

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2011 Legislative Session**

**Legislative Day No. 3  
March 7, 2011**

**HOWARD COUNTY TO WIT:**

The Chairman called the legislative session to order at 7:32 p.m.

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

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

**APPROVE JOURNAL**

The Chairperson moved to approve the journal for Legislative Day No. 2, February 7, 2011. The motion was seconded by Ms. Terrasa.

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

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the minutes for the Legislative Public Hearing, February 22, 2011; and the Legislative Work Session, February 28, 2011. The motion was seconded by Ms. Terrasa.

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

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. 18-2011 - Confirming the appointment of Angela M. Cash to the Equal Business Opportunity Commission.

A RESOLUTION confirming the appointment of Angela M. Cash to the Equal Business Opportunity Commission.

Council Resolution No. 19-2011 - Confirming the appointment of Lisa Lopez Friedman to the Alcoholic Beverage Hearing Board.

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A RESOLUTION confirming the appointment of Lisa Lopez Friedman to the Alcoholic Beverage Hearing Board.

Council Resolution No. 20-2011 - Confirming the appointment of George W. Hunter, III to the Housing Commission.

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A RESOLUTION confirming the appointment of George W. Hunter, III to the Housing Commission.

Council Resolution No. 21-2011 - Confirming the reappointment of Christopher P. Parr to the Pension Oversight Commission.

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A RESOLUTION confirming the reappointment of Christopher P. Parr to the Pension Oversight Commission.

### **Financial**

Supplementary Budget & Appropriation Ordinance No. 6-2011 - Transferring up to \$1,700,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

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AN ACT transferring up to \$1,700,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

### **General**

Council Bill No. 6-2011 - Introduced by Greg Fox/Co-sponsored by Courtney Watson - Amending the Howard County Code to require developers conducting pre-submission community meetings in accordance with Section 16.128 of the County Code to send a copy of the meeting's minutes and responses to certain questions to the meeting attendees within in a certain timeframe of the meeting; and generally relating to pre-submission community meetings.

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AN ACT amending the Howard County Code to require developers conducting pre-submission community meetings in accordance with Section 16.128 of the County Code to send a copy of the meeting's minutes and responses to certain questions to the meeting attendees within in a certain timeframe of the meeting; and generally relating to pre-submission community meetings.

Council Bill No. 7–2011 (ZRA-121) - Introduced by The Chair at the request of 10071 WBO LLC c/o Patriot Realty - Amending the Howard County Zoning Regulations to permit increased residential density on certain CAC (Corridor Activity Center) zoned parcels and to allow the Director of the Department of Planning and Zoning to further reduce the minimum commercial space requirement under certain conditions; and generally relating to the CAC (Corridor Activity Center) zoning district.

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AN ACT amending the Howard County Zoning Regulations to permit increased residential density on certain CAC (Corridor Activity Center) zoned parcels and to allow the Director of the Department of Planning and Zoning to further reduce the minimum commercial space requirement under certain conditions; and generally relating to the CAC (Corridor Activity Center) zoning district. (ZRA-121)

Council Bill No. 8-2011 (ZRA-128) - Introduced by the Chair at the request of Ralph Ballman - Amending the Howard County Zoning Regulations to amend the Enforcement provisions of Section 102: Violations, Enforcement, and Penalties to change and clarify the notification procedures and appeal rights for persons requesting an inspection of a suspected violation; and generally relating to the Enforcement Subsection of Section 102.

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AN ACT amending the Howard County Zoning Regulations to amend the Enforcement provisions of Section 102: Violations, Enforcement, and Penalties to change and clarify the notification procedures and appeal rights for persons requesting an inspection of a suspected violation; and generally relating to the Enforcement Subsection of Section 102. (ZRA-128)

Council Bill No. 9-2011 (ZRA-130) - Introduced by the Chairperson at the request of the Marsha S McLaughlin, Director, Department of Planning and Zoning - Allowing Farm Wineries – Class 1 as a permitted accessory use in the RC (Rural Conservation) and the RR (Rural Residential) Zoning Districts under certain conditions; allowing Farm Wineries – Class 1 and Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RC (Rural Conservation) Zoning District under certain conditions; allowing Farm Wineries – Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RR (Rural Residential) Zoning District under certain conditions; defining certain terms; establishing certain criteria related to Farm Wineries Class 1 and Class 2; and generally relating to the Howard County Zoning Regulations.

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AN ACT allowing Farm Wineries – Class 1 as a permitted accessory use in the RC (Rural Conservation) and the RR (Rural Residential) Zoning Districts under certain conditions; allowing Farm Wineries – Class 1 and Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RC (Rural Conservation) Zoning District under certain conditions; allowing Farm Wineries – Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RR (Rural Residential) Zoning District under certain conditions; defining certain terms; establishing certain criteria related to Farm Wineries Class 1 and Class 2; and generally relating to the Howard County Zoning Regulations.

Council Bill No. 10-2011 - Introduced by The Chairperson at the request of the County Executive/Co-sponsored by Calvin Ball, Council Chairperson, and Greg Fox - Providing for certain market-based alternatives to the moderate income housing unit obligation

imposed on developers; making certain corrections in the process for determining the price of a moderate income housing unit offered for sale; clarifying when certain factors related to price will be established; amending the time that certain interest rates shall be determined; setting the maximum amount of earnest money that may be collected from certain purchasers; removing obsolete references related to the eligibility to rent moderate income housing units; making certain technical corrections; and generally relating to Moderate Income Housing Units in Howard County.

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AN ACT providing for certain market-based alternatives to the moderate income housing unit obligation imposed on developers; making certain corrections in the process for determining the price of a moderate income housing unit offered for sale; clarifying when certain factors related to price will be established; amending the time that certain interest rates shall be determined; setting the maximum amount of earnest money that may be collected from certain purchasers; removing obsolete references related to the eligibility to rent moderate income housing units; making certain technical corrections; and generally relating to Moderate Income Housing Units in Howard County.

Council Bill No. 11-2011 - Pursuant to Section 612 of the Howard County Charter, approving a multi-year Interconnection Service Agreement among PJM Interconnection LLC, Howard County, Maryland and Baltimore Gas and Electric Company for interconnection of the Alpha Ridge landfill gas to energy project where electricity will be generated from methane produced at the landfill and used for some landfill operations with the excess electricity sold on the PJM regional transmission grid.

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AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Interconnection Service Agreement among PJM Interconnection LLC, Howard County, Maryland and Baltimore Gas and Electric Company for interconnection of the Alpha Ridge landfill gas to energy project where electricity will be generated from methane produced at the landfill and used for some landfill operations with the excess electricity sold on the PJM regional transmission grid.

Council Resolution No. 22-2011 - Approving a public interest use for a monopole cell tower and accessory ground equipment on land owned by Trent Kittleman; 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 monopole cell tower 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 a monopole cell tower and accessory ground equipment on land owned by Trent Kittleman; 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 monopole cell tower and accessory ground equipment for a public purpose; and providing that the release is contingent on a certain payment to the County.

Council Resolution No. 23-2011 - Authorizing the County Purchasing Agent to waive the formal competitive bidding requirements of Title 4, Subtitle 1 of the Howard County Code in order to enter into a contract with 3330 Rogers Avenue, LLC, a Maryland limited liability company, for the design and construction of road improvements to Ellicott Center Drive.

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A RESOLUTION authorizing the County Purchasing Agent to waive the formal competitive bidding requirements of Title 4, Subtitle 1 of the Howard County Code in order to enter into a contract with 3330 Rogers Avenue, LLC, a Maryland limited liability company, for the design and construction of road improvements to Ellicott Center Drive.

