

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

Bill No. CB-110-2017

Chapter No. \_\_\_\_\_

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

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**ZONING BILL**

1 AN ORDINANCE concerning

2 Countywide Map Amendments

3 For the purpose of establishing procedures to reclassify all real property in the Planning Areas of  
4 Prince George’s County, Maryland through the comprehensive amendment of the Zoning Map.

5 BY adding:

6 Sections 27-1900, 27-1901, 27-1902, 27-1903,  
7 27-1904, 27-1905, 27-1906, and 27-1907

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, 2016 Supplement).

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 Sections 27-1900, 27-1901, 27-1902, 27-  
16 1903, 27-1904, 27-1905, 27-1906, and 27-1907of the Zoning Ordinance of Prince George’s  
17 County, Maryland, being also Subtitle 27 of the Prince George’s County Code, be and the same  
18 are hereby added

19 **SUBTITLE 27. ZONING.**

20 **PART 19. COUNTYWIDE MAP AMENDMENT**

1 **Sec. 19-1900. Purpose and Intent.**

2 (a) Countywide Map Amendment (CMA) procedures are provided for the comprehensive  
3 rezoning of all properties within Prince George’s County to reflect the zoning classifications  
4 contained in the forthcoming replacement of the Prince George’s County Zoning Ordinance.  
5 Specifically, the purposes of the CMA are:

6 (1) To apply zoning categories contained in Prince George’s County’s new Zoning  
7 Ordinance to all real property in Prince George’s County;

8 (2) To provide for a comprehensive rezoning procedure that bridges the gap between  
9 the abrogation date of this Zoning Ordinance and the effective date of the new Zoning  
10 Ordinance;

11 (3) To notify landowners, municipalities, special governed taxing districts,  
12 developers, civic associations, agencies, and other County stakeholders of the zoning changes  
13 impacting real property;

14 (4) To provide the necessary foundation the new Zoning Ordinance requires before it  
15 can become effective; and

16 (5) To efficiently and effectively rezone all property in the County in all Planning  
17 Areas comprehensively, in a timely manner, and in accordance with all applicable State and local  
18 laws.

19 **Sec. 19-1901. Initiation and Authorization.**

20 (a) A Countywide Map Amendment may be initiated by the District Council upon  
21 adoption of a written resolution, or by the Planning Board with District Council approval upon  
22 adoption of a written resolution.

23 (b) The District Council resolution initiating a Countywide Map Amendment shall include  
24 the total estimated time for completion and a Decision Matrix incorporating the methodology of  
25 how property will be rezoned to the new zones contained in the new Zoning Ordinance.

26 **Sec. 19-1902. Staff Draft Procedures.**

27 (a) Within thirty (30) days after the initiation resolution has been adopted, any property  
28 owner or property owner’s agent may request that specific zones (except Planned Development  
29 zones and Overlay zones) be considered for specific properties during the Countywide Map  
30 Amendment process.

31 (1) Requests shall be limited to the specific zones (except Planned Development

1 zones and Overlay zones) contained in the new Zoning Ordinance. Under no circumstance may  
 2 any zone included in this Zoning Ordinance be requested or granted through the Countywide  
 3 Map Amendment procedures.

4 (2) Requests shall be made on forms provided by the Planning Board and shall be  
 5 available for public review.

6 (3) No requests from individual property owners or their agents received after the  
 7 thirty (30) day period following the adoption of the initiation resolution may be considered.

8 (b) Technical staff shall prepare a staff draft Countywide Map Amendment to be reviewed  
 9 by the Planning Board during public hearings and/or work sessions.

10 **Sec. 19-1903. Joint Public Hearing.**

11 (a) The District Council and the Planning Board shall conduct at least one joint public  
 12 hearing on the staff draft Countywide Map Amendment. The hearing record shall remain open  
 13 for fifteen (15) calendar days following the joint public hearing(s).

14 (b) The Planning Board shall provide notice of the joint public hearing(s) as set forth in  
 15 Section 27-1904.

16 (c) The testimony received at the public hearing(s) shall be made a part of the record.  
 17 Exhibits introduced at any time prior to the close of the record shall be identified sequentially  
 18 and maintained as part of the record.

19 (d) After the close of the record, no additional evidence may be incorporated into the  
 20 record.

21 **Sec. 19-1904. Public Notice, Referrals, and Affidavit Requirements.**

22 (a) Notice of the time and place of a public hearing shall be published in at least one  
 23 newspaper of general circulation in the County once each week for two (2) successive weeks,  
 24 and on the County's website, at least 30 days before the hearing.

