

ZONING REGULATION AMENDMENTS

The Howard County Charter and Code empower the County Council to adopt maps dividing the County into zoning districts and regulations governing the use of land within these districts. A petition to amend the Zoning Regulations (a zoning text amendment) may be initiated by any interested person, the Department of Planning and Zoning or a member of the County Council or an appointed County board.

PROCESS

Submission

Petitions may be submitted to the County Council.

Scheduling

The petition is scheduled on a Planning Board agenda. The meeting date is based upon the requirements for public notice and the number of cases in review.

Written Notice

At least 30 days before the Planning Board meeting, the petitioner must send written notice of the meeting to relevant subscribers on the list maintained by the Department of Planning and Zoning.

Public Meeting Sign

A sign advertising the date, time, and place of the meeting must be posted on the property at least 6 weeks prior to the meeting. The Department of Planning and Zoning supplies the posters to the petitioner, who is responsible for erecting and maintaining them. Prior to the hearing the petitioner must sign an affidavit attesting that the property has been posted in accordance with the applicable requirements. The sign must be removed from the property

Technical Staff Report

The Department of Planning and Zoning provides a Technical Staff Report to the Planning Board. The report include finding regarding the following:

- (1) The compatibility, including potential adverse impacts and consequences, of the proposed zoning regulation amendment with the existing and potential land uses of the surrounding areas and within the same zoning district;
- (2) The properties to which the zoning regulation amendment could apply and, if feasible, a map of the impacted properties;
- (3) Conflicts in the Howard County Zoning Regulations as a result of the zoning regulation amendment; and
- (4) The compatibility of the proposed zoning regulation amendment with the policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.
- (5) If the zoning regulation text amendment would impact eight parcels of land or less:

- (i) A list of those impacted parcels;
- (ii) The address of each impacted parcel;
- (iii) The ownership of each impacted parcel; and
- (iv) The contact information for the owner, if an individual, or resident agent or owner, if a corporate entity, of each impacted parcel.

Included in this report are comments from other agencies, which may have an interest in the petition. The report is provided to the Planning Board at least 14 days prior to the hearing. The report is posted on the Howard County website and is available for review at the DPZ Front Counter.

Planning Board Meeting and Recommendation

The Howard County Planning Board conducts a public meeting on the petition. The Board's role is advisory through a recommendation to the County Council. A DPZ staff member presents the Technical Staff Report and answers questions from the Board. The Petitioner or representative is required to attend the meeting, present the petition, and answer any questions from the Board. Members of the public can provide written and oral testimony. The Board considers the Petition, the Technical Staff Report, and testimony in formulating a recommendation.

The Planning Board shall make its recommendations within a reasonable time period, but no more than 45 days after it hears the petition unless the Zoning Board or the County Council allow a longer time period. A majority vote of members present is necessary for a recommendation.

Council Bill Introduction

After the County Council has received a final technical staff report and recommendation from the Department of Planning and Zoning and a recommendation and report from the Planning Board, the County Council shall introduce a bill proposing the adoption of the text amendment as submitted by the petitioner or as amended pursuant to recommendations of the Department of Planning and Zoning, the Planning Board or the County Council.

Council Bill Proceedings

The Council Bill is introduced and heard in accordance with the Council's normal schedule for proposed legislation. Generally, new legislation is introduced at the Council's session on the first Monday of the month; a public hearing on the legislation is held on the third Monday; and the legislation is voted upon on the first Monday of the next month. If additional time is needed, legislation may be tabled for 30 to 60 days before a vote is taken.

County Executive Action

If the Council approves the Bill, it is sent to the County Executive, who may sign, choose not to sign, or veto the Bill. A vote of two-thirds of the County Council, or four of the five members, is necessary to override a veto. A Council Bill becomes effective 60 days after being signed by the County Executive.