Council Resolution No. 24-2011 - Pursuant to Sections 4.201 and 13.1319 of the Howard County Code, authorizing the County Executive to convey to the Howard County Housing Commission, in fee simple, certain property owned by the County, known as the Hilltop apartment complex, the Roger Carter Recreation Center, the Tiber Hudson Senior Housing Project, and ancillary parcels located within Ellicott City for redevelopment as a 278 unit mixed income residential community and recreational facility; and providing that the County Executive is not bound to convey the land if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

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A RESOLUTION pursuant to Sections 4.201 and 13.1319 of the Howard County Code, authorizing the County Executive to convey to the Howard County Housing Commission, in fee simple, certain property owned by the County, known as the Hilltop apartment complex, the Roger Carter Recreation Center, the Tiber Hudson Senior Housing Project, and ancillary parcels located within Ellicott City for redevelopment as a 278 unit mixed income residential community and recreational facility; and providing that the County Executive is not bound to convey the land if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

## **FINAL CONSIDERATION**

### **Consent**

Council Resolution No. 8-2011 - Introduced by The Chairperson - Confirming the appointment of Joan Becker, Irfan Malik, David A. Marker, Cheryl M. Miller, David Myers, Kevin Rodkey, and Lawrence Walker to the Councilmanic Redistricting Commission and naming Lawrence Walker as the Chairperson

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Council Resolution No. 9-2011 - Pursuant to Section 2-105 of the Tax-Property Article of the Annotated Code of Maryland, approving the names of Kent Finkelsen, Paul Gudelski, Wayne Lesonick, and Renee C. Mierczak to be submitted to the Director of the Maryland Department of Assessments and Taxation as nominees for the position of Howard County Supervisor of Assessments

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Council Resolution No. 13-2011 – Confirming the appointment of Daniel E. Tracy, Jr. to the Recreation & Parks Board

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Council Resolution No. 14-2011 – Confirming the appointment of Sandi S. Olek to the Environmental Sustainability Board

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Council Resolution No. 15-2011 - Confirming the reappointment of James Caldwell to the Environmental Sustainability Board

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Council Resolution No. 16-2011 - Confirming the reappointment of Cathy Hudson to the Environmental Sustainability Board

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Council Resolution No. 17-2011 - Confirming the appointment of Deb Poquette to the Public Ethics Commission

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The Chairperson moved to adopt the resolutions on the consent agenda. The motion was seconded by Ms. Terrasa.

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

Council Resolutions No. 8-2011, No. 9-2011, No. 13-2001, No. 14-2001, No. 15-2001, No. 16-2011 and No. 17-2011 passed.

### **General**

Council Bill No. 4-2011 - Introduced by Greg Fox - Amending an uncodified section in Council Bill No. 14-2007, as amended by Council Bills No. 11-2008, 2-2009, and 62-2009, that required certain connections to the Planned Service Area for water and sewer within a certain time in order to extend the time to make the connections; and providing for the application of this Act

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The Chairperson moved to adopt Council Bill No. 4-2011. The motion was seconded by Ms. Terrasa.

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

Council Bill No. 4-2011 passed.

Council Bill No. 5-2011 - Reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; creating an Office of Transportation within the Department of County Administration; setting forth the duties and responsibilities of the Office of Transportation; setting forth the general qualifications of the Administrator of the Office of Transportation; providing that the Administrator of the Office of Transportation will be an executive exempt position appointed by the Chief Administrative Officer with the approval of the County Executive; making certain technical corrections; and generally relating to the Executive Branch of County Government

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The Chairperson moved to adopt Council Bill No. 5-2011. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 5-2011 as follows: *(This amendment adds a qualification for the Administrator of the Office of Transportation and adds a responsibility for the Office of Transportation.)*

On page 5, in line 3, before the period, insert “AND OTHER RELATED EXPERIENCE INCLUDING TRANSIT PLANNING”.

Also on page 5, after line 16, insert:

“(6) COORDINATING WITH THE DEPARTMENT OF PLANNING AND ZONING TO ENSURE THE INTEGRATION OF LAND USE AND TRANSIT PLANNING;”

Renumber the remaining items.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Council Bill No. 5-2011 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 5-2011 as follows: *(This amendment adds duties related to pedestrians and bicyclists.)*

On page 5, before line 13, insert:

“(4) ENSURING COORDINATION OF TRANSIT, PEDESTRIAN, AND BICYCLE MODES;”

Renumber the remaining items.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 2 to Council Bill No. 5-2011 passed.

The roll call vote called by the Chairperson on Council Bill No. 5-2011 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Council Bill No. 5-2011 passed as amended.

Council Resolution No. 10-2011 - Introduced by The Chairperson - Establishing a Charter Review Commission to review and make recommendations concerning the Howard County Charter; appointing certain persons to serve on the Commission; appointing a Chairperson; providing for the duties of the Commission including the duty to submit a final report on or before a certain date; and generally relating to the Redistricting Commission

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The Chairperson moved to adopt Council Resolution No. 10-2011. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 10-2011 as follows: *(This amendment corrects a reference in the title.)*

On the title page, in the last line of the title, strike “Redistricting” and insert “CHARTER REVIEW”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Council Resolution No. 10-2011 passed.

The roll call vote to adopt Council Resolution No. 10-2011 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 10-2011 passed as amended.

Council Resolution No. 11-2011 - Introduced by Chair and Courtney Watson - Amending the Howard County Council Rules of Procedure to conform to longstanding practices; authorizing the Chairperson to cancel a meeting under specified circumstances; clarifying when the Council is permitted to conduct closed sessions and who may attend such sessions; clarifying that the Chairperson may, but need not, vote; clarifying the way that Administration requests are characterized; and generally relating to the Council Rules of Procedure

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The Chairperson moved to adopt Council Resolution No. 11-2011. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 11-2011 as follows: *(This amendment clarifies that control of the news media is only for the purpose of avoiding interference, removes gender specific language, makes a technical correction, accommodates electronic sign ups to testify, and clarifies that a Councilmember may answer questions.)*

On page 4, in line 27, strike “REGULATE” and substitute “LIMIT”.

On page 6, in line 16, strike “every Councilmember shall confine himself” and substitute “COUNCILMEMBERS SHALL CONFINE THEMSELVES”.

On page 7, in line 2, strike “his” and substitute “A”.

On page 10, in line 8, strike “34” and substitute “37”.

On page 12, after line 5, insert:

(b) Preliminary Action. Upon convening the hearing, the presiding officer shall give a brief explanation of the purpose of the hearing and shall cause to be presented any information or data, including reading of the legislation by the Administrator and explanation of the legislation by the Councilmember or a representative of the administration, which is required before the public discussion begins. In the case of a hearing during which a large number of people wish to testify, the Chairperson may, prior to the presentation of testimony by the first person, establish a maximum time limit of three minutes for oral testimony by each person. The Chairperson may also establish a maximum time limit of five minutes for oral testimony by a spokesperson testifying for an organization. The Chairperson may require advance sign-up [[sheets]] to expedite

testimony, and in such cases all those who are signed to speak shall be heard before any people testifying spontaneously are recognized. When advance signup [[sheets are ]] IS necessary, people wishing to testify shall be permitted to sign up [[beginning one-half hour]] prior to the scheduled starting time for the public hearing.

On page 12, in line 15 after “[”]” insert “A COUNCILMEMBER MAY ANSWER QUESTIONS.”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Council Resolution No. 11-2011 passed.

The roll call vote called by the Chairperson to adopt Council Resolution No. 11-2011 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 11-2011 passed as amended.

Council Resolution No. 12-2011 - Endorsing and authorizing the Howard County Executive to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act

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The Chairperson moved to adopt Council Resolution No. 12-2011. The motion was seconded by Ms. Terrasa.

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

Council Resolution No. 12-2011 passed.

