

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 4/29/2014  
**Reference No.:** CB-003-2014  
**Draft No.:** 2  
**Proposer(s):** Franklin  
**Sponsor(s):** Franklin, Davis, Harrison  
**Item Title:** An Ordinance concerning Plan Review – Comprehensive Site Plans, Detailed Site Plans, Comprehensive Design Plans and Specific Design Plans - Procedural Requirements for the purpose of clarifying procedural requirements applicable to District Council action on Conceptual Site Plans, Detailed Site Plans, Comprehensive Design Plans, and Specific Design Plan applications remanded to the Planning Board, and providing procedural prescriptions for Planning Board action thereon

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**Drafter:** Karen T. Zvakos, Legislative Officer  
**Resource Personnel:** Brendon L. Laster, Chief of Staff

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	1/28/2014	<b>Executive Action:</b>	
<b>Committee Referral:</b>	1/28/2014 - PZED	<b>Effective Date:</b>	6/16/2014
<b>Committee Action:</b>	3/5/2014 - FAV(A)		
<b>Date Introduced:</b>	3/18/2014		
<b>Public Hearing:</b>	4/29/2014 - 1:30 PM		
<b>Council Action (1)</b>	4/29/2014 - ENACTED		
<b>Council Votes:</b>	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

27-280, 27-290, 27-523

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### COMMITTEE REPORTS:

#### Planning, Zoning and Economic Development

**Date 3/5/2014**

Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Turner, Campos, Franklin and Olson)

This legislation amends the Zoning Ordinance concerning procedural requirements for District Council remands to the Planning Board for Conceptual Site Plans, Detailed Site Plans, Comprehensive Design Plans, and Specific Design Plans. Draft-1 of the bill provided that if the Planning Board is unable to comply with the prescriptions of the Order of Remand, findings as to the basis for noncompliance with the Order of Remand and readoption of its decision must be included in a resolution adopted at a regularly scheduled public hearing.

Council Member Franklin, the bill's sponsor, informed the committee that this legislation resolves the uncertainty of what happens to a case if the Planning Board is unable to comply with a remand. Mr. Franklin explained that CB-3-2014 will provide a process for full transmittal of the Planning Board's action back to the Council.

Staff presented a Proposed Draft-2 (DR-2) prepared at the direction of the sponsor to address concerns raised by the Planning Board and Planning Department staff. Proposed DR-2 amended Sections 27-280(f), 27-290(f), and 27-523(f) as follows:

1. In Sections 27-280(f), 27-290(f) and 27-523(f) of the Proposed DR-2 strike “basis for noncompliance with the Order of Remand and readoption of” and insert “reasons for its action, and”.
2. In Sections 27-280(f), of the Proposed DR-2 add the following sentence. “The Planning Board’s adoption of a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in accordance with the procedures of this Section and Section 27-276 of this Subtitle.”
3. In Sections 27-290(f), of the Proposed DR-2 add the following sentence. “The Planning Board’s adoption of a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in accordance with the procedures of this Section and Section 27-285 of this Subtitle.”
4. In Sections 27-523(f), of the Proposed DR-2 add the following sentence. “The Planning Board’s adoption of a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in accordance with the procedures of this Section and Section 27-522 of this Subtitle.”

Dr. Fern Piret, Planning Director, and Debra Borden, Associate General Counsel, representing the Planning Board, testified regarding their continued concerns with the bill including the additional shaded language in Proposed DR-2.

The committee voted favorable, 4-0, including the revisions in Proposed DR-2.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

This Ordinance will clarify certain procedural requirements for Planning Board action on certain site plan and design plan applications.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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