



Office of the Chairman
Prince George's County Planning Board

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June 25, 2020

The Honorable Todd M. Turner
Chair
Prince George's County Council
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: CB-33-2020

Dear Chairman Turner:

Thank you for providing the Planning Board an opportunity to review and comment on proposed District Council legislation. During the May 28, 2020 Planning Board meeting, the following positions were adopted in accordance with the planning staff's recommendations on the proposed legislation. **A Planning Board Analysis of each bill is attached for your consideration and a brief excerpt from each report is provided below:**

***CB-33-2020 (DR-2)** establishes the authority for hearings held pursuant to Subtitle 27 to be held virtually, including public participation, and providing alternative filing requirements.*

Planning Board Recommendation: Support with an amendment.

(See Attachment 1 for a full analysis)

The Planning Board supports this legislation. This bill will allow during the current health emergency land-use virtual hearings with full public participation to be conducted and decided by the District Council, Zoning Hearing Examiner, and the Board of Zoning Appeals.

As drafted, the bill seems to establish different timelines depending on whether a document is submitted electronically, or hand delivered. For example, the Planning Board must approve a Conceptual Site Plan within seventy (70) days of submittal (27-276(c)(1)). Under this bill, the 70 days will be calculated differently depending on whether the Plan was submitted by hand or electronically.

Also, a third timeline will apply if the applicant can make a showing of "good cause." This will be difficult for staff to administer and may expose the County to legal liability.

A simple solution used by most public agencies is to treat all submissions equally for computing timelines. In other words, if a submission is due on a Tuesday, it must be submitted by hand or electronically by Tuesday. If a submission date is a Saturday, it must be submitted by hand or electronically on Monday. The Planning Board recommends the bill be amended to treat all submissions equally.

As always, Planning Department staff members are available to work with the Council and your legislative staff on any pertinent legislative matters. Please let us know if we may be of further assistance.

Should you have questions, please do not hesitate to contact the Office of the Planning Director at 301-952-3595. Thank you, again, for your consideration.

Sincerely,



Elizabeth M. Hewlett
Chairman

Attachments