

ACTION AGENDA

Wednesday, September 9, 2009

Business Meeting

(Legislative Day No. 23 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1:00 P.M. AGENDA BRIEFING – (ROOM 2027) -- *BRIEFING HELD*

1:59 P.M. CALL TO ORDER

INVOCATION: Pastor William T. Tucker, Jr., Remnant of Christ Ministries,
Temple Hills, Maryland

PLEDGE OF ALLEGIANCE

Designated **DESIGNATION OF SEPTEMBER 9, 2009 AS LEGISLATIVE DAY NO. 23**

ACKNOWLEDGEMENTS

- Moment of silence in observance of September 11, 2001

CONSIDERATION OF APPOINTMENT – (COUNCIL HEARING ROOM)

Appointment of the following individual to the Washington Suburban Sanitary Commission for Prince George's County:

Confirmed

Mr. Antonio L. Jones

Appointment

Replacing: Dr. Juanita D. Miller

Term Expiring: 6/1/2013

(Public hearing held 7/14/2009; favorably reported out of THE on 7/23/2009)

1. **CONSENT AGENDA – ADOPTED AND ALL ACTIONS APPROVED**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

(a) **First Reading of Bills (Presentation)**

Presented

CB-35-2009 - AN ACT CONCERNING RENTAL HOUSING for the purpose of amending provisions of the County Code relating to rental housing license suspension or revocation, requiring a landlord to begin eviction proceedings against a tenant that has received a certain number of disruptive conduct reports from the Police Department, defining disruptive conduct, and generally relating to rental housing.

Presented by Council Member Knotts; referral to THE

(b) **Introduction of Resolutions**

Introduced

CR-58-2009 - A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approves the petition of Richard H. and Peggy B. Dobson to establish an agricultural district.

The Chairperson (by request – Planning Board); referral to THE

Introduced by Council Member Bland

THIS RESOLUTION REQUIRES A PUBLIC HEARING

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

None

4. **SECOND READING OF BILLS – (INTRODUCTION)**

Introduced

CB-12-2009 – AN ACT CONCERNING HOUSING AND ZONING VIOLATIONS – CIVIL MONETARY FINES for the purpose of amending the schedule of civil monetary fines for Zoning Ordinance and Housing Code violations.

(Favorably reported out of THE on 7/23/2009)

Introduced by Council Members Turner and Dean

5. **PUBLIC HEARINGS:**

Public Hearing held

CR-46-2009 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2005, FY 2006, FY 2007, FY 2008 AND FY 2009 for the purpose of amending the Prince George's County FY 2005, FY 2006, FY 2007, FY 2008 and FY 2009 Annual Action Plans for Housing and Community Development to restructure and reprogram, and approve Community Development Block Grant ("CDBG") activities generally related to housing and community development.

(Introduced by Council Members Bland and Campos on 7/7/2009)

**TRANSPORTATION, HOUSING & THE ENVIRONMENT COMMITTEE MEETING
SCHEDULED THURSDAY, SEPTEMBER 10, 2009 AT 9:30 A.M.**

PUBLIC HEARINGS: (CONTINUED)

*Public Hearing
held*

CR-52-2009 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2009 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

(Introduced by Council Member Bland on 7/21/2009)

**TRANSPORTATION, HOUSING & THE ENVIRONMENT COMMITTEE MEETING
SCHEDULED THURSDAY, SEPTEMBER 10, 2009 AT 9:30 A.M.**

6. **PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING –
(ENACTMENT)**

*Public Hearing
held;
Final Action
deferred*

CB-13-2009 (DR-2) – AN ACT CONCERNING THE BUILDING CODE for the purpose of amending the Prince George's County Building ordinance, adopting certain amendments to the 2006 Edition of the International Building Code, International Mechanical Code, International Energy Conservation Code, and International Residential Code for One and Two-Family Dwellings, and amending certain Sections to include modifications as it relates to building standards.

(Introduced by Council Members Turner, Harrison, and Dean on 7/14/2009; favorably reported out of PZED on 7/7/2009 with amendments)

*Public Hearing
held;
Amended;
DR-3 Enacted*

CB-28-2009 (DR-2) – AN ORDINANCE CONCERNING ADULT BOOK STORES AND/OR ADULT VIDEO STORES for the purpose of revising the definition of adult book store; establishing certain timeframes and administrative procedures for processing adult book store and/or adult video store use and occupancy permit applications; extending the time period that adult book stores and/or adult video stores may continue in operation; continuing to permit adult book stores and/or adult video stores by right in the I-2 Zone, under certain circumstances; making additional legislative findings regarding adult book stores and/or adult video stores; increasing certain requirements for adult book stores and/or adult video stores; and generally relating to adult book stores and/or adult video stores.

