

Introduced 3/5/18
Public hearing 3/19/18
Council action 5/7/18
Executive action 5/14/18
Effective date 7/14/18

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 March 5, 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 March 19, 2018 and concluded on March 19, 2018.

Tabled on 4/2/18.

By order 
Jessica Feldmark, Administrator to the County Council


This Bill was read the third time May 7, 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 10th day of May, 2018 at 3 a.m./p.m.

By order 
Jessica Feldmark, Administrator to the County Council

Approved vetoed by the County Executive on May 14, 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.

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.*

3

4

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 14, 2018.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council