

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session**

Bill No. CB-97-2015

Chapter No. 63

Proposed and Presented by The Chairman (by request – Planning Board)

Introduced by Council Member Franklin

Co-Sponsors _____

Date of Introduction October 13, 2015

ZONING BILL

1 AN ORDINANCE concerning

2 General Zoning Procedures – Notices and Technical Staff Reports

3 For the purpose of amending certain requirements regarding Planning Board notice and technical
4 staff reports.

5 BY repealing and reenacting with amendments:

6 Sections 27-125.04, 27-125.05, 27-153, 27-169, and 27-189,
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 (2011 Edition; 2014 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 27-125.04, 27-125.05, 27-153,
15 27-169 and 27-189 of the Zoning Ordinance of Prince George's County, Maryland, being also
16 Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and
17 reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20

DIVISION 1. GENERAL ZONING PROCEDURES.

SUBDIVISION 1. GENERAL.

Sec. 27-125.04 Notice.

(a) Notice of Acceptance.

* * * * *

(2) Within ten (10) days after the end of each month, the Planning Board shall provide a list of all applications filed during that month, arranged according to Councilmanic District. The list shall set forth the name of the applicant, the size and description of the property, and the existing and proposed zoning classifications of the property. The Planning Board shall [make the list available free of charge (on an individual and subscription basis) but may establish a fee for mailing the list to cover the costs of postage and handling.] publish the report on the Planning Board website. Any person may request, in writing, a copy of the report sent by first class mail. A reasonable fee may be charged to cover the costs of postage and copying.

Sec. 27-125.05. Technical Staff Report.

* * * * *

(a) Where the Planning Board is authorized to conduct a public hearing in a zoning or site plan case, the Planning Board shall publish on its website [send by first class mail] a copy of the technical staff report [to the applicant and all parties of record] no less than two (2) weeks prior to the scheduled public hearing on the application. Any person may request, in writing, a copy of the technical staff report sent by first class mail. [At the same time and in the same manner, the Planning Board shall send a copy of the technical staff report to every municipality located within one (1) mile of the property which is the subject of the application and to all civic associations registered with the Commission for the area which includes the property.] A reasonable fee may be charged to cover the costs of postage and copying. If new information is provided by the applicant or any governmental agency after the technical staff report is [completed] published, any party of record shall be allowed a one (1) week postponement if such party so requests.

DIVISION 2. ZONING MAP AMENDMENTS.

SUDIVISION 1. CONVENTIONAL ZONES.

Sec. 27-153. Technical Staff Report.

1 (a) In connection with each application, a report by the Technical Staff shall be submitted to
 2 the Planning Board for its review. The [R] report shall contain the following:

3 (1) The [S] staff's recommendation;

4 (2) A delineation of the approximate area of the neighborhood, which shall be shown
 5 on either a Zoning Map, aerial photograph, or sketch map;

6 (3) A description of land use and zoning in the neighborhood; and

7 (4) In cases where the staff recommends a zone different than that requested, an
 8 analysis of the alternative zone recommended.

9 (b) The [T] technical [S] staff [R] report shall be published on the Planning Board website.
 10 Any person may request, in writing, a copy of the technical staff report sent by first class mail.
 11 [sent to all persons of record, and all other persons who request (in writing) a copy of the report.]
 12 A reasonable fee may be charged to cover the costs of postage and copying. A copy of the report
 13 shall be included in the record.

14 (c) The [T] technical [S] staff [R] report shall advise the reader that a hearing before the
 15 Planning Board will not be held unless the Board notifies all persons listed under Subsection (b)
 16 above.

17 (d) The [T] technical [S] staff [R] report shall contain the date of the Planning Board
 18 meeting during which the Board will decide whether to hear the case.

19 **DIVISION 2. ZONING MAP AMENDMENTS.**

20 **SUBDIVISION 2. R-P-C ZONE.**

21 **Sec. 27-169. Technical Staff Report.**

22 (a) In connection with each application, a report by the Technical Staff shall be submitted
 23 to the Planning Board for its review. The report shall contain the following:

24 (1) The [S] staff's recommendation;

25 (2) A delineation of the approximate area of the neighborhood, which shall be shown
 26 on either a Zoning Map, aerial photograph, or sketch map;

27 (3) A description of land use and zoning in the neighborhood; and

28 (4) In cases where the staff recommends a zone different than that requested, an
 29 analysis of the alternative zone recommended.

30 (b) The [T] technical [S] staff [R] report shall be published on the Planning Board website.
 31 Any person may request, in writing, a copy of the technical staff report sent by first class mail.

1 [sent to all persons of record, and to all other persons who request (in writing) a copy of the
 2 report.] A reasonable fee may be charged to cover the costs of postage and copying. A copy of
 3 the report shall be included in the record.

4 (c) The [T] technical [S] staff [R] report shall advise the reader that a hearing before the
 5 Planning Board will not be held unless the Board notifies all persons listed under Subsection (b),
 6 above.

7 (d) The [T] technical [S] staff [R] report shall contain the date of the Planning Board
 8 meeting during which the Board will decide whether to hear the case.

9 **DIVISION 2. ZONING MAP AMENDMENTS.**

10 **SUBDIVISION 3. COMPREHENSIVE DESIGN ZONES.**

11 **Sec. 27-189. Technical Staff Report.**

12 (a) In connection with each application, a report by the Technical Staff shall be submitted to
 13 the Planning Board for its review. The report shall contain the following:

14 (1) The [S] staff's recommendation;

15 (2) A delineation of the approximate area of the neighborhood, which shall be shown
 16 on either a Zoning Map, aerial photograph, or sketch map;

17 (3) A description of land use and zoning in the neighborhood; and

18 (4) In cases where the staff recommends a zone different than that requested, an
 19 analysis of the alternative zone recommended.

20 (b) The [T] technical [S] staff [R] report shall be published on the Planning Board website.
 21 Any person may request a copy of the technical staff report sent by first class mail. [sent to the
 22 all persons of record, and to all other persons who request (in writing) a copy of the report.] A
 23 reasonable fee may be charged to cover the costs of postage and copying. A copy of the report
 24 shall be included in the record.

25 (c) The [T] technical [S] staff [R] report shall contain the date of the Planning Board
 26 hearing.

27 (d) The report shall be written only after the responses from public agencies and
 28 municipalities, if any (Section 27-190), have been received.
 29

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

Adopted this 17th day of November, 2015.

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: _____
Mel Franklin
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.