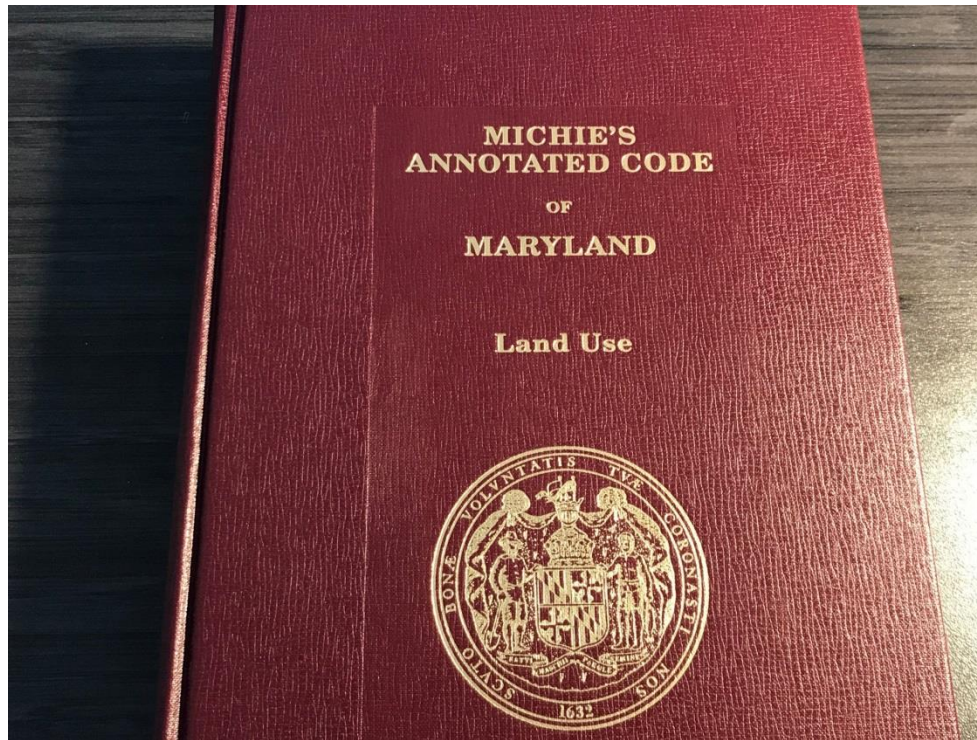




Nuts and Bolts & Nuance of being a Planning Commissioner

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How we got here. Start with the LAW.



What does it say?

- **Title 2. of the Land Use Article outlines the:**
 - **Who – legislative body member or citizen of the jurisdiction**
 - **How – by appointment of legislative body**
 - **How long – five years or until a member or successor takes office**
 - **Removal – from office – inefficiency, neglect of malfeasance in office**

The Law allows for alternates for municipal corporations

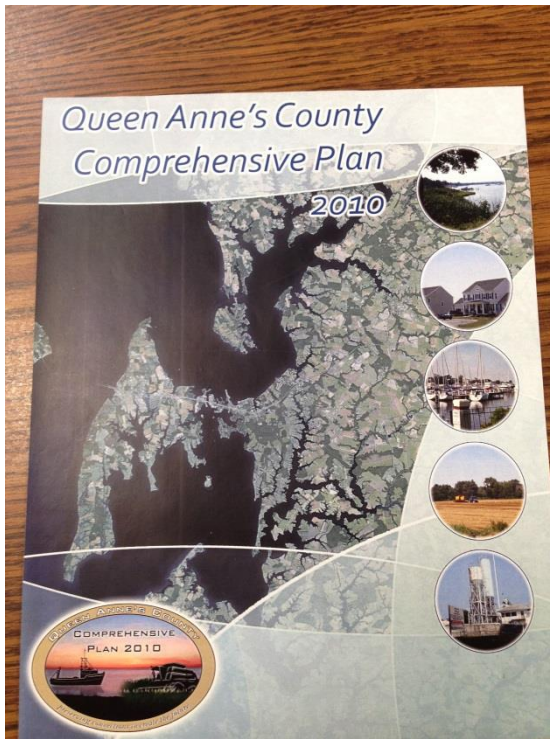
What does it mean?

- Elected officials as ex-officio members of the Planning Commission can vote but if an item is being reviewed and voted on by the legislative body then the ex-officio member can only vote on it once – either at the Planning Commission level or at the Council or Town/County Commission level.

