

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 3

BILL NO. 17 – 2018

Introduced by: Jennifer Terrasa and Mary Kay Sigaty
Co-sponsored by: Calvin Ball, Greg Fox and Jon Weinstein

An Act amending the Howard County Code to provide that in piecemeal amendment cases that the Zoning Board initially limit the hearing to the evidence relevant to the applicable criteria which would justify the requested rezoning; and generally relating to piecemeal map amendments.

Introduced and read first time _____, 2018. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, 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 _____, 2018 and concluded on _____, 2018.

By order _____
Jessica Feldmark, Administrator to the County Council

This Bill was read the third time _____, 2018 and Passed ___, Passed with amendments ___, Failed ___.

By order _____
Jessica Feldmark, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2018 at _____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2018.

Allan Kittleman, 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.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that
2 Subsection (j) “Findings”, of Section 16.204 “Piecemeal map amendments and
3 development plan approvals”, of Subtitle 2 “Zoning”, of Title 16 “Planning, Zoning and
4 Subdivision and Land Development Regulations” of the Howard County Code, is
5 amended to read as follows:
6

7 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**
8 **Subtitle 2. Zoning**

9
10 **Sec. 16.204. Piecemeal map amendments and development plan approvals**

11
12 (j) Findings.[[Before the Zoning Board makes a decision on any piecemeal map
13 amendment or development plan petition it shall make those findings of fact and
14 conclusions of law required by law.]]

15 (1) BEFORE THE ZONING BOARD MAKES A DECISION ON ANY PIECEMEAL MAP
16 AMENDMENT OR DEVELOPMENT PLAN PETITION IT SHALL MAKE THOSE FINDINGS OF
17 FACT AND CONCLUSIONS OF LAW REQUIRED BY LAW.

18
19 (2) IN A PIECEMEAL MAP AMENDMENT PETITION CASE, THE ZONING BOARD SHALL
20 INITIALLY LIMIT THE HEARING TO THE EVIDENCE RELEVANT TO THE APPLICABLE
21 CRITERIA WHICH WOULD JUSTIFY THE REQUESTED REZONING.

22
23 IF THE BOARD FINDS THAT THE EVIDENCE IS INSUFFICIENT TO PERMIT APPROVAL OF THE
24 PIECEMEAL AMENDMENT ACCORDING TO THOSE APPLICABLE CRITERIA, THE ZONING
25 BOARD SHALL DENY THE REQUEST BY WRITTEN DECISION.

26
27 IF THE BOARD FINDS THAT THE EVIDENCE MAY BE SUFFICIENT TO PERMIT APPROVAL OF
28 THE PIECEMEAL MAP AMENDMENT PETITION ACCORDING TO THOSE APPLICABLE
29 CRITERIA, IT SHALL RESUME THE HEARING IN ORDER TO RECEIVE EVIDENCE ON THE
30 APPROPRIATENESS OF GRANTING THE PIECEMEAL MAP AMENDMENT AND/OR ON THE
31 CRITERIA APPLICABLE TO ANY DOCUMENTED SITE PLAN PETITION FILED WITH THE
32 REQUEST.
33
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1 *Section 2. And be it further enacted by the County Council of Howard County,*
2 *Maryland, that this Act shall become effective 61 days after its enactment.*

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