIRELY OF LAND RECORDED AS OPEN SPACE PRIOR TO (EFFECTIVE DATE), EACH NEIGHBORHOOD SHALL INCLUDE AT LEAST ONE DOWNTOWN NEIGHBORHOOD SQUARE.”.

On page 17, in line 31 after “BE” insert “COMPLETED AND”.

On page 18, after line 5, insert:

“(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.”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 6 to Council Bill No. 59-2009 as follows: *(This amendment makes technical revisions to the Amendment.)*

On page 1, in line 6, insert:

“On page 17, in line 8, strike “PLAN AND”, and substitute:

PLAN.

(4)”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 6 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 6 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 6 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 6 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 7 to Council Bill No. 59-2009 as follows: *(This amendment:*

1. *Changes the basis for certain methodology used to calculate shared parking;*
2. *Simplifies the land-use categories that are the basis for shared parking calculations; and*
3. *Substitutes new methodology tables.)*

On page 45, in line 20, after “THE” insert “HOURLY” and, in the same line, strike “EACH SCENARIO” and substitute “WEEKDAYS AND WEEKENDS FOR EACH MONTH”.

On page 45, in line 26, after “WELFARE.” insert “FOR LAND USES NOT LISTED IN TABLE 1, DATA FROM THE CURRENT EDITION OF “PARKING GENERATION” (ITE), “SHARED PARKING” (ULI), THE HOWARD COUNTY ZONING REGULATIONS, OR OTHER APPLICABLE SOURCES MAY BE USED.”.

On Page 46, in line 28, after “THE” insert “HOURLY” and, in the same line, strike “EACH SCENARIO” and substitute “WEEKDAYS AND WEEKENDS FOR EACH MONTH”.

Remove Tables 1 through 6, inclusive, contained on pages 48 through 53 of the Bill, as previously amended, and substitute amended Tables 1 through 6, inclusive, as attached to this amendment, and renumber the amended pages as pages 48 through 53, respectively.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 7 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 7 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 8 to Council Bill No. 59-2009 as follows: *(In order to avoid a potential conflict with a State law (Article 66B, §1.02) that defines the phrase “consistent with” when that phrase is used in zoning laws like this Bill that require consistency with planning documents like the Howard County General Plan, this amendment:*

1. *Defines “conform with” and similar phrases; and*
2. *Substitutes “conform with”, or a similar phrase, in certain places where the Bill uses the phrase “consistent with”, or a similar phrase.)*

On page 4, in line 27, strike “BE CONSISTENT” and substitute “CONFORM”.

On page 5, strike lines 17 and 18 in their entirety and substitute:

“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.

- 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.”.

On page 14, in line 29, strike “BE CONSISTENT” and substitute “CONFORM”.

On page 17, in line 3, strike “BE CONSISTENT” and substitute “CONFORM”.

Also on page 17, in line 25, strike “IS GENERALLY CONSISTENT” and substitute “GENERALLY CONFORMS”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 8 to Council Bill No. 59-2009 as follows: *(This amendment makes technical corrections to Amendment 8.)*

On page 2, in line 3, strike “BE CONSISTENT” and substitute “BE CONSISTENT WITH”. Also on page 2, in line 3, strike “CONFORM” and substitute “CONFORM TO”.

On page 2, in line 5, strike “BE CONSISTENT” and substitute “BE CONSISTENT WITH”. Also on page 2, in line 5, strike “CONFORM” and substitute “CONFORM TO”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 8 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 8 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 8 as amended was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 8 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 9 to Council Bill No. 59-2009 as follows: *(This amendment clarifies the CEPPA obligations.)*

On page 19, in line 27, strike “USES;” and substitute “USES, DOWNTOWN COMMUNITY COMMONS, OR DOWNTOWN PARKLAND;”

Also on page 19, in line 28, strike “A PARCEL OF RECORD” and substitute “AN INDIVIDUAL PARCEL OF LAND SHOWN ON A PLAT RECORDED AMONG THE COUNTY LAND RECORDS”.

Also on page 19, in line 29, after “TO” insert “A TOTAL OF”. In line 30, after “AREA” insert “AND NO OTHER DEVELOPMENT”.

