

ORDINANCE NO. 19-07

Introduced by: _____

AN ORDINANCE OF THE TOWN OF QUEENSTOWN AMENDING ARTICLE XVI, SECTION 192 TITLED CHANGES AND AMENDMENTS OF THE QUEENSTOWN ZONING ORDINANCE TO REVISE THE PROCESS TO AMEND THE QUEENSTOWN ZONING ORDINANCE BY ELIMINATING THE REQUIREMENT OF ADVERTISING IN THE NEWSPAPER THE PUBLIC HEARING BEFORE THE PLANNING COMMISSION

WHEREAS, pursuant to Md. Code Ann. Local Government § 5-213, the Commissioners of Queenstown have the authority to adopt regulations concerning zoning; and

WHEREAS, on September 25, 2019, the Queenstown Commissioners introduced Ordinance No. 19-07 and determined that it is desirable and in the public interest to make certain amendments to the Zoning Ordinance to eliminate the requirement that notice of a public hearing before the Planning Commission be published in a newspaper and referred said amendments to the Planning Commission for its review and recommendations; and

WHEREAS, on October 2, 2019, the Queenstown Planning Commission introduced Ordinance No. 19-07; and

WHEREAS, on November 6, 2019, after a duly advertised public hearing, the Queenstown Planning Commission adopted Ordinance No. 19-07 and certified the proposed amendment to the Queenstown Commissioners for their review, approval, and adoption; and

WHEREAS, on _____, the Queenstown Commissioners held a public hearing on Ordinance No. 19-07 and have determined that it is desirable and in the public interest to make certain amendments to the Zoning Ordinance as recommended by the Queenstown Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF QUEENSTOWN AS FOLLOWS:

Section 1. Section 192 of the Queenstown Zoning Ordinance is hereby amended as follows:

§ 192. Changes and amendments.

A. Initiation of change. The Town Commissioners may from time to time amend, supplement or change, by Chapter, the boundaries of the districts or the regulations herein established. Any such amendment may be initiated by

resolution of the Town Commissioners or by motion of the Planning Commission or by petition of any property owner addressed to the Town Commissioners. Petitions for change or amendment shall be on forms and filed in a manner prescribed by the Planning Commission.

B. Report from Planning Commission. Before taking any action on any proposed amendment, supplement or change, the Town Commissioners shall submit the same to the Planning Commission for its recommendations and report. Failure of the Commission to report within sixty (60) days after the first meeting of the Planning Commission subsequent to the proposal being referred to the Planning Commission shall be deemed approval.

C. Notice and hearings. The Planning Commission shall hold a public hearing on any proposed amendment, supplement or change before submitting its report to the Town Commissioners. Notice of public hearing before the Commission shall be given at least ~~fifteen (15)~~ *five (5)* days prior to the hearing by publishing the time, place and nature of the *hearing on the Planning Commission Agenda posted at the Town Office and on the Town website.* ~~hearing in a newspaper having general circulation in the town. In addition~~ *If the proposed amendment affects a single property,* the Planning Commission shall cause the date, time, place and nature of the hearing to be posted conspicuously on ~~the~~ *that* property, in accordance with the rules of the Commission. ~~The published and posted notices shall contain reference to the place or places within the town where the plans, ordinances or amendments may be examined.~~

Section 2. Unless specifically amended as set forth above, all other provisions of the Queenstown Zoning Ordinance shall remain unchanged.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Commissioners of Queenstown hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

ADOPTED AND RECOMMENDED this ____ day of _____, 2019.

WITNESS:

QUEENSTOWN PLANNING COMMISSION:

Amy Moore, Town Clerk

Phillip Snyder, Chair

Amy Moore, Town Clerk

Matthew Reno, Vice Chair

Amy Moore, Town Clerk

Loretta Hohmann, Secretary

Amy Moore, Town Clerk

Paul Cain

Amy Moore, Town Clerk

Mike Bowell

ORDAINED, APPROVED, AND PASSED by the Town Commissioners for the Town of Queenstown on this _____ day of _____, 2019.

WITNESS:

TOWN COMMISSIONERS FOR THE
TOWN OF QUEENSTOWN:

Amy Moore, Town Clerk

Thomas B. Willis, Jr., President

Amy Moore, Town Clerk

Holger Schuster, Commissioner

Amy Moore, Town Clerk

Alton Hardee, Commissioner

NOTE: ~~Strike through text~~ = deleted text
Bold text = added text