

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

Bill No. CB-56-2008

Chapter No. 51

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

Introduced by Council Members Exum, Bland, Harrison, Turner, Knotts and Dean

Co-Sponsors _____

Date of Introduction October 21, 2008

ZONING BILL

1 AN ORDINANCE concerning

2 Public Hearing Signs

3 For the purpose of making changes to the design, content and posting requirements for public
4 hearing signs.

5 BY repealing and reenacting with amendments:

6 Sections 27-125.03 and 27-231,

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, 2007 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 27-125.03 and 27-231 of the Zoning
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16 County Code, be and the same are hereby repealed and reenacted with the following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 1. GENERAL ZONING PROCEDURES.**

Subdivision 1. General

Sec. 27-125.03. Public Hearing Sign(s). [for posting.]

(a) Posting, in general.

(1) The applicant shall post the required public notice sign(s) for all public hearings conducted by the Planning Board, Board of Zoning Appeals and Zoning Hearing Examiner. Signs for posting shall be provided by the Planning Board or Board of Appeals where applicable,] and shall [have (at least)] include the following information:

- (A) The [title of] word "Hearing" prominently displayed;
- (B) The [type of] application number;
- (C) The [application number] date, time and place of the public hearing; and
- (D) [The request] A phone number, prominently displayed, to call for additional information and
- (E) [Date, time, and place of the public hearing;]The website address of the Planning Department to obtain additional information.
- (F) A phone number for additional information.]

(2) If the property has frontage on one (1) or more improved streets, there shall be one (1) sign posted for each one thousand (1,000) feet (or fraction) of frontage on each street. The sign(s) shall be posted on the property near the street right-of-way, [so as to be visible from the improved portion of the street] and oriented to maximize their visibility to motorists. When more than one (1) sign is required to be posted along a street, the signs shall, where practicable, be evenly spaced along the street.

(3) Signs shall be posted in the following manner:

- (A) Singled-sided if the property occupies frontage on a cul-de-sac, at the end of a dead-end street, or on a one-way street. The signs shall be oriented to maximize their visibility to motorists.
- (B) Double-sided if the property occupies frontage on a street that is visible to two-way traffic. These signs shall be configured in a "V" shape, at a 45-degree angle and oriented to maximize their visibility to motorists.

~~[(3)]~~(4) If the property does not have frontage on an improved public street, then one (1) sign shall be placed on the property. This sign shall be near the boundary of the property and visible from an adjoining property. Another sign shall be placed near to, and visible from, the

1 improved portion of the nearest, most-traveled street. This sign shall indicate it is not on the
2 subject property.

3 (5) If the placement of any sign on the subject property is not visible to motorists
4 from adjoining streets, additional signs may be required at the discretion of the Planning
5 Director, Planning Board, Zoning Hearing Examiner, or Chair of the Board of Appeals,
6 depending upon the body hearing the case.

7 [(4)] (6) For Planning Board [,] and Zoning Hearing Examiner [and District Council]
8 hearings, all signs shall be posted for a period of at least thirty (30) continuous days prior to the
9 hearing date. The signs shall be durable, [and they shall be] conspicuous and legible for the
10 length of the required posting period. The Planning Board may establish more specific sign
11 posting standards, if necessary.

12 [(5)] (7) The applicant shall be responsible for reasonable maintenance of all signs.
13 In the event a sign is removed, falls down, or otherwise is not properly located on the property or
14 in the right-of-way [during the pendency of and until the date of the hearing, or until the end of]
15 for any portion of the required posting period, it shall be the responsibility of the applicant to
16 repost the sign. The applicant is also responsible for removing the signs from the property
17 within 15 days after the hearing.

18 [(6)] (8) For Planning Board and Zoning Hearing Examiner hearings, [T] the person
19 posting the sign shall file a written statement in the record of posting. A close-up, legible
20 photograph of each posted sign and additional long-distance photographs depicting the signs and
21 unique, identifiable features of the subject property shall also be submitted and included in the
22 record file for the case. The applicant shall inspect the sign(s) at least one (1) time no later than
23 the fifteenth (15th) day of posting to ensure that required signs are maintained. The person
24 conducting the inspection shall file in the record a written statement of the sign's condition. For
25 Planning Board Hearings, a combined posting and inspection affidavit shall be filed no less than
26 14 days prior to the hearing.

27 [(7)] (9) Any unauthorized person removing, destroying, defacing, obstructing, or
28 otherwise interfering with a posted sign (directly or indirectly) shall be subject to the penalties
29 provided by law.

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DIVISION 5. APPEALS AND VARIANCES.

SUBDIVISION 2. BOARD OF ZONING APPEALS.

Sec. 27-231. Procedures.

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(d) Notice of public hearing.

(1) At least fifteen (15) days notice of the date, time and place of the hearing shall be sent by certified mail to the appellant, to the agency whose decision is the subject of the appeal, and to the owners of abutting property (including those properties directly across a street, alley, or stream).

(2) In the case of a request to grant additional time to cease a violation, notice shall also be sent to the Zoning Enforcement Officer who shall also notify all persons who have made written or oral complaints concerning the violation.

(3) When the property is located within the boundaries of an incorporated municipality, notice of the time and place of the hearing shall be sent to the municipality at least fifteen (15) days prior to the date of the hearing. The municipality may waive the fifteen (15) day period for either all appeals or any one appeal.

(4) The Board may send notice of the hearing to other interested persons, organizations, or agencies.

(5) All notices shall contain:

- (A) The name of the appellant;
- (B) The date, time, and place of the hearing; and
- (C) A brief statement describing the specific nature of the appeal.

(6) The Board may require additional notice of hearings by at least one (1) advertisement in the three (3) County newspapers of record. The advertisement shall appear not less than five (5) days prior to the date of the hearing and shall contain the same information as is required in the written notices. The cost of the advertisement shall be paid by the appellant.

(7) [When the subject property is not] Except for appeals not involving variances in a Residential Zone, the appellant shall post the property with a durable sign at least fifteen (15) days prior to the scheduled hearing date. The sign shall be provided by the Board of Zoning Appeals and posted in accordance with Section 27-125.03(a).

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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.