Also on page 19, strike line 31 through line 15 on page 20 and substitute:

“(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 ON 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.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 9 to Council Bill No. 59-2009 as follows: *(This amendment to amendment clarifies the CEPPA obligations.)*

On page 1, in line 5, after “PLAT” insert “OR DEED”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 9 was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 9 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 9 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 9 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 10 to Council Bill No. 59-2009 as follows: *(This amendment clarifies that:*

- 1. Changes in New Town zoning within Downtown Columbia will not affect zoning in the remainder of the New Town District; and*
- 2. The land uses on previously recorded FDPs for downtown will continue to be used for determining compliance with the chart that sets minimums and maximums for the permitted land uses in the NT zoning district.)*

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 10 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 10 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 11 to Council Bill No. 59-2009 as follows: *(This amendment reorganizes language, and adds submission requirements and Planning Board approval criteria relating to the Final Development Plan.)*

(See attached.)

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 3 to Amendment No. 11 to Council Bill No. 59-2009 as follows: *(This amendment clarifies language relating to organizations that should receive presubmission meeting notices, renames “public art” as “art in the community”, removes MIHU requirements, and requires the petitioner to submit a plan for providing affordable housing.)*

On page 2, strike lines 16 through 18 and substitute:

“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.E.4.A. MUST BE PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING.”

On page 2, strike lines 30 through line 8 on page 3. Renumber the sections accordingly.

On page 8, in line 6, strike “PUBLIC ART” and substitute “ART IN THE COMMUNITY”.

On page 8, in line 7, insert:

“P. A STATEMENT DESCRIBING HOW THE PETITIONER PROPOSES TO FULFILL THE AFFORDABLE HOUSING REQUIREMENT;”.

Renumber the remaining sections accordingly.

On page 10, strike lines 27 through line 3 on page 11, and substitute:

“E. THE FINAL DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING REQUIREMENT;”

On page 12, in line 19, strike “PUBLIC ART” and substitute “ART IN THE COMMUNITY”.

On page 13, in line 1, strike “PARTNERSHIP.” and substitute “PARTNERSHIP AND PAYMENT OF THE ANNUAL CHARGES.”.

---

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 3 to Amendment No. 11 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 3 to Amendment No. 11 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 4 to Amendment No. 11 to Council Bill No. 59-2009 as follows: *(This amendment changes the height limit to amendment 11 to 20 stories.)*

On page 10, strike lines 2 and 3 and substitute:

“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 FIFTEEN STORIES.”

Also on page 10, in line 20, delete the second “PLAN:” and substitute “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 FIFTEEN STORIES.”

---

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 4 to Amendment No. 11 was: Nay: Council Members Watson, Ball, Fox, and Sigaty; Yea: Council Member Terrasa. Amendment No. 4 to Amendment No. 11 to Council Bill No. 59-2009 failed.

The Chairperson moved to adopt Amendment No. 6 to Amendment No. 11 to Council Bill No. 59-2009 as follows: *(This amendment changes the height limit to amendment 11 to 20 stories.)*

On page 10, strike lines 2 and 3 and substitute:

“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.”

Also on page 10, in line 20, delete the second “PLAN:” and substitute “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.”

---

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 6 to Amendment No. 11 was: Yea: Council Members Ball, Fox, Sigaty, and Terrasa; Abstain: Council Member Watson. Amendment No. 6 to Amendment No. 11 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 11 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa. Amendment No. 11 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 12 to Council Bill No. 59-2009 as follows: *(This amendment clarifies language relating to previously developed properties.)*

On page 13, in line 22, after the word “IMPROVED” insert “WITH A BUILDING AND ANY ASSOCIATED PARKING LOTS”.

---

The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 12 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 12 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 14 to Council Bill No. 59-2009 as follows: *(This amendment identifies a height limit for each Downtown Columbia neighborhood.)*

On page 14, in line 29, strike “BE CONSISTENT WITH” and substitute “CONFORM TO”.

On page 14, in line 31, strike the period and substitute the following:

“EXCEPT THAT IN THE FOLLOWING NEIGHBORHOODS AS IDENTIFIED IN THE NEIGHBORHOOD PLAN OF THE DOWNTOWN COLUMBIA PLAN, THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED:

1. 9 STORIES IN THE WARFIELD NEIGHBORHOOD;
  2. 4 STORIES IN THE MERRIWEATHER NEIGHBORHOOD; AND
  3. 15 STORIES IN THE MALL NEIGHBORHOOD.”.
- 

The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 14 to Council Bill No. 59-2009 as follows: *(This amendment makes a technical correction to conform with other references throughout Council Bill 59 to Merriweather-Symphony Woods.)*

On page 1, in line 13, strike “MERRIWEATHER” and substitute “MERRIWEATHER-SYMPHONY WOODS”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 14 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 14 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 14 as amended was: Nay: Council Members Watson, Ball, Fox, and Sigaty; Yea: Council Member Terrasa.

