

Chapter 9

PLANNING COMMISSION

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[HISTORY: Adopted by the Mayor and Council of the Town of Millington 11-04-1974; amended in its entirety 07-05-1989 by Ordinance No. 7-89. Subsequent amendments noted where applicable.; amended 10-10-2023 by Resolution 2023-14]

GENERAL REFERENCES

Subdivision of Land - See Chapter 66.

Zoning - See Chapter 80.

§ 9-1. Creation

Pursuant to the authority and provisions of HB 1045 of 2021 of the Annotated Code of Maryland (1957 Edition as amended), there is hereby created a Municipal Planning Commission for the Town of Millington. Such Commission shall be known as the “Millington Planning Commission” and is hereafter referred to as the “Planning Commission”

§ 9-2. Composition; appointment; terms; vacancies; compensation.

- A. The Planning Commission shall consist of five (5) members; three (3) members are required for a quorum.
- B. The members shall be appointed by the Mayor and Council from among the business and property owners of Millington. The terms of such members shall be five (5) years or until their successors take office. All Planning Commission members will be sworn into office by the Mayor of the Town of Millington.
- C. A vacancy occurring prior to the expiration of the term for which a member of the Planning Commission is appointed shall be filled in the manner of original appointment.
- D. Members may be removed from this appointment by being declared mentally incompetent by the Circuit Court, or by extended absenteeism (defined as missing 50% of the regular scheduled meetings within a six (6) month time period). Planning Commission will make a written recommendation to the Town Council with the effective date of removal.
- E. Members of the Planning Commission shall serve without compensation.

§ 9-3. Chairman.

The Planning Commission shall elect a Chairman from among its members. The term of the Chairman shall be one (1) year with eligibility for reelection.

§ 9-4. Rules for transaction of business.

The Planning Commission shall adopt rules for the transaction of its business.

§ 9-5. Powers and duties.

The Planning Commission shall have the powers and duties as now or hereafter provided for in HB 1045 of 2021 of the Annotated Code of Maryland (1957 Edition, as amended).

§ 9-6. Public hearings; method of adoption.

- A. Public hearings.
 - (1) The Planning Commission shall hold public hearings on all plans, regulations, and other proposals for which such hearings are required under HB 1045 of 2021 of the Annotated Code of Maryland (1957 Edition, as amended). The Planning Commission shall give at least fifteen (15) days’ notice of such hearings by an advertisement published in a newspaper of general circulation , through the Town’s Facebook page, and the Town’s website. Such notice shall include the time and place of the hearing, a description of the summary of the proposals to be considered at the hearing, and a place where a copy of such proposals can be obtained. At any such hearings interested persons shall be afforded an opportunity to comment or present additional information. Unless otherwise stated at the start of the public hearing, each person is allowed three (3) minutes to comment or present information.

- (2) A written and/or audit record will be available of any public hearing held by the Planning Commission.
- B. Any regulations or other proposals in connection with planning and zoning that are adopted by the Planning Commission shall be adopted by a ye or nay vote in open session.

§ 9-7. Duties of Town Clerk and Attorney filing of materials.

- A. The Town Clerk or Town Administrator shall serve as the Secretary of the Planning Commission, and the Appointed Attorney shall serve as attorney for the Planning Commission.
- B. All applications, plate, maps, and other matters required to be filed with the Planning Commission by HB 1045 of 2021 of the Annotated Code of Maryland (1957 Edition, as amended) or regulations adopted pursuant thereof shall be deemed filed when filed with the Town Clerk, and he/she shall be responsible for presenting all such applications, plate, maps, and other matters to the Planning Commission for its consideration for action.

§ 9-8. Duties of Commission.

The Planning Commission shall draft and recommend a plan, known as the Comprehensive Plan, to the Mayor and Council of Millington for adoption and which shall serve as a guide to decisions to ensure the development of public and private property both inside of the Town of Millington and surrounding areas which, in the judgment of the Planning Commission, bear relation to the planning responsibilities of the Commission. The plan shall contain as a minimum the elements set forth in HB 1045 of 2021 of the Annotated Code of Maryland (1957 Edition, as amended). Also, as provided in said HB 1045 of 2021, it shall be the duty of the Planning Commission to recommend the boundaries of the various zoning districts and appropriate regulations to be enforced therein, in order that the Mayor and Council may avail themselves of the zoning powers conferred by the Maryland Code. The Planning Commission shall make a preliminary report and hold at least one (1) public hearing thereon before submitting its final report, and the Mayor and Council shall not hold public hearings or take action until the final report of the Planning Commission has been received.

The Planning Commission shall review and amend as needed the Subdivision Ordinance and the Zoning Ordinance to correspond with the Comprehensive Plan. The Planning Commission shall prepare official maps establishing local jurisdiction authority to protect future rights-of-way from development, future annexations, and zoning classifications that are linked to the Comprehensive Plan.