

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2016 Legislative Session**

Bill No. CB-36-2016

Chapter No. _____

Proposed and Presented by Council Members Davis and Toles

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Informational Mailing – Civic Association Registration – Neighborhood Meetings

3 For the purpose of amending the requirements for pre-application informational mailings and
4 neighborhood meetings, as well as the requirements for civic association registration for various
5 zoning applications in Prince George’s County.

6 BY repealing and reenacting with amendments:

7 Section 27-125.01,

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2015 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Section 27-125.01 of the Zoning Ordinance of
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
17 be and the same is repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 1. GENERAL ZONING PROCEDURES.**

SUBDIVISION 1. GENERAL.

Sec. 27-125.01. Informational mailing; neighborhood meetings; civic association registration.

(a) Informational mailings with applications; neighborhood meetings.

(1) This Section applies in the following applications and any others for which this Subtitle requires informational mailings: Zoning Map Amendments (Division 2 of this Part), Comprehensive and Specific Design Plans, Conceptual and Detailed Site Plans, Special Exceptions and Revision of Site Plans for Special Exceptions, Special Permits, Variances and Chesapeake Bay Critical Area Conservation Plans filed in conjunction with other applications requiring public hearings by the Planning Board or District Council, Nonconforming Use Certifications, Departures from Sign or Design Standards, and Departures from the required number of Parking and Loading Spaces. It applies to private applications to amend those zones, plans, permits, and departures; to amend the M-U-TC, T-D-O, or D-D-O Zone; to approve or amend the M-U-I Zone; and to amend conditions imposed by the Planning Board or District Council. It applies to all applications to amend an Aviation Policy Area or a Chesapeake Bay Critical Area Overlay Zone. It applies to all applications for Zoning Map Amendments and site plans filed in accordance with the procedures specified for the Urban Centers and Corridor Nodes Development and Zoning Code (Subtitle 27A). It does not apply to District Council initiated plans and studies for the M-U-TC, T-D-O, or D-D-O Zone, to Special Exception revocation petitions filed by the Department of Permitting, Inspections, and Enforcement, or to applications which the Planning Director is authorized to approve administratively.

(2) At least thirty (30) days before the Commission accepts an application, the applicant shall send by first class mail an informational mailing to all adjoining property owners, including owners whose properties lie directly across a street, alley, or stream and, if the application consists of a Detailed Site Plan, Specific Design Plan, or Special Exception application, to the Prince George’s Chamber of Commerce and the Greater Prince George’s Business Roundtable. The applicant shall send notice of application filing to every person of record in a previous zoning, site plan or other application listed in subsection (a)(1) above within ten (10) years of filing the current application. At the same time and in the same manner, the applicant shall send an informational mailing to every municipality located within one (1) mile

1 of the applicant's property and to all civic associations registered with the Commission for the
2 area which includes the property.

3 (3) The applicant shall obtain an application number from the Commission before
4 sending the informational mailing. It shall contain at least the following: the application
5 number; a description of the property and its location; the nature of the applicant's request; the
6 justification statement, if required with the application; the Commission department, with
7 telephone number, to obtain more information about the application after it is filed; a statement
8 to recipients that the applicant will meet, to explain the application; an applicant telephone
9 number, for persons wishing to meet; an explanation of the procedures and the necessity for
10 becoming a person-or-record in the pending application and a statement that no government
11 agency has reviewed the application. A municipality, civic association, or other person entitled
12 to an informational mailing may request a copy of the site plan from the applicant.

13 (4) With the application, the applicant shall file an affidavit of mailing. The affidavit
14 shall give the names and addresses of all persons sent informational mailings and the dates when
15 they were sent.

16 (5) **Neighborhood meetings with applications.**

17 (A) The Commission shall convene at least one (1) meeting monthly on
18 proposed land use development in each Council District for the purpose of facilitating
19 neighborhood outreach between developers, all civic associations registered with the
20 Commission, adjoining property owners, any municipality located within one (1) mile of the
21 property proposed for development, and all persons of record for any prior application for the
22 subject property that was approved within ten (10) years of the filing date of the subject
23 development application.