Amendment No. 14 to Council Bill No. 59-2009 failed as amended.

The Chairperson moved to adopt Amendment No. 15 to Council Bill No. 59-2009 as follows: *(This amendment clarifies the public art requirement.)*

On page 15, strike line 28 through line 10 on page 16 and substitute:

“(D) PROVIDE ART IN DOWNTOWN REVITALIZATION DEVELOPMENT THAT IS EQUIVALENT IN VALUE TO 1% OF THE BUILDING CONSTRUCTION COST.

(1) ART MUST BE PROVIDED

- a. ON SITE;
- b. ON OTHER PROPERTY LOCATED WITHIN DOWNTOWN REVITALIZATION DEVELOPMENT PROVIDED WITH THE WRITTEN CONSENT OF THE OWNER OF THE FEE SIMPLE PROPERTY, OR
- c. 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.

(2) ART MAY BE PROVIDED IN COMBINATION WITH OTHER DOWNTOWN REVITALIZATION DEVELOPMENTS.

(3) 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.

(4) IF THE VALUE OF 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.”

---

The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 15 to Council Bill No. 59-2009 as follows: *(This amendment clarifies the art in the community requirement.)*

On page 1, in line 1, strike “28 through line 10 on page 16 ” and substitute “1 through line 15 on page 16” and strike lines 3 through 23 and substitute:

“(3) 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:

1. ON SITE;
2. ON OTHER PROPERTY LOCATED WITHIN DOWNTOWN REVITALIZATION DEVELOPMENT PROVIDED WITH THE WRITTEN CONSENT OF THE OWNER OF THE FEE SIMPLE PROPERTY; OR
3. 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:
1. CONSTRUCTION OF MODERATE INCOME HOUSING UNITS.
  2. CONSTRUCTION OF PLACES OF WORSHIP AND THEIR ACCESSORY USES.
  3. 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.
  4. PARKING STRUCTURES.

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.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 15 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 15 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 15 as amended was:  
Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 15 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 16 to Council Bill No. 59-2009 as follows: *(This amendment requires posting and notification requirements for public meetings to consider New Town Site Development Plans.)*

On page 40, in line 29, after “meeting”, insert “THAT HAS BEEN (I) ADVERTISED BY THE PETITIONER FOR AT LEAST 30 DAYS IN TWO NEWSPAPERS OF GENERAL CIRCULATION IN HOWARD COUNTY, AND (II) AFTER THE PROPERTY HAS BEEN POSTED BY THE PETITIONER FOR AT LEAST 30 DAYS.”

---

The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 16 to Council Bill No. 59-2009 as follows: *(This amendment changes the amount of notice a petitioner must provide for public meetings and clarifies who should receive notice.)*

On page 1, in line 6, strike “THAT HAS BEEN (I) ADVERTISED BY THE”.

On page 1, strike line 7 through line 9, and substitute “. 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 PRESUBMISSION MEETING ATTENDEES WHO PROVIDED EMAIL ADDRESSES”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to Amendment No. 16 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 16 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 16 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 16 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 17 to Council Bill No. 59-2009 as follows: (*This amendment clarifies language relating to the site development plan.*)

On pages 42 – 44, strike subsection H in its entirety, and substitute the following:

"H. SITE DEVELOPMENT PLAN - DOWNTOWN REVITALIZATION.

1. PRESUBMISSION REQUIREMENTS.

- A. PRIOR TO FILING A SITE DEVELOPMENT PLAN FOR DOWNTOWN REVITALIZATION THAT PROPOSES ANY USE, A PRESUBMISSION 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 COUNTY CODE. THE DESIGN ADVISORY PANEL SHALL BASE ITS REVIEW AND RECOMMENDATIONS ON THE NEIGHBORHOOD DESIGN GUIDELINES. DOWNTOWN ENVIRONMENTAL RESTORATION PROJECTS THAT ARE NOT PART OF A FINAL DEVELOPMENT PLAN IN ACCORDANCE WITH SECTION 125.E.1.A ARE NOT REQUIRED TO BE SUBMITTED TO THE DESIGN ADVISORY PANEL FOR REVIEW.”.

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 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, INCLUDING MODERATE INCOME HOUSING UNITS TO DATE UNDER SECTION 125.A.9; 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. FOR ENVIRONMENTAL RESTORATION PROJECTS THAT ARE NOT PART OF A FINAL DEVELOPMENT PLAN THAT INCLUDES OTHER USES, THE RESTORATION WORK SHALL CONFORM TO THE DOWNTOWN-WIDE DESIGN GUIDELINES PERTAINING TO ENVIRONMENTAL RESTORATION.
- 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. IF HOUSING IS INCLUDED THE DEVELOPMENT PROVIDES THE REQUIRED MODERATE INCOME HOUSING UNITS ONSITE OR IN ACCORDANCE WITH SECTION 13.402 OF THE HOWARD COUNTY CODE AS INCLUDED IN THE FINAL DEVELOPMENT PLAN.
  - 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.
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.”

