

Introduced	<u>3-1-2021</u>
Public hearing	<u>3-15-2021</u>
Council action	<u>4-5-2021</u>
Executive action	<u>4-6-2021</u>
Effective date	<u>6-6-2021</u>

County Council of Howard County, Maryland

2021 Legislative Session

Legislative day 5

BILL NO. 24 – 2021

Introduced by: Liz Walsh
Co-sponsored by: Deb Jung

~~AN ACT to prohibit action on certain zoning applications while a new General Plan is in process;~~ requiring a specified report related to disclosure of certain contributions and business relationships in compliance with the Maryland Public Ethics Law; and generally relating to Zoning matters.

Introduced and read first time March 1, 2021. Ordered posted and hearing scheduled.

By order Michelle Harrod
Theodore Wimberly, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 15, 2021.

By order Michelle Harrod
Theodore Wimberly, Administrator

This Bill was read the third time on April 5, 2021 and Passed , Passed with amendments , Failed .

By order Michelle Harrod
Theodore Wimberly, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6 day of April, 2021 at 3¹⁵ a.m./p.m.

By order Michelle Harrod
Theodore Wimberly, Administrator

Approved/Vetoed by the County Executive April 6, 2021

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ 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 the Howard
2 County Code is amended as follows:

3 By adding:

4 Title 16 - Planning, Zoning and Subdivisions and Land Development Regulations

5 Subtitle 2. - Zoning.

6 Section. 16.211A, General Plan update in process.

7
8
9 **HOWARD COUNTY CODE**

10 **Title 16 - Planning, Zoning and Subdivisions and Land Development Regulations**

11 **Subtitle 2. – Zoning**

12 **Sec. 16.208. - Zoning regulation text amendments.**

13 (a) *Petition.* Any person, the Director of the Department of Planning and Zoning, on behalf of the
14 County but not on behalf of a private entity the members of the County Council or any duly appointed
15 county board may petition the County Council for an amendment, repeal, or change to the text of the
16 zoning regulations.

17 (b) *Copy of petition to Department of Planning and Zoning and Planning Board.* The County
18 Council shall deliver a copy of the proposed zoning regulation text amendment to the Department of
19 Planning and Zoning and to the Planning Board. Subject to subsection (d) of this section, the
20 Department of Planning and Zoning shall prepare and submit a technical staff report to the County
21 Council on the proposed text amendment petition. The Planning Board shall prepare and submit a
22 recommendation to the County Council on the proposed text amendment petition.

23 (c) *Consideration of proposed text amendment.* When exercising the Zoning Authority of Howard
24 County with respect to the consideration of and decision on a proposed zoning regulation text
25 amendment, the County Council shall proceed in the following manner:

26 (1) The County Council shall introduce a bill proposing the adoption of the text amendment
27 as submitted by the petitioner or as amended pursuant to the technical staff report of the Department of
28 Planning and Zoning, or recommendations of the Planning Board or the County Council.

29 (2) A bill proposing the adoption of the text amendment shall not be added to the Council's

1 legislative agenda until the County Council has received:

2 (i) A final technical staff report and analysis from the Department of Planning and
3 Zoning; [[and]]

4 (ii) A recommendation and report from the Planning Board [[.]]; AND

5 (iii) A SUMMARY REPORT AS REQUIRED BY SECTION 5-853(H) OF THE MARYLAND
6 PUBLIC ETHICS LAW, COMPILING ALL AFFIDAVITS AND DISCLOSURES FILED AT LEAST THIRTY DAYS
7 PRIOR AND STATING WHETHER ANY APPLICANT AS THAT TERM IS DEFINED IN SECTION 5-852(B) OF
8 THE MARYLAND PUBLIC ETHICS LAW HAS MADE CERTAIN CAMPAIGN CONTRIBUTIONS TO OR IS
9 CURRENTLY ENGAGED IN BUSINESS WITH ANY MEMBER OF THE COUNTY COUNCIL OR THE HOWARD
10 COUNTY EXECUTIVE.

11 (3) The County Council shall vote on the proposed bill according to County Council bill
12 procedures.

13 (d) *Technical staff report.* At a minimum, the technical staff report shall include an analysis of:

14 (1) The compatibility, including potential adverse impacts and consequences, of the
15 proposed zoning regulation amendment with the existing and potential land uses of the surrounding
16 areas and within the same zoning district;

17 (2) The properties to which the zoning regulation amendment could apply and, if feasible, a
18 map of the impacted properties;

19 (3) Conflicts in the Howard County Zoning Regulations as a result of the zoning regulation
20 amendment; and

21 (4) The compatibility of the proposed zoning regulation amendment with the policies and
22 objectives, specifically including the environmental policies and objectives, of the Howard County
23 General Plan.

24 ~~(E) NO ACTION DURING PREPARATION OF GENERAL PLAN.~~

25 ~~NO ACTION SHALL BE TAKEN ON ANY PROPOSED ZONING REGULATION AMENDMENT FROM~~
26 ~~THE DAY THAT IS 9 YEARS AFTER THE ORIGINAL EFFECTIVE DATE OF THE THEN-CURRENT HOWARD~~

1 COUNTY GENERAL PLAN UNTIL THE DAY THAT THE NEXT GENERAL PLAN BECOMES EFFECTIVE.

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

4

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

County Council of Howard County, Maryland

2021 Legislative Session

Legislative day 5

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Introduced and read first time _____, 2021. Ordered posted and hearing scheduled.

By order _____
Theodore Wimberly, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2021.

By order _____
Theodore Wimberly, Administrator

This Bill was read the third time on _____, 2021 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Theodore Wimberly, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2021 at ___ a.m./p.m.

By order _____
Theodore Wimberly, Administrator

Approved/Vetoed by the County Executive _____, 2021

Calvin Ball, County Executive

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1 COUNTY GENERAL PLAN UNTIL THE DAY THAT THE NEXT GENERAL PLAN BECOMES EFFECTIVE.

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3 *shall become effective 61 days after its enactment.*

4

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 6, 2021.

Michelle Harrod
Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, Administrator to the County Council