

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2015 Legislative Session

Bill No. CB-93-2015

Chapter No. _____

Proposed and Presented by Council Member Davis

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

SUBDIVISION BILL

1 AN ACT concerning

2 Informational Mailing – Civic Association Registration – Neighborhood Meetings

3 For the purpose of amending the County Subdivision Regulations for pre-application

4 informational mailings and neighborhood meetings, as well as the requirements for civic

5 association registration for preliminary plan and conservation subdivision applications in Prince

6 George’s County.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 24. SUBDIVISIONS.

9 Section 24-119.01,

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, that Section 24-119.01 of the Prince George's County Code be and the same is hereby
14 repealed and reenacted with the following amendments:

15 **SUBTITLE 24. SUBDIVISIONS.**

16 **DIVISION 2. APPLICATION PROCEDURES AND DOCUMENTS.**

17 **Sec. 24-119.01. Informational mailing; neighborhood meetings; civic association**
18 **registration.**

19 (a) Informational mailings with applications ; neighborhood meetings.

20 (1) At least thirty (30) days before the Commission accepts an application for a
21 preliminary plan of subdivision, or a sketch plan required for a conservation subdivision pursuant

1 to Section 24-152(e), or a minor preliminary plan to be approved by the Planning Board, the
2 applicant shall send by first class mail an informational mailing to all adjoining property owners,
3 including owners whose properties lie directly across a street, alley, or stream. Notice to prior
4 parties of record shall be required if the applicable case was approved within ten (10) years of
5 filing the current preliminary plan of subdivision. This notice shall inform the person of record in
6 the previous application(s) of the procedure and the necessity for becoming a person of record in
7 the pending application in order to maintain standing to participate. The failure of the previous
8 person of record to receive notice shall not invalidate the approval of the preliminary plan of
9 subdivision. At the same time and in the same manner, the applicant shall send an informational
10 mailing to every municipality located within one (1) mile of the applicant's property and to all
11 civic associations registered with the Commission for the area which includes the property.

12 (2) The applicant shall send informational mailings to previous persons of record for the
13 following types of applications: Preliminary Plans of Subdivision, including a minor preliminary
14 plan to be approved by the Planning Board, Sketch Plans for Conservation Subdivisions, Zoning
15 Map Amendments, Comprehensive and Specific Design Plans, Conceptual and Detailed Site
16 Plans, Special Exceptions and Revisions of Site Plans for Special Exceptions, Special Permits,
17 Variances and Chesapeake Bay Critical Area Conservation Plans filed in conjunction with other
18 applications requiring public hearings by the Planning Board or District Council, Nonconforming
19 Use Certifications, Departures from Sign or Design Standards, and Departures from the required
20 number of Parking and Loading Spaces. It applies to private applications to amend those zones,
21 plans permits, and departures; to amend the M-U-T-C, T-D-O, or D-D-O Zone; to approve or
22 amend the M-U-I Zone; and to amend conditions imposed by the Planning Board or District
23 Council. It applies to all applications to amend an Aviation Policy Area or a Chesapeake Bay
24 Critical Area Overlay Zone. It applies to all Sectional Map Amendments where a Regulating
25 Plan was approved in accordance with Subtitle 27A of the County Code. It does not apply to
26 District Council initiated plans and studies for the M-U-T-C, T-D-O, or D-D-O Zone, to Special
27 Exception revocation petitions filed by the Department of Permitting, Inspections and
28 Enforcement, or to applications which the Planning Director is authorized to approve
29 administratively.

30 (3) The applicant shall obtain an application number from the Commission before
31 sending the informational mailing. It shall contain at least the following: the application

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

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

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

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

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

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

30 (D) At the meeting, the applicant should present a general development plan for
 31 the property and provided a narrative description of the proposed project. This may be

1 conducted in multiple formats, including:

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

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

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

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

12 (F) Notice by mail.

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

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

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

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

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

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

24 (G) Notice by posting of the property.

25 (i) Notice by posting on the property shall be made by posting a sign on
 26 the property that is the subject of the proposed development application at least ten (10) calendar
 27 days prior to the scheduled date of the neighborhood meeting.

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

31 (iii) Sign notices shall be at least six (6) square feet in size and posted with

1 a minimum of four (4) feet from the bottom edge of the sign and the ground.

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

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

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

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

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

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

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

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

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

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

29 [(6)] (7) The informational mailings and neighborhood meetings required by this
 30 Section are in addition to all postings and notices required by law.

31

1 (b) Notice of application acceptance.

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

6 * * * * *

7 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect thirty (30)
8 calendar days after it becomes law.

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.