

WASHINGTON COUNTY DEPARTMENT OF PLANNING PUBLIC INFORMATION DOCUMENT

ZONING MAP AND TEXT AMENDMENT PROCEDURES

This Public Information Document is for informational purposes only, prepared for the convenience of applicants and the public. For official guidance, reference should be made to the current adopted policies of the Planning Commission or to any resolution or Zoning Map or Text Amendment Procedures of the Board of County Commissioners then in effect.

General Information

1. Applications for Zoning Map and Text amendments will be accepted by the Planning Department during regular work days **no later than 3:00 p.m.**
2. The application shall be reviewed for completeness and may be rejected for any of the following reasons:
 - a. The application fails to include the information required by Section 27 of the Zoning Ordinance or is not accompanied by the appropriate filing fee; or
 - b. The subject property of the application is included in a draft comprehensive rezoning or designation as an Urban Growth Area in the Comprehensive Plan for the County and has not been granted a waiver from the Board of County Commissioners; or
 - c. If the application is for the reclassification of the whole or any part of land that has been the subject of a prior accepted application for reclassification within the preceding twelve (12) months and subsequently withdrawn by the applicant or denied by the Board of County Commissioners.
 - d. The applicant will be notified of a rejected application, in writing, and all materials and filing fees shall be returned.
3. The Planning Department shall schedule a public rezoning meeting with the Planning Commission **approximately** sixty (60) days after the application has been filed.

Staff Review and Processing

1. Information supplied by the applicant will be disseminated to appropriate State, County, and Local reviewing agencies to seek comment on the proposed amendments.
2. The Planning Department staff shall prepare a report analyzing the requested map or text amendment. The analysis will be based on the application and materials submitted by the applicant and criteria required by Article 27 of the Zoning Ordinance.
3. The report shall be finalized and filed with the record at least seven (7) days prior to the public rezoning meeting before the Planning Commission. A copy will be sent to the applicant or authorized agent.

Planning Commission Public Rezoning Meeting

1. The Planning Department shall publish notice of the time and place of the public rezoning meeting in one (1) newspaper of general circulation in the jurisdiction once each week for two (2) successive weeks, with the first publication of notice appearing at least 14 days prior to the public rezoning meeting. Notice of the public rezoning meeting as well as the application packet and staff

report will also be posted on the Planning Department's website at <https://www.washco-md.net/index.php/2017/03/09/planzone-home>.

2. Map Amendments (including Floating and Overlay Districts)
 - a. The applicant shall post notice on the property at least 14 days prior to the public rezoning meeting. The Planning Department will provide the rezoning notice placard.
 - b. The Planning Department shall notify adjacent property owners by mail of the Planning Commission's public rezoning meeting at least 14 days prior to the public rezoning meeting using the list of adjoining property owners provided by the applicant as set forth in the required information materials list. Additional property owners may be notified as deemed appropriate.
3. Text Amendments
 - a. Language proposed by the applicant shall be posted to the Planning Department website at <https://www.washco-md.net/index.php/2017/03/09/planzone-home> along with a copy of the application. The information shall be made available at least 14 days prior to the public rezoning meeting.
4. The Planning Commission shall hold a public rezoning meeting, which shall be recorded. The applicant will have 15 minutes to present their application. Thereafter, individuals will be given three (3) minutes to speak either in favor of or against the application. A spokesman or legal counsel for a group of individuals will be allowed five (5) minutes. The applicant shall have five (5) minutes for rebuttal. Any time limit may be waived at the sole and absolute discretion of the Commission or its Chairman.
5. Following the conclusion of the public rezoning meeting, the Planning Commission will accept additional written comments for a period of ten (10) calendar days (the comment period). The Planning Commission will consider any comments received during the 10 day comment period during its deliberations for recommendation of approval or denial to the Board of County Commissioners. Any comments received after the ten (10) day comment period will be made a part of the official record and will be forwarded to the Board of County Commissioners prior to its public hearing.
6. The Planning Commission will review the information received at the public rezoning meeting and during the 10 day comment period at its next regularly scheduled meeting following the close of the comment period. After consideration of the information received and public comments, the Planning Commission will render a recommendation, which will be forwarded to the Board of County Commissioners. Any comments received after the Planning Commission's 10 day comment period will be forwarded to the County Commissioners for consideration.

Board of County Commissioners' Public Hearing

1. Upon receipt of the Planning Commission's recommendation, the Board of County Commissioners will schedule a public hearing as its schedule allows.
2. The Planning Department shall publish notice of the time and place of the public hearing in one (1) newspaper of general circulation in the jurisdiction once each week for two (2) successive weeks, with the first publication of notice appearing at least 14 days prior to the public hearing. Notice of the public hearing as well as the application packet and staff report will also be posted on the Planning Department's website at <https://www.washco-md.net/index.php/2017/03/09/planzone-home>.
3. Map Amendments (including Floating and Overlay Districts)
 - a. The applicant shall post notice on the property at least 14 days prior to the public hearing. The Planning Department will provide the rezoning notice placard.

- b. The Planning Department shall notify adjacent property owners by mail of the Board of County Commissioners' public hearing at least 14 days prior to the public hearing using the list of adjoining property owners provided by the applicant as set forth in the required information materials list. Additional property owners may be notified as deemed appropriate.
4. Text Amendments
 - a. Language proposed by the applicant shall be posted to the Planning Department website at <https://www.washco-md.net/index.php/2017/03/09/planzone-home> along with a copy of the application. The information shall be made available at least 14 days prior to the public hearing.
5. The hearing before the Board is quasi-judicial in nature and shall be recorded. The official file shall be introduced and accepted into the record of proceedings. Any person testifying at the public hearing shall take an oath, administered by the presiding official or the County Clerk. The presiding official shall be the County Attorney, Deputy County Attorney, or Assistant County Attorney, and shall rule on all evidentiary and procedural objections.
6. Planning staff will present a summary of the application and staff report. The applicant shall have 15 minutes to present its application. Thereafter, those wishing to testify in favor of or against the application may do so. Individuals will be given three (3) minutes to testify, and a spokesman or legal counsel for a group of individuals will be allowed ten (10) minutes to testify. The applicant shall have five (5) minutes for rebuttal. Any time limit may be waived at the sole and absolute discretion of the Board or the presiding official. Cross-examination will be allowed if requested and required by law.
7. At the close of the Board of County Commissioners' public hearing, the record in the case shall be closed and no further comment, testimony or evidence will be considered, unless the Board directs that the record remain open regarding a limited issue. Should the record remain open regarding a limited issue, the hearing shall be continued to a subsequent date and time announced by the Board. The scope of the continued hearing shall be limited solely to the issue to be addressed. **ONCE THE RECORD IS CLOSED, NO ADDITIONAL PUBLIC COMMENT SHALL BE CONSIDERED.**
8. A consensus discussion will be scheduled on the Board of County Commissioners' agenda within three (3) weeks or as soon as scheduling permits after the close of the public hearing.
9. Following the consensus decision, the application will be scheduled for a vote with the Board of County Commissioners.
10. The Board will issue its decision in writing. The basis of the Board's action and the material facts found by the Board will be set forth in the decision and shall constitute a part of the record. The decision may, at the discretion of the Board, also contain conditions and safeguards relating to the amendment save for any condition that would limit permissible uses of the property in contravention of the uses presented in the Zoning Ordinance.
11. Any persons believing they have been aggrieved by the Board of County Commissioners' decision may file an appeal with the Circuit Court of Washington County, Maryland in accordance with the Maryland Annotated Code, Land Use Article, within thirty (30) days of the approval date of the Ordinance.