AGENDA ITEM #11 May 15, 2018

Public Hearing

MEMORANDUM

May 11, 2018

TO: County Council

FROM: Marlene Michaelson, Executive Director

W Jeffrey L. Zyontz, Senior Legislative Analyst

SUBJECT: Zoning Text Amendment 18-05, Uses, Use Standards, and Regulatory Approvals -

Signature Business Headquarters

PURPOSE: Public Hearing

Attached on © 1-2 is a memorandum from the County Executive requesting that the Council introduce a Zoning Text Amendment for a "signature business headquarters" as a new limited use on Commercial Residential (CR) zoned properties. The Zoning Text Amendment (ZTA 18-05) was introduced on April 10, 2018 and is attached at © 3-21. (A related Subdivision Regulation Amendment was also introduced). The memorandum highlights the key elements of the text amendment, which will create a new review process for a headquarters or primary place of business that will locate at least 25,000 employees in a single metro policy area.

The proposed text amendment would not change master plan recommended densities, but would allow flexibility to change the allocation between residential and commercial uses. It would allow increases in height (subject to a Planning Board finding of compatibility), but only for properties not in transition or buffer areas (i.e., properties already zoned to be developed at 150 feet or higher). It presents an alternative means of meeting master plan staging goals. Most significantly, it dramatically reduces the regulatory review time for the development review process, while maintaining the same public participation for signature business headquarters plans as the one currently used for sketch plans and site plans approved under the CR zone.

A Planning, Housing, and Economic Development Committee worksession is tentatively scheduled for May 17, 2018.



OFFICE OF THE COUNTY EXECUTIVE Rockville, Maryland 20850

Isiah Leggert County Executive

MEMORANDUM

April 6, 2018

TO:

Hans Riemer, Montgomery County Council President

FROM:

Isiah Leggett, Montgomery County Executive Said Typett

SUBJECT:

Zoning Text Amendment for Signature Business Headquarters

The purpose of this memorandum is request that the County Council introduce for consideration and action the attached Zoning Text Amendment (ZTA) which was prepared by Planning Board staff at my request. The ZTA would amend the Montgomery County Zoning Ordinance to include signature business headquarters as a new limited use on CR-zoned properties. The new use is being created as an economic development tool to help the County attract major private business headquarters and increase its tax base.

This amendment, focused on procedural and process changes, makes it possible to expedite development review of an application while respecting the public input process and meeting the requirements of the approved and adopted sector plan for the area where the new use would be located.

The proposed zoning text amendment includes the following:

- 1. To qualify for the expedited review process, the application must be for a headquarters or primary place of business of a single commercial/industrial organization that will locate at least 25,000 employees in a single metro policy area.
- 2. Densities are limited by the total mapped floor area ratio (FAR) approved for the property, however commercial and residential FAR may be reallocated. The reallocation may adjust the schools/traffic mix, however adequate public facilities findings are still required.
- 3. Building height can be increased up to 100 additional feet, but only on those buildings with mapped height of at least 150 feet; ultimately limited to 300 feet and subject to a compatibility finding by the Planning Board.



Hans Riemer, Council President Page 2 April 6, 2018

- 4. The development review process for this use has been shortened from 120 days to 60 days by putting it under a single plan review as opposed to sketch and site plan. There is no change in the public notice, time for public review of the staff report, or opportunity for public comment at the public hearing.
- 5. Approval as a signature business headquarters replaces any prior approvals, including binding elements of a development plan.
- 6. A signature business headquarters plan expires if a building permit application is not accepted by the Department of Permitting Services within 2 years of the Planning Board's approval.
- 7. Adequate public facility findings are still required. However, if the master plan area in which the property is located includes staging for Non-Auto Driver Mode Share (NADMS), the staging requirements will not need to be met if i) the applicant enters into a traffic mitigation agreement to meet the applicable NADMS goal, ii) parking is provided below the minimum required, and iii) transit, bicycle and pedestrian infrastructure required for the staging has been funded. In other words, the purpose for the staging to reduce vehicles on the road will be met through other mechanisms.

I would request that the Council introduce and act on this amendment as soon as possible. If you have any questions, please contact Timothy L. Firestine at 240-777-8888.

