

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  
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  
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  
Jessica Feldmark, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 10<sup>th</sup> day of May, 2018 at 3 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator to the County Council

Approved vetoed by the County Executive on May 14, 2018.

Allan Kittleman  
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  
34

- 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

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

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**BILL NO. 17 - 2018**

**Introduced by:** Jennifer Terrasa and Mary Kay Sigaty

**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.

Date: 18 March 2018

Subject: Howard County Citizens Association, HCCA CB17-2018 Testimony before the Council

Good evening. My name is Stu Kohn and my address is 8709 Yellow Bird Court, Laurel, MD. 20723. Tonight, I am testifying on behalf of the Howard County Citizens Association, HCCA. We are in favor of CB17 with consideration for amendments.

We want to once again congratulate both Councilwomen Terrasa and Sigaty for introducing these Bills and the other Council Members for your co-sponsorship. The passage of this Bill is a no brainer.

The following are suggested comments:

We don't understand why in the synopsis of the proposed Bill there is no mention of the phrase "Development Plan Approvals"? We say this because the intent of the Bill is to amend Section 16.204 – Piecemeal Map Amendments and Development Plan Approvals as stated on Page 1, line 3 and lines 10 thru 32. We request you consider revisions as follows:

**Refer to Page 1, line 16** – change the wording "Development Plan Petition" to "Development Plan Approvals." This change would allow consistency regarding the terminology used in CB16-2018.

**Refer to Page 1, line 19** – after the word "case" add "or Development Plan Approvals."

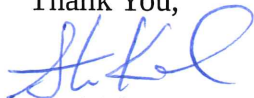
**Refer to Page 1, line 24** – after the word "Amendment" add "or Development Plan Approvals."

**Refer to Page 1, line 28** – after the word "Petition" add "or Development Plan Approvals."

**Refer to Page 1, line 30** -- after the word "Amendment" add "or Development Plan Approvals."

With these suggested amendments the Bill will be more compatible with the wording of CB16 and be in sync with the proposed revision of the Howard County Code under Title 16 Planning, Zoning, and Subdivisions and Land Development Regulations.

Thank You,



Stu Kohn  
HCCA, President