

ORDINANCE
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING CHAPTER 26 "ZONING," ARTICLE II, SEC. 26-48 "FINAL DECISION OF
CITY COUNCIL" OF THE CODE OF THE CITY OF BOWIE TO CLARIFY THE TIMING
OF ACTIONS REQUIRED OF THE CITY COUNCIL REGARDING RECOMMENDATIONS
OF THE ADVISORY PLANNING BOARD

WHEREAS, pursuant to Md. Code Ann. Land Use Art. ("LU"), § 25-301, the Bowie City Council, as the governing body of the City of Bowie, may exercise certain powers delegated to it by the Prince George's County Council sitting as the District Council regarding design standards; parking and loading standards; sign design standards; lot size variances and setback and similar requirements; landscaping requirements; certification, revocation, and revision of nonconforming uses; minor changes to approved special exceptions; vacation of municipal rights-of-way; and certain detailed site plans; and

WHEREAS, the Prince George's County Council has, pursuant to Subtitle 27 "Zoning" of the Prince George's County Code, delegated certain authority to the City with respect to the exercise of these powers; and

WHEREAS, pursuant to the foregoing delegated authority, the City enacted Chapter 26, "Zoning"; and

WHEREAS, staff recommends that Sec. 26-48 "Final Decision of the City Council" be amended to clarify the timing required for City Council action regarding the various matters regarding which it receives recommendations from the Bowie Advisory Planning Board; and

WHEREAS, for efficiency of operations, the City Council desires to amend Sec. 26-48 as recommended.

Section 1: NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the City of Bowie, that Bowie City Code, Chapter 26 "Zoning," Article II "Municipal Zoning Authority," Sec. 26-48 is hereby amended to read as follows:

Section 26-48. Final Decision of the City Council.

A. Not less than fifteen (15) days after receipt of a recommendation of the Advisory Planning Board regarding a variance ~~or within 30 days after receipt of a recommendation regarding any other request under this Article~~, a majority of the City Council may adopt the recommendation of the Advisory Planning Board by consent, unless within that fifteen (15) day period, a councilmember either files with the City Clerk a written request for oral argument on the matter or makes a verbal request for same at a

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Strikethrough : Indicates language deleted from the City Code.
***** Asterisks** : Indicate language contained in the City Code that remains unchanged and is not reproduced in the ordinance.

City Council meeting, or exceptions and a request for oral argument ~~are~~ IS filed. FOR ALL OTHER MATTERS REGARDING WHICH THE ADVISORY PLANNING BOARD MAKES A RECOMMENDATION, WITHIN THIRTY (30) DAYS AFTER RECEIPT OF A RECOMMENDATION OF THE ADVISORY PLANNING BOARD, A MAJORITY OF THE CITY COUNCIL MAY ADOPT THE RECOMMENDATION OF THE ADVISORY PLANNING BOARD BY CONSENT, UNLESS WITHIN THE THIRTY (30) DAY PERIOD A COUNCILMEMBER FILES A REQUEST FOR ORAL ARGUMENT AS PROVIDED ABOVE OR EXCEPTIONS AND REQUEST FOR ORAL ARGUMENT IS FILED. Oral argument may only be requested by a councilmember when an action of the Advisory Planning Board is not unanimous or when it is alleged that the recommendation fails to comply with the criteria established herein. FAILURE OF THE CITY COUNCIL TO ACT ON THE RECOMMENDATION OF THE ADVISORY PLANNING BOARD WITHIN SIXTY (60) DAYS OF RECEIPT THEREOF SHALL RESULT IN THE DENIAL OF THE REQUEST.

* * *

Section 2: BE IT FURTHER ORDAINED that prior to the adoption of this Ordinance, the Bowie City Council conducted a duly advertised public hearing on the 16 day of September, 2024, as required by Sec. 27-3308(b)(3) of the Prince George’s County Zoning Ordinance; and

Section 3.: BE IT FURTHER ORDAINED that after the enactment of this Ordinance, the Ordinance shall be forwarded to the Prince George’s County Council Sitting as the District Council (“District Council”) for approval in accordance with Prince George’s County Code, Subtitle 27 Zoning Ordinance, Part 27-3 Administration, Sec. 27-3308 Municipalities.

Section 4: BE IT FURTHER ORDAINED that, this Ordinance shall become effective upon its approval by the District Council, which shall be at least thirty (30) days after its enactment by the Council of the City of Bowie, Maryland, provided that a fair summary of this Ordinance is published at least once prior to the date of passage and at least once within ten (10) days after the date of passage in the newspaper having general circulation in the City.

INTRODUCED by the Council of the City of Bowie, Maryland, at a Regular Meeting on

September 3, 2024.

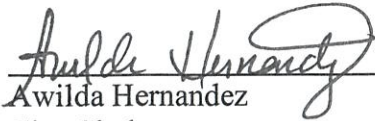
PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on

September 16, 2024.


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ATTEST:

THE CITY OF BOWIE, MARYLAND

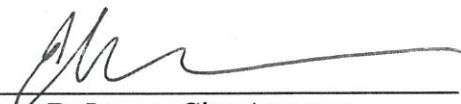


Awilda Hernandez
City Clerk



Timothy J. Adams
Mayor

APPROVED AS TO FORM AND
SUFFICIENCY:



Elissa D. Levan, City Attorney

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City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

RECEIVED

SEP 24 2024

OFFICE OF THE CLERK
PRINCE GEORGES COUNTY MARYLAND

September 17, 2024

Ms. Donna J. Brown, Clerk
Clerk of the Council
Prince George's County Council
Wayne K. Curry Administration Building
1301 McCormick Drive, Second Floor
Largo, MD 20774

RE: Prince George's County Zoning Ordinance – Authorities to Municipalities

Dear Ms. Brown:

On Monday, September 16, 2024, the Bowie City Council passed City Ordinance O-8-24 Amending Chapter 26 "Zoning", Article II "Municipal Zoning Authority," Sec. 26-48 "Final Decision of City Council" of the Code of the City of Bowie to Clarify the Timing of Actions Required of the City Council Regarding Recommendations of the Advisory Planning Board. Enclosed please find a copy of the ordinance for the District Council's approval.

If upon review of the Ordinance you have any questions, please contact Joe Meinert, City's Planning Director at jmeinert@cityofbowie.org or 301-809-3045.

Thank you in advance for your time in placing this item on the District Council's upcoming agenda for possible approval.

Sincerely,

Awilda Hernandez, MMC
City Clerk

Enclosure

cc: The Honorable Ingrid S. Watson