

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2017 Legislative Session**

Resolution No. CR-11-2017  
Proposed by The Chairman (by request – Planning Board)  
Introduced by Council Members Davis, Lehman, Turner, Glaros, Franklin and Taveras  
Co-Sponsors \_\_\_\_\_  
Date of Introduction March 7, 2017

**RESOLUTION**

1 A RESOLUTION concerning

2 Countywide Resource Conservation Functional Master Plan

3 For the purpose of approving, with certain revisions as permitted by law, as an Act of the County  
4 Council of Prince George's County, Maryland, sitting as the District Council for that part of the  
5 Maryland-Washington Regional District in Prince George's County, a new functional master  
6 plan, the *Resource Conservation Plan: A Countywide Functional Master Plan*, thereby defining  
7 long-range policies for green infrastructure; agriculture conservation; and rural character  
8 conservation, including the incorporation of updates to the 2001 *Anacostia Trails Heritage Area*  
9 *Management Plan: A Functional Master Plan for Heritage Tourism*, which shall constitute an  
10 amendment to the 2014 general plan for the physical development of the Maryland-Washington  
11 Regional District in Prince George's County, *Plan Prince George's 2035*.

12 WHEREAS, it is the intent of the District Council that, upon approval, this Countywide  
13 Resource Conservation Functional Master Plan will amend certain specified portions of the 2014  
14 General Plan for the physical development of the Maryland-Washington Regional District within  
15 Prince George's County, *Plan Prince George's 2035*, as well as portions of the following  
16 previously approved master plans, sector plans functional master plans, and sectional map  
17 amendments in the County: the 2005 *Countywide Green Infrastructure Plan*; the 2012 *Priority*  
18 *Preservation Area Functional Master Plan*; the 1983 *Public School Sites Functional Master*  
19 *Plan*; the 1989–90 *Master Plan for Langley Park–College Park–Greenbelt and Vicinity and*  
20 *Sectional Map Amendment for Planning Areas 65, 66, and 67*; the 1990 *Master Plan and*  
21 *Sectional Map Amendment for Largo–Lottsford (Planning Area 73)*; the 1994 *Master Plan and*

1 *Sectional Map Amendment for Melwood–Westphalia (Planning Areas 77 and 78); the 1994*  
2 *Master Plan and Sectional Map Amendment for Bladensburg–New Carrollton and Vicinity*  
3 *(Planning Area 69); the 1994 Master Plan and Sectional Map Amendment for Planning Area 68;*  
4 *the 2000 Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center*  
5 *and Vicinity; the 2000 Master Plan and Sectional Map Amendment for the Heights and Vicinity*  
6 *(Planning Area 76A); the 2000 Town of Brentwood Mixed-Use Town Center Zone Development*  
7 *Plan; the 2001 Anacostia Trails Heritage Area Management Plan: A Functional Master Plan*  
8 *for Heritage Tourism; the 2001 Sector Plan and Sectional Map Amendment for the Greenbelt*  
9 *Metro Area; the 2004 Town of Riverdale Park Mixed-Use Town Center Zone Development Plan;*  
10 *the 2004 Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town*  
11 *Center Metro Areas; the 2004 Sector Plan and Sectional Map Amendment for the Prince*  
12 *George’s County Gateway Arts District; the 2005 Sector Plan and Sectional Map Amendment*  
13 *for the Tuxedo Road/Arbor Street/Cheverly Metro Area; the 2006 Master Plan for Bowie and*  
14 *Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B; the 2006*  
15 *Suitland Mixed-Use Town Center Zone Development Plan; the 2006 Sector Plan and Sectional*  
16 *Map Amendment for the East Glenn Dale Area for portions of Planning Area 70; the 2006*  
17 *Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning*  
18 *Area; the 2006 Transit District Development Plan and Transit District Overlay Zoning Map*  
19 *Amendment for the West Hyattsville Transit District Overlay Zone; the 2007 Westphalia Sector*  
20 *Plan and Sectional Map Amendment; the 2007 Bladensburg Town Center Sector Plan and*  
21 *Sectional Map Amendment; the 2008 Public Safety Facilities Master Plan; the 2008 Capitol*  
22 *Heights Transit District Development Plan and Transit District Overlay Zoning Map*  
23 *Amendment; the 2008 Branch Avenue Corridor Sector Plan and Sectional Map Amendment; the*  
24 *2009 Landover Gateway Sector Plan and Sectional Map Amendment; the 2009 Port Towns*  
25 *Sector Plan and Sectional Map Amendment; the 2009 Countywide Master Plan of*  
26 *Transportation; the 2009 Marlboro Pike Sector Plan and Sectional Map Amendment; the 2009*  
27 *Takoma/Langley Crossroads Sector Plan; the 2010 Water Resources Functional Master Plan;*  
28 *the 20140 Bowie State MARC Station Sector Plan and Sectional Map Amendment; the 2010*  
29 *Glenn Dale–Seabrook–Lanham and Vicinity Sector Plan and Sectional Map Amendment; the*  
30 *2010 New Carrollton Transit District Development Plan and Transit District Overlay Zoning*  
31 *Map Amendment; the 2010 Central US 1 Corridor Sector Plan and Sectional Map Amendment;*

