

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**SITTING AS THE DISTRICT COUNCIL**

Legislative Session \_\_\_\_\_ 1991 \_\_\_\_\_

Bill No. \_\_\_\_\_ CB-95-1991 \_\_\_\_\_

Chapter No. \_\_\_\_\_ 69 \_\_\_\_\_

Proposed and Presented by Council Members Del Giudice and  
Fletcher

Introduced by Council Members Del Giudice, Fletcher,  
Bell, Castaldi, Casula and Mills

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_ November 5, 1991 \_\_\_\_\_

**ZONING BILL**

AN ORDINANCE concerning

Notice to Municipalities

FOR the purpose of providing more notice to municipalities of  
certain zoning applications and public hearings.

BY repealing and reenacting with amendments:

- Sections 27-143,
- 27-150,
- 27-159,
- 27-166,
- 27-179,
- 27-186,
- 27-199,

27-206,  
 27-213.6,  
 27-213.12,  
 27-239.1,  
 27-296,  
 27-304, and  
 27-588,

The Zoning Ordinance of Prince George's County, Maryland,  
 being also

**SUBTITLE 27. ZONING.**

The Prince George's County Code  
 (1987 Edition, 1990 Supplement).

SECTION 1. BE IT ENACTED 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 Sections 27-143, 27-150, 27-159, 27-166, 27-179, 27-186, 27-199, 27-206, 27-213.6, 27-213.12, 27-239.1, 27-296, 27-304, and 27-588 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 2. ZONING MAP AMENDMENTS.**

**Subdivision 1. Conventional Zones.**

**Sec. 27-143. Applications.**

\* \* \* \* \*

**(c) Other submission requirements**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(G) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, and if any part of the property which is the subject of the application is located within a municipality, the name and address of the municipality, as well as the name and address of all municipalities located within one (1) mile of the subject property, and a set of preaddressed envelopes or mailing labels; and

\* \* \* \* \*

**Sec. 27-150. Notice.**

**(a) Notice of public hearing**

(1) Within a reasonable time after an application is accepted by the Planning Board, the Planning Board (or its designee) shall so advise the Zoning Hearing Examiner. The Planning Board shall also notify (by certified mail) each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. [This requirement may be met either by individual notice of only those specific applications affecting each municipality, or by providing each municipality a list of all applications filed that month, as specified in Subsection (d) herein.] After designating a

date for the public hearing, the Zoning Hearing Examiner shall notify the applicant, all other persons of record, any municipality within which the property is located, any municipality within one (1) mile of the subject property, and the Planning Board of the hearing date.

\* \* \* \* \*

**Subdivision 2. R-P-C Zone.**

**Sec. 27-159. Applications.**

\* \* \* \* \*

**(c) Other submission requirements**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(H) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, each municipality in which any part of the property which is the subject of the application is located, and each municipality located within one (1) mile of the subject property, and a set of preaddressed envelopes or mailing labels; and

\* \* \* \* \*

**Sec. 27-166. Notice.**

**(a) Notice of public hearing**

(1) Within a reasonable time after an application is accepted by the Planning Board, the Planning Board (or its designee) shall so advise the Zoning Hearing Examiner. The Planning Board

shall also notify (by certified mail) each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. [This requirement may be met either by individual notice of only those specific applications affecting each municipality, or by providing each municipality a list of all applications filed that month, as specified in Subsection (d) herein.] After designating a date for the public hearing, the Zoning Hearing Examiner shall notify the applicant, all other persons of record, any municipality within which the property is located, any municipality located within one (1) mile of the subject property, and the Planning Board of the hearing date.

\* \* \* \* \*

**Subdivision 3. Comprehensive Design Zones.**

**Sec. 27-179. Applications.**

\* \* \* \* \*

**(c) Other submission requirements**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(J) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels.

\* \* \* \* \*

**Sec. 27-186. Notice.**

**(a) Notice of public hearing**

(1) Within a reasonable time after an application is accepted by the Planning Board, the Planning Board (or its designee) shall so advise the Zoning Hearing Examiner. The Planning Board shall also notify (by certified mail) each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. [This requirement may be met either by individual notice of only those specific applications affecting each municipality, or by providing each municipality a list of all applications filed that month, as specified in Subsection (d) herein.] After designating a date for the public hearing, the Zoning Hearing Examiner shall notify the applicant, all other persons of record, any municipality within which the property is located, each municipality located within one (1) mile of the subject property, and the Planning Board of the hearing date.