Council Bill No. 56-2010 - Clarifying certain sign requirements specific to Downtown Columbia under certain conditions; allowing signs of a certain size in Downtown Columbia; allowing certain signs in Downtown Columbia under certain conditions; allowing certain signs in the County rights-of-way in Downtown Columbia; allowing for certain signs to be illuminated in Downtown Columbia; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to sign requirements for Downtown Columbia (*Tabled 01/03/2011*)  
(*Life extended 30 days 02/07/2011*)

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The Chairperson moved to remove Council Bill No. 56-2010 from the table. The motion was seconded by Ms. Terrasa.

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

The motion to remove Council Bill No. 56-2010 from the table passed.

The Chairperson moved to adopt Council Bill No. 56-2010. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 56-2010 as follows: (*This amendment would clarify the sign area calculation for buildings in Downtown Columbia with multiple frontages*).

On page 4, in line 16, after the period, insert “WHERE THERE IS MULTIPLE FRONTAGE, NO MORE THAN TWO SQUARE FEET OF SIGN AREA FOR EACH LINEAL FOOT OF BUILDING FRONTAGE SHALL BE ALLOWED TO FACE THAT FRONTAGE.”.

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Bill No. 56-2010 as follows: *(This amendment adds a provision related to sign area that applies in Downtown Columbia.)*

On page 1, in line 15, after “FRONTAGE.” insert “THE TOTAL AREA OF ALL SIGNS ERECTED ON THE LOT AND BUILDING SHALL BE WITHIN THE ALLOWABLE SQUARE FOOTAGE.”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Amendment No. 1 to Council Bill No. 56-2010 passed.

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

Amendment No. 1 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 56-2010 as follows: *(This amendment would prohibit projecting signs from intersecting the curblines).*

On page 6, in line 4, after the period, insert “THE HORIZONTAL CLEARANCE BETWEEN A PROJECTING SIGN AND THE CURBLINE SHALL NOT BE LESS THAN THREE FEET.”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 2 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 4 to Council Bill No. 56-2010 as follows: *(This amendment would prohibit inflatable signs).*

On page 14, immediately following line 12, insert:

“(8) INFLATABLE DEVICE SIGNS IN DOWNTOWN COLUMBIA.”.

On page 16, immediately following line 24, insert:

“(1) INFLATABLE DEVICE SIGN: MEANS A SIGN THAT IS COLD AIR INFLATED MADE OF FLEXIBLE FABRIC, RESTING ON THE GROUND OR ATTACHED TO A STRUCTURE AND EQUIPPED WITH A PORTABLE BLOWER MOTOR THAT PROVIDES A CONSTANT FLOW OF AIR INTO THE DEVICE. INFLATABLE DEVICE SIGNS MAY BE RESTRAINED, ATTACHED, OR HELD IN PLACE BY A CORD, ROPE, CABLE OR SIMILAR METHOD. AN INFLATABLE DEVICE SIGN IS NOT AN OBJECT THAT CONTAINS HELIUM, HOT AIR OR LIGHTER-THAN-AIR SUBSTANCE.”.

Renumber the remainder of the section accordingly.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 4 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Amendment No. 4 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 6 to Council Bill No. 56-2010 as follows: *(This amendment would establish a purpose statement for Downtown Columbia signs.)*

On page 2, immediately following line 15, insert:

“By amending:  
Title 3 – Buildings  
Section 3.500 “Purpose and scope.””.

On page 3, immediately following line 15, insert the following:

**“SECTION 3.500. PURPOSE AND SCOPE.**

(E) PROVISIONS RELATING TO DOWNTOWN COLUMBIA WERE ENACTED AS PART OF THE DOWNTOWN COLUMBIA PLAN, A COMPREHENSIVE DEVELOPMENT SCHEME TO ESTABLISH FOR THE FIRST TIME IN THE COUNTY AN URBAN CENTER THAT IS WELL-PLANNED, ECONOMICALLY SUCCESSFUL, VIBRANT, AND VISUALLY ATTRACTIVE IN ORDER TO DRAW IN BUSINESSES, RESIDENTS, AND TOURISTS AND TO ATTRACT EVENTS OF REGIONAL, NATIONAL, AND INTERNATIONAL INTEREST. THE PROVISIONS GOVERNING SIGNAGE IN DOWNTOWN COLUMBIA ARE INTENDED TO ENSURE THAT SIGNS ARE AN INTEGRAL PART OF AN OVERALL DEVELOPMENT PLAN AIMED AT ACHIEVING AN AESTHETICALLY PLEASING AND HIGH QUALITY VISUAL ENVIRONMENT THAT REINFORCES THE PLANNED CHARACTER OF EACH OF THE NEIGHBORHOODS, IS COMPATIBLE WITH THE DOWNTOWN-WIDE DESIGN GUIDELINES AND THE SIX SETS OF DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES, ENABLES EASY IDENTIFICATION AND WAYFINDING FOR PEDESTRIAN AND VEHICULAR TRAFFIC, AND ESTABLISHES A COORDINATED AND HARMONIC URBAN STREETScape WHILE, AT THE SAME TIME, PROVIDES FOR A SIGNATURE ENVIRONMENT FOR EACH OF THE SIX DISTINCT NEIGHBORHOODS THAT MAKE UP DOWNTOWN COLUMBIA. THE PROVISIONS ARE ALSO AIMED AT ACHIEVING WELL-DESIGNED, COORDINATED SIGNAGE AND A PROCESS THAT ENCOURAGES CREATIVITY IN THE USE OF SIGNAGE TO ENHANCE THE URBAN EXPERIENCE.”

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 6 to Council Bill No. 56-2010 as follows: *(This amendment would clarify the purpose of the Downtown sign provisions).*

On page 1, immediately following line 17, insert:

“(b) The principal features are the restriction of advertising to the business or use of the premises on which the sign is located, WITH LIMITED EXCEPTIONS FOR DOWNTOWN COLUMBIA DUE TO IT BEING THE URBAN CENTER OF THE COUNTY, and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purpose of identification or

for advertising a use conducted thereon or therein shall be deemed accessory and incidental to such land, building or use. It is intended that the display of signs will be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. With respect to signs advertising business uses, it is specifically intended, among other things, to avoid excessive clutter among displays in their demand for public attention.”

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 6 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Amendment No. 6 to Council Bill No. 56-2010 passed.

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

Amendment No. 6 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 7 to Council Bill No. 56-2010 as follows: *(This amendment adds certain provisions regarding Digital Displays in Downtown Columbia.)*

On page 2, in line 23, insert:

“By adding new Section 3.502A “Digital Displays in Downtown Columbia” to: Title 3 – Buildings”.

On page 8, strike lines 28 and 29, inclusive and in their entirety.

On page 12, in line 18, insert:

**“SECTION 3.502A. DIGITAL DISPLAYS IN DOWNTOWN COLUMBIA.**

(A) DIGITAL DISPLAYS. IN DOWNTOWN COLUMBIA, DIGITAL DISPLAYS ARE ALLOWED NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE SUBJECT TO THE REQUIREMENTS SET FORTH IN THIS SECTION.

