

Introduced 4/4/07
Public hearing 4/16/07
Council action 5/2/07
Executive action 5/9/07
Effective date 7/10/07

County Council of Howard County, Maryland

2007 Legislative Session

Legislative day # 5

BILL NO 16-2007

Introduced by Greg Fox
Co-sponsored by Jennifer Terrasa

AN ACT amending the Howard County Code to change the dimensions of signs required to be posted for land use cases and require that the signs have an alphanumeric code which would identify the case, and generally relating to sign postings

Introduced and read first time April 4 2007 Ordered posted and hearing scheduled

By order Sheila M. Tolliver
Sheila M. Tolliver 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 April 16 2007 and concluded on April 16 2007

By order Sheila M. Tolliver
Sheila M. Tolliver Administrator to the County Council

This Bill was read the third time May 7 2007 and Passed Passed with amendments Failed Failed

By order Sheila M. Tolliver
Sheila M. Tolliver Administrator to the County Council

Seal of the County Seal and presented to the County Executive for approval this 9th day of May 2007 at 11:30 a.m.

By order Sheila M. Tolliver
Sheila M. Tolliver Administrator to the County Council

Approved/vetoed by the County Executive on May 9 2007

Ken Ulman
Ken Ulman County Executive

NOTE [[text in brackets]] indicates deletions from existing law TEXT IN ALL CAPITALS indicates additions to existing law
~~Stricken~~ indicates material deleted by amendment Underlining indicates material added by amendment

Section 1 Be It Enacted by the County Council of Howard County, Maryland that
Subsection (b) "Posting of Property " of Section 2 203 ' Notice to the Public " of Subtitle 2
"Rules of Procedure of The Board of Appeals , of Title 2 Administrative Procedure ' and
Subsection (c) of Section 16 128 "Pre-submission community meetings exceptions of
Article II "Design Standards and Requirements of Subtitle 1 "SUBDIVISION AND LAND
DEVELOPMENT REGULATIONS" and Subsection (d) "Posting and Mailing Notice of
Section 16 204 ' Piecemeal Map Amendments and Development Plan Approvals of Title
16 Planning Zoning and Subdivisions and Land Development Regulations' of the Howard
County Code are hereby amended to read as follows

TITLE 2 ADMINISTRATIVE PROCEDURE

SUBTITLE 2 RULES OF PROCEDURE OF THE BOARD OF APPEALS

Section 2 203 Notice to the public

(b) Posting of Property Except in administrative appeals described in section 2 203(d), if a petition involves land use, the property involved shall be posted with the time, date and place of the initial hearing The sign shall include the address of department of planning and zoning's website For variances in residential districts, the property shall be posted for at least fifteen days immediately before the hearing For all other petitions, the property shall be posted for at least thirty days immediately before the hearing The poster shall be double-sided[[],] AND at least 30[[48]] inches by 36[[48]] inches in size [[and the typeface shall be at least two inches in height]] THE POSTER SHALL INCLUDE A THREE DIGIT ALPHANUMERIC CODE, WHICH WOULD BE USED TO IDENTIFY THE CASE THE ALPHANUMERIC CODE SHALL BE POSTED BY THE DEPARTMENT OF PLANNING AND ZONING IN ~~SIX~~ AT LEAST FIVE-INCH LETTERING IN THE TOP LEFT CORNER OF THE POSTER The department of planning and zoning shall determine the number of

1 posters required and their location and the petitioner shall bear the expense of posting
2 The posters shall be erected perpendicular to the road which serves as the mailing
3 address of the subject property The department of planning and zoning shall supply
4 the posters The petitioner shall properly erect and maintain the posters
5

6 **TITLE 16 PLANNING, ZONING AND SUBDIVISIONS AND**
7 **LAND DEVELOPMENT REGULATIONS**
8

9 **SUBTITLE 1 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS**
10

11 **Article II Design Standards and Requirements**
12

13 **Sec 16 128 Pre-submission community meetings, exceptions**
14

15 *Pre-submission Community Meeting* A pre-submission community meeting is required prior
16 to the initial submission of plans for all new residential developments according to the
17 following procedures
18

19 (c) The developer shall provide two weeks advance notice regarding the date, time, and
20 location of the pre-submission community meeting to be held for a new residential
21 development project to
22

23 (1) All adjoining property owners identified in the records of the State Department
24 of Assessments and Taxation, by first-class mail, and
25

26 (2) The Department of Planning and Zoning, which will place the meeting notice
27 on the Department's web site, and
28

29 (3) The Howard County Council, and

1 (4) Any community association that represents the area of the subject property or
2 any adjacent properties

