Introduced_____
Public hearing_____
Council action_____
Executive action_____
Effective date_____

County Council of Howard County, Maryland

2011 Legislative Session Legislative day # 3

BILL NO. 6 - 2011

Introduced by: Greg Fox, Councilmember

Co-sponsored by: Courtney Watson, Councilmember

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.

Introduced and read first time _____, 2011. Ordered posted and hearing scheduled.

By order
Stephen M. LeGendre, 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 _____, 2011 and concluded on _____, 2011.

By order_____
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time _____, 2011 and Passed___, Passed with amendments___, Failed___.

By order_____
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2011 at _____ a.m./p.m.

By order_____
Stephen M. LeGendre, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2011.

_____
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 the Howard County Code is hereby amended to read as follows:*

By amending Section 16.128 "Pre-submission Community Meetings; Exceptions."

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

Subtitle 1. Subdivision and Land Development Regulations

Article II. Design Standards and Requirements

Sec. 16.128. Pre-submission community meetings; exceptions.

Presubmission community meeting. The following procedures are required for a presubmission community meeting:

(a) The initial plan submittal shall be as defined in section 16.108 of this subtitle.

(b) The meeting shall be:

(1) Held at a location within the community, in a public or institutional building located within approximately five miles of the subject property; and

(2) Scheduled to start between 6:00 p.m. and 8:00 p.m. on a weekday evening, or to be held between 9:00 a.m. and 5:00 p.m. on a Saturday, excluding all official County holidays and Rosh Hashanah, Yom Kippur, Eid Ul Fitr, Eid Ul Adha, or Chinese New Year.

(c) The developer shall provide three weeks advance notice regarding the date, time, and location of the presubmission community meeting to be held for a development project as follows:

(1) Notice shall be sent by first class mail with delivery confirmation

notice to:

(i) All adjoining property owners identified in the records of the State Department of Assessments and Taxation; and

(ii) Any community association that represents the geographic area of the subject property or any adjoining properties; and

(2) Notice shall be sent electronically to:

(i) Any community association registered with the County to be notified about projects in a certain geographic area;

(ii) The Howard County Council; and

(iii) The Department of Planning and Zoning, which shall place the meeting notice on the department's web site.

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 weeks immediately before the meeting. The poster shall be double-sided and at least 30 inches by 36 inches in size. The poster shall include a three digit alphanumeric code, which would be used to identify the case. The alphanumeric code shall be posted by the Department of Planning and Zoning in at least five-inch lettering in the top left corner of the poster. 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.

(d) The presubmission community meeting is for the developer to provide information to the community regarding the proposed development and to allow community residents to ask questions and make comments. While the developer is encouraged to work with the community to achieve a mutually acceptable solution to any concerns, unless a change is required by this subtitle or the zoning regulations, the developer is not required to change the proposed development in response to comments made at the presubmission community meeting.

(E) THE DEVELOPER SHALL DISTRIBUTE AT THE PRESUBMISSION COMMUNITY MEETING A SUMMARY OF THE COUNTY'S SUBDIVISION AND DEVELOPMENT REVIEW PROCESS PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING.

([[e]]F) [[The developer]] DEVELOPERS shall maintain a record of the names, addresses and[[, if available,]] electronic mail addresses, IF AVAILABLE for all attendees to the presubmission community meetings, and shall compile~~[[, TO THE BEST OF THEIR ABILITIES,]]~~ comprehensive minutes of these meetings WHICH INCLUDE A WRITTEN RESPONSE TO ALL QUESTIONS NOT VERBALLY ANSWERED AT THE MEETING. THE MINUTES SHALL BE SENT TO ALL MEETING ATTENDEES WITHIN 60 DAYS OF THE MEET ING EITHER ELECTRONICALLY OR BY FIRST CLASS MAIL. [[The developer shall prepare a written response to all of the major comments recorded in the minutes. The developer shall send a copy of the minutes and written responses to the meeting attendees and the department of planning and zoning either electronically or by first class mail.]]

(G) [[Also, certification]] CERTIFICATION BY THE DEVELOPER that the meeting notices AND MINUTES, WHICH INCLUDE WRITTEN RESPONSES TO QUESTIONS NOT ANSWERED VERBALLY AT THE MEETING, were [[mailed and]] SENT, TOGETHER WITH ATTENDEES' contact information, [[for the attendees]] shall be transmitted to the Department of Planning and Zoning when initial plans are filed and shall become part of the official record.

(H) ANOTHER PRESUBMISSION COMMUNITY MEETING MAY BE REQUIRED, AT THE DISCRETION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING, IF THE DEVELOPER FAILS TO COMPLY WITH THE REQUIREMENTS IN (F) ABOVE, OR ~~FINAL~~ PLANS ARE SUBMITTED THAT ARE SIGNIFICANTLY DIFFERENT FROM WHAT WAS PRESENTED AT THE PRESUBMISSION COMMUNITY MEETING, UNLESS THE CHANGES ARE IN RESPONSE TO COMMUNITY INPUT.

([[f]] I) Citizens may request a meeting with a staff member of the Department of Planning and Zoning to review the development proposal after the initial plan has been formally submitted to the department.

([[g]] J) If the developer does not submit plans to the Department of Planning and Zoning within one year of the presubmission community meeting, another presubmission community meeting and notification in accordance with this section shall be required.

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.*