1 the 2010 *Subregion 4 Master Plan and Sectional Map Amendment*; the 2010 *Master Plan and*  
2 *Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)*; the 2010  
3 *Historic Sites and Districts Plan*; the 2010 *Central Annapolis Road Approved Sector Plan and*  
4 *Sectional Map Amendment*; the 2010 *City of Mount Rainier Mixed-Use Town Center Zone*  
5 *Development Plan*; the 2013 *Greenbelt Metro Area and MD 193 Corridor Sector Plan and*  
6 *Sectional Map Amendment*; the 2013 *Subregion 5 Master Plan and Sectional Map Amendment*;  
7 the 2013 *Largo Town Center Sector Plan and Sectional Map Amendment*; the 2013 *Subregion 6*  
8 *Master Plan and Sectional Map Amendment*; the 2013 *Central Branch Avenue Corridor*  
9 *Revitalization Sector Plan*; the 2014 *Eastover/Forest Heights/Glassmanor Sector Plan and*  
10 *Sectional Map Amendment*; the 2014 *Landover Metro Area and MD 202 Corridor Sector Plan*  
11 *and Sectional Map Amendment*; the 2014 *Southern Green Line Station Area Sector Plan and*  
12 *Sectional Map Amendment*; the 2015 *College Park–Riverdale Park Transit District Development*  
13 *Plan*; and finally, the 2016 *Prince George’s Plaza Transit District Development Plan and*  
14 *Proposed Transit District Overlay Zoning Map Amendment*; and

15 WHEREAS, on September 15, 2015, via adoption of Council Resolution CR-54-2015, the  
16 District Council directed the Prince George’s County Planning Board of the Maryland-National  
17 Capital Park and Planning Commission to initiate preparation of a new, Countywide Resource  
18 Conservation Functional Master Plan for Prince George’s County; and

19 WHEREAS, in accordance with the prescriptions of State and County law, and as specified  
20 within the approved Public Participation Program for this project, the Planning Department staff  
21 of the Maryland-National Capital Park and Planning Commission held several public outreach  
22 sessions seeking input from community, municipal, and public agency stakeholders, as well as an  
23 open forum; and

24 WHEREAS, as prescribed by local zoning law, the Prince George’s County Planning Board  
25 granted permission to print the *Preliminary Resource Conservation Plan: A Countywide*  
26 *Functional Master Plan* on July 28, 2016; and

27 WHEREAS, the Planning Board also referred the preliminary functional master plan to the  
28 Prince George’s County Executive and County municipal corporations for respective review and  
29 comment in accordance with the requirements of state and local law; and

30 WHEREAS, on September 27, 2016, the District Council and Prince George’s Planning  
31 Board held a duly-advertised joint public hearing, pursuant to the provisions of state and county

1 zoning laws, to receive public comment and other testimony regarding the proposed preliminary  
2 Countywide Resource Conservation Functional Master Plan; and

3 WHEREAS, after the close of the joint public hearing record of testimony on October 12,  
4 2016, the Planning Board conducted a public work session on December 1, 2016, to review the  
5 comments and other testimony received into the record of joint public hearing testimony, as well  
6 as the assessments and recommendations thereon that was prepared by the Planning Department  
7 technical staff; and

8 WHEREAS, thereafter, the Planning Board voted to adopt resolution PGCPB No. 16-144  
9 on December 15, 2016, incorporating its recommendation for approval as to the proposed  
10 *Resource Conservation Plan: A Countywide Functional Master Plan*, as well as certain  
11 revisions that were based on the testimony within the plan record that was before Planning  
12 Board; and

13 WHEREAS, on January 10, 2017, the Planning Board timely transmitted the adopted plan  
14 to the Office of the Clerk of the County Council in accordance with the procedures required by  
15 law; and WHEREAS, in anticipation of providing direction as to any final action regarding  
16 proposed functional master plan, the Council advertised, as part of its public meeting for the  
17 February 14, 2017, regular agenda of the County Council, its intent to convene as the Committee  
18 of the Whole and to conduct a publicly advertised work session to consider the testimony  
19 received into the record of joint public hearing testimony as to the proposed functional master  
20 plan, as well as the recommendations of Planning Board embodied within PGCPB No. 16-144;  
21 and