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 17 to Council Bill No. 59-2009 as follows: *(This amendment clarifies environmental restoration Planning Board approval for projects that are not part of a Final Development Plan, adds a requirement of membership to the Downtown Columbia Partnership, and clarifies the approval of affordable housing requirements in the Site Development Plan by the Planning Board.)*

On page 1, strike lines 18 through 21.

On page 3, strike lines 2 through 5.

On page 3, strike lines 24 through 26 and substitute:

“G. THE SITE DEVELOPMENT PLAN SATISFIES THE AFFORDABLE HOUSING REQUIREMENTS IN ACCORDANCE WITH THE APPROVED FINAL DEVELOPMENT PLAN.”

On page 4, in line 5, insert:

“J. THE PETITION IS ACCOMPANIED BY DOCUMENTATION DEMONSTRATING MEMBERSHIP IN THE DOWNTOWN COLUMBIA PARTNERSHIP INCLUDING THE REQUIRED ANNUAL CHARGES.”

On page 4, in line 16 after “PETITION.”, insert:

- “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.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 17 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 1 to Amendment No. 17 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 17 to Council Bill No. 59-2009 as follows: *(This amendment removes references to moderate income housing units.)*

On page 2, strike beginning with “INCLUDING” in line 16 down through “125.A.9.” in line 17.

On page 3, strike lines 24 through 26 in their entirety; and renumber the section accordingly.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 to Amendment No. 17 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 2 to Amendment No. 17 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Amendment No. 17 to Council Bill No. 59-2009 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Amendment No. 17 to Council Bill No. 59-2009 passed as amended.

The Chairperson moved to adopt Amendment No. 18 to Council Bill No. 59-2009 as follows: *(This amendment revises the definition of “Downtown Columbia Plan” and requires the Department of Planning and Zoning to replace references to the “effective date” in the Bill with the appropriate dates when codifying the Bill in the Zoning Regulations.)*

On page 2, strike line 15 in its entirety and substitute “APPROVED BY COUNTY COUNCIL BILL NO. 58-2009.”.

On page 54, after line 6, insert:  
“Section 5. And Be It Further Enacted by the County Council of Howard County, Maryland, that the Department of Planning and Zoning, when codifying the provisions of Section 2 of this Act in the Zoning Regulations, shall replace each reference to “effective date” with the specific date on which this Act takes effect.”.

On page 54, in line 8, strike “5” and substitute “6”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 18 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 18 to Council Bill No. 59-2009 passed.

The Chairperson moved to allow introduction of Amendment No. 19 to Council Bill No. 59-2009 which was not prefiled. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The motion to allow introduction of Amendment No. 19 to Council Bill No. 59-2009 passed.

The Chairperson moved to adopt Amendment No. 19 to Council Bill No. 59-2009 as follows: *(This amendment strikes the moderate income housing unit language added to the Bill title by Amendment No. 3.)*

On the title page, in the title paragraph, strike beginning with “requiring” in the fifth line down through “units,” in the seventh line.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 19 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 19 to Council Bill No. 59-2009 passed.

The roll call vote called by the Chairperson on Council Bill No. 59-2009 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 59-2009 passed as amended.

### **ADJOURNMENT**

The Chairperson adjourned the legislative session at 11:10 p.m..

### **TABLED LEGISLATION**

Council Resolution No. 3-2010 – Confirming the appointment of Guillermo A. Birmingham to the Human Rights Commission *(Tabled 02/01/10)*

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## **CLOSED MEETING**

In accordance with Section 10-508(a)(7) of the State Government Article, *Annotated Code of Maryland*, the County Council met in closed session on February 1, 2010 at 9:18 pm at the Board of Education, 10910 Route 108, Ellicott City. The purpose of the closed meeting was to obtain legal advice from counsel concerning Council procedures.

Council Member Terrasa moved to close the meeting. The motion was seconded by Ms. Sigaty and passed unanimously. The closed session was adjourned at 9:28 p.m.

Council Members Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, and Courtney Watson were present. Also present: Margaret Ann Nolan, County Solicitor; Paul Johnson, Deputy County Solicitor, Jim Vannoy, Assistant County Solicitor and Steve LeGendre, County Council Administrator.