

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2014 Legislative Session

Bill No. CB-3-2014

Chapter No. 4

Proposed and Presented by Council Member Franklin

Introduced by Council Members Franklin, Davis and Harrison

Co-Sponsors _____

Date of Introduction March 18, 2014

ZONING BILL

1 AN ORDINANCE concerning
2 Plan Review – Comprehensive Site Plans, Detailed Site Plans, Comprehensive Design Plans and
3 Specific Design Plans - Procedural Requirements

4 For the purpose of clarifying procedural requirements applicable to District Council action on
5 Conceptual Site Plans, Detailed Site Plans, Comprehensive Design Plans, and Specific Design
6 Plan applications remanded to the Planning Board, and providing procedural prescriptions for
7 Planning Board action thereon.

8 BY repealing and reenacting with amendments:

- 9 Sections 27-280, 27-290, and 27-523,
- 10 The Zoning Ordinance of Prince George's County, Maryland,
- 11 being also
- 12 SUBTITLE 27. ZONING.
- 13 The Prince George's County Code
- 14 (2011 Edition; 2013 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
16 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
17 District in Prince George's County, Maryland, that Sections 27-280, 27-290, and 27-253 of the
18 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
19 George's County Code, be and the same are hereby repealed and reenacted with the following
20 amendments:

SUBTITLE 27. ZONING.

PART 3. ADMINISTRATION.

DIVISION 9. SITE PLANS.

Subdivision 2. Requirements for Conceptual Site Plans.

Sec. 27-280. Appeal of Planning Board's decision.

* * * * *

(d) Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or [return] remand the Conceptual Site Plan to the Planning Board to take further testimony or reconsider its decision in accordance with the Order of Remand adopted by the Council. Where the Council approves a Conceptual Site Plan, it shall make the same findings which are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed.

(e) The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to the all persons of record, and the Planning Board.

(f) Where the Planning Board determines that it cannot comply with the prescriptions of an Order of Remand adopted by the District Council pursuant to this Section, the Planning Board's findings as to the reasons for its action, and its decision on the Plan shall be embodied in a resolution adopted at a regularly scheduled public meeting. 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.

Subdivision 3. Requirements for Detailed Site Plans.

Sec. 27-290. Appeal of Planning Board's Decision.

* * * * *

(d) Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or [return] remand the Detailed Site Plan to the Planning Board to take further testimony or reconsider its decision in accordance with the Order of Remand adopted by the Council. Where the Council approves a Detailed Site Plan, it shall make the same findings which are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed.

1 (e) The Council shall give its decision in writing, stating the reasons for its action. Copies
2 of the decision shall be sent to all persons of record, and the Planning Board.

3 (f) Where the Planning Board determines that it cannot comply with the prescriptions of
4 an Order of Remand adopted by the District Council pursuant to this Section, the Planning
5 Board’s findings as to the reasons for its action, and its decision on the Plan shall be embodied in
6 a resolution adopted at a regularly scheduled public meeting. The Planning Board’s adoption of
7 a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in
8 accordance with the procedures of this Section and Section 27-285 of this Subtitle.

9 **PART 8. COMPREHENSIVE DESIGN ZONES.**

10 **DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS.**

11 **Subdivision 1. Comprehensive Design Plans.**

12 **Sec. 27-523. Appeal.**

13 * * * * *

14 (d) Within sixty (60) days after the close of the Council's hearing, the Council shall affirm,
15 reverse, or modify the decision of the Planning Board, or [return] remand the Plan to the
16 Planning Board to take further testimony or reconsider its decision in accordance with the Order
17 of Remand adopted by the Council. Where the Council approves a Comprehensive Design Plan,
18 it shall make the same findings which are required to be made by the Planning Board. If the
19 Council fails to act within the specified time, the Planning Board's decision is automatically
20 affirmed.

21 (e) The Council shall give its decision in writing, stating the reasons for its action. Copies
22 of the decision shall be sent to all persons of record and the Planning Board.

23 (f) Where the Planning Board determines that it cannot comply with the prescriptions of
24 an Order of Remand adopted by the District Council pursuant to this Section, the Planning
25 Board’s findings as to the reasons for its action, and its decision on the Plan shall be embodied in
26 a resolution adopted at a regularly scheduled public meeting. The Planning Board’s adoption of
27 a resolution under this subsection shall constitute a decision of the Planning Board on the Plan in
28 accordance with the procedures of this Section and Section 27-522 of this Subtitle.
29

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

Adopted this 29th day of April, 2014.

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: _____
Mel Franklin
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.