22 WHEREAS, prior to the scheduled February 14, 2017, work session, legal counsel for the  
23 District Council reviewed all record testimony, as compiled by the Planning Board's technical  
24 staff and transmitted by Planning Board, regarding the proposed functional master plan; and

25 WHEREAS, during review of said testimony, legal staff for the Council identified certain  
26 specific testimony within the record transmitted by Planning Board that is outside the defined  
27 parameters established by the Council for this functional master plan via adoption of CR-54-  
28 2015—a measure with the force and effect of law—specifically, as to five (5) exhibits or  
29 testimony seeking amendment to the long-established Growth Boundary for the respective  
30 properties within the County; and

1           WHEREAS, it was further determined by counsel for the District Council that such  
2 inappropriate testimony was subsequently analyzed by the technical staff of the Planning  
3 Department, as is ordinarily required for compliance with the prescriptions of the local zoning  
4 laws; and

5           WHEREAS, and in presumptive reliance on the deficient plan testimony, the Planning  
6 Board apparently adopted two (2) inapposite recommendations, as reflected within PGCPB No.  
7 16-144, to revise portions of the County Council's well-settled County Growth Boundary policy;  
8 and

9           WHEREAS, after being alerted by legal and technical staff as to the existence of certain  
10 potential deficiencies within the subject plan record, the District Council deferred its scheduled  
11 February 14, 2017, Committee of the Whole work session to afford technical staff of the  
12 Planning Department the opportunity to excise, from the adopted plan record, as identified and as  
13 necessary, any inapt, immaterial, and extraneous testimony and resubmit: (1) a redacted Planning  
14 Board staff report and digest of testimony; (2) a redacted transcript analysis compiled by  
15 Planning Staff; and (3) a redacted Planning Board resolution PGCPB No. 16-144 striking any  
16 recommendations based upon irrelevant testimony, as described above; and

17           WHEREAS, upon re-submission of the redacted record as to the proposed plan by Planning  
18 Department staff, the Council convened as the Committee of the Whole on February 28, 2017 in  
19 order to evaluate the complement of redacted, adopted plan testimony; the assessment on various  
20 aspects of the proposed offered by the technical staff of the Planning Department technical; and  
21 any appropriate and material recommendations, as redacted, that were adopted by Planning  
22 Board within PGCPB No. 16-144 as to the proposed Countywide Resource Conservation  
23 Functional Master Plan; and

24           WHEREAS, after orientation and presentations by legal and technical staff, as well as  
25 discussion by members, the District Council voted unanimously to direct staff to prepare a  
26 resolution of approval for the Countywide Resource Conservation Functional Master Plan, as  
27 adopted by the Planning Board, but without regard to the recommendations and underlying  
28 testimony that is not within the parameters authorized via adoption of CR-54-2015 by the  
29 District Council to authorize the preparation of this discretionary, functional master plan to  
30 harmonize existing policy, via adoption of CR-54-2015.

1           NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
2 County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
3 Regional District in Prince George's County, Maryland, that the proposed *Resource*  
4 *Conservation Plan: A Countywide Functional Master Plan*, as embodied in a resolution adopted  
5 by Planning Board via Resolution PGCPB No. 16-144, be and the same is hereby approved, but  
6 without regard to any recommendations or underlying testimony excised from the record inapt,  
7 extraneous, and immaterial to the direction of the Council given by law for this functional master  
8 plan via adoption of CR-54-2015.

9           BE IT FURTHER RESOLVED that the provisions of this Resolution are severable, in  
10 accordance with Maryland law. If any provision, sentence, clause, section, map, or part thereof  
11 is held illegal, invalid, unconstitutional, or unenforceable, such illegality, invalidity,  
12 unconstitutionality, or unenforceability shall not affect or impair any of the remaining provisions,  
13 sentences, clauses, sections, maps, or parts hereof for their application to other zones or  
14 circumstances. It is hereby declared to be the legislative intent of the District Council that this  
15 Resolution would have been adopted as if such illegal, invalid, unconstitutional, or  
16 unenforceable provision, sentence, clause, map, or part had not been included therein.

17           BE IT FURTHER RESOLVED that the staff is authorized to make certain appropriate text  
18 revisions, as well as certain revisions to technical, figurative, or other illustrative inclusions, in  
19 order to correct identified errors and reflect updated information.

20           BE IT FURTHER RESOLVED that, upon adoption by the District Council, this Resolution  
21 shall supersede or otherwise amend the 2014 County general plan, *Plan Prince George's 2035*,  
22 for purposes of incorporating the provisions approved herein as to updates for the 2001  
23 *Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage*  
24 *Tourism*.

1  
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BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its adoption.

Adopted this 7<sup>th</sup> day of March , 2017.

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 Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council