

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2024 Legislative Session**

Resolution No. CR-098-2024
Proposed by Council Member Watson
Introduced by _____
Co-Sponsors _____
Date of Introduction October 29, 2024

RESOLUTION

A RESOLUTION concerning

The Enactment of Certain Ordinance of the City of Bowie

For the purpose of approving the enactment of Ordinance O-8-24 amending Chapter 26 of the Code of the City of Bowie, concerning municipal zoning authority.

WHEREAS, Section 25-301, Land Use Article, Maryland Annotated Code, authorizes the District Council to confer the exercise of certain powers of the District Council upon the governing body of a municipal corporation within the Maryland-Washington Metropolitan District; and

WHEREAS, Section 27-3308 of the Prince George’s County Code provides that an incorporated municipality may enact an ordinance that sets forth procedural regulations governing departures from local parking and loading, landscaping requirements, sign design standards, variances for setbacks and lot area regulations, as well as nonconforming use regulations and fence regulations for the area within its municipal boundaries; and

WHEREAS, Section 27-3308 also provides that a municipal corporation within the County may reference applicable County zoning laws that are applicable within the corporate boundaries of the municipal corporation; and

WHEREAS, Chapter 26 of the Bowie City Code sets forth the zoning regulations and procedures used by the City of Bowie in exercising the powers delegated by the District Council; and

WHEREAS, Chapter 26 of the Bowie City Code provides for the Bowie City Council to receive recommendations from the Bowie Advisory Planning Board regarding specific categories

of zoning requests, including but not limited to: variances; departures from design and landscaping standards; departures from parking and loading standards; and departures from sign design standards; and

WHEREAS, Section 26-48 of the Bowie City Code provides a period after receipt of the Advisory Planning Board's recommendation, during which the City Council may consider such recommendation and any City Councilmember may request oral argument on the matter; and

WHEREAS, Section 26-48 of the Bowie City Code provides for a consideration period of fifteen (15) days for variances and thirty (30) days for all other matters which the Advisory Planning Board makes a recommendation; and

WHEREAS, by way of its enactment of Ordinance O-8-24, the Bowie City Council desires to clarify the timing of actions required of the City Council regarding recommendations of the Advisory Planning Board by amending Section 26-48 of the Bowie City Code to separate the consideration periods for variance and non-variance matters from one combined clause into two distinct clauses;

WHEREAS, by way of its enactment of Ordinance O-8-24, the Bowie City Council desires to further clarify the timing of actions required by the City Council by inserting a provision in Section 26-48 of the Bowie City Code that states, "Failure of the City Council to act on the recommendation of the Advisory Planning Board within sixty (60) days of receipt thereof shall result in the denial of the request"; and

WHEREAS, in accordance with the procedures set forth in applicable state and local zoning laws, the Bowie City Council passed Ordinance O-8-24 on September 16, 2024; and

WHEREAS, as duly enacted by the City of Bowie, Ordinance O-8-24 (attached hereto and incorporated herein as "Attachment A") amends Chapter 26 of the Bowie City Code; and

WHEREAS, the City of Bowie, pursuant to Section 25-303(e) of the Land Use Article, Annotated Code of Maryland, has delivered certified copies of Ordinance O-8-24 to the District Council;

WHEREAS, the District Council has reviewed Ordinance O-8-24 and determined that the municipal law conforms with the prescriptions of local and state zoning laws.

NOW, THEREFORE, BE IT RESOLVED by the 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, that City of Bowie Ordinance O-8-24, as

set forth in Attachment A to this Resolution, be and the same is hereby APPROVED.

Adopted this _____ day of _____, 2024.

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: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council