

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2017 Legislative Session

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**Reference No.:** CB-094-2017

**Draft No.:** 2

**Committee:** PLANNING, ZONING AND ECONOMIC DEVELOPMENT

**Date:** 9/27/2017

**Action:** FAV (A)

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Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Harrison, Franklin, Glaros, Patterson, and Toles)

The Committee Director provided an overview of the legislation and informed the Committee of written referral comments that were received. Council Vice-Chair Glaros, the bill's sponsor, explained that CB-94-2017 is intended to enhance transparency through proposed new electronic posting requirements for certain development applications.

The Planning Board took no position on the legislation with suggested amendments explained in a September 21, 2017 letter to Council Chairman Davis as follows. On page 2, line 25, page 4, line 15, page 5, line 25 and page 7, line 13 add the words "The Planning Director shall publish the report on the Planning Department's website." Section 27-125.03 should be revised to read: "(3) Where the Planning Director is authorized to approve an application administratively, the Director shall give electronic notice of the application filed and accepted not later than seven (7) calendar days after the decision. The electronic notice shall contain the information required for signs posted pursuant to Section 27-125.03(b)(2)(B),(C),(D), of the Subtitle, and (2)(A),(E),(F) and (G) if applicable." This change will clarify when requirements apply for different application types. Section 27-125.04 is unclear on what type or form of new electronic notice would be required pursuant to Section 27-125.04(3). The Planning Board already generates and distributes a monthly activity report with all Planning Director level (administrative) and Planning Board development applications accepted each month. The report is distributed to County Council and published on the Planning Department's website.

The Office of Law reviewed CB-94-2017 and determined that it is in proper legislative form with no legal impediments to its enactment.

The Zoning and Legislative Counsel gave an overview of a Proposed Draft-2 (DR-2) prepared at the sponsor's request to address referral comments received. In Proposed DR-2, the language "The Planning Director shall publish the report on the Planning Department's website" is inserted in the appropriate sections as suggested by the Planning Board.

The Committee voted favorable including the amendments in Proposed DR-2 as well as additional clarifying amendments discussed during the worksession as follows: Page 2, Section 27-125.03 (b)(3), in the first sentence, strike "Notwithstanding any other provision of this Subtitle"; after "Where the Planning Director is authorized to approve an application

administratively,” insert “in addition to the required posting”; after “the Director shall” insert “also”; and at the end of subsection (b)(3) insert “as applicable”. Page 4, Section 27-244(d)(3), after “Electronic notice of the recommendation for certification shall”, insert “also”. In the last sentence of Sections 27-244(d)(3), 27-279(c)(6) and 27-289(c)(7), after “The Planning Director shall”, insert “also” and before “report”, insert “development activity”. The sentence then reads “The Planning Director shall also publish the development activity report on the Planning Department’s website.”