



**PETITION TO AMEND THE
ZONING REGULATIONS OF
HOWARD COUNTY**

DPZ Office Use Only:

Case No. ZRA-158

Date Filed: 5/19/15

1. Zoning Regulation Amendment Request

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows: To amend Section 128: Supplementary Zoning District Regulations of the Zoning Regulations to permit density from potential infill lots in the R-20, R-12, and R-ED zoning districts to be sent to the R-SA-8, R-A-15, R-APT and CAC zoning districts, under certain circumstances.

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

2. Petitioner's Name Jon Weinstein, Councilperson

Address 3430 Courthouse Drive, Ellicott City, MD 21043

Phone No. (W) 410-313-2001 (H) _____

Email Address JWeinstein@howardcountymd.gov

2015 MAY 19 A 9:35
HOWARD COUNTY COUNCIL
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3. Counsel for Petitioner Paul Johnson, Esq.

Counsel's Address 3450 Courthouse Drive, Ellicott City, MD 21043

Counsel's Phone No. 410-313-2101

Email Address PJohnson@howardcountymd.gov

4. Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed The proposed changes to the Zoning Regulations would expand the Neighborhood Preservation Density Exchange Option program by removing the restrictions for sending density outside of a respective planning district and allowing density to be exchanged with a receiving parcel in any planning district.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County POLICY 10.1 – “Protect and enhance established communities through compatible infill, sustainability improvements, and strategic public infrastructure investments” has an Implementing Action D **“Flexible Infill.** Consider zoning modifications that would provide more flexibility in order to allow limited, compatible infill that enhances an existing community.” By creating more of a demand for Neighborhood Preservation sending parcels will protect existing neighborhoods and allow for potential growth to be sent to areas that can better accommodate it.

[You may attach a separate document to respond to Section 5. If so, this document shall be titled “Response to Section 5”]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of “...preserving and promoting the health, safety and welfare of the community.” Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A. The General also states that Neighborhood Preservation program may also assist in the area of environmental protection. POLICY 3.7 – “Secure better protection of environmental resources within new developments” has an Implementing Action B which states “Environmentally Sensitive Developments. Encourage more environmentally sensitive design in residential zoning districts other than the R-ED District. Promote the use of the neighborhood preservation parcel option, as well as the use of smaller, tightly clustered lots to limit site disturbance and maximize open space for natural resource protection.”

[You may attach a separate document to respond to Section 6. If so, this document shall be titled “Response to Section 6.”]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s) . See number 6 above.

[You may attach a separate document to respond to Section 7. If so, this document shall be titled “Response to Section 7.”]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? Yes.

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

According to the General Plan on page 23, under the heading *Protection Incentives* "Much of the remaining undeveloped residential land in the East is located in small, infill sites that are surrounded by adjacent development."

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. In addition to considering this proposed petition the petitioner would also like any potential draft infill legislation by the Department of Planning and Zoning that might be considered independently or in conjunction with this ZRA.

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

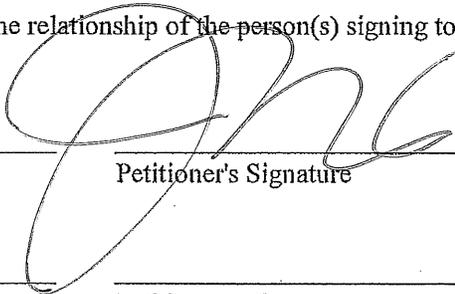
10. You must provide the full proposed text of the amendment(s) as a separate document entitled "Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.

11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.

12. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

 Petitioner's name (Printed or typed)



 Petitioner's Signature

 Date

 Petitioner's name (Printed or typed)

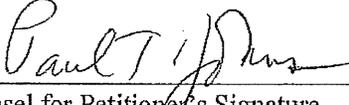
 Petitioner's Signature

 Date

 Petitioner's name (Printed or typed)

 Petitioner's Signature

 Date

 5/18/15

 Counsel for Petitioner's Signature
 [If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

FEE

The Petitioner agrees to pay all fees as follows:

Filing fee\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00*

* **The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.**

APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.

For DPZ office use only:

Hearing Fee \$ _____

Receipt No. _____

PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

Attachment A

SECTION 128.0: - Supplementary Zoning District Regulations

K. Neighborhood Preservation Density Exchange Option

1. In the R-ED, R-20, R-12 and R-SC Districts, a parcel that qualifies under the criteria for neighborhood infill development as defined in Section 16.108.(b) of the Subdivision and Land Development Regulations or a parcel principally used for a Swimming Pool, Community, as defined in the Zoning Regulations and is eligible to be developed for additional residential lots, may be a sending parcel for the Neighborhood Preservation Density Exchange Option AND [[within the same planning district or within a two-mile radius regardless of the planning district. However, sending parcels that contain a historic structure, as provided in Subsection 1.b below,]] may exchange density with an ELIGIBLE receiving parcel in any planning district.