

Introduced 07-05-2022
Public Hearing 07-18-2022
Council Action 07-27-2022
Executive Action 08-01-2022
Effective Date 10-01-2022

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. 11

Bill No. 50 -2022

Introduced by: Deb Jung

AN ACT amending the Howard County Code to require newly appointed members of the Howard County Board of Appeals to complete certain land use training courses as a condition of their appointment; and generally relating to the Howard County Board of Appeals.

Introduced and read first time July 5, 2022. Ordered posted and hearing scheduled.

By order

Michelle Harrod
Michelle R. Harrod, 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 July 18, 2022.

By order

Michelle Harrod
Michelle R. Harrod, Administrator

This Bill was read the third time on July 27, 2022 and Passed , Passed with amendments ✓, Failed .

By order

Michelle Harrod
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 31 day of July, 2022 at 4⁰⁰ a.m./p.m.

By order

Michelle Harrod
Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive August 1, 2022

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.

Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard County Code is hereby amended as follows:

By adding:

Title 16. Planning, Zoning and Subdivisions and Land Development Regulations

Subtitle 3. Board of Appeals.

Section 3.301A. Training.

Title 16. Planning, Zoning and Subdivisions and Land Development Regulations

Subtitle 3. Board of Appeals

Sec. 16.300. Compensation.

Members of the Howard County Board of Appeals shall be paid \$5,000.00 per year plus \$110.00 per official public session, up to a maximum cumulative total payment of \$16,125.00 per year. Members of the Board shall receive reasonable and necessary expenses, as may be provided in the budget.

Sec. 16.301. Powers.

The Howard County Board of Appeals shall have the following zoning powers:

- (a) To authorize a variance from the terms of the zoning regulations as is necessary to avoid arbitrariness and to obtain substantial justice within the spirit of the zoning regulations. However, the County Council, by passage of a resolution after public hearing, shall be the sole authority to grant these variances for governmental uses of land.
- (b) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by any administrative official in the application, interpretation, or enforcement of this title or of any regulations adopted pursuant to it.
- (c) To authorize uses provided by the zoning [[regulations]] REGULATIONS. However, the County Council, by passage of a resolution after public hearing, shall be the sole authority to issue special use variances for governmental uses of land.

(d) To hear and decide citations issued, under subtitle 16 of this title, for a violation of the subdivision and land development regulations set forth in subtitle 1 of this title or the Howard County Zoning Regulations.

SEC. 16.301A. TRAINING.

NEWLY APPOINTED MEMBERS OF THE HOWARD COUNTY BOARD OF APPEALS SHALL, WITHIN SIX MONTHS OF THEIR APPOINTMENT, COMPLETE THE FOLLOWING:

(A) REVIEW MATERIALS FROM PUBLICLY OFFERED PLANNING COURSES DESIGNED BY THE HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING THAT EDUCATE RESIDENTS ON HOW THE PLANNING AND LAND DEVELOPMENT PROCESS WORKS; COMPLETE IN-PERSON OR VIRTUAL TRAINING IF SUCH COURSES ARE OFFERED AND COINCIDE WITH THE REQUIREMENT PERIOD; AND

(B) A PUBLICLY OFFERED EDUCATION COURSE DESIGNED BY THE MARYLAND DEPARTMENT OF PLANNING THAT REVIEWS CERTAIN ASPECTS OF LAND USE PLANNING.

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

Introduced 07-05-2022
Public Hearing 07-18-2022
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. 61

Bill No. 50-2022

Introduced by: Deb Jung

AN ACT amending the Howard County Code to require newly appointed members of the Howard County Board of Appeals to complete certain land use training courses as a condition of their appointment; and generally relating to the Howard County Board of Appeals.

Introduced and read first time July 5, 2022. Ordered posted and hearing scheduled.

By order Michelle R. Harrod
Michelle R. Harrod, 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 July 18, 2022.

By order Michelle R. Harrod
Michelle R. Harrod, Administrator

This Bill was read the third time on _____, 2022 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2022 at _____ a.m./p.m.

By order _____
Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2022

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 hereby amended as follows:

3 By adding:

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

5 Subtitle 3. Board of Appeals.

6 Section 3.301A. Training.

7
8
9 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**

10 **Subtitle 3. Board of Appeals**

11 **Sec. 16.300. Compensation.**

12 Members of the Howard County Board of Appeals shall be paid \$5,000.00 per year plus
13 \$110.00 per official public session, up to a maximum cumulative total payment of \$16,125.00
14 per year. Members of the Board shall receive reasonable and necessary expenses, as may be
15 provided in the budget.

