

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session

Resolution No. CR-136-2021

Proposed by The Chair (by request - Planning Board)

Introduced by Council Members Hawkins, Turner, Glaros, Harrison, Davis,
Taveras, Franklin, and Streeter

Co-Sponsors _____

Date of Introduction November 29, 2021

RESOLUTION

1 A RESOLUTION concerning

2 The Countywide Sectional Map Amendment

3 For the purpose of approving, as an Act of the County Council of Prince George’s County,
4 Maryland, sitting as the District Council, the Countywide Sectional Map Amendment (“CMA”).

5 WHEREAS, upon approval by the District Council, this CMA will amend the Prince
6 George’s County Zoning Ordinance and the Zoning Map for that portion of the Maryland-
7 Washington Regional District in Prince George’s County, Maryland; and

8 WHEREAS, the County Council of Prince George’s County, Maryland, sitting as the
9 District Council, adopted CB-13-2018, CB-15-2018, and CB-65-2018, consisting of a new
10 Zoning Ordinance, Subdivision Regulations, and Landscape Manual, respectively, and being also
11 Subtitles 27 and 24 of the Prince George’s County Code, on October 23, 2018; and

12 WHEREAS, the Landscape Manual is part of Subtitle 27, being also the Zoning Ordinance,
13 by reference contained therein; and

14 WHEREAS, in adopting CB-13-2018, CB-15-2018, and CB-65-2018, the County Council
15 of Prince George’s County, Maryland, sitting as the District Council, recognized the need to
16 approve a CMA to apply the appropriate zoning classification within the new Ordinance to each
17 parcel of real property in the County before CB-13-2018, CB-15-2018, and CB-65-2018 can take
18 effect; and

19 WHEREAS, the County Council of Prince George’s County, Maryland, sitting as the
20 District Council, adopted CB-14-2018, which establishes Part 19 of Subtitle 27 of the Prince

1 George’s County Code, being also the Zoning Ordinance of Prince George’s County on October
2 23, 2018; and

3 WHEREAS, Part 19 of the Zoning Ordinance, being also Subtitle 27 of the Prince George’s
4 County Code (2019 Ed., 2020 Supp.), establishes specified procedures for the preparation,
5 publication, consideration, and approval of the comprehensive amendment of the County Zoning
6 Map, for the zoning reclassification of land located within all Planning Areas of the Maryland-
7 Washington Regional District within Prince George’s County, Maryland, in accordance with
8 those zoning classifications set forth within the replacement Zoning Ordinance adopted by the
9 County Council of Prince George’s County, Maryland, sitting as the District Council, on October
10 23, 2018; and

11 WHEREAS, the specific purposes of the CMA are established in Section 27-1900(a) of the
12 Zoning Ordinance and are restated as follows:

- 13 (1) To apply zoning categories contained in Prince George’s County’s new Zoning
14 Ordinance to all real property in Prince George’s County;
- 15 (2) To provide for a comprehensive and systematic rezoning procedure that bridges the gap
16 between the abrogation date of this Zoning Ordinance and the effective date of the new
17 Zoning Ordinance;
- 18 (3) To limit piecemeal rezoning;
- 19 (4) To notify landowners, municipalities, special governed taxing districts, developers,
20 civic associations, agencies, and other County stakeholders of the zoning changes
21 impacting real property;
- 22 (5) To provide the necessary foundation the new Zoning Ordinance requires before it can
23 become effective; and
- 24 (6) To efficiently and effectively rezone all property in the County in all Planning Areas
25 comprehensively and systematically, in a timely manner, and in accordance with all
26 applicable State and local laws; and

27 WHEREAS, the approved Planning Department Work Program continues to include
28 preparation of a CMA for the zoning reclassification of land located within all Planning Areas of
29 the Maryland-Washington Regional District within Prince George’s County, Maryland; and

1 WHEREAS, the District Council adopted CR-27-2019 on July 23, 2019, thereby initiating
2 the CMA, endorsing the Goals, Concepts, Guidelines and Public Participation Program as
3 proposed by the Planning Board staff; and

4 WHEREAS, on July 23, 2019, the District Council approved the Council's Approved
5 Guide to New Zones, which directed the Planning Board staff how to prepare the preliminary
6 zoning map pursuant to clear mandates designed to facilitate the technical reclassification of land
7 from the current zone to the closest new zone contained in the replacement Zoning Ordinance
8 adopted by the County Council of Prince George's County, Maryland, sitting as the District
9 Council, on October 23, 2018; and

10 WHEREAS, the Planning Board staff, as part of the CMA's Public Participation Program,
11 held three regional education sessions on November 7, November 21, and November 23, 2019;
12 held numerous meetings with community and agency stakeholders including civic association
13 discussions, municipal briefings, meetings with municipal, county, state, and regional agencies,
14 and others; and established a robust virtual presence consisting of virtual office hours, a
15 dedicated email address and phone number, and staff availability leading to several thousand
16 individual and small group interactions; and

17 WHEREAS, due to the ongoing COVID-19 emergency, duly advertised joint public
18 hearings on the preliminary CMA zoning map initially scheduled for March 23, 2020, and
19 November 19, 2020, were postponed; and