(B) FOR DIGITAL DISPLAYS PROGRAMMED WITH CHANGING IMAGES WHICH IDENTIFY OR ADVERTISE A USE, PRODUCT, BUSINESS OR SERVICE THAT IS CONDUCTED OR AVAILABLE ON THE PREMISES WHERE THE DIGITAL DISPLAY IS LOCATED:

- (1) THE MAXIMUM SIZE OF EACH DIGITAL DISPLAY SHALL NOT EXCEED 150 SQUARE FEET;
- (2) THE SUM OF (I) THE AREA OF EACH PROPOSED DIGITAL DISPLAY AND (II) THE TOTAL AREA OF ANY EXISTING OR PROPOSED SIGNAGE SHALL NOT EXCEED THE TOTAL SIGN AREA PERMITTED BY SECTION 3.501(C)(1)B;
- (3) EACH DIGITAL DISPLAY SHALL DISPLAY AN IMAGE THAT CHANGES NO MORE FREQUENTLY THAN EVERY 2 MINUTES BETWEEN 7 A.M. AND 2 A.M. AND SHALL BE NON-OPERATIONAL OR NON-CHANGING AT ALL OTHER TIMES;
- (4) THE DIGITAL DISPLAY SHALL NOT HAVE AUDIO;
- (5) EACH DIGITAL DISPLAY SHALL BE LOCATED BELOW THE ROOFLINE OF A BUILDING;

- (6) EXCEPT FOR GOVERNMENT USES INCLUDING PUBLIC SCHOOLS AND COLLEGES, EACH DIGITAL DISPLAY SHALL BE PART OF A DOWNTOWN REVITALIZATION PROJECT;
- (7) EACH DIGITAL DISPLAY MUST BE AT LEAST 150 FEET FROM A RESIDENCE IN A RESIDENTIAL AREA WHERE SUCH SIGN WOULD BE PROHIBITED;
- (8) EACH DIGITAL DISPLAY MUST BE EQUIPPED WITH AUTOMATIC DIMMING CAPABILITY THAT ADJUSTS THE LUMINANCE OF THE DISPLAYED INFORMATION BASED ON AMBIENT LIGHT CONDITIONS SO AS TO NOT EXCEED 5,000 NITS (CANDELAS PER SQUARE METER) DURING DAYLIGHT HOURS AND A MAXIMUM ILLUMINATION OF 500 NITS (CANDELAS PER SQUARE METER) BETWEEN DUSK TO DAWN AS MEASURED FROM THE SIGN'S FACE AT MAXIMUM BRIGHTNESS. A WRITTEN CERTIFICATION FROM THE SIGN MANUFACTURER THAT THE LIGHT INTENSITY OF THE DIGITAL DISPLAY WILL BE PRESET TO CONFORM TO THE BRIGHTNESS LEVELS ESTABLISHED BY THIS CODE SHALL BE REQUIRED PRIOR TO APPROVAL;
- (9) EACH DIGITAL DISPLAY SHALL BE EQUIPPED WITH A DEFAULT MECHANISM THAT WILL STOP THE MESSAGING OR FREEZE THE IMAGE IN ONE POSITION WHEN A MALFUNCTION IN ELECTRONIC PROGRAMMING OCCURS; AND
- (10) EACH DIGITAL DISPLAY MUST COMPLY WITH ALL OTHER PROVISIONS OF THIS SUBTITLE APPLICABLE TO DOWNTOWN COLUMBIA.

(C) THE PLANNING BOARD MAY APPROVE A DIGITAL DISPLAY THAT DOES NOT COMPLY WITH THE RESTRICTIONS SET FORTH IN SUBSECTIONS 3.502A(B)(1), (2), (3), (4), OR A DIGITAL DISPLAY THAT HAS PROGRAMMING WHICH INCLUDES IDENTIFYING OR ADVERTISING A USE, PRODUCT, BUSINESS, OR SERVICE THAT IS NOT CONDUCTED OR AVAILABLE ON THE PREMISES WHERE THE DIGITAL DISPLAY IS LOCATED. THE PLANNING BOARD SHALL CONSIDER THE RECOMMENDATION OF THE DESIGN ADVISORY PANEL AS TO THE PROPOSED SIGN AND DETERMINE PRIOR TO THE ISSUANCE OF A PERMIT BY THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS THAT THE FOLLOWING CONDITIONS WILL BE MET:

- (1) THE REQUIREMENTS OF PARAGRAPHS (5), (6), (7), (8), (9), AND (10) OF SUBSECTION 3.502A(B); AND
- (2) THE DIGITAL DISPLAY WILL NOT ADVERSELY AFFECT THE USE OR DEVELOPMENT OF ADJACENT PROPERTY;
- (3) THE DIGITAL DISPLAY SHALL BE WELL INTEGRATED INTO THE ARCHITECTURE OR DESIGN OF THE SITE AND LOCATED AND ORIENTED IN A MANNER SUCH THAT THE SIGN DOES NOT ADVERSELY IMPACT ANY RESIDENTIAL AREA ADJACENT TO DOWNTOWN COLUMBIA WHERE SUCH SIGNS WOULD BE PROHIBITED. IN MAKING THIS DETERMINATION, THE PLANNING BOARD MUST FIND THAT DISTANCE, INTERVENING STRUCTURES, TOPOGRAPHY, OR EXISTING OR PROPOSED LANDSCAPING WILL ASSURE A COMPATIBLE RELATIONSHIP;
- (4) THE DIGITAL DISPLAY SHALL BE A SIZE SUCH THAT IT IS IN SCALE WITH ITS SETTING AND INTENDED AUDIENCE;
- (5) THE DIGITAL DISPLAY WILL NOT CAUSE A TRAFFIC OR SAFETY HAZARD;
- (6) THE DIGITAL DISPLAY WILL NOT HAVE A BLIGHTING INFLUENCE AS A RESULT OF A PROLIFERATION OF SUCH SIGNS WITHIN A PARTICULAR DOWNTOWN COLUMBIA NEIGHBORHOOD;
- (7) EACH DIGITAL DISPLAY THAT USES ANIMATION OR CHANGING IMAGES WILL INCORPORATE TECHNOLOGY THAT ASSURES THE IMAGE MOTION IS SMOOTH AND AVOIDS QUICK AND FRENETIC CHANGES OF CONTENT; AND
- (8) AUDIO SPEAKERS USED IN CONNECTION WITH DIGITAL DISPLAYS ALLOWED BY THIS SUBSECTION SHALL NOT BE AUDIBLE BEYOND THE PROPERTY ON WHICH THE SIGN IS LOCATED;

- (9) THE DIGITAL DISPLAY WILL CONTRIBUTE TO THE OVERALL VISION OF DOWNTOWN REVITALIZATION;
- (10) THE DIGITAL DISPLAY WILL BE CONSISTENT WITH ANY APPLICABLE DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES;
- (11) THE DIGITAL DISPLAY WILL PROVIDE PUBLIC SERVICE OR COMMUNITY ENHANCEMENT PROGRAMMING REFLECTIVE OF THE EXTENT OF THE PLANNING BOARD’S APPROVAL(S) UNDER THIS SUBSECTION; AND
- (12) THAT THE ISSUANCE OF ANY PERMIT FOR A DIGITAL DISPLAY UNDER THIS SUBSECTION SHALL BE EXPRESSLY CONDITIONED ON THE CONTINUING COMPLIANCE WITH ALL OF THE REQUIREMENTS OF THIS SUBSECTION AND CONDITIONS SET IN THE PLANNING BOARD’S APPROVAL(S).”.

On page 16, after line 13, insert:

“(E) DIGITAL DISPLAY MEANS A DEVICE OR TECHNOLOGY FOR THE ELECTRONIC DISPLAY OF INFORMATION IDENTIFYING OR ADVERTISING A USE, PRODUCT, BUSINESS OR SERVICE INCLUDING TEXT, IMAGES, VIDEO, ANIMATION OR MOTION OF IMAGES, AND INTERACTIVITY AND INCLUDES TECHNOLOGIES SUCH AS LED, LCD, PLASMA DISPLAYS, PROJECTED IMAGES AND OTHER EMERGING DISPLAY TYPES.”.

On page 16, in line 14, strike “e” and substitute “f”

On page 16, in line 16, strike “f” and substitute “g”.

On page 16, in line 19, strike “g” and substitute “h”.