(Introduced by Council Members Dernoga, Bland, Campos, Olson, Dean and Knotts on 7/21/2009; favorably reported out of PZED on 7/14/2009 with amendments)

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) – (CONTINUED)

*Public Hearing
held;
Amended;
DR-4 enacted*

CB-29-2009 (DR-3) – AN ACT CONCERNING ADULT BOOK STORES AND/OR ADULT VIDEO STORES for the purpose of providing a declaration of findings and policies regarding adult book stores and/or adult video stores; providing for the purpose and intent of this legislation; requiring adult book store and/or adult video store licenses; providing for the contents of an adult book store and/or adult video store license application; establishing certain timeframes and administrative procedures for processing adult book store and/or adult video store licenses; providing for certain zoning compliance; providing for the approval and denial of an adult book store and/or adult video store license; providing for the suspension and revocation of an adult book store and/or adult video store license, providing for appeals; and generally relating to adult book store and/or adult video store licensing.

(Introduced by Council Members Dernoga, Bland, Campos, Olson, Dean and Knotts on 7/21/2009; favorably reported out of PZED on 7/14/2009 with amendments)

AMENDMENT # 1 TO CB-29-2009 (DR-3)

*Public Hearing
held;
Enacted*

CB-24-2009 (DR-2) – AN ACT CONCERNING REGULATION OF USES WITHIN THE PUBLIC RIGHTS-OF-WAY for the purpose of providing for the regulation and administration of uses within the public rights-of-way, allowing for the use of the public right-of-way under certain circumstances, providing for a permitting process relating to uses within the public right-of-way, and providing for the enforcement of such regulations.

(Introduced by Council Members Dernoga and Olson on 7/14/2009; favorably reported out of THE on 6/25/2009 with amendments)

7. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

*DR-2
substituted;
Final action
deferred*

CR-13- 2009 (DR-2) - A RESOLUTION CONCERNING SCHEDULE OF MISCELLANEOUS BUILDING PERMIT FEES for the purpose of adopting a schedule of miscellaneous building permit fees under the Building Code.

(Introduced by Council Member Bland on 3/31/2009; favorably reported out of PSFM on 7/14/2009 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

Deferred

**CR-57-2009 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES
ELEMENT OF THE PRELIMINARY BOWIE STATE MARC STATION
SECTOR PLAN AND PROPOSED SECTIONAL MAP AMENDMENT**

for the purpose of identifying inconsistencies between the Preliminary Bowie State MARC Station Sector Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities; and approving the inclusion of any new transportation proposals prior to the adopting of the sector plan by the Planning Board.

The Chairperson (by request – Planning Board)

To be introduced by:

**COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR
SUSPEND THE RULES PRIOR TO ADOPTION**

*Introduced;
Rules suspended;
Adopted*

**CR-59-2009 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES
ELEMENT OF THE PRELIMINARY CENTRAL US 1 CORRIDOR SECTOR
PLAN AND PROPOSED SECTIONAL MAP AMENDMENT**

for the purpose of identifying inconsistencies between the Preliminary Central US 1 Corridor Sector Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities, and approving the inclusion of any new transportation proposals prior to the adopting of the sector plan by the Planning Board.

The Chairperson (by request – Planning Board)

Introduced by Council Member Olson

**COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR
SUSPEND THE RULES PRIOR TO ADOPTION.**

*Introduced;
Rules suspended;
Adopted*

**CR-60-2009 – A RESOLUTION CONCERNING CHARTER REVIEW
COMMISSION AND COMPENSATION REVIEW BOARD**

for the purpose of establishing a Charter Review Commission to undertake a comprehensive study of the Charter and recommending appropriate changes, providing that the same body shall serve as the Compensation Review Board to study the rate of current compensation for the County Council and the County Executive and make recommendations regarding the amount of compensation, providing for the selection of the members thereof, and generally relating to the Charter Review Commission and the Compensation Review Board.

Introduced by Council Members Bland, Exum and Dean

MOTION REQUIRED TO SUSPEND THE RULES PRIOR TO ADOPTION

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

-None-

3:45 P.M.