Attachments



Zoning Text Amendment No.: 18-05

Concerning: Uses, Use Standards,

and Regulatory

Approvals – Signature Business Headquarters

Draft No. & Date: 1 - 4/6/18 Introduced: April 10, 2018

Public Hearing:

Adopted: Effective:

Ordinance No.:

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN MONTGOMERY COUNTY, MARYLAND

By: The District Council at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- create a new use for a Signature Business Headquarters, and
- provide a process for approval of a Signature Business Headquarters plan.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-1.4.	"DEFINED TERMS"
Section 59-1.4.2.	"Specific Terms and Phrases Defined"
DIVISION 59-3.1.	"USE TABLE"
Section 59-3.5.8.	"Office and Professional"
Section 59-3.5.8.D.	"Signature Business Headquarters"
DIVISION 59-4.5.	"COMMERCIAL/RESIDENTIAL ZONES"
Section 59-4.5.2.	"Density and Height Allocation"

Section 59-4.5.4.	"Optional Method Development"
DIVISION 59-7.3.	"REGULATORY APPROVALS"
Section 59-7.3.3	"Sketch Plan"
Section 59-7.3.5.	"Signature Business Headquarters Plan"
DIVISION 59-7.5	"NOTICE STANDARDS"
Section 7.5.1.	"Noticed Required"

EXPLANATION:

Boldface indicates a Heading or a defined term.

<u>Underlining</u> indicates text that is added to existing law by the original text amendment or by ZTA 14-09.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

<u>Double underlining</u> indicates text that is added to the text amendment by amendment or text added by this amendment in addition to ZTA 14-09.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment or indicates a change from ZTA 14-09.

* * indicates existing law unaffected by the text amendment.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1	Sec. 1. DIVISION 59-1.4. is amended as follows:
2	Division 1.4. Defined Terms
3	* * *
4	Section 1.4.2 Specific Terms and Phrases Defined
5	* * *
6	Signature Business Headquarters: See Section 3.5.8.D.
7	Sec. 2. DIVISION 59-3.1. is amended as follows:
8	Division 59-3.1. Use Table
9	* * *
10	

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												Resi	denti	al	<u> </u>							T						
USE OR USE GROUP	Definitions and	Ag	Rural Residential			Residential Detached						Residential Townhouse			Residential Multi-Unit			Commercial / Residential			Employment				Industrial		rial	
USE ON USE GROUP	Standards	AR	R	RC	RNC	RE-	RE- 2C	RE-1	R- 200	1	R-60) R- 40	TLD	TMD	THD	R-30	R-20	R-10		,		GR	NR	LSC	EOF	IL	IM	IH
Lodging	3.5.6			-											<u> </u>			···										
Bed and Breakfast	3.5.6.B	L	L	L	L	L	L	L	L	С	С								L	L		L.	L		ļ <u>.</u>			
Hotel, Motel	3.5.6.C					<u> </u>						<u> </u>								Р	P	Р		Р	Р			
Medical and Dental	3.5.7										1									-					1		 -	
Clinic (Up to 4 Medical Practitioners)	3.5.7.A							,	С	С	С								₽	Р	P	Р	Р	P	P	P	P	
Clinic (More than 4 Medical Practitioners)	3.5.7.B																		L	Р	Р	Р	С	Р	p	P	P	:
Medical, Dental Laboratory	3.5.7.C							-			-					-				Þ	Р	Р		P	Р	P	Р	
Office and Professional	3.5.8	_					_																				-	
Life Sciences	3.5.8.A								†											-				P		 		
Office	3.5.8.B								С	С	С			<u> </u>					Р	Р	Р.	P	Р	L	P	L		
Research and Development	3.5.8.C											 -								P	Р			p	Ĺ	Р	Р	
<u>Signature</u> <u>Business</u> <u>Headquarters</u>	3.5.8.D											1									<u>L</u>							
Parking	3.5.9							,,,,																				
Structured Parking	3.5.9.B											ļ	-							Р	Р	P		P	Р	Р	Р	
Surface Parking for Use Allowed in the Zone	3.5.9.C					Ĺ	L	Ĺ	L	Ł	Ĺ	L				L	L	L	L	L	L	l	L	L	Ĺ	L	L	L
Surface Parking for Commercial Uses in an Historic District	3.5.9.D	L	Ĺ			L	L	L	Ĺ		С	С				С	С	С										*