On page 16, after line 20, insert:

“(I) DOWNTOWN COLUMBIA NEIGHBORHOOD MEANS EACH OF THE SIX NEIGHBORHOODS DESCRIBED IN THE DOWNTOWN COLUMBIA PLAN: (WARFIELD, THE MALL, THE LAKEFRONT AND LAKEFRONT CORE, THE CRESCENT, MERRIWEATHER-SYMPHONY WOODS AND SYMPHONY OVERLOOK).

(J) DOWNTOWN REVITALIZATION SHALL HAVE THE MEANING SET FORTH IN SECTION 103 OF THE HOWARD COUNTY ZONING REGULATIONS.”.

On page 16, in line 21, strike “h” and substitute “k”.

On page 16, in line 25, strike “I” and substitute “l”.

On page 16, in line 27, strike “J” and substitute “m”.

On page 16, in line 29, strike “K” and substitute “n”.

On page 17, in line 1, strike “L” and substitute “o”.

On page 17, in line 3, strike “M” and substitute “p”.

On page 17, in line 4, strike “N” and substitute “q”.

On page 17, in line 7, strike “O” and substitute “r”.

On page 17, in line 9, strike “P” and substitute “S”.

On page 17, in line 13, strike “Q” and substitute “T”.

On page 17, in line 15, strike “R” and substitute “U”.

On page 17, in line 16, strike “S” and substitute “V”.

On page 17, in line 18, strike “T” and substitute “W”.

On page 17, in line 21, strike “U” and substitute “X”.

On page 17, in line 24, strike “V” and substitute “Y”.

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 7 to Council Bill No. 56-2010 as follows: *(This amendment would clarify image change frequency language).*

On page 1, in line 21, after “TIMES”, insert, “. CHANGES OF IMAGE SHALL BE INSTANTANEOUS AS SEEN BY THE HUMAN EYE, AND SHALL NOT USE BLINKING, FLASHING, SCROLLING, FADING, ROLLING, SHADING, DISSOLVING, OR SIMILAR EFFECTS AS PART OF THE CHANGE”.

On page 2, in line 16, after “IMAGE”, insert, “AT 500 NITS”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 7 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Amendment No. 7 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 3 to Amendment No. 7 to Council Bill No. 56-2010 as follows: *(This amendment would change consistent to conforms).*

On page 3, in line 20, strike “BE CONSISTENT WITH”, and substitute “CONFORM TO”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 3 to Amendment No. 7 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 3 to Amendment No. 7 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 4 to Amendment No. 7 to Council Bill No. 56-2010 as follows: *(This amendment would clarify the conditions for approval of a digital display by the Planning Board).*

On page 3, in line 4, strike the first “OR”. Also on line 4, after “LANDSCAPING”, insert, “OR ADJUSTMENTS TO THE STANDARDS PROVIDED FOR IN 3.502A(B)(7) OR 3.502A(B)(8)”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 4 to Amendment No. 7 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 4 to Amendment No. 7 to Council Bill No. 56-2010 passed.

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

Amendment No. 7 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 8 to Council Bill No. 56-2010 as follows: *(This amendment authorizes the Planning Board to grant sign variances in Downtown Columbia)*

On page 3, in line 8, insert:

“By amending:  
Title 3 - Buildings  
Section 3.513 “Variances””.

On page 15, in line 26 insert:

**“Section 3.513. Variances**

(a) Variances not permitted. [[The Board of Appeals shall not grant variances]] VARIANCES for signs prohibited by Section 3.505 of the subtitle MAY NOT BE GRANTED.

(b)The Board of Appeals may grant variances OUTSIDE OF DOWNTOWN COLUMBIA from the provision of this subtitle where the following determinations are made:

- (1) That there are unique physical conditions or exceptional topographical conditions peculiar to the property on which the proposed sign is to be located, including the location of existing buildings and other structures, irregularity, narrowness or shallowness of the lot, irregularity of the road right-of-way, location on a highway that has a dependency on nonlocal use, which conditions lead to practical difficulty and unnecessary hardship in complying strictly with the provisions of this subtitle; or
- (2) That there are obstructions, such as excessive grade, building interference, structures or landscaping on abutting property or properties which seriously interfere with the visibility of a proposed sign, resulting in practical difficulties and unnecessary hardship in complying strictly with the provisions of this subtitle; or
- (3) That there are historical, architectural or aesthetic characteristics which shall be considered; and
- (4) That the variance, if granted, will not adversely affect the appropriate use or development of adjacent properties, nor result in a dangerous traffic condition; and

- (5) That the requested variance is the minimum necessary to afford relief, and can be granted without substantial impairment of the intent, purpose and integrity of this subtitle; and
- (6) That such practical difficulties or hardships have not been created by the Applicant; provided, however, that where required findings pursuant to section 3.513 are made, the purchase or lease of the property on which a proposed sign is to be located subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

(c) IN DOWNTOWN COLUMBIA, THE PLANNING BOARD MAY APPROVE A VARIANCE FROM THE PROVISIONS OF THIS SUBTITLE WHERE THE PROPOSED SIGNAGE IS APPROVED BY THE PLANNING BOARD AND THE BOARD DETERMINES THAT:

- (1) THE PROPOSED SIGNAGE IS OTHERWISE ALLOWED;
- (2) THE PROPOSED SIGNAGE IS APPROPRIATE GIVEN ITS LOCATION AND THE ANTICIPATED SCALE AND INTENSITY OF EXISTING OR PLANNED ADJACENT USES;
- (3) THE PROPOSED SIGNAGE WILL NOT ADVERSELY AFFECT THE USE OR DEVELOPMENT OF ADJACENT PROPERTY, NOR RESULT IN A DANGEROUS TRAFFIC CONDITION;
- (4) THE PROPOSED SIGNAGE WILL NOT BE DETRIMENTAL TO THE DOWNTOWN REVITALIZATION; AND
- (5) EXTRAORDINARY HARDSHIPS OR PRACTICAL DIFFICULTIES MAY RESULT FROM STRICT COMPLIANCE WITH THIS SUBTITLE OR THAT THE GOALS OF DOWNTOWN REVITALIZATION WILL BE SERVED TO A GREATER EXTENT BY THE PROPOSED SIGN.”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 8 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 8 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 9 to Council Bill No. 56-2010 as follows: *(This amendment clarifies requirements for design compatibility in Downtown Columbia.)*

On page 3, in line 12, insert:

“By adding new Section 3.516 “Signs in Downtown Columbia; Compliance and compatibility” to:

*Title 3 – Buildings*

By renumbering current Section 3.516 “Severability” to be Section 3.517 “Severability” of:

*Title 3 – Buildings*

**Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that Section 3.516 “Severability” is renumbered to be Section 3.517 “Severability”.**

On page 17, in line 25 insert:

**SECTION 3.516. SIGNS IN DOWNTOWN COLUMBIA; COMPLIANCE AND COMPATIBILITY.**

(A) DOWNTOWN REVITALIZATION. A SIGN PROPOSED TO BE PLACED ON PROPERTY SUBJECT TO AN APPROVED DOWNTOWN REVITALIZATION FINAL DEVELOPMENT PLAN SHALL COMPLY WITH THIS SUBTITLE AND WITH PLANNING BOARD APPROVED DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES FOR SIGNAGE AS DETERMINED BY THE DIRECTOR IN CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING.

(B) OTHER PROPERTIES IN DOWNTOWN COLUMBIA. A SIGN PROPOSED TO BE PLACED ON PROPERTY IN DOWNTOWN COLUMBIA THAT IS NOT SUBJECT TO A DOWNTOWN REVITALIZATION FINAL DEVELOPMENT PLAN SHALL COMPLY WITH THIS SUBTITLE AND SHALL BE COMPATIBLE IN FORM, PROPORTION, SCALE, COLOR, MATERIALS, SURFACE TREATMENT, OVERALL SIGN SIZE, AND THE SIZE AND STYLE OF THE LETTERING WITH THE SURROUNDING STREETScape, ADJACENT STRUCTURES, AND THE GOALS OF DOWNTOWN REVITALIZATION. SUCH COMPATIBILITY DETERMINATION SHALL BE MADE BY THE DIRECTOR IN CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING WITH REFERENCE TO THE DOWNTOWN COLUMBIA DOWNTOWN-WIDE DESIGN GUIDELINES AND ANY EXISTING DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES FOR SIGNAGE FOR THE NEIGHBORHOOD IN WHICH THE SIGN IS TO BE PLACED.”.

