

COUNTY ORDINANCE NO. 98-11

**A BILL ENTITLED**

AN ACT concerning amendments to the Code of Public Laws of Queen Anne's County, Maryland, Title 18, *Land Use and Development*, particularly Part IX, Subpart 8. Amendments to Subtitle and Title 14, Environmental Protection, particularly Part IV, Section 14-177. Amendment Procedures.

FOR THE PURPOSE of amending the definitions and the filing requirements under Title 18 and for the FURTHER PURPOSE of amending the procedures and filing requirements for text or map amendments under Title 14.

**SECTION I**

BE IT ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-1-292 of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following definitions:

**TITLE 18. PART IX.**

**Subpart 8. Amendments to Subtitle**

**18-1-292. Definitions.**

(a) ***In general.***

In this subpart the following words have the meaning indicated.

(b) ***Text Amendment.***

"Text Amendment" means any changes to the text of this subtitle and includes changes that supplement, modify or repeal any of its present or future provisions.

(c) ***Map amendment.***

"Map amendment" means an amendment that involves a change of one or more district boundaries as shown on the zoning maps and/or a change in the zoning classification of specific property.

(d) ***Petition.***

"Petition" means a request for text amendment or a map amendment made by a property owner, a subject property owner, or by a group or property owners acting as a private citizens' group.

(e) ***Property Owner.***

“Property Owner” means a person or persons having an ownership interest in real property located within the geographic boundaries of Queen Anne’s County, Maryland.

(f) ***Subject Property Owner.***

“Subject Property Owner” means the owner or owners of a piece of real property located within the geographic boundaries of Queen Anne’s County, Maryland which is the subject of a proposed map amendment.

(h) ***Business Day.***

“Business Day” means a day of the week, excluding Saturday, Sunday and designated holiday observances, on which the office of the Clerk to the County Commissioners is open during its customary hours of 8:00 AM - 4:30 PM.

**18-1-296. Proposal of amendment.**

(a) ***Proposal.***

(1) A proposal for a text amendment, other than an amendment to the subdivision regulations, may be initiated by:

- (i) resolution of the County Commissioners; or
- (ii) resolution of the Planning Commission; or
- (iii) petition of a property owner or property owners acting as a private citizens’ group filed with the County Commissioners.

(2) A proposal to amend the subdivision regulations may be initiated only by the Planning Commission.

(3) A proposal for a map amendment may be initiated by:

- (i) resolution of the County Commissioners; or
- (ii) resolution of the Planning Commission; or
- (iii) petition of the subject property owner filed with the County Commissioners.

(b) ***Required referral.***

Any proposed amendment that is not initiated by the Planning Commission shall be referred to the Planning Commission for investigation and recommendation.

(1) ***Filing requirements for petitions for text amendments and map amendments.***

Any amendment to this Title, including the zoning maps, that is proposed by a subject property owner, a property owner or a group of property owners acting as a private citizens' group shall be filed with the office of the Clerk to the County Commissioners, for consideration by the County Commissioners, only during the first five business days in the month of February and the first five business days in the month of August of each calendar year. Map amendment and text amendment petitions will not be accepted by the Clerk to the County Commissioners at any other time during the year.

## SECTION II

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 14-177 of the Code of Public Laws of Queen Anne's County, 1996 Edition be and is hereby amended to the following:

### TITLE 14. PART IV.

**14-177. Amendment procedures.**

(a) ***Initiation.***

Text or map amendments may be initiated by resolution of the Planning Commission, County Commissioners, or by a petition of the property owner filed with the County Commissioners.

(1) All petitions filed by property owners for map amendments shall be accompanied by the information required in § 18-1-297 of the Land Use and Development Section of the Queen Anne's County Code and a fee prescribed by the County Commissioners.

(2) Any amendment to this Title, including an amendment to the Critical Area maps, that is proposed by a property owner or group of owners acting as a private citizens' group shall be filed with the office of the Clerk to the County Commissioners, for consideration by the County Commissioners, only during the first five business days in the month of February and the first five business days in the month of August of each calendar year. Map amendment and text amendment petitions will not be accepted by the Clerk to the County Commissioners at any other time during the year.

(i) Petitions for map amendments utilizing growth allocation are

exempt from Section 14-177(a)(2).

(b) ***Planning Commission - Referral, investigation and recommendation.***

All proposed map and text amendments that are not initiated by the Planning Commission shall be referred to the Planning Commission for investigation and recommendation. The Planning Commission shall first hold a public hearing at which parties of interest and citizens shall have an opportunity to be heard. At least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the County. In addition, the Planning Commission shall post notice of their public hearing on the property(ies) for which the amendments are requested and, to the extent possible, based on the best available information, notify all property owners immediately contiguous to the applicant of the hearing date, time, and place.

**SECTION III**

BE IT FURTHER ENACTED that this Bill shall take effect on the forty-sixth (46<sup>th</sup>) day following its passage.

Introduced By: Commissioner Zimmer  
Date of Introduction: June 16, 1998  
Hearing Scheduled: July 21, 1998 10:45 a.m.  
Action: 3 Yea — Nay  
Date: Aug. 4, 1998  
Effective date: Sept 18, 1998