13	Section 3.5.8. Office and Professional
14	* * *
15	Section 3.5.8.D
16	D. Signature Business Headquarters
17	1. Defined
18	Signature Business Headquarters means the headquarters or other primary
19	place of business of a single commercial or industrial organization,
20	including ancillary uses, that includes at least 25,000 employees located
21	within a single Metro Station Policy Area.
22	2. Exemptions
23	a. A sketch plan and a site plan are not required for a Signature Business
24	Headquarters if the Planning Board approves a Signature Business
25	Headquarters plan under Section 7.3.5.
26	b. A Signature Business Headquarters plan is exempt from the binding
27	elements and conditions of a development plan approved before [date
28	of adoption].
29	3. <u>Use Standards</u>
30	a. Commercial and residential FAR limits on the subject property may
31	be reallocated, as long as total FAR does not exceed the maximum
32	total mapped FAR of the property.
33	b. If the subject property has a mapped height of 150 feet or more, heigh
34	may be exceeded by up to 100 feet, but no greater than a total height
35	of 300 feet, if the Planning Board finds that the additional height is
36	compatible with abutting and confronting development.
37	c. The subject property may utilize FAR averaging under Section
38	<u>4.5.2.B.</u>

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40	Sec. 3. DIVISION 59-4.5. is amended as follows:
41	Division 59-4.5. Commercial/Residential Zones
42	* * *
43	Section 4.5.2. Density and Height Allocation
44	A. Density and Height Limits
45	1. Density is calculated as an allowed floor area ratio (FAR).
46 47 48	2. Each CRN, CRT, and CR zone classification is followed by a number and a sequence of 3 additional symbols: C, R, and H, each followed by another number where:
49 50 51	a. The number following the classification is the maximum total FAR allowed unless additional FAR is allowed under Section 4.5.2.C or Section 4.7.3.D.6.c;
52 53	b. The number following the C is the maximum nonresidential FAR allowed <u>unless additional FAR is allowed under Section 3.5.8.D;</u>
54 55 56	c. The number following the R is the maximum residential FAR allowed unless additional residential FAR is allowed under <u>Section 3.5.8.D</u> , Section 4.5.2.C or Section 4.7.3.D.6.c; and
57 58 59	d. The number following the H is the maximum building height in feet allowed unless additional height is allowed under <u>Section 3.5.8.D</u> , Section 4.5.2.C, Section 4.7.3.D.6.c, or Section 4.5.2.A.2.e.
60	
61	B. FAR Averaging
62 63 64	1. Only standard method development projects that require site plan approval or optional method development projects can average FAR between properties.
65 66	2. FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Commercial/Residential zones, if:
67 68 69 70	a. the properties are under the same site plan, [or] sketch plan, or Signature Business Headquarters plan; however, if a sketch plan or Signature Business Headquarters plan is required, density averaging must be shown on the [sketch] applicable plan;



71 72 73	b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan or Signature Business Headquarters plan;
74 75	c. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;
76	d. the total allowed maximum density on a resulting property that is
77	abutting or confronting a property in an Agricultural, Rural
78	Residential, or Residential Detached zone that is vacant or improved
79 80	with an agricultural or residential use, does not exceed that allowed by the property's zone; and
81	e. public benefits are required to be provided under any phasing
82	element of an approved sketch plan or Signature Business
83	Headquarters plan.
84	3. Density may be averaged over 2 or more non-contiguous properties in
85	one or more CRT or CR zones, if:
86	a. Each provision under Section 4.5.2.B.2 is satisfied;
87	b. The properties are within 1/4 mile of each other, [or] located in a
88	designated master planned density transfer area, or are part of a
89	Signature Business Headquarters plan;
90	c. The minimum public benefit points required under
91	Section 4.5.4.A.2 must be exceeded by at least 50%; and
92	d. The applicable master plan does not specifically prohibit the
93	averaging of density between non-contiguous properties.
94	4. If the Planning Board approves a site plan or Signature Business
95	Headquarters plan for a development project using FAR averaging across
96	two or more lots, the maximum density on certain lots in the development
97	project will be less than or greater than the zone allows, as indicated in the
98	[site]applicable plan. To provide additional notice of the FAR averaging,
99	before the Planning Board approves a certified site plan or certified
100	Signature Business Headquarters plan for such a project or, if plat approval
101	is required, before plat approval, the applicant must state the gross square
102	footage taken from any lot with reduced density in an instrument approved
103	by the Planning Board and must record the instrument in the Montgomery
104	County land records.