On page 17, in line 26, strike “2” and substitute “3”.

---

The motion was seconded by Ms. Terrasa.

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

Amendment No. 9 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 10 to Council Bill No. 56-2010 as follows: *(This amendment would clarify the Urban Center uniqueness of Downtown Columbia).*

On page 3, in line 23, following “districts”, strike “such as”, and insert “IN THE COUNTY INCLUDING THE”. On the same page, in line 24, after the comma, strike “planned community district and similar districts” and substitute the following:

“AND TO ALL AREAS IN DOWNTOWN COLUMBIA WHICH THE DOWNTOWN COLUMBIA PLAN SPECIFIES AS BEING THE URBAN CENTER OF THE COUNTY AND THEREFORE IS DETERMINED TO NECESSITATE UNIQUE TREATMENT UNDER THIS SUBTITLE”.

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 10 to Council Bill No. 56-2010 as follows: *(This amendment clarifies language.)*

On page 1, in line 12, after “page 3,” strike from “in line” through to the end of line 14, and substitute “*in lines 21 through 22 strike ‘TO ALL AREAS WITHIN DOWNTOWN COLUMBIA;’. Also on page 3, in line 24, strike ‘districts.’ and insert ‘DISTRICTS;’.*”.

---

The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Amendment No. 10 to Council Bill No. 56-2010 passed.

The roll call vote called by the Chairperson on Amendment No. 10 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Amendment No. 10 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 11 to Council Bill No. 56-2010 as follows: *(This amendment clarifies certain exemptions for Downtown Columbia.)*

On page 4, strike line 1 and substitute "THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN DOWNTOWN COLUMBIA. A".

On page 4, in line 29 strike beginning with "EXCEPT" down through "PROJECTING" in line 30 and substitute "THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN DOWNTOWN COLUMBIA. PROJECTING".

On page 9 in line 23, strike beginning with "EXCEPT" in line 23 down through "COMMERCIAL" in line 24 and substitute "THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN DOWNTOWN COLUMBIA. COMMERCIAL".

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 11 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Amendment No. 11 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 12 to Council Bill No. 56-2010 as follows: *(This amendment: 1. Makes certain exceptions for flat wall signs in Downtown Columbia; and 2. Prohibits signs that block egress.)*

On page 4, in line 21, strike ", nor" down through the second "window." in line 23 and substitute ". EXCEPT IN DOWNTOWN COLUMBIA, A SIGN, PART OF A SIGN, OR THE SIGN'S SUPPORTING STRUCTURE SHALL NOT COVER A WINDOW OR ANY PART OF A WINDOW. IN DOWNTOWN COLUMBIA, FLAT WALL SIGNS THAT COVER A WINDOW SHALL BE IN ACCORDANCE WITH SECTION 3.505(A)(8) OF THIS SUBTITLE.".

On page 14, after line 12, insert:

"(8) SIGNS WHICH ARE ERECTED, CONSTRUCTED, OR MAINTAINED SO AS TO OBSTRUCT A FIRE ESCAPE, REQUIRED EXIT, WINDOW OPENING, OR DOOR OPENING USED AS A MEANS OF EGRESS."

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 12 to Council Bill No. 56-2010 as follows: *(This amendment would clarify the requirements for flat wall signs).*

On page 1, in line 4, after "SIGNS", insert "SHALL NOT COVER ALL OF A WINDOW. FLAT WALL SIGNS". In the same line, after "COVER", insert "PART OF". On the same page, in line 9, after "EXIT," insert "ORA", and strike the first "OPENING,".

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 12 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Amendment No. 12 to Council Bill No. 56-2010 passed.

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

Amendment No. 12 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 13 to Council Bill No. 56-2010 as follows: *(Related to freestanding monument-style building name signs, this amendment changes a term used, defines a certain term and clarifies that certain signs are exempt from setback requirements.)*

On page 6, in line 14, after “signs.” insert “THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN DOWNTOWN COLUMBIA.”.

On page 6, in line 16, strike beginning with “EXCEPT” down through “[ ]” in line 18 and substitute “THE”.

On page 8, strike lines 20, through 27 in their entirety and substitute:

“G. MONUMENT BUILDING SIGN. IN DOWNTOWN COLUMBIA, A MONUMENT BUILDING SIGN, INCLUDING ITS STRUCTURE, SHALL BE NO MORE THAN SIX FEET IN HEIGHT. THE MAXIMUM SIGN AREA FOR A MONUMENT BUILDING SIGN IS 30 SQUARE FEET PER SIDE OR FACE. MONUMENT BUILDING SIGNS ARE EXEMPT FROM SETBACK REQUIREMENTS.”.

On page 17, after line 12 insert:

“(Q) SIGN, MONUMENT BUILDING MEANS A SIGN WHERE THE ENTIRE BASE OR BOTTOM OF THE SIGN IS GROUND-MOUNTED.”.

On page 17, in line 13, strike “Q” and substitute “R”.

On page 17, in line 15, strike “R” and substitute “S”.

On page 17, in line 16, strike “S” and substitute “T”.

On page 17, in line 18, strike “T” and substitute “U”.

On page 17, in line 21, strike “U” and substitute “V”.

On page 17, in line 24, strike “V” and substitute “W”.

---

The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 13 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 13 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 14 to Council Bill No. 56-2010 as follows: *(This amendment changes the provisions for tall building signs allowed in Downtown Columbia and makes a technical correction.)*

On page 8, strike lines 5 through 12, inclusive and in their entirety and substitute:

“(III) A BUILDING MAY HAVE TALL BUILDING SIGNS AND THE AREA OF ALL TALL BUILDING SIGNS IS INCLUDED IN THE COMPUTATION OF THE BUILDING’S ALLOWED TALL BUILDING SIGN AREA. IF A BUILDING HAS TALL BUILDING SIGNS ON TWO OR MORE SIDES OF THE BUILDING, THE SIGNAGE ON EACH SIDE SHALL CONSIST OF THE SAME COMBINATION OF NAMES OR CORPORATE LOGOS, PROVIDED THAT THE NAMES AND LOGOS ON THE SIGNS NEED NOT BE IDENTICAL IN APPEARANCE.”

On page 8, in line 13, after “OF” insert “ALL” and after “SIGNS” insert “ALLOWED”.

On page 8, in line 17, strike “ARE” and substitute “IS”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 14 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 15 to Council Bill No. 56-2010 as follows: *(This amendment lists those signs that are exempt from the computation of a building or lot’s sign area and makes a technical correction.)*

On page 8, in line 18, strike “SECTION”.

On page 8, in line 19, strike “3.501(C)(1)B OF THIS SUBTITLE” and substitute “SUBSECTION (C)(1)B OF THIS SECTION”.

On page 8, in line 30, after “Area.” strike “The” and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE”.

On page 8, in line 31, after “footage” insert “AS CALCULATED IN SUBSECTION (C)(1) OF THIS SECTION”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 15 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 16 to Council Bill No. 56-2010 as follows: *(This amendment clarifies directional signs in Downtown Columbia)*

[On page 10, strike beginning with line 8, down through line 24 on page 11 and substitute:](#)

“(9) DOWNTOWN COLUMBIA DIRECTIONAL SIGNS. IN DOWNTOWN COLUMBIA, DIRECTIONAL SIGNS ARE ALLOWED AS FOLLOWS AND ARE NOT COUNTED TOWARD THE TOTAL SIGN AREA OF THE BUILDING AS CALCULATED IN SECTION 3.501(C)(1)B OF THIS SUBTITLE.

