

Keeping Columbia as a Planned Community

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From the very beginning of its existence, Columbia has been a planned community. It is a very successful planned community. New Town Zoning has been a key element in allowing Columbia to be planned. Although Columbia is almost at full build out, planning does not stop. Columbia faces redevelopment in the future and this also requires planning. For planning under New Town Zoning to be successful, two things are required: a plan and a method of enforcing adherence to the plan. If you don't have a plan, then how do you know what is to be achieved? If you don't have a method to enforce adherence to the plan, how can you achieve the plan? New Town Zoning has both. It required a plan to be created and it provided a method of enforcing adherence to the plan (the gatekeeper). These two things go together.

For New Town Zoning to continue and be successful in guiding Columbia forward into the future, an update master plan and a gatekeeper are needed. Right now both the master plan and the gatekeeper role are handled by HRD/GGP. This has worked as Columbia was being developed. However, the current situation does not allow the Columbia community adequate input or oversight of the master plan and gatekeeper role. The Columbia community, through some organization, needs to take responsibility for producing an updated master vision and for handling the gatekeeper function.

1. A Columbia New Town Vision is needed, an updated master plan to guide Columbia development and redevelopment. It has to be Columbia-wide to preserve the unity of Columbia. This is not a trivial task.
2. Howard County, CA, and the Villages all have to be involved. Howard County has a vested interest in the success of Columbia and insuring that the master plan is compatible with the Howard County General Plan. CA has Columbia-wide interests and is the largest land owner in Columbia. The Villages represent the residents. Villages are the tool envisioned by Mr. Rouse to have Columbia residents assume responsibility for their community.
3. Resident input and oversight of the updated master plan and gatekeeper are crucial.
4. Someone (some organization) has to be responsible for the updated master plan and the gatekeeper. It cannot be done on an ad hoc basis. That someone has to be able to make decisions for Columbia as a whole. But that someone doesn't have to do everything. Responsibilities can be assigned to different organizations.
5. Producing a master vision and performing the gatekeeper role will cost money. Even though volunteers will be needed, day-to-day activities involving the gatekeeper role and the master vision will have to be handled by a paid staff. At times, zoning can be contentious and at some point a legal disagreement will occur. How will the lawyers be paid?

Columbia faces some serious issues which need to be addressed (examples: the fate of village centers, affordable housing, mixed use development). These issues should be addressed through the updated master plan. The Columbia New Town Vision, the updated master plan, is more than just the Preliminary Development Plan. An example is gas stations. In Columbia, one does not see gas stations located near each other. They are scattered through out Columbia and no two gas stations are adjacent to each other. This did not just happen. It was planned. It is part of the overall plan for Columbia. The work which has come out of the Downtown process is an example of what should be included in the updated master plan. Work on an updated master plan needs to begin as soon a possible and the Columbia community must be involved. The Columbia community does respond; look at all the people who participated in the Downtown process and in the development of the Oakland Mills revitalization effort. There are five areas which need to be addressed in the updated master plan. Others will certainly occur in the future.

1. Building heights - what should the skyline of Columbia look like; should it match Washington DC which has a height limit or should it look like New York City with a mixture of building heights?
2. Affordable housing - how to implement affordable housing into the Columbia New Town Vision and insure that it occurs Columbia-wide;
3. Density - what is an appropriate increase in density and how should a density increase (if appropriate) be implemented within the Columbia New Town Vision;
4. Mixed use development - how should the concept of a mixed use development be implemented within the Columbia New Town Vision; and
5. Village centers - how should village centers be re-developed; what is the role of village centers for the future.

The gatekeeper enforces adherence to the master plan. It is a very important role in New Town Zoning and in ensuring that Columbia remains a planned community. The gatekeeper needs to be more open and accessible to the Columbia community. It needs to be somewhat quasi-public in nature and answerable to the residents of Columbia (just like the Villages in Columbia). The gatekeeper should be required to

- a. Hold public meetings;
- b. Prepare and distribute agendas for public meetings to all 10 Villages, CA, and the Department of Planning & Zoning;
- c. Maintain a database accessible to the public of all proposals submitted;
- d. Allow public (including Columbia residents, Columbia property owners, CA, or a Village) input, testimony, and questions at meetings;
- e. Prepare and distribute (to the Villages, CA, and the Department of Planning & Zoning) quarterly reports listing activities and actions; and
- f. Vote only at public meetings.