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107	The CRT and CR zone allow development under the optional method.	
108	A. General Requirements	
109	1. Procedure for Approval	
110 111 112 113	A sketch plan must be approved under Section 7.3.3, <u>unless a Signature Business Headquarters plan is approved under Section 7.3.5.</u> A site plan must be approved under Section 7.3.4. for any development on a property with an approved sketch plan.	7
114	* * *	
115	Sec. 4. DIVISION 59-7.3 is amended as follows:	
116	Division 59-7.3. Regulatory Approvals	
117	* * *	
118	Section 7.3.3. Sketch Plan	
119	A. Applicability and Description	
120 121 122	1. Development under optional method in the CRT, CR, EOF, or LSC zone requires approval of a sketch plan, or <u>Signature Busines Headquarters plan</u> .	S
123	* * *	
124	Section 7.3.5 Signature Business Headquarters Plan	
125	A. Applicability and Description	
126	1. A Signature Business Headquarters plan provides a detailed overview	<u>of</u>
127	a proposed Signature Business Headquarters. A Signature Business	
128	Headquarters plan review will be used to determine if the proposed	
129	development satisfies current laws, regulations, and this Chapter, and	
130	substantially conforms with the intent of the applicable master plan an	<u>.d</u>
131	approved guidelines.	
132	2. A Signature Business Headquarters plan may be phased, with each ph	ase
133	approved separately under this section.	

Section 4.5.4. Optional Method Development

134	3. A Signature Business Headquarters plan may encompass all or part of
135	any property on which the Signature Business Headquarters will be
136	located and must demonstrate its relation to and coordination with other
137	applicable approvals or submittals. Any amendment to a previously
138	approved plan may follow the timeframe for review under Section
139	7.3.5.B.3 through Section 7.3.5.B.6, Section 7.3.5.C. and Section 7.3.5.D.
140	B. Application Requirements
141	1. Ownership
142	a. An applicant must own the subject property or be authorized by the
143	owner to file the application.
144	b. If any land or right-of-way encompassed by a Signature Business
145	Headquarters plan application is owned or controlled by the State,
146	County, or any other entity or agency, a written agreement or
147	authorization from that entity or agency must be submitted with the
148	Signature Business Headquarters plan application.
149	2. A Signature Business Headquarters plan application must include:
150	a. a legally binding commitment or other evidence accepted by the
151	Planning Director that the Signature Business Headquarters will
152	employ at least 25,000 individuals within a single Metro Station
153	Policy Area;
154	b. application form and fees required by the Planning Director;
155	c. site map showing existing buildings, structures, circulation routes,
156	significant natural features, historic resources, zoning and legal
157	descriptions on the proposed development site and within 500 feet
158	of the perimeter boundary;
159	d. list of abutting and confronting property owners in the County tax

records;

161	e.	list of an	y civic, homeowners, and renters associations that are
162	:	registere	d with the Planning Department and located within ½ mile
163		of the sit	<u>e;</u>
164	f.	documen	tation of interest in the proposed development site under
165		Section 7	7.3.5.B.1;
166	g.	statemen	t of justification outlining how the proposed development
167		satisfies	the standards and criteria required to grant the application;
168	h.	verificati	on that the applicant has posted notice on the property and
169		notified a	affected properties;
170	i.	Traffic S	tatement or Study accepted by the Planning Director, if
171		not subm	itted with a previous or concurrent application;
172	j.	<u>environn</u>	nental documentation or exemption for:
173		i.	an approved Natural Resources Inventory/Forest Stand
174			Delineation;
175		ii.	Stormwater Management Concept Application or, if
176			required, a Water Quality Plan Application; and
177		iii.	a final Forest Conservation Plan application;
178	k. ;	existing a	and proposed dry and wet utility plan;
179	1.	plans of	proposed development showing:
180		i.	use, footprints, ground-floor layout, and heights of all
181			buildings and structures;
182		ii.	required open spaces and recreational amenities;
183		iii.	detailed layout and dimensions for all sidewalks, trails,
184			paths, roadways, parking, loading, and bicycle storage
185			areas;
186		iv.	grading;
187		v.	landscaping and lighting; and

188	m. a development program and inspection schedule detailing the
189	construction schedule for the project.
190	3. The applicant must submit an initial application to the Planning
191	Director for approval of completeness. The Planning Director must
192	review the application for completeness within 3 days after receipt.
193	An application is incomplete if any required element is missing or is
194	facially defective, e.g., a drawing that is not to scale or lacks proper
195	signatures. The assessment of completeness must not address the
196	merits of the application.
197	4. The applicant must submit any required revisions to the Planning
198	Director. The Planning Director must review the revised application
199	for completeness within 2 days after receipt.
200	5. After the Planning Director verifies that the application is complete,
201	the applicant must file the final application with the Planning
202	Director, who will accept the application and establish a hearing date
203	under Section 7.3.5.C.
204	6. Public notice is required under Division 7.5.
205	C. Hearing Date
206	The Planning Board must schedule a public hearing to begin within 60 days
207	after the date an application is accepted. The applicant may request an
208	extension with Planning Board approval. Any extension of the public
209	hearing must be noticed on the hearing agenda with the new public hearing
210	date indicated.
211	D. Review and Recommendation
212	1. State and County Agencies
213	a. Reviewing State and County agencies and utilities must submit



comments within 15 days after the date an application is accepted.

