April 21, 2025

The Honorable Edward P. Burroughs, III
Chair. Prince George's County Council
Wayne K. Curry Administration Building
1301 McCormick Drive
Largo, MD 20774

RE: LDR-61-2025

Dear Chair Burroughs:

As required by the County's legislative amendment process for amendments to the Zoning Ordinance (Section 27-3501), the Planning Board held a public hearing on April 17, 2025, to receive comments on proposed Legislative Drafting Request LDR-61-2025.

During discussion of LDR-61-2025, there was public support and opposition of the proposed bill. Following discussion of LDR-61 the Planning Board approved a motion adopting the findings contained in the Planning Department Technical Staff Report. This motion constituted a Planning Board recommendation for the proposed legislation of NO POSITION.

Planning Board Proposed Amendments:

Following review of LDR-61-2025, the Department has offered the necessary technical drafting convention edits for this proposed bill in Section II, above. As to the substantive aspects of the bill, the Department has no amendments at this time and requests to coordinate with the bill's sponsor to better understand the underlying concerns and work toward more effective outcomes than LDR-61-2025 would engender.

Additional Discussion:

At the hearing five (5) speakers spoke in support and opposition to the bill.

Those in support, supported the bill as written:
- Dan Smith, citizen
- Henry Wixson, Pres. Glendale Citizen Association

Those in opposition:
- Matt Tedesco, McNamee Hosea, PA, opposed as this bill ties planning (master plans) to the zoning ordinance which is not the intent of master plans; offers no method to handle conflicts and would enable DSPs to be denied at the end of the permit review process. He wants the Planning Board to adopt the Jan 2023 analysis and the Zoning Hearing Examiners analysis of Jan 2023.

- Peter Smith, Lerch, Early & Brewer, Chtd, agreed with Mr. Tedesco's statements.
- Norman Rivera, Law Offices of Norman D. Rivera, LLC, doesn't want the existing process to change.

After hearing from five speakers, the Planning Board elected to make the motion described above. The link to the public hearing video may be found under the hearing date at https://www.mncppc.org/883/Watch-Meetings.

Legislative Amendment Decision Standards:

The advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the County Council sitting as the District Council and is not controlled by any one factor. Within each zone listed in the Classes of Zones (Section 27-4102), the district council may regulate the construction, alteration, and uses of buildings and structures and the uses of land, including surface, subsurface, and air rights. The provisions for each zone shall be uniform for each class or kind of development throughout the zone, and no legislative amendment may create different standards for a subset of properties within a zone, unless such standards are necessary to implement development policies within the applicable Area Master Plan, Sector Plan, development policies of the General Plan, or other approved development district; however, any differentiation of a subset of properties within a zone shall be reasonable and based upon the public policy to be served.

Based on the above preliminary assessment, the Department finds that LDR-61-2025 applies evenly across every zone in which a DET or SPE is required, resulting in uniformity for each class or kind of development throughout the zone.

As always, Planning Department staff members are available to work with the Council and your legislative staff on any pertinent legislative matters. Please let us know if we may be of further assistance.

Should you have questions, please do not hesitate to contact the Office of the Planning Director at 301-952-3594. Thank you, again, for your consideration.

Sincerely,

Peter A. Shapiro
Chair