- (A) VEHICULAR DIRECTIONAL SIGNS ARE ALLOWED AND MAY CONTAIN THE NEIGHBORHOOD NAME OR “DOWNTOWN COLUMBIA” OR LOGOTYPE, GENERIC USES (SUCH AS “PARKING”, “LIBRARY”, “PLAZA”, “SHOPS”, “HOTEL”, “RESTAURANTS”, “GROCERY”, “THEATRE”, ETC.) AND WORDING OF A DIRECTIONAL NATURE, OR PUBLIC SERVICE INFORMATION (SUCH AS INFORMATION CONCERNING TRANSIT ROUTES AND SCHEDULES, TRANSPORTATION DEMAND MANAGEMENT ACTIVITIES, COMMUNITY EVENTS, WEATHER, AND SIMILAR INFORMATION). THESE SIGNS MAY BE PLACED ON PRIVATE LAND OR IN THE PUBLIC RIGHT-OF-WAY, AND SHALL BE DESIGNED TO DIRECT AND INFORM DRIVERS TO ALLOW EXPEDIENT MOVEMENT THROUGH DOWNTOWN COLUMBIA. POTENTIAL LOCATIONS FOR VEHICULAR DIRECTIONAL SIGNS SHALL BE INDICATED ON THE NEIGHBORHOOD CONCEPT PLAN. FINAL LOCATIONS SHALL BE APPROVED AS PART OF A SITE DEVELOPMENT PLAN UNLESS ERECTED PURSUANT TO SECTION 3.503(A) OR SECTION 3.505A(B) OF THIS SUBTITLE. THE AREA OF THESE SIGNS SHALL NOT EXCEED 18 SQUARE FEET PER SIDE.
- (B) PEDESTRIAN DIRECTIONAL SIGNS ARE ALLOWED AND MAY CONTAIN THE NEIGHBORHOOD NAME OR “DOWNTOWN COLUMBIA” OR LOGOTYPE, GENERIC USES (SUCH AS “PARKING”, “LIBRARY”, “PLAZA”, “SHOPS”, “HOTEL”, “RESTAURANTS”, “GROCERY”, “THEATRE”, ETC.) AND WORDING OF A DIRECTIONAL NATURE, OR PUBLIC SERVICE INFORMATION (SUCH AS INFORMATION CONCERNING TRANSIT ROUTES AND SCHEDULES, TRANSPORTATION DEMAND MANAGEMENT ACTIVITIES, COMMUNITY EVENTS, WEATHER, AND SIMILAR INFORMATION). THESE SIGNS MAY BE PLACED ON PRIVATE LAND OR IN THE PUBLIC RIGHT-OF-WAY, AND SHALL BE DESIGNED TO DIRECT AND INFORM PEDESTRIANS. POTENTIAL LOCATIONS FOR PEDESTRIAN DIRECTIONAL SIGNS SHALL BE INDICATED ON THE NEIGHBORHOOD CONCEPT PLAN. FINAL LOCATIONS SHALL BE APPROVED AS PART OF A SITE DEVELOPMENT PLAN UNLESS ERECTED PURSUANT TO SECTION 3.503(A) OR SECTION 3.505A(B) OF THIS SUBTITLE. THE AREA OF THESE SIGNS SHALL NOT EXCEED 18 SQUARE FEET PER SIDE.
- (C) DIRECTORY SIGNS WHICH CONTAIN SPECIFIC RETAIL OR OFFICE TENANT NAMES AND INFORMATION, DIRECTIONAL INFORMATION, AND/OR PUBLIC SERVICE INFORMATION (SUCH AS INFORMATION CONCERNING TRANSIT ROUTES AND SCHEDULES, TRANSPORTATION DEMAND MANAGEMENT ACTIVITIES, COMMUNITY EVENTS, WEATHER AND SIMILAR INFORMATION) ARE ALLOWED. THESE SIGNS MAY BE PLACED ON PRIVATE LAND ONLY. POTENTIAL LOCATIONS MAY BE INDICATED ON THE NEIGHBORHOOD CONCEPT PLAN. FINAL LOCATIONS SHALL BE APPROVED AS PART OF A SITE DEVELOPMENT PLAN, UNLESS ERECTED PURSUANT TO SECTION 3.503(A) OF THIS SUBTITLE. THE AREA OF THESE SIGNS SHALL NOT EXCEED 12 SQUARE FEET PER SIDE.

(D) SITE DIRECTIONAL SIGNS SUCH AS “ENTRANCE,” “EXIT,” “PARKING” ETC., SHALL BE ALLOWED. SITE DIRECTIONAL SIGNS SHALL NOT CONTAIN ANY MESSAGE OTHER THAN THE DIRECTIONAL TEXT AND MAY BE PLACED ON PRIVATE LAND OR IN THE PUBLIC RIGHT-OF-WAY. EACH SIGN MAY CONTAIN AN ARROW OR GRAPHIC TO ACCENTUATE ITS MESSAGE AND THE AREA OF EACH SIGN SHALL NOT EXCEED SIX SQUARE FEET.”.

On page 15, in line 5, strike “COMMERCIAL DIRECTIONAL” and substitute “DIRECTIONAL” and, in same line, strike “(8)” and substitute “(9)”.

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 16 to Council Bill No. 56-2010 as follows: *(This amendment would clarify the approval process for the stylistic format of directional signs).*

On page 1, in line 4, after the period, insert the following:

“A PLAN COORDINATING THE DESIGN AND APPEARANCE OF DIRECTIONAL SIGNS WITH RESPECT TO STYLE, COLOR, AND FONT SHALL BE APPROVED AS PART OF THE DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES. DIRECTIONAL SIGNS WILL CONFORM TO ANY APPLICABLE DOWNTOWN NEIGHBORHOOD DESIGN GUIDELINES.”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 16 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Amendment No. 16 to Council Bill No. 56-2010 passed.

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

Amendment No. 16 to Council Bill No. 56-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 17 to Council Bill No. 56-2010 as follows: *(This amendment clarifies the type of structure that can support a banner, clarifies that permanent banners have to be mounted perpendicular to a building, requires that seasonal banners should be coordinated and clarifies that a banner may contain graphics in addition to lettering.)*

On page 13, in line 2, after “SIMILAR” add “POLE-LIKE”.

On page 13, in line 4, after “MOUNTED” insert “PERPENDICULAR TO A BUILDING”.

On page 13, in line 5, strike “SIMILAR” and substitute “OTHER”.

On page 13, in line 12, after “SIDE.” insert “SEASONAL BANNERS SHALL BE COORDINATED AS TO SIZE, STYLE, AND PLACEMENT.”.

On page 16, in line 9, after “lettering” insert “OR GRAPHICS”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 17 to Council Bill No. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 18 to Council Bill No. 56-2010 as follows: *(This amendment would prohibit signs on parked vehicles in Downtown Columbia, under certain circumstances.)*

On page 14, after line 12, insert:

“(8) IN DOWNTOWN COLUMBIA, ANY SIGN WITH AN AREA OF 3 SQUARE FEET OR MORE THAT IS ADVERTISING A BUSINESS, PRODUCT OR SERVICE ON A VEHICLE, TRAILER, OR CART PARKED IN A PROMINENT LOCATION TO BE SEEN FROM A PUBLIC ROADWAY WITH THE INTENT TO USE THE VEHICLE, TRAILER OR CART AS A SIGN.”

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he motion was seconded by Ms. Terrasa.