215	b. The applicant must submit revised drawings to address the
216	comments a minimum of 20 days before the date of the hearing.
217	The Planning Director may extend the deadline if the applicant
218	submits a written request within 5 days after the revised drawings
219	were due.
220	2. Planning Director
221	The Planning Director must publish a report and recommendation a
222	minimum of 10 days before the Planning Board hearing.
223	3. Withdrawal of an Application
224	The Planning Board must send a notice to all parties entitled to notice
225	of the hearing when an applicant withdraws an application for a
226	headquarters plan.
227	E. Necessary Findings
228	1. When reviewing an application, the approval findings apply only to
229	the site covered by the application.
230	2. To approve a Signature Business Headquarters plan, the Planning
231	Board must find that the proposed development:
232	a. satisfies any previous approval that applies to the site, unless
233	exempt under Section 3.5.8.D.2 or amended;
234	b. satisfies the applicable use and development standards and general
235	requirements of this Chapter;
236	c. satisfies the applicable requirements of Chapter 19 and Chapter
237	<u>22A;</u>
238	d. provides safe, well-integrated parking, circulation patterns,
239	building massing, and site amenities;



240	e. substantially conforms with the intent of the applicable master plan
241	and any guidelines approved by the Planning Board that implement
242	the applicable plan;
243	f. will be located within the same Metro Station Policy Area as all
244	other phases of the Signature Business Headquarters;
245	g. on a property in a master plan area that requires staging based on
246	Non-Auto Driver Mode Share (NADMS), is exempt from the
247	staging requirement if:
248	i. the applicant agrees to enter into a traffic mitigation
249	agreement that provides an action plan for substantial
250	achievement of the applicable NADMS goal,
251	ii. parking below the minimum required under Section 6.2.4
252	is provided, and
253	iii. transit, bicycle and pedestrian infrastructure required by
254	the applicable stage of the master plan is funded in the
255	Capital Improvements Program or Consolidated
256	Transportation Program, or provided by the applicant;
257	and,
258	h. will be served by adequate public services and facilities including
259	schools, police and fire protection, water, sanitary sewer, public
260	roads, storm drainage, and other public facilities.
261	F. Decision
262	1. The Planning Board must act upon the close of the record of the
263	public hearing by majority vote of those present at the public hearing
264	to approve, approve with modifications or conditions, or deny the
265	application. The Planning Board must issue a resolution reflecting its
266	decision within 7 days of the Planning Board vote.

267	2. Any party aggrieved by a decision of the Planning Board may file a
268	petition for judicial review of the decision within 30 days after the
269	Planning Board's action to the Circuit Court and thereafter to the
270	Court of Special Appeals.
271	3. Final headquarters plans must be certified by the Planning Director to
272	confirm that the drawings reflect the Planning Board's approval.
273	G. Conforming Permits
274	For any development requiring a Signature Business Headquarters plan,
275	DPS must not issue a sediment control permit, building permit, or use-and-
276	occupancy permit for any building, structure, or improvement unless the
277	Planning Board has approved a Signature Business Headquarters plan and a
278	bond has been approved under Section 7.3.5.K.3.
279	H. Duration of Approval
280	1. A Signature Business Headquarters plan expires unless a certified
281	Signature Business Headquarters plan is approved by the Planning
282	Director within 24 months after the date the resolution is mailed.
283	2. A Signature Business Headquarters plan does not become effective
284	until a record plat is recorded that satisfies any approved subdivision
285	plan for the subject property.
286	3. Development activities under Section 7.3.5 must satisfy the certified
287	Signature Business Headquarters plan and any conditions of approval.
288	4. If the Planning Board approves a Signature Business Headquarters
289	plan, the applicant must have a building permit application, accepted
290	by the Department of Permitting Services, that includes the core and
291	shell of the principal building within two years of the date of the
292	Planning Board's resolution. Within two years after the Department
293	of Permitting Services accepts the building permit application that