Planning Commission Rules

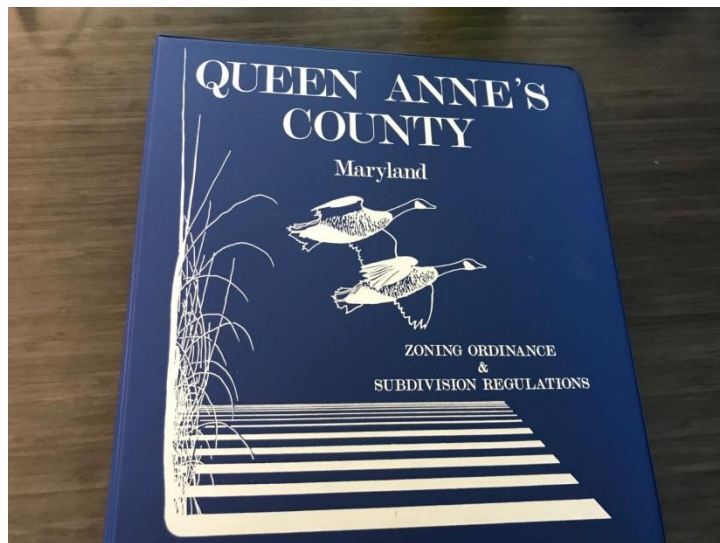
- §2-105 Miscellaneous Powers and duties – Land Use Article
- (c) (1) A Planning Commission shall:
 - (i) adopt rules for the conduct of its business; and
 - (ii) keep records of its resolutions, transactions, findings and determinations.
- (2) The records required under paragraph (1) of this subsection A Planning Commission shall be open to the public.

What are the responsibilities of a Planning Commission member?



- PC is solely responsible for drafting and approving a long range plan for a jurisdiction.
- An elected body may not “substantively” change an approved PC plan before adoption.

Responsibilities continued



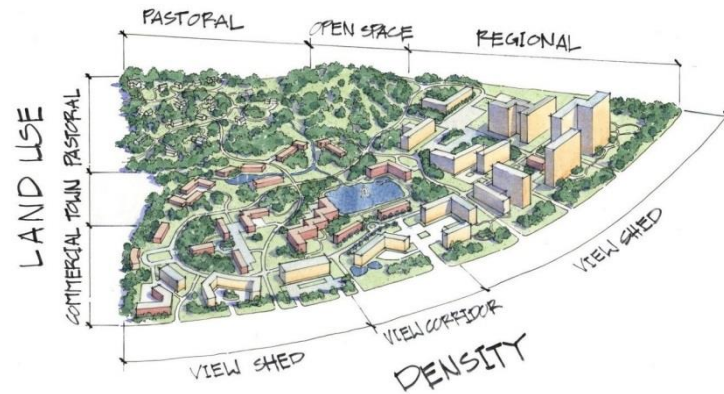
- Subdivision Approval
- Site Plan Approval
- Review and findings for rezoning requests
- Recommendation on text amendments

Nuance on these responsibilities

- When the PC approves a site plan or subdivision plan there needs to be a finding of fact – cite where in the code the plan has met the provisions.
- A disapproval of site or subdivision plan **MUST** specifically cite the reasons for disapproval.

Additional Nuances

- If a plan meets all the provisions of the code the Planning Commission “must” approve the plan.



Board of Appeals Nuances

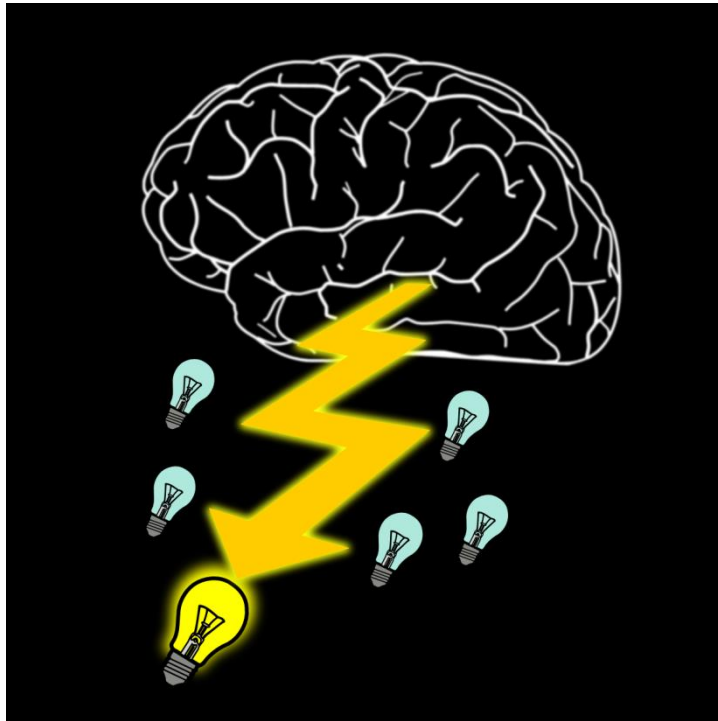


- If a project meets the conditions of a conditional use or special exception, it “must” be approved. If potential adverse impacts to adjoining properties are found additional conditions may be added OR the project MAY be disapproved with cause!

Making Motions that move you!

- **Motions need to be specific and include a “finding of fact” which identifies the code’s “legal” basis for the approval.**
- **Motions to disapprove need to detail the reasons for not approving the project and need to reference where the plan/project has failed to meet the law.**

Modified Reverse Brainstorming



- Review of experiences as a Planning Commission /Board of Zoning Appeals member

THANK YOU

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