

Date: 17 September 2018

**Subject: HCCA Testimony on CB70-2018**

Good Evening Madame Chairwoman and members of the county council. My name is Hiruy Hadgu and it is my privilege to testify on behalf of the Howard County Citizens Association, HCCA as its newest board member.

We are in unanimous favor of the proposed Bill that will begin to level the playing field for the residents of Howard County. We thank Councilwoman Terrasa for once again trying to look out for the tax payer! The scales for years have been unbalanced.

The county's quasi-judicial proceedings in front of the Planning and Zoning Board require change. On one side is the Petitioner, represented by a very experienced land-use and zoning attorney. The Petitioner is well-funded, has all the experts at his disposal, and the attorney is steeped in the arcane procedures of a court trial.

On the other side is the community stakeholder. This stakeholder is sometimes very knowledgeable of zoning and has perhaps served on various committees and task-forces related to zoning and land-use. Most times however, the community stakeholder has minimal knowledge of the issue and is not an attorney and yet s/he will serve as the pseudo attorney.

Passage of this Bill will no doubt help to bring a means of justice for all. After hopefully you pass this Bill, the Zoning Counsel process will be incorporated into both the Zoning and Planning Board Rules of Procedure. This would be especially appreciated since the last time these two documents were update was 2002 and 2007 respectively. HCCA has for years asked that these be updated. They are woefully outdated and require a review and revision.

We would like to offer suggestions to improve this legislation.

First, one might wonder- if a Zoning Counsel is already a provision in the County code then how come the citizens have not received access to a through representation by one? It might be because as it stands, it is not a requirement, but an optional provision. We need to change a few "may" clauses to "shall".

Second, we think the provision in the existing code that requires the zoning attorney to wait one year before representing other clients before the zoning board or board of appeals is not sufficient to reduce a potential conflict of interest. This should be increased to three or four years.

Third, CB70 only addresses Downtown Columbia – Why? It should apply to all of Howard County. I was a witness to a hearing in front of the Planning Board involving Savage residents where they could have certainly used one.

It is important this Bill has sharp teeth to evoke the power of the Zoning Counsel. The current proceedings before the Planning Board are essentially perfunctory. The board merely goes along for the most part with the suggestions of the Department of Planning and Zoning.

We need an independent zoning counsel.

A zoning counsel will begin to level the playing field and allow the stakeholders to have a say in quality of life matters so we ask you to pass this bill with the suggested changes.

Thank You,

Hiruy Hadgu  
HCCA Board of Directors