16 **Sec. 16.301. Powers.**

17 The Howard County Board of Appeals shall have the following zoning powers:

- 18 (a) To authorize a variance from the terms of the zoning regulations as is necessary to
19 avoid arbitrariness and to obtain substantial justice within the spirit of the zoning
20 regulations. However, the County Council, by passage of a resolution after public
21 hearing, shall be the sole authority to grant these variances for governmental uses of
22 land.
- 23 (b) To hear and decide appeals where it is alleged there is error in any order, requirement,
24 decision, or determination made by any administrative official in the application,
25 interpretation, or enforcement of this title or of any regulations adopted pursuant to it.
- 26 (c) To authorize uses provided by the zoning [[regulations]] REGULATIONS. However, the
27 County Council, by passage of a resolution after public hearing, shall be the sole
28 authority to issue special use variances for governmental uses of land.

1 (d) To hear and decide citations issued, under subtitle 16 of this title, for a violation of the
2 subdivision and land development regulations set forth in subtitle 1 of this title or the
3 Howard County Zoning Regulations.

4 **SEC. 16.301A. TRAINING.**

5 NEWLY APPOINTED MEMBERS OF THE HOWARD COUNTY BOARD OF APPEALS SHALL, WITHIN
6 SIX MONTHS OF THEIR APPOINTMENT, COMPLETE THE FOLLOWING:

7 (A) REVIEW MATERIALS FROM PUBLICLY OFFERED PLANNING COURSES DESIGNED BY THE
8 HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING THAT EDUCATE RESIDENTS
9 ON HOW THE PLANNING AND LAND DEVELOPMENT PROCESS WORKS; COMPLETE IN-PERSON
10 TRAINING IF SUCH COURSES ARE OFFERED AND COINCIDE WITH THE REQUIREMENT PERIOD;
11 AND

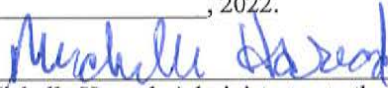
12 (B) A PUBLICLY OFFERED EDUCATION COURSE DESIGNED BY THE MARYLAND DEPARTMENT
13 OF PLANNING THAT REVIEWS CERTAIN ASPECTS OF LAND USE PLANNING.

14
15 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act*
16 *shall become effective 61 days after its enactment.*



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2022.



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 _____, 2022.

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 _____, 2022.

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 _____, 2022.

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 _____, 2022.

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 _____, 2022.

Michelle Harrod, Administrator to the County Council

Amendment 1 to Council Bill No. 50 - 2022

BY: Christiana Rigby

Legislative Day 12

Date: July 27, 2022

Amendment No. 1

(This amendment removes the "in-person" training requirement for the Howard County planning course for new Board of Appeals members.)

(This amendment provides that newly appointed members of the Howard County Board of Appeals shall complete in-person or virtual training within six months of their appointment.)

1 On page 2, in line 9, strike "IN PERSON" and substitute "THE". after "IN PERSON" insert "OR
2 VIRTUAL
3
4
5
6

I certify this is a true copy of
Am 1 to CB 50-2022
passed on July 27 2022
Nicholas Howard
Council Administrator

Amendment 1 to Amendment No. 1 to Council Bill No. 50-2022

BY: Christiana Rigby

Legislative Day 12
Date: July 27, 2022

Amendment No. 1

(This amendment adds a virtual option for the training.)

On page 1, strike the parenthetical in its entirety and substitute:

(This amendment provides that newly appointed members of the Howard County Board of Appeals shall complete in-person or virtual training within six months of their appointment.)

On page 1, in line 1, after the second comma, strike the remainder of the sentence and substitute, “after “IN PERSON” insert “OR VIRTUAL”.

I certify this is a true copy of

Am 1 to Am 1 C350-2022

passed on July 27, 2022

Michelle Dorr

Council Administrator

Amendment 1 to Council Bill No. 50 - 2022

BY: Christiana Rigby

Legislative Day 12

Date: July 27, 2022

Amendment No. 1

(This amendment removes the "in-person" training requirement for the Howard County planning course for new Board of Appeals members.)

1 On page 2, in line 9, strike "IN-PERSON" and substitute "THE".

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