24 (B) At least thirty (30) days before the Commission accepts an application as
25 filed, the applicant shall participate in at least one (1) monthly neighborhood meeting hosted by
26 the Planning Department for the purpose of informing members of the community of the nature
27 of the proposed land use and development features, to explain the proposed plan for
28 development, as appropriate, and to respond to questions and comments concerning the subject
29 proposal. Comments supplied at neighborhood meetings are not binding on the applicant;
30 however, nothing in this Section shall prohibit revisions to a proposal by an applicant for the
31

1 purpose of incorporating suggestions offered by community members at a neighborhood
 2 meeting.

3 (C) When a neighborhood meeting is required, a neighborhood meeting
 4 verification form shall be obtained from the Commission prior to the scheduled meeting.

5 (D) At the meeting, the applicant should present a general development plan for
 6 the property and provided a narrative description of the proposed project. This may be
 7 conducted in multiple formats, including:

8 (i) A single presentation or workshop at a neighborhood meeting;

9 (ii) An open house where members of the public may receive information
 10 concerning the subject proposal and offer comments, conducted over the course of multiple days,
 11 including a weekend; or

12 (iii) Upon consultation with the Planning Department, any other format
 13 deemed appropriate by the Planning Director.

14 (E) Where an application is subject to the neighborhood meeting requirements of
 15 this subsection, the meeting must be held at least ten (10) calendar days prior to the first public
 16 hearing date of any required hearing on the subject proposal. Notice of the neighborhood
 17 meeting shall be provided in accordance with this Section.

18 (F) Notice by mail.

19 (i) Notice by mail shall be delivered via first-class mail to all property
 20 owners of record for properties adjacent to the property proposed for development;

21 (ii) All civic associations that are registered with the Commission;

22 (iii) Any municipality located within one (1) mile of the subject property;

23 (iv) All persons of record for any prior application for the subject property
 24 that was approved within ten (10) years of the filing date of the subject development application;

25 (v) Notice shall be mailed via first-class mail to the current president
 26 and/or secretary for all registered civic associations for the area of the property proposed for
 27 development;

28 (vi) Notice may be included with the informational mailing required by
 29 subsection (a) of this Section.

30 (G) Notice by posting of the property.

31 (i) Notice by posting on the property shall be made by posting a sign on

1 the property that is the subject of the proposed development application at least ten (10) calendar
 2 days prior to the scheduled date of the neighborhood meeting.

3 (ii) A sign shall be posted on the property that is the subject of the
 4 proposed development application at least ten (10) calendar days prior to the scheduled date of
 5 the scheduled neighborhood meeting.

6 (iii) Sign notices shall be at least six (6) square feet in size and posted with
 7 a minimum of four (4) feet from the bottom edge of the sign and the ground.

8 (iv) The sign shall state, "PRE-APPLICATION MEETING" at the top of
 9 the sign.

10 (v) The sign shall include a brief description of the subject development
 11 application.

12 (vi) The sign shall state the date, time, and place of the neighborhood
 13 meeting.

14 (vii) The sign shall include contact information for the applicant, including
 15 the applicant's telephone number and/or e-mail address for purposes of responding to inquiries
 16 from members of the public.

17 (viii) The applicant shall remove the sign from the property within twenty-
 18 four (24) hours of the conclusion of the neighborhood meeting.

19 (ix) No sign may be posted within any public right-of-way, or within fifty
 20 (50) feet of the intersection of any street.

21 (x) No sign may be affixed to any utility, traffic, or other public structure.

22 (H) When a neighborhood meeting is required, a completed meeting form must
 23 be submitted to the Development Review Division, in addition to all other required application
 24 materials.

25 [(5)] (6) Before an application is accepted, the Commission shall determine that the
 26 applicant has complied with this Section. A municipality, civic association, or other person
 27 entitled to an informational mailing may waive the requirement, and an applicant's filing of a
 28 signed waiver constitutes its compliance with the requirement, for the person signing. At any
 29 time after the Commission accepts an application, a determination that a person entitled did not
 30 receive a required informational mailing may not be a basis for invalidating a final action on the
 31 application.

1 [(6)] (7) The informational mailings and neighborhood meetings required by this
2 Section are in addition to all postings and notices required by law.

3 **(b) Notice of application acceptance.**

4 (1) When the Commission determines an application has been filed in proper form and
5 is ready to be formally accepted, it shall notify the applicant in writing, preferably by e-mail.
6 The name and contact information of the staff member assigned to the application shall be
7 included in the notice.

8 * * * * * * * *

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

Adopted this _____ day of _____, 2016.

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: _____
Derrick L. Davis
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.