The task force considered the idea of not having a gatekeeper, however it was rejected. The gatekeeper is viewed as the method to enforce adherence to the master plan. If you don't have a gatekeeper (i.e., if there is no enforcement mechanism), there why bother producing a plan? Why spend all this time and effort to develop an updated master plan, if there is no mechanism to require adherence to the plan? Columbia is successful because it had both a plan and an enforcement mechanism. Both are needed for future success. An enforcement mechanism and a gatekeeper are one and the same. No gatekeeper means no enforcement mechanism.

Consider some important attributes of a potential gatekeeper.

1. The gatekeeper has to be a permanent organization.
2. The gatekeeper has to be able to make decisions.
3. The gatekeeper has to operate independently.
4. The gatekeeper has to operate in an open, fair, impartial, and trustworthy manner.
5. The gatekeeper has to be answerable to the Columbia community.
6. The gatekeeper has to have its focus on all of Columbia.

The gatekeeper role is crucial. But how should it be modified to meet the requirements of the Columbia community? After considerable thought, the task force proposes three options.

Option 1: Work with GGP to add Columbia community involvement in the existing gatekeeper.

Option 2: Turn over the gatekeeper role to the ten Columbia Villages.

Option 3: Create a new gatekeeper.

Option 3 involves the creation of a new gatekeeper. Only the County could change the gatekeeper from GGP to another organization. It is not clear that the County would agree to make this change. GGP could oppose it. The new gatekeeper must oversee the updating of the master plan for Columbia, must itself adhere to the updated master plan, and must force all development to adhere to the updated master plan. The new gatekeeper would have to charge a fee for providing its services. There are several alternatives under this option.

- A. The new gatekeeper could be a public board or agency;
- B. The new gatekeeper could be an organization of all the Villages; or
- C. The new gatekeeper could be a hybrid entity.

Each of these options and alternatives has advantages and disadvantages which are discussed in the following pages.

Option 1: Work with GGP to add Columbia community involvement in the existing gatekeeper.

PRO: Option 1 would be the most straight forward one to implement. GGP already has the gatekeeper role. But it would depend upon the cooperation of GGP. This option could be implemented just with GGP concurrence

CON: Implementing this option would require the agreement of GGP. Would GGP be willing to share the gatekeeper role with the Columbia community and eventually allow the Columbia community to control the gatekeeper? Can an equitable sharing relationship be created, one that would meet the needs of both parties?

Option 2: The gatekeeper as the individual Villages

PRO: Option 2 would treat the gatekeeper function just like the architectural covenants. Each Village oversees the enforcement of the architectural covenants. The Villages would assume a new responsibility, that of the enforcement mechanism (the gatekeeper). Each Village already has a role in covenant enforcement, which goes hand-in-hand with the vision of Columbia and with New Town Zoning. Each Village has a "vision" of itself and uses the covenants to enforce that vision. Each Village deals with "zoning" issues. Each Village has staff, newsletters/residential contact, and meeting places. Note that the individual Villages represent their residents. Finally, each Village, by its mission, seeks to provide for the welfare of Columbia residents and property owners. Each Village has a stake in preserving the vision of Columbia and guiding its future.

CON: This would be a major commitment for each Village. It will not be easy to do. Would the Villages be willing to assume this role? How will the Villages pay for their gatekeeper role? Covenant enforcement costs money and so would the gatekeeper function. The Villages would have to charge fees for providing this service. With each Village being a gatekeeper, there will be no unifying vision across all of Columbia. Would the Villages act in a unified manner in order to preserve the unity of New Town Zoning? What about all the property in Columbia which doesn't fall within a village? Who gets to be the gatekeeper for the industrial parks in Columbia? How do you handle the situation where what one Village desires has a negative impact on other Villages? How will Columbia-wide issues be handled? Would GGP or the County be willing to have the Villages assume this role? Implementing this option would require the agreement of the County and possibly GGP.

Option 3A: The gatekeeper as a Public Board or Agency.

PRO: The gatekeeper could be a public board or agency just like the Planning Board, the Appeals Board, or the Board of Health. Certainly the county has the capability to provide the resources needed to adequately support to the gatekeeper (staff, supplies, legal counsel, office space). The County Executive could nominate citizens to serve on the gatekeeper and the County Council could approve citizens to sit on the gatekeeper. All the resources of the County, and in particular, the Department of Planning & Zoning would be available to the gatekeeper.

CON: The County's role in New Town Zoning was that of overseer. Planning and the gatekeeper role were given to the HRD/GGP, a private organization. If the gatekeeper is a county board, then the county role significantly changes. The county basically assumes total control over New Town Zoning. What about resident input and control of the gatekeeper? One would simply be exchanging a county board for a private developer. How much realistic control would the Columbia community have over a county board? New Town Zoning was in essence a partnership between a public organization (Howard County) and a private organization (HRD/GGP). That partnership should continue and the gatekeeper should be a private organization the Villages. If the County would create the gatekeeper, would other areas of the County (like Elkridge or Ellicott City) also demand a similar gatekeeper?

