

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2008 Legislative Session**

Bill No. CB-65-2008
Chapter No. 53
Proposed and Presented by The Chairman (by request – Planning Board)
Introduced by Council Members Exum, Bland, Dernoga and Dean
Co-Sponsors _____
Date of Introduction October 21, 2008

ZONING BILL

1 AN ORDINANCE concerning
2 Transit District Overlay Zoning Map Amendment
3 For the purpose of amending procedures for adopting Transit District Overlay Zoning Map
4 Amendments.

5 BY repealing and reenacting with amendments:

6 Sections 27-213.04 and 27-213.05,
7 The Zoning Ordinance of Prince George's County, Maryland,
8 being also
9 SUBTITLE 27. ZONING.
10 The Prince George's County Code
11 (2003 Edition, 2004 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Sections 27-213.04 and 27-213.05 of the
15 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
16 George's County Code, be and the same are hereby repealed and reenacted with the following
17 amendments:

18 **SUBTITLE 27. ZONING.**
19 **PART 3. ADMINISTRATION.**
20 **DIVISION 2. ZONING MAP AMENDMENTS.**

SUBDIVISION 5. TRANSIT DISTRICT OVERLAY ZONE.

Sec. 27-213.04 Specific Planning Board procedures.

(a) Notice.

(1) The Planning Board shall release the proposed Transit District Overlay Zoning Map Amendment for public inspection at least sixty (60) days prior to its scheduled public hearing. Written notice of the hearing shall be mailed to all property owners within the boundaries of the proposed Transit District, and to any municipality lying (wholly or in part) within the proposed District, or within one (1) mile of the proposed boundary. At least sixty (60) days prior to the scheduled hearing date, a copy of the proposal shall be sent to all public agencies and municipalities with operational or planning responsibilities within the boundaries of the proposed Transit District Overlay Zone; and to the Historic Preservation Commission, if any property within the proposed District is an identified historic resource on the Adopted and Approved Historic Sites and Districts Plan of Prince George's County, Maryland.

(b) Planning Board action.

(1) The Planning Board may recommend [approval, or approval with modifications, of the proposed Map Amendment.] adoption, the adoption with modifications or the remand to staff the proposed map amendment. The Planning Board shall take action, by resolution adopted at a regularly scheduled public meeting [, not more than forty-five (45) days after the close of the hearing record. The Planning Board shall transmit its recommendation to the District Council within one hundred five (105)] and transmit its action to the District Council within one hundred twenty (120) days of the release for public inspection.

(2) If the Planning Board remands the proposed map amendment, the technical staff shall address all identified issues and modify the proposed map amendment accordingly.

(3) The Planning Board shall review the modified proposal of the technical staff and hold another public hearing on this matter in accordance with this section.

Sec. 27-213.05. Specific District Council procedures.

(a) **Public hearing and notice.**

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(b) **Amendment of Planning Board proposal.**

(1) Prior to taking final action, the District Council may propose amendments [of] to the Transit District Overlay Zoning Map Amendment [recommended] adopted by the Planning

1 Board. The Council shall hold another public hearing on the amendments. At least fifteen (15)
2 days prior to the hearing, notice of the date, time, and place of the hearing on the proposed
3 amendments shall appear at least one (1) time in the County newspapers of record. This same
4 notice shall also be sent to all owners of land and any municipality lying (wholly or in part)
5 within the proposed boundary, and to any municipality within one (1) mile of the proposed
6 boundary.

7 (2) All proposed amendments shall be referred to the Planning Board when they are
8 proposed. The Planning Board shall submit[s] its written comments to the Council prior to, or at
9 the time of, the public hearing on the amendments.

10 (c) **Time for final action.**

11 (1) The Council shall take final action on the Map Amendment at any time after the
12 close of the final public hearing record, but not later than one hundred eighty (180) days after
13 receipt of the original [proposed] adoption recommendation on the Transit District Overlay
14 Zoning Map Amendment from the Planning Board. If no final action is taken within this time
15 period, the Council may by simple majority vote to extend the time for final action for a period
16 not to exceed thirty (30) days. If the Council chooses not to extend the time for final action or
17 does not take final action by the end of the extended period, the Transit District Overlay Zoning
18 Map Amendment shall be deemed disapproved.

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1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this 18th day of November, 2008.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.