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

Amendment No. 18 to Council Bill No. 56-2010 passed.

The roll call vote called by the Chairperson on Council Bill No. 56-2010 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Bill No. 56-2010 passed as amended.

Council Resolution No. 138-2010 - Adopting Downtown-wide Design Guidelines for Downtown Columbia *(Tabled 01/03/2011)*

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The Chairperson moved to remove Council Resolution No. 138-2010 from the table. The motion was seconded by Ms. Terrasa.

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

The motion to remove Council Resolution No. 138-2010 from the table passed.

The Chairperson moved to adopt Council Resolution No. 138-2010. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 138-2010 as follows: *(This amendment makes certain corrections to the Downtown-wide Downtown Columbia Design Guidelines including substituting certain exhibits for exhibits approved in CB 58-2009 .)*

In the attachment:

1. Remove the cover and the page immediately following and substitute the revised pages as attached to this amendment. (Corrects the name of the document to be consistent with the defined term “Downtown-wide Design Guidelines”.)

2. Remove page 16 and substitute a revised page 16 as attached to this amendment. (Inserts a caption under the diagram to read “*Illustrative Master Plan Diagram*”.)
3. Remove page 27 and substitute a new page 27 as attached to this amendment. (Substitutes the Neighborhood Diagram.)
4. Remove page 28 and substitute a new page 28 as attached to this amendment. (Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the “Character” column of the chart.)
5. Remove page 30 and substitute new page 30 as attached to this amendment. (Substitutes the Illustrative Plan of the Warfield Neighborhood.)
6. Remove page 32 and substitute new page 32 as attached to this amendment. (This amendment:
  - a. Substitutes the Illustrative Plan of the Lakefront Neighborhood; and
  - b. Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the third line of the first paragraph.)
7. Remove page 33 and substitute new page 33 as attached to this amendment. (Strikes the picture originally on the bottom that contains the caption “Potential activities at the lakefront”.)
8. Remove page 34 and substitute new page 34 as attached to this amendment. (Substitutes the Illustrative Plan of the Crescent Neighborhood in the top lefthand corner.)
9. Remove page 36 and substitute new page 36 as attached to this amendment. (This amendment:
  - a. Substitutes the Illustrative Plan in the top lefthand corner; and
  - b. Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the fourth line of the last paragraph.)
10. Remove page 38 and substitute new page 38 as attached to this amendment. (This amendment:
  - a. Substitutes the Illustrative Plan in the top lefthand corner; and
  - b. In the second paragraph that begins “Merriweather-Symphony Woods”, in the second line, after “for” insert “parkland.”.)
11. Remove page 40 and substitute new page 40 as attached to this amendment. (Substitutes the Illustrative Plan of The Mall Neighborhood.)
12. Remove page 43 and substitute new page 43 as attached to this amendment. (Substitutes the Illustrative Street Framework Diagram.)
13. Remove page 44 and substitute new page 44 as attached to this amendment. (Substitutes the Street Framework Diagram.)
14. Remove page 49 and substitute new page 49 as attached to this amendment. (In the paragraph marked “A” under the section titled “Sidewalks”, in the third sentence, strike “except Parkways”.)

15. Remove page 62 and substitute a new page 62 as attached to this amendment. (This amendment strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the following instances:
  - a. In the third line of the first paragraph; and
  - b. In the first line of the fourth paragraph.)
  
16. Remove page 65 and substitute new page 65 as attached to this amendment. (Substitutes the Primary Amenity Space Framework Design.)
  
17. Remove page 66 and substitute a new page 66 as attached to this Amendment. (This amendment strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the following instances in the last paragraph:
  - a. In the first through second line; and
  - b. In the fifth line.)
  
18. Remove page 67 and substitute new page 67 as attached to this amendment. (This amendment:
  - a. Substitutes the Amenity Space Graphic on the left side of the page;
  - b. In item “C.” that begins “Enhanced circulation”, after “other”, inserts “events in Symphony Woods Park. Access through Symphony Woods Park will be designed so there is connectivity between Merriweather and Symphony Woods Park.”;
  - c. Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the following instances
    - i. In the first paragraph:
      - (a) In the first line;
      - (b) In the third line; and
      - (c) Twice in the third sentence;
    - ii. In the third line of the second paragraph; and
    - iii. In the third to fourth lines of the third paragraph.)
  
19. Remove page 68 and substitute a new page 68 as attached to this amendment. (Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the first to second line of the last paragraph.)
  
20. Remove page 69 and substitute new page 69 as attached to this amendment. (Substitutes the diagram that encompasses the entire left side of the page and removes the image originally at the top, right-hand corner of the page.)
  
21. Remove page 73 and substitute a new page 73 as attached to this amendment. (Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the second line of the last paragraph.)
  
22. Remove page 76 and substitute a new page 76 as attached to this amendment. (Strikes “Symphony Woods” and substitutes “Symphony Woods Park” in the second line of the second paragraph.)

23. Remove page 79 and substitute new page 79 as attached to this amendment. (Substitutes the Maximum Building Height Plan.)

24. Remove page 98 and substitute a new page 98 as attached to this amendment. (Strikes “Symphony Woods” and substitutes “Symphony Woods Park” under item 1.1 “Sense of Place”, in the first bullet under “Strategy”.)

25. Remove page 113 and substitute new page 113 as attached to this amendment. (Inserts a caption above the map that reads “This plan was created prior to adoption of CB 58-2009, may not reflect the actual roadway network or neighborhood configurations identified in the final legislation.”).

26. Remove page 2 of Appendix 2 and substitute new page 2 of Appendix 2 as attached to this amendment. (Substitutes the Bicycle and Pedestrian Circulation Plan.)

*(See attachments.)*

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Council Resolution No. 138-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Resolution No. 138-2010 as follows: *(This amendment would substitute the Best Management Practices for Symphony Stream and Lake Kittamaqundi page in the Downtown Columbia Design Guidelines).*

Substitute the attached page for page 112 of the “*Downtown Columbia Design Guidelines*”.

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

Amendment No. 2 to Council Resolution No. 138-2010 passed.

The Chairperson moved to adopt Amendment No. 3 to Council Resolution No. 138-2010 as follows: *(This amendment inserts a new Appendix 4, Sign Design Guidelines, into the Downtown-wide Design Guidelines.)*

In the attachment, insert Appendix A4, as attached to this Amendment.

*(See attachments.)*

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The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 3 to Council Resolution No. 138-2010 as follows: *(This amendment would allow the Department of Planning and Zoning to replace photos and insert additional photos in Appendix A4 of the Guidelines attached to the Amendment.)*

After line 1 of the Amendment, insert:

“On page 2, in the third line of the second “Resolved” paragraph, after “Guidelines”, insert: “, to replace and insert additional photos in Appendix A4 of the Guidelines.”.

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The motion was seconded by Ms. Terrasa.

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

Amendment No. 1 to Amendment No. 3 to Council Resolution No. 138-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 3 to Council Resolution No. 138-2010 as follows: *(This amendment would substitute language pertaining to the style of mixed-use projects being used as a benchmark for signage and replace it with language which stresses creativity and innovation).*

On page 2 of the attached Appendix A4, under the column entitled, “Sign Overview”, strike the wording in the second bullet, and substitute the following:

“SIGNS SHOULD EXHIBIT CREATIVITY AND INNOVATION TO FACILITATE LIVELY, ENGAGING STREETSCAPES.”.

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

Amendment No. 2 to Amendment No. 3 to Council Resolution No. 138-2010 passed.

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

Amendment No. 3 to Council Resolution No. 138-2010 passed as amended.

The roll call vote called by the Chairperson on Council Resolution No. 138-2010 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 138-2010 passed as amended.

## **ADJOURNMENT**

The Chairperson adjourned the legislative session at 8:33 p.m.