3 The property involved shall be posted with the time, date and place of the initial meeting The
4 sign shall include the address of Department of Planning and Zoning's website The property
5 shall be posted for at least two weeks immediately before the meeting The poster shall be
6 double-sided[[,]] AND at least 30[[48]] inches by 36[[48]] inches in size [[and the typeface
7 shall be at least two inches in height]] THE POSTER SHALL INCLUDE A THREE DIGIT
8 ALPHANUMERIC CODE, WHICH WOULD BE USED TO IDENTIFY THE CASE THE
9 ALPHANUMERIC CODE SHALL BE POSTED BY THE DEPARTMENT OF PLANNING
10 AND ZONING IN ~~SIX~~ AT LEAST FIVE-INCH LETTERING IN THE TOP LEFT CORNER
11 OF THE POSTER The Department of Planning and Zoning shall determine the number of
12 posters required and their location and the petitioner shall bear the expense of posting The
13 posters shall be erected perpendicular to the road which serves as the mailing address of the
14 subject property The Department of Planning and Zoning shall supply the posters The
15 petitioner shall properly erect and maintain the posters

16
17 **SUBTITLE 2 ZONING**

18
19 **Sec 16 204 Piecemeal map amendments and development plan approvals**

20
21 (d) Posting and Mail Notice

22
23 (1) At least 30 days prior to the initial public hearing on the piecemeal map
24 amendment or development plan petitions, the petitioner shall

25
26 (i) Post the property which is the subject of the hearing with the date, time,
27 place and subject matter of the hearing The sign shall include the
28 address of department of planning and zoning's website The poster
29 shall be double-sided[[,]] AND at least 30[[48]] inches by 36[[48]]

1 inches in size [[and the typeface shall be at least two inches in height]]
2 THE POSTER SHALL INCLUDE A THREE DIGIT
3 ALPHANUMERIC CODE, WHICH WOULD BE USED TO
4 IDENTIFY THE CASE THE ALPHANUMERIC CODE SHALL BE
5 POSTED BY THE DEPARTMENT OF PLANNING AND ZONING
6 IN ~~SIX~~ AT LEAST FIVE-INCH LETTERING IN THE TOP LEFT
7 CORNER OF THE POSTER The department of planning and zoning
8 shall determine the number of posters required and their location and
9 the petitioner shall bear the expense of posting The department of
10 planning and zoning shall supply the posters The petitioner shall
11 properly erect and maintain the posters, and
12

13 (ii) Send a certified letter to all persons whose property is adjoining to the
14 property which is the subject of the petition, according to the most
15 recent state taxation and assessment records, notifying those persons of
16 the date, time, place and subject matter of the hearing in accordance
17 with section 16 203(c)(7) and of this subtitle
18

19 (2) Noncompliance with the mailing requirements of paragraph (1) of this
20 subsection does not constitute a basis for appeal or the setting aside of
21 piecemeal zoning or development plan decisions
22
23

24 ***Section 2 Be it further enacted by the County Council of Howard County Maryland that***
25 ***this Act shall become effective 61 days after its enactment***
26
27
28
29

BY THE COUNCIL

This Bill having been approved by the Executive and returned to the Council stands enacted on May 9 2007

Sheila M. Tolliver
Sheila M Tolliver 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 _____ 2007

Sheila M Tolliver 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 _____ 2007

Sheila M Tolliver 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 _____ 2007

Sheila M Tolliver 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 _____ 2007

Sheila M Tolliver 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 _____ 2007

Sheila M Tolliver Administrator to the County Council

Amendment to Council Bill No 16-2007

BY Jennifer Terrasa

Legislative Day No

Date May 7, 2007

Amendment No 1

(This amendment would add Councilwoman Jennifer Terrasa as a co-sponsor to the bill)

On the title page, immediately following the sponsorship line, insert "Co-sponsored by
Jennifer Terrasa"

REC'D 5/7/07
FILED
SIGNATURE Shirley Johnson

Amendment to Council Bill No 16 - 2007

BY Chairperson at the request
of the County Executive

Legislative Day No 6
Date May 7, 2007

Amendment No 2

(This amendment changes the proposed 6-inch lettering to at least 5-inch lettering)

- 1 On page 1, in line 30, strike "SIX" and substitute "AT LEAST FIVE"
- 2
- 3 On page 3, in line 10, strike "SIX" and substitute "AT LEAST FIVE"
- 4
- 5 On page 4, in line 6, strike "SIX" and substitute "AT LEAST FIVE"

DATE 5/7/07
FILED _____
SIGNATURE [Signature]