25 (b) Notice of a public hearing shall include a description of the Affidavit and *Ex Parte*  
 26 Disclosure requirements, and location of compliance forms, required by Md. Code Ann. General  
 27 Provisions §§ 5-833 through 5-839 and Prince George's County Code § 2-296.

28 (c) The staff draft Countywide Map Amendment shall be referred to the governing bodies  
 29 of all municipalities and governed special taxing districts in the County for their  
 30 recommendation at least 60 days prior to the District Council's action.

31 **Sec. 19-1905. Planning Board Action and Transmittal.**

1        (a) The Planning Board shall endorse, at a public meeting, the Countywide Map  
 2 Amendment and issue a resolution of endorsement.

3        (b) The resolution and a copy of the endorsed Countywide Map Amendment shall be  
 4 transmitted to the District Council, the County Executive, and all municipalities and governed  
 5 special taxing districts in the County within ten (10) days of the adoption of the resolution.

6        **Sec. 27-1906. District Council Procedures.**

7        (a) The District Council shall conduct at least one public hearing prior to approval of the  
 8 Countywide Map Amendment as set forth in Section 27-1903 above.

9        (b) If, after receipt of the endorsed Countywide Map Amendment, the District Council  
 10 proposes amendments to the endorsed Countywide Map Amendment, an additional joint public  
 11 hearing with the Planning Board shall be held upon fifteen (15) days of notice as set forth in  
 12 Section 27-644.

13        (c) For purposes of this Section, an “amendment” or “amendments” to an endorsed  
 14 Countywide Map Amendment are substantive changes or revisions to the map or text which did  
 15 not receive Planning Board review prior to endorsement

16        (d) All of the District Council’s proposed amendments shall be referred to the Planning  
 17 Board for the Board’s recommendation as to approval or disapproval. The Planning Board’s  
 18 recommendations shall be submitted to the Council prior to the Council’s action on the  
 19 amendments.

20        (e) Should any of the District Council’s proposed amendments fall within the boundaries  
 21 of a municipal corporation or governed special taxing district, those amendments shall be  
 22 referred to the governing body of the affected municipal corporation or governed special taxing  
 23 district where the land is located for a recommendation as to approval or disapproval. Failure of  
 24 the municipal corporation or governed special taxing district to provide a recommendation on the  
 25 District Council’s proposed amendments shall be construed as approval.

26        (f) The District Council shall, at a public meeting, approve or disapprove the endorsed  
 27 Countywide Map Amendment and issue a resolution of the decision.

28        (g) If a proposed rezoning of a parcel of land conflicts with the recommendation of a  
 29 municipality or governed special taxing district (within whose boundaries the land is located), a  
 30 separate vote on rezoning that land shall be taken. The rezoning of that land may occur only  
 31 upon the affirmative vote of two-thirds of the members of the full Council. If the Council fails to

1 obtain this two-thirds majority vote, the property may be rezoned to any alternative zoning  
2 category recommended by the municipality or governed special taxing district (in writing),  
3 provided that the zoning category is contained in the new Zoning Ordinance, and that:

4 (1) The zoning category is consistent with the approved General Plan or applicable  
5 Area Master Plan, Transit District Development Plan, or Sector Plan; or

6 (2) The zoning category is identified as the direct replacement zone to the one  
7 existing on the property prior to the Countywide Map Amendment, as reflected in the zone  
8 transition chart approved by the District Council in the approval of the new Zoning Ordinance.

9 (h) Failure of the District Council to approve or disapprove the endorsed Countywide Map  
10 Amendment within ninety (90) days following the final joint public hearing shall constitute  
11 approval of the endorsed Countywide Map Amendment.

12 **Sec. 27-1907. Publication.**

13 (a) The Planning Board shall publish the approved Countywide Map Amendment and  
14 make it available to the public.

15 (b) An attested copy of the approved Countywide Map Amendment shall be filed with the  
16 Clerk of the Circuit Court for Prince George’s County.

17 \* \* \* \* \*

18 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance are  
19 hereby declared to be severable; and, in the event that any section, subsection, paragraph,  
20 subparagraph, sentence, clause, phrase, or word of this Ordinance is declared invalid or  
21 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall  
22 not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs,  
23 subsections, or sections of this Ordinance, since the same would have been enacted without the  
24 incorporation in this Ordinance of any such invalid or unconstitutional word, phrase, clause,  
25 sentence, paragraph, subparagraph, subsection, or section.

26 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five  
27 (45) calendar days after it becomes law.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2017.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon 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.