

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2013 Legislative Session**

Bill No. CB-29-2013

Chapter No. 29

Proposed and Presented by Council Members Franklin, Campos, Davis, Harrison, Toles, Turner

Introduced by Council Members Franklin, Campos, Davis, Harrison, Turner

Co-Sponsors _____

Date of Introduction June 18, 2013

ZONING BILL

1 AN ORDINANCE concerning

2 Special Exceptions

3 For the purpose of establishing time limits during the special exception review process and making
4 clarifying amendments.

5 BY repealing and reenacting with amendments:

6 Sections 27-296, 27-302, 27-303 and 27-307,

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).

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 27-296, 27-302, 27-303 and 27-307 of
15 the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
16 George's County Code, be and the same are hereby repealed and reenacted with the following
17 amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 4. SPECIAL EXCEPTIONS.**

20 **DIVISION 1. ADMINISTRATIVE PROCEDURES.**

SUBDIVISION 1. APPLICATIONS.

Sec. 27-296. Application form and contents.

* * * * *

(d) Acceptance.

(1) The Planning Board shall accept for filing the application for a Special Exception upon a determination that the application complies with (b) and (c) above, and within seven (7) days of acceptance, notify the Zoning Hearing Examiner of the date of acceptance.

* * * * *

SUBTITLE 27. ZONING.

PART 4. SPECIAL EXCEPTIONS.

DIVISION 1. ADMINISTRATIVE PROCEDURES.

SUBDIVISION 2. HEARING DATE.

Sec. 27-302. Hearing date established.

(a) The Zoning Hearing Examiner shall establish the date of the public hearing to be held in accordance with Part 3 of this Subtitle. Subject to Section 27-303, the public hearing shall be held within one hundred and fifty (150) days of acceptance of the application by the Planning Board set forth in Section 27-296(d).

(b) The Zoning Hearing Examiner shall establish the date of the public hearing for an adaptive use of a Historic Site not less than one hundred twenty (120) days after the date upon which the application was filed.

Sec. 27-303. Request to delay hearing.

(a) Should the Planning Board determine that it is in the public interest to delay the hearing date established under Section 27-302(a), the Planning Board may request, prior to the [submission] transmittal date (Section 27-307[4(a)]), that the Zoning Hearing Examiner [Council] approve the delay. The request shall be in writing and shall demonstrate good cause for the delay[, with a copy to the Zoning Hearing Examiner]. The Zoning Hearing Examiner [District Council] may approve the request (by administrative action) and notify the Planning Board and the applicant of the [Zoning Hearing Examiner to] re-designated [the hearing to another specified] hearing date.

(b) The People's Zoning [Council] Counsel or any person of record may request the continuance of a hearing under this Section. The Zoning Hearing Examiner shall grant a

1 | continuance if a required Technical Staff Report has not been filed at least thirty (30) days before
2 | the scheduled hearing. If a continuance is granted for this reason, the Zoning Hearing Examiner
3 | may not hear the case until at least thirty (30) days after the Technical Staff Report has been filed.

4 | * * * * *

5 | **SUBDIVISION 4. SPECIAL EXCEPTION APPLICATION FILE.**

6 | **Sec. 27-307. Transmittal.**

7 | At least thirty (30) days prior to the public hearing established under Section 27-302(a), the
8 | original copy of the application, plans, maps, specifications, Technical Staff Report, and all other
9 | data, materials, or record evidence (to date) pertaining to the requested Special Exception shall be
10 | sent by the Planning Board to the District Council.

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

Adopted this 24th day of July, 2013.

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: _____
Andrea C. Harrison
Chair

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.