RECESS

4:34 P.M.

COMMITTEE OF THE WHOLE – (ROOM 2027)

*Revised;
Referred for
preparation of
an approving
resolution with
revisions*

- **THE ADOPTED SUBREGION 5 MASTER PLAN AND ENDORSED SECTIONAL MAP AMENDMENT**

*Revised;
Amendment #1
approved;
Referred for
preparation of
an approving
resolution with
revisions*

- **THE ADOPTED SUBREGION 6 MASTER PLAN AND ENDORSED SECTIONAL MAP AMENDMENT**

SEPARATE VOTE REQUIRED FOR AMENDMENT #1 - (6 VOTES REQUIRED)

7:40 P.M.

RECONVENE – (COUNCIL HEARING ROOM)

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced;
Rules
Suspended;
Adopted*

CR-61-2009 – RESOLUTION CONCERNING THE SUBREGION 5 MASTER PLAN AND SECTIONAL MAP AMENDMENT for the purpose of approving, with revisions, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Subregion 5 Master Plan and Sectional Map Amendment, thereby defining long-range land use and development policies and setting forth detailed zoning proposals in Planning Areas 81A, 81B, 83, 84, and 85A for the area generally bounded by Andrews Air Force Base (to the north) and Charles County (to the south), and between these boundaries, the Potomac River, Gallahan Road, Old Fort Road, Steed Road, Allentown Road and Tinkers Creek (to the west), and Piscataway Creek, a PEPCO electric utility right-of-way and the Pope's Creek CONRAIL railroad (to the east).

(Verbal C.O.W. report to be provided)

Introduced by Council Member Bland

Deferred

CR-62-2009 – A RESOLUTION CONCERNING SUBREGION 6 MASTER PLAN AND SECTIONAL MAP AMENDMENT for the purpose of approving with amendments, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Master Plan and Sectional Map Amendment (SMA) for Subregion 6, thereby defining long-range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Areas 77, 78 (excluding that portion included in the 2007 Approved Westphalia Sector Plan), 79, 82A, 82B, 85B, 86A, 86B, 87A and 87B for the area generally bounded by the Patuxent River (East), the Charles County line (South), the Conrail Line, PEPCO powerline right of way, Piscataway Creek, Andrews Air Force Base, Old Alexandria Ferry Road, Branch Avenue, Allentown Road, Interstate 95/495, Pennsylvania Avenue, Ritchie Marlboro Road (West), White House Road, Largo Road, Watkins Park Drive, Oak Grove Road, Leeland Road, US 301 and District Branch (North).

(Verbal C.O.W. report to be provided)

To be introduced by:

7:50 P.M.

JOINT PUBLIC HEARING – (COUNCIL HEARING ROOM)*Public Hearing
held***PRINCE GEORGE’S COUNTY PLANNING BOARD OF THE MARYLAND-
NATIONAL CAPITAL PARK AND PLANNING COMMISSION AND THE
PRINCE GEORGE’S COUNTY COUNCIL SITTING AS THE DISTRICT
COUNCIL****PRELIMINARY SUBREGION 4 MASTER PLAN AND PROPOSED
SECTIONAL MAP AMENDMENT
(PLANNING AREAS 72, 75A AND 75B)**

Pursuant to the provisions of Article 28 of the Annotated Code of Maryland and the Zoning Ordinance of Prince George’s County, being also Subtitle 27 of the Prince George’s County Code, the Prince George’s County Council, sitting as the District Council, and the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission, joint public hearing to receive testimony regarding the preliminary plan generally located within portions of Planning Areas 72, 75A and 75B in accordance with the recommendations of the *Preliminary Subregion 4 Master Plan and Proposed Sectional Map Amendment (SMA)*. The master plan area is generally bounded by US 50 and the CSX rail line on the north, I-495 on the east, Suitland Parkway on the south and the District of Columbia border on the west.

(SEE SEPARATE ACTION AGENDA)

9:36 P.M.

ADJOURN**REMINDER**

Thurs., Sept. 10, 2009	9:30 a.m.	THE Committee Meeting (Room 2027)
Mon., Sept., 14, 2009	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)
Tues., Sept. 15, 2009	1:00 p.m.	County Council Agenda Briefing (Room 2027)
	1:30 p.m.	Call to Order (Council Hearing Room)
	7:00 p.m.	Joint Public Hearing (Central US 1 Corridor Sector Plan and SMA) (Council Hearing Room)