

**PRINCE GEORGE'S COUNTY COUNCIL**  
**COMMITTEE REPORT**  
**2014 Legislative Session**

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**Reference No.:** CB-03-2014  
**Draft No.:** 2  
**Committee:** Planning, Zoning and Economic Development Committee  
**Date:** 03/05/2014  
**Action:** FAV (A)

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**REPORT:**

Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Turner, Campos, Franklin and Olson)

This legislation amends the Zoning Ordinance concerning procedural requirements for District Council remands to the Planning Board for Conceptual Site Plans, Detailed Site Plans, Comprehensive Design Plans, and Specific Design Plans. Draft-1 of the bill provided that if the Planning Board is unable to comply with the prescriptions of the Order of Remand, findings as to the basis for noncompliance with the Order of Remand and readoption of its decision must be included in a resolution adopted at a regularly scheduled public hearing.

Council Member Franklin, the bill's sponsor, informed the committee that this legislation resolves the uncertainty of what happens to a case if the Planning Board is unable to comply with a remand. Mr. Franklin explained that CB-3-2014 will provide a process for full transmittal of the Planning Board's action back to the Council.

Staff presented a Proposed Draft-2 (DR-2) prepared at the direction of the sponsor to address concerns raised by the Planning Board and Planning Department staff. Proposed DR-2 amended Sections 27-280(f), 27-290(f), and 27-523(f) as follows:

Where the Planning Board determines that it cannot comply with the prescriptions of an Order of Remand adopted by the District Council pursuant to this Section, the Planning Board's findings as to the ~~basis for noncompliance with the Order of Remand and readoption of~~ reasons for its action, and its decision on the Plan shall be embodied in a resolution adopted at a regularly scheduled public meeting. ~~The Planning Board's adoption of a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in accordance with the procedures of this Section and Section 27-276 of this Subtitle.~~

Dr. Fern Piret, Planning Director, and Debra Borden, Associate General Counsel, representing the Planning Board, testified regarding their continued concerns with the bill including the additional shaded language in Proposed DR-2.

The committee voted favorable, 4-0, including the revisions in Proposed DR-2.