Option 3B: The gatekeeper as an organization of all the Villages

PRO: Villages are those strange hybrid entities; which stand between a truly private corporation and a truly public corporation. Villages are private corporations controlled by Columbia residents and property owners. A Village Board of Directors is elected by the residents and property owners and is answerable to them. Villages were created by Mr. Rouse to represent the residents and property owners. Villages are the tool envisioned by Mr. Rouse to have Columbia residents assume responsibility for their community. The gatekeeper would be an organization created and controlled by the Villages which are in turn controlled by the residents and property owners. With 10 Villages, no one part of Columbia would dominate the gatekeeper. Another reason to involve the Villages is that the Villages already do some of this work via the covenants. Each Village already has a role in covenant enforcement, which goes hand-in-hand with the vision of Columbia and with New Town Zoning. Each Village has a "vision" of itself and uses the covenants to enforce that vision. They already deal with "zoning" issues. The Villages have staff, newsletters/residential contact, and meeting places, which could support the gatekeeper. Finally, the Villages, by their very mission, seek to provide for the welfare of Columbia residents and property owners. They have a stake in preserving the vision of Columbia and guiding its future.

CON: Are the Villages capable of coming together and creating the gatekeeper? Funding would be a major concern. The Villages rely on CA for most of their funding. The Villages would have to charge a fee for providing the gatekeeper services. But would that raise enough funds to operate the gatekeeper?

Option 3C: The gatekeeper as a hybrid organization

PRO: Each of the solutions previously mentioned have pros and cons. None, by itself seems to be the appropriate solution. What about a combination? Perhaps a hybrid organization could have most of the positives while avoiding some of the negatives.

CON: Can it be done? It would take a concerted effort by all parties involved to create the hybrid organization. What would a hybrid organization look like?

An Example of a Potential Hybrid Organization: The gatekeeper would be a non-profit private corporation chartered by CA and the 10 Villages. The Commission would have 5 members, one member selected by CA, two members selected by five Villages (DS, KC, LR, OM, and OB), and 2 members selected by the other five Villages (HC, HR, RH, TC, and WL). This would give the gatekeeper its independence. Each member would have a five year term of office. A method for removal of members which would involve all the Villages and CA would be included in the gatekeeper's charter. Funding, office space, and other services would be provided by CA. The County could also help fund the gatekeeper and insure that the Department of Planning & Zoning works closely with the gatekeeper. Both CA and the Villages would have to agree to work with the gatekeeper. Villages must agree to provide meeting space for the gatekeeper and allow use of their communication sources to allow the gatekeeper to inform the Columbia community. This is only one example of a hybrid organization. There are other ways to form a hybrid organization.

Conclusion

Keeping Columbia a planned community requires an effort by the Columbia community. New Town Zoning is one important tool in this planning effort. The Columbia community needs to give serious thought and discussion to the Columbia New Town Vision and the gatekeeper role. How does the Columbia community want to handle the gatekeeper role and how does it want to produce the updated master plan?

The task force believes that more discussion involving the Columbia community is needed. The Columbia community needs to **discuss** and **decide** this important issue. Once a direction has been chosen, then the task force can study and report on how to best implement the decision.

Once the Columbia community settles on a solution to the gatekeeper question, there still is a lot of work to be done. There is a big difference between concept and reality. Many details would have to be decided and implemented. Legal issues would have to be explored. The task force hopes that once the Columbia community decides upon a solution that Howard County, CA and the Villages together work together to make the concept a reality!

One last thought; if a new organization (be it county, Villages, or some hybrid) does get created to handle the gatekeeper function, the task force suggests that this organization be called the Columbia Planning Commission. The name is symbolic.

- a. Columbia Planning Commission - its focus is Columbia, not a Village, not the county.
- b. Columbia Planning Commission - its purpose is planning; ensuring that Columbia remains a "planned" community and is prepared for the future.
- c. Columbia Planning Commission - it is a permanent organization, not a committee, not a task force.

Forty years ago James Rouse had a vision; a vision of a planned community. That planned community now exists and must plan for the future. New Town Zoning was a key tool used by James Rouse to develop his vision into a reality. The Columbia community now needs to use the New Town Zoning tool to plan and direct its future. New Town Zoning worked for James Rouse and New Town Zoning can work for the Columbia community if we so chose.