\* \* \* \* \*

**Subdivision 4. M-X-T Zone.**

**Sec. 27-199. Applications.**

\* \* \* \* \*

**(c) Other submission requirements**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(G) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels;

\* \* \* \* \*

**Sec. 27-206. Notice.**

(a) **Notice of public hearing**

(1) Within a reasonable time after an application is accepted by the Planning Board, the Planning Board (or its designee) shall so advise the Zoning Hearing Examiner. The Planning Board shall also notify (by certified mail) each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. [This requirement may be met either by individual notice of only those specific applications affecting each municipality, or by providing each municipality a list of all applications filed that month, as specified in Subsection (d) herein.] After designating a date for the public hearing, the Zoning Hearing Examiner shall notify the applicant, all other persons of record, any municipality within which the property is located, each municipality located within one (1) mile of the subject property, and the Planning Board of the hearing date.

\* \* \* \* \*

**Subdivision 5. Transit District Overlay Zone.**

**Sec. 27-213.6. Amendment of Approved Transit District Overlay Zone.**

\* \* \* \* \*

**(b) Application**

\* \* \* \* \*

**(3) Other submission requirements**

(A) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(viii) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels;

\* \* \* \* \*

**(d) Informational mailing**

(1) Within thirty (30) days after an application is filed, the Planning Board shall send a letter regarding the pending application by certified mail to all adjoining property owners, including those properties directly across a street, alley, or stream and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. The letter shall include the applicant's and owner's names and addresses, the application number, property description and location, and the



nature of the request. It shall also advise where to obtain additional information regarding the application and the hearing.

\* \* \* \* \*

**Sec. 27-213.12. Amendment of Approved Chesapeake Bay Critical Area Overlay Zones.**

\* \* \* \* \*

**(b) Application**

\* \* \* \* \*

**(3) Other submission requirements**

(A) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(viii) The names and addresses of all adjoining property owners, and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality; and

\* \* \* \* \*

**DIVISION 5. APPEALS AND VARIANCES.**

**Subdivision 3. Departures from Design Standards.**

**Sec. 27-239.1. Departures from Design Standards.**

\* \* \* \* \*

**(b) Procedures**

**(1) Application**

\* \* \* \* \*

(B) Along with the application, the applicant shall

submit the following:

\* \* \* \* \*

(iii) A list of the names and addresses of each municipality if any part of the property is located within the municipal boundaries and a set of preaddressed envelopes or mailing labels.

\* \* \* \* \*

**(4) Notice**

\* \* \* \* \*

(C) After an application is filed, the Planning Board shall send a letter regarding the pending application by certified mail to each municipality if any part of the property in the application is located within the municipal boundaries.

\* \* \* \* \*

**PART 4. SPECIAL EXCEPTIONS.**

**DIVISION 1. ADMINISTRATIVE PROCEDURES.**

**Subdivision 1. Applications.**

**Sec. 27-296. Application form and contents.**

\* \* \* \* \*

**(c) Other submission requirements**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(L) A list containing the names and addresses of each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one

(1) mile of the municipality, and a set of preaddressed envelopes or mailing labels.

**Subdivision 3. Notice.**

**Sec. 27-304. Notice of public hearing.**

(a) Within a reasonable time after an application is accepted by the Planning Board, the Planning Board (or its designee) shall so advise the Zoning Hearing Examiner. The Planning Board shall also notify (by certified mail) each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality. [This requirement may be met either by individual notice of only those specific applications affecting each municipality, or by providing each municipality a list of all applications filed that month, as specified in Section 27-306.] After designating a date for the public hearing, the Zoning Hearing Examiner shall notify the applicant, all other persons of record, any municipality within which the property is located, each municipality located within one (1) mile of the subject property, and the Planning Board of the hearing date.

\* \* \* \* \*

**PART 11. OFF-STREET PARKING AND LOADING.**

**DIVISION 4. EXCLUSIONS, WAIVERS AND DEPARTURES.**

**Sec. 27-588. Departures from number of parking and loading spaces required.**

\* \* \* \* \*

**(b) Procedures**

**(1) Application**

\* \* \* \* \*

(B) The application form shall be accompanied by the following:

\* \* \* \* \*

(iii) A list containing the names and addresses of each municipality if any part of the property in the application is located within the municipal boundaries or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels.

\* \* \* \* \*

**(4) Notice**

**(A) Notice of public hearing**

(i) Notice of the date, time, and place of the hearing shall be sent to all persons of record, [and] any municipality within which the subject property is located[.], and each municipality located within one (1) mile of the subject property. Other than posting (see Subparagraph (B), below), additional notice may be provided by the Planning Board.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on December 31, 1991.

Adopted this 26th day of November, 1991.

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: \_\_\_\_\_  
Richard J. Castaldi  
Chairman

ATTEST:

\_\_\_\_\_  
Maurene W. Epps  
Acting 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.