AN ACT to revise the process to adopt and amend the County Growth Policy.

By amending
Montgomery County Code
Chapter 33A, Planning Procedures.
Sec. 33A-15, Growth Policy

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Section 33A-15 is amended as follows:

33A-15. Growth Policy

(a) **Purpose.**

(1) The purpose of this Article is to establish a process by which the County Council can give policy guidance to agencies of government and the public on matters concerning:

(A) land use development;

(B) growth management; and

(C) related environmental, economic, and social issues.

(2) The policy guidance will be provided through the adoption by the County Council of a growth policy, which is intended to be an instrument that facilitates and coordinates the use of the powers of government to limit or encourage growth and development in a manner that best enhances the general health, welfare, and safety of the residents of the County.

(b) **Simplified description.**

The growth policy must be adopted every 2 years by the County Council. It consists of policy guidelines for the Planning Board, and other agencies as appropriate, for their administration of Section 50-35(k) and other laws and regulations which affect growth and development.

(c) **Duties of the County Planning Board.**

Every odd-numbered year, the Planning Board must produce a recommended growth policy.
(1) By [June/April] 15, the Planning Board must send to the County Council a staff draft growth policy which includes:

(A) a status report on general land use conditions in the county, including the remaining growth capacity of zoned land, recent trends in real estate transactions, the level of service conditions of major public facilities and environmentally sensitive areas, and other relevant monitoring measures;

(B) a forecast of the most probable trends in population, households, and employment for the next 10 years, including key factors that may affect the trends;

(C) a recommended set of policy guidelines for the Planning Board, and other agencies as appropriate, with respect to administration of laws and regulations which affect growth and development; and

(D) any other information or recommendations relevant to growth policy, or requested by the County Council in the course of adopting the growth policy or by a later resolution.

(2) By [August/June] 1, the Board must produce a recommended growth policy which reflects the Planning Board's views.

(3) The Planning Board must promptly make available to the County Executive, other agencies (including the Office of Zoning and Administrative Hearings and the People's Counsel), and the public copies of the staff draft and the Board's recommended growth policy.

(d) Duties of the County Executive.
(1) Every odd-numbered year, the County Executive must send to the County Council by September 15 any revisions to the growth policy recommended by the Planning Board in the form of specific additions and deletions.

(2) The County Executive must promptly make available to the Planning Board, other agencies, and the public copies of the County Executive's recommendations.

(3) The County Executive must assist the Planning Board to compile its status report for the recommended growth policy by making available monitoring data which is routinely collected by executive branch departments.

duties of the county board of education.

(1) Every odd-numbered year, the Board of Education must send to the County Council by October 1 any comments on the recommended growth policy submitted by the Planning Board and the Executive's recommendations, including any proposed revisions in the form of specific additions or deletions.

(2) The Board of Education must promptly make available to the Planning Board, the County Executive, and the public copies of these comments and revisions.

(3) The Board of Education must assist the Planning Board to compile its status report for the growth policy by making available monitoring data which is routinely collected by Montgomery County Public Schools staff.

duties of the washington suburban sanitary commission.
Every odd-numbered year, the Washington Suburban Sanitary Commission must send to the County Council by October 1 any comments on the recommended growth policy submitted by the Planning Board and the Executive's recommendations, including any proposed revisions in the form of specific additions or deletions.

The Commission must promptly make available to the Planning Board, the County Executive, and the public copies of these comments and revisions.

During the year, the Commission must assist the Planning Board to compile its status report for the growth policy by making available monitoring data which is routinely collected by Commission staff.

Duties of the County Council.

After receiving the recommended growth policy, the recommendations of the County Executive, and any other agency comments, the County Council must hold a public hearing on the recommendations and comments.

Every odd-numbered year, the County Council must adopt by November 15 a growth policy to be effective until November 15 two years later. If the County Council does not adopt a new growth policy, the growth policy adopted most recently remains in effect.

Amending the growth policy.

The County Council, the County Executive, or the Planning
Board may initiate an amendment to the growth policy.

(2) If the Executive initiates an amendment:

(A) the Executive must send it to the Council, the Planning Board, and other agencies, and make copies available to the public;

(B) the Planning Board must send any comments on the proposed amendment to the Council and the other agencies within 45 days after receiving the amendment (unless the Council requests an earlier response), and must make copies of any comments available to the public; and

(C) the Council may amend the growth policy after giving the Planning Board and Board of Education an opportunity to comment and holding a public hearing.

(3) If the Planning Board initiates an amendment:

(A) the Planning Board must send it to the Council, the Executive, and other agencies, and make copies available to the public;

(B) the Executive must send any comments on the proposed amendment to the Council and other agencies within 45 days after receiving the amendment (unless the Council requests an earlier response), and must make copies of any comments available to the public; and

(C) the Council may amend the growth policy after giving the Executive and Board of Education an opportunity to comment and holding a public hearing.
(4) If the County Council initiates an amendment:

(A) the Council must send it to the Executive, the Planning Board, and other agencies, and make copies available to the public;

(B) the Executive and the Planning Board must send any comments on the proposed amendment to the Council and other agencies within 45 days after receiving the amendment (unless the Council requests an earlier response), and must make copies of any comments available to the public; and

(C) the County Council may amend the growth policy after a public hearing.

(5) If it finds that an emergency so requires, the County Council may hold the public hearing and adopt an amendment before receiving comments under subparagraphs (2)(B), (3)(B), or (4)(B).

Approved:

______________________________
Marilyn J. Praisner, President, County Council       Date

Approved:

______________________________
Isiah Leggett, County Executive       Date

This is a correct copy of Council action.

______________________________
Linda M. Lauer, Clerk of the Council       Date