includes the core and shell of the principal building, the applicant 294 must obtain that building permit. The deadlines under this section 295 may not be extended. If an applicant fails to comply with any of the 296 deadlines under this section, the applicable phase of the Signature 297 Business Headquarters plan approval is revoked. 298 I. Recording Procedures 299 The certified Signature Business Headquarters plan and Planning Board 300 301 resolution must be maintained in the permanent files of the Planning 302 Department. 303 J. Amendments 304 Any property owner may apply for a Signature Business Headquarters plan 305 amendment to change a certified Signature Business Headquarters plan. 306 There are two types of amendments: a major and a minor amendment. 307 308 1. Major Amendment a. A major amendment includes any request to increase 309 density or height by more than that allowed under a minor 310 amendment (Section 7.3.5.J.2); decrease open space; deviate 311 from a condition of approval; or alter a basic element of the 312 313 plan. 314 <u>b. Public notice is required under Division 7.5.</u> c. A major amendment must follow the same hearing 315 procedures and satisfy the same necessary findings as the 316 original Signature Business Headquarters plan. 317 318 2. Minor Amendment a. A minor amendment includes any request to increase 319 density by up to 10% or 30,000 square feet whichever is less, 320 321 provided the increase is less than or equal to the total mapped



322	density; increase height by up to 10% provided the height is
323	less than or equal to the height allowed under Section 3.5.8.D;
324	change an ancillary use, a parking or loading area, landscaping,
325	sidewalk, recreational facility or area, configuration of open
326	space, or any other plan element that will have a minimal effect
327	on the overall design, layout, quality or intent of the plan. A
328	minor amendment also includes a reduction in approved
329	parking to satisfy Article 59-6. A minor amendment does not
330	include any change that prevents circulation on any street or
331	path.
332	b. Public notice is required under Division 7.5.
333	c. A minor amendment may be approved by the Planning
334	Director without a public hearing if no objection to the
335	application is received within 15 days after the application
336	notice is sent. If an objection is received within 15 days after
337	the application notice is sent, and the objection is considered
338	relevant, a public hearing is required. A public hearing must be
339	held under the same procedures as an original application.
340	
341	K. Compliance and Enforcement
342	1. If the Planning Board finds, after holding a public hearing or
343	designating a hearing officer to hold a public hearing, that a property
344	under development is not in compliance with a certified Signature
345	Business Headquarters plan, it may:
346	a. impose a civil fine or administrative civil penalty authorized
347	by Chapter 50 (Section 50-10.6.D);



348	b. suspend or revoke Signature Business Headquarters plan
349	approval;
350	c. order a compliance program that would permit the applicant
351	to take corrective action to satisfy the certified Signature
352	Business Headquarters plan;
353	d. allow the applicant to propose modifications to the certified
354	Signature Business Headquarters plan; or
355	e. take any combination of these actions.
356	2. If the Planning Board or its designee finds that the applicant has
357	failed to comply with a compliance program approved under Section
358	7.3.5.K.1.c, the Planning Board may, without holding any further
359	hearing, take any of the actions identified in Section 7.3.5.K.1.a.
360	through Section 7.3.5.K.1.e.
361	3. If the Planning Board suspends or revokes a Signature Business
362	Headquarters plan, DPS must immediately suspend any applicable
363	building permit under which construction has not been completed or
364	withhold any applicable use-and-occupancy permit, until the Planning
365	Board reinstates the Signature Business Headquarters plan or
366	approves a new plan for the development.
367	4. The Planning Board may require the applicant to post a
368	commercially acceptable form of surety securing compliance with and
369	full implementation of specified features of the certified Signature
370	Business Headquarters plan in an amount set by the Planning Board.
371	If such surety is required, DPS must not issue a building permit or
372	use-and-occupancy permit until such surety is accepted.
373	

Sec. 5. DIVISION 59-7.5 is amended as follows:

Division 59-7.5. Notice Standards

377 Section 7.5.1. Notice Required

375

Application	News-	Pre- Submittal Meeting	Applica- tion Sign	Application Notice	Hear- ing Notice	Resolu -tion Notice	Building Permit Sign Notice	Website Posting
* * *								
Regulatory Approvals								
* * *								
Site Plan		Х	Х	Х	Х	х		х
Signature Business Headquarters Plan			<u>X</u>	<u>x</u>	X	X		<u>X</u>
Amendments to Approvals								
* * *								
Minor Site Plan Amendment				Х				
Major Signature Business Headquarters Plan Amendment			X	<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>
Minor Signature				X				



Business					
Headquarters					
<u>Plan</u>			,		
Amendment					