20 WHEREAS, certain legal requirements also contributed to the postponement of the duly-
21 advertised joint public hearing initially scheduled for November 19, 2020; and

22 WHEREAS, on July 21, 2020, the Council enacted CB-33-2020 and adopted CR-57-2020
23 to amend the Zoning Ordinance and District Council Rules to allow for public hearings to be
24 conducted virtually or remotely; and

25 WHEREAS, on May 30, 2021, Maryland State House Bill 980 ("HB 980"), being also
26 Chapter 429, 2021 Laws of Maryland, was enacted under Article II, Section 17(c) of the
27 Maryland Constitution, making certain revisions to state law including prohibiting the Prince
28 George's County Planning Board from recommending, and the District Council from approving,
29 any requests made by or on behalf of any person for zone intensification that differs substantially
30 from the applicable zoning category or classification recommended in the Proposed Guide to
31 New Zones adopted by the District Council on July 16, 2019; and

1 WHEREAS, the District Council and Planning Board held duly-advertised joint public
2 hearings on the preliminary CMA zoning map on September 13 and September 14, 2021,
3 respectively; and

4 WHEREAS, the Planning Board held a work session to consider the public hearing
5 testimony on October 28, 2021; and

6 WHEREAS, on October 28, 2021, the Planning Board, in response to the public hearing
7 testimony and pursuant to the requirements of CR-27-2019 and Maryland State House Bill 980,
8 endorsed the CMA with revisions limited to demonstrations of error in the public record, as
9 described in Prince George's County Planning Board Resolution PGCPB No. 21-133, and
10 transmitted the endorsed CMA to the District Council on October 28, 2021; and

11 WHEREAS, on November 8 and November 15, 2021, respectively, the District Council
12 held work sessions sitting as the Committee of the Whole to review the public record for the
13 CMA, including the Planning Board's recommendations on the public hearing testimony; and

14 WHEREAS, in accordance with the provisions of Title 25, Land Use Article, Maryland
15 Annotated Code, the Council, sitting as the Committee of the Whole, considered and voted by
16 supermajority on November 15, 2021, to approve the recommendations of the Planning Board
17 within the Endorsed CMA as to ten (10) individual requests submitted by municipal corporations
18 as to land within the Regional District in the County, as set forth in Attachments A through J to
19 this Resolution, which are hereby incorporated as if fully set forth herein; and

20 WHEREAS, on November 15, 2021, the Council, sitting as Committee of the Whole,
21 further voted 9-0 to direct its staff to prepare a Resolution of Approval as to the CMA, including
22 its direction as to the ten (10) individual requests submitted by municipal corporations; and

23 WHEREAS, in accordance with the provisions of HB 980, being also Chapter 429, 2021
24 Laws of Maryland, prior to the adoption of this Resolution, the Clerk of the Council has received
25 and made note in the public record that Council Members have complied with the prescriptions
26 of Section 2 of HB 980 (Ch. 429, 2021 Laws of Maryland).

27 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
28 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
29 Regional District in Prince George's County, Maryland, that the Countywide Sectional Map
30 Amendment for Prince George's County as endorsed on October 28, 2021, by PGCPB No. 21-
31 133, be and the same is hereby APPROVED.

1 BE IT FURTHER RESOLVED that, in accordance with the prescriptions of Title 25, Land
2 Use Article, the ten (10) zoning requests submitted by municipal corporations, as set forth in
3 Attachments A through J hereto and incorporated herein by reference, be and the same are
4 hereby DENIED, consistent with the District Council's approved Zoning Decision Matrix within
5 CR-27-2019; consistent with the prescriptions of Section 2, Ch. 429, 2021 Laws of Maryland
6 (HB 980); and consistent with the respective recommendations of the Prince George's Planning
7 Board in the Endorsed CMA via adoption of PGCPB No. 21-133.

8 BE IT FURTHER RESOLVED that the planning staff is authorized to make appropriate
9 textual, graphical, and map revisions to correct identified errors, reflect updated information and
10 revisions, and incorporate the zoning map changes reflected in this Resolution.

11 BE IT FURTHER RESOLVED that the provisions of this Resolution are hereby declared to
12 be severable; and, in the event that any zoning map revision, section, subsection, paragraph,
13 subparagraph, sentence, clause, phrase, or word of this Resolution is declared invalid or
14 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
15 not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs,
16 subsections, sections, or zoning map revisions of this Resolution, since the same would have
17 been enacted without the incorporation of this Resolution of any such invalid or unconstitutional
18 word, phrase, clause, sentence, paragraph, subparagraph, subsection, section, or zoning map
19 revision.

20 BE IT FURTHER RESOLVED that this Countywide Sectional Map Amendment is an
21 amendment to the Zoning Ordinance and to the official Zoning Map for the Maryland-
22 Washington Regional District in Prince George's County. The zoning changes approved by this
23 Resolution shall be depicted on the official Zoning Map of the County.

24 BE IT FURTHER RESOLVED that this Resolution shall take effect on April 1, 2022.

25 BE IT FURTHER RESOLVED that other legislation conditionally effective on the
26 effective date of the Countywide Sectional Map Amendment ("CMA") shall also take effect on
27 April 1, 2022.

Adopted this 29th day of November, 2021.

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: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council