Introduced_____
Public hearing_____
Council action_____
Executive action_____
Effective date_____

County Council of Howard County, Maryland

2007 Legislative Session Legislative day #_6_

BILL NO. 31 - 2007

Introduced by: Courtney Watson

An Act amending the Howard County Code to require that pre-submission community meetings required for Zoning Board petitions be held in public or institutional buildings within a five mile radius of the subject property and allow citizens to request a meeting with a staff member of the department of Planning and Zoning after the petition has been submitted to the Department of Planning and Zoning; and generally relating to pre-submission community meetings.

Introduced and read first time _____, 2007. Ordered posted and hearing scheduled.

By order
Sheila M. Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2007 and concluded on _____, 2007.

By order_____
Sheila M. Tolliver, Administrator to the County Council

This Bill was read the third time _____, 2007 and Passed___, Passed with amendments___, Failed___.

By order_____
Sheila M. Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2007 at _____ a.m./p.m.

By order_____
Sheila M. Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2007.

_____
Ken Ulman , County Executive

NOTE; [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. Be it enacted *by the County Council of Howard County, Maryland, that Numbers (1) and (2), of Subsection (B), and Subsection (D) of Section 16.205 "Procedure.", of Subtitle 2 "Zoning", of Title 16 "Planning, Zoning and Subdivision and Land Development Regulations", of the Howard County Code are hereby amended to read as follows:*

Title 16. Planning, Zoning and Subdivisions and Land Development Regulations

Subtitle 2. Zoning

Sec. 16.205 Procedure.

(a) Any person owning an interest in the property affected may petition the Zoning Board for approval of a development plan, and a person owning an interest in the property affected, the Director of the Department of Planning and Zoning or members of the Zoning Board may petition the Zoning Board for piecemeal map amendment. The form and number of copies of the petition shall be as prescribed by law or by the Zoning Board's rules of procedure.

(b) Prior to the initial submittal of a petition, the petitioner shall hold a pre-submission community meeting that provides information to the community regarding the petition and allows community residents to ask questions and discuss any issues. The meeting must be held in accordance with the following procedures:

(1) At least [[two]] THREE weeks in advance, the petitioner shall send written notice regarding the date, time and location of the meeting to:

a. All adjoining property owners as identified in the records of the Maryland Department of Assessments and Taxation, via mail;

b. The Department of Planning and Zoning, which will place this meeting notice on the department's web site;

c. The County Council; and

d. Any community association that represents the area of the subject property or any adjacent properties.

The property involved shall be posted with the time, date and place of the initial meeting. The sign shall include the address of Department of Planning and Zoning's website. The property shall be posted for at least [[two]] THREE weeks immediately before the hearing. The poster shall be double-sided. At least 48 inches by 48 inches in size and the typeface shall be at least two inches in height. The Department of Planning and Zoning shall determine the number of posters required and their location and the petitioner shall bear the expense of posting. The posters shall be erected perpendicular to the road which serves as the mailing address of the subject property. The Department of Planning and Zoning shall supply the posters. The petitioner shall properly erect and maintain the posters.

(2) The meeting shall be:

(a) Held at a location within the community, [[preferably]] in a public or institutional building located within approximately FIVE [[three]] miles of the subject property; and

(b) Scheduled to start between 6 p.m. and 8 p.m. on a weekday evening, or to be held between 9 a.m. and 5 p.m. on a Saturday, excluding county holidays and other holidays determined in subsection (d) of this section.

(3) A certification of notice and posting and a summary of the issues expressed by residents at the pre-submission community meeting shall be written and transmitted by the petitioner to the Department of Planning and Zoning when the initial petition is filed for county review.

(4) If the petitioner does not submit the petition within 1 year of the pre-submission community meeting, another pre-submission community meeting and notification in accordance with subsection (b) of this section shall be required.

(c) The petition shall be filed with the Department of Planning and Zoning, which shall check the same for form, check that notice has been provided, as required by law or by the zoning board's rules of procedure, collect the proper fees, and refer the petition to the planning board for its report.

(D) CITIZENS MAY REQUEST A MEETING WITH A STAFF MEMBER OF THE DEPARTMENT OF PLANNING AND ZONING TO REVIEW THE DEVELOPMENT PROPOSAL AFTER THE PETITION HAS BEEN FORMALLY SUBMITTED TO THE DEPARTMENT.

([[d]]E) No later than two days following the release of the report of the Planning Board on the petition, the Department of Planning and Zoning shall submit the petition with all of its supporting documents to the administrative assistant to the Zoning Board, who shall set a hearing date. The Zoning Board shall be prohibited from holding meetings which include an opportunity for public testimony on any day on which Rosh Hashanah, Yom Kippur, Eid Ul Fitr or Eid Ul Adha is observed.

([[e]]F) Notice of the place, time and date of the beginning of the hearing shall be published as required by law or the Zoning Board's rules of procedure.

Section 2. Be it further enacted *by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.*