

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2019 Legislative Session

Resolution No. CR-26-2019
Proposed by Council Members Turner, Glaros and Davis
Introduced by Council Members Turner, Glaros, Davis, Harrison, Taveras and Hawkins
Co-Sponsors _____
Date of Introduction June 18, 2019

RESOLUTION

1 A RESOLUTION concerning

2 The Countywide Sectional Map Amendment

3 For the purpose of approving, as a legislative enactment of the District Council having the force
4 and effect of law, an amendment to clarify and extend the time for public comment and other
5 record testimony for consideration within the Countywide Sectional Map Amendment
6 procedures.

7 WHEREAS, pursuant to such express delegation of authority by the Maryland General
8 Assembly, and in accordance with applicable requirements of Article XI-A, Maryland
9 Constitution, the County Council of Prince George's County, Maryland, upon ratification of a
10 charter form of government by the qualified voters of the County, accrued certain exclusive
11 legislative authority, via the "Express Powers Act," being also Title 10, Local Government
12 Article, Annotated Code of Maryland, to enact laws in furtherance of the public safety, health,
13 and welfare of the citizens and residents residing within the jurisdictional boundaries of Prince
14 George's County; and

15 WHEREAS, by discreetly separate authority, the Maryland Legislature also bestowed upon
16 the Council certain specific duties and powers for the regulation of land and uses thereon, via the
17 provisions of Division II, Land Use Article, Annotated Code of Maryland (the "Regional District
18 Act"); and

19 WHEREAS, in furtherance of realizing a comprehensive update to the text of the Prince
20 George's County Zoning Ordinance, the District Council voted to approve a coordinated
21 legislative package for purposes of approving the preliminary text of an updated County Zoning

1 Ordinance, and to establish procedures in the local zoning laws to implement said changes to the
2 local zoning laws; and

3 WHEREAS, on October 23, 2018, the Council favorably approved CB-013-2018, the
4 replacement text for the Zoning Ordinance, being also Subtitle 27 of the Prince George's County
5 Code; and CB-015-2018, a comprehensive update to the County Subdivision Regulations, set
6 forth at Subtitle 24, Prince George's County Code; and

7 WHEREAS, the Council also approved CB-014-2018 on October 23, 2018, thereafter
8 Chapter 38, 2018 Laws of Prince George's County, to provide specific local procedures for the
9 implementation of the comprehensive updates to the local zoning and subdivision laws; and

10 WHEREAS, the new Zoning Ordinance consolidates and/or eliminates obsolete zones, and
11 sets forth certain criteria for the assignment of properties in the County within the revised
12 classifications of the new Zoning Ordinance; and

13 WHEREAS, it is the express legislative intent of the Council, via its enactment of CB-013-
14 2018, CB-014-2018, and CB-015-2018, respectively, that the comprehensive updates to the
15 Zoning Ordinance and County Subdivision Regulations will not take effect until the Council
16 approves, legislatively, a comprehensive zoning proposal to apply the zoning categories of the
17 new Zoning Ordinance to all properties within Prince George's County, while minimizing
18 potential for substantive change; and

19 WHEREAS, in furtherance of its goal to maximize transparency and to enhance
20 opportunities for public input on the Countywide Sectional Map Amendment process, the
21 District Council finds that there is a need to extend the time for public opportunity to comment
22 on the applicable zoning classification that may be proposed for the property; and

23 WHEREAS, while companion legislation to amend the codified text of Section 27-1902 of
24 the County Zoning Ordinance has been introduced and will be eligible for final action after
25 fourteen (14) working days, final action on the legislative act cannot be completed in a timely
26 manner; and

27 WHEREAS, it is the finding of the Council that a temporary legislative enactment is
28 needed to eliminate the 60-day limitation for receipt of rezoning requests from the public; and

29 WHEREAS, pursuant to prescriptions set forth in the local laws of the County, a Resolution
30 has the force and effect of law, but of a temporary or administrative character.

31 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's

1 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
2 Regional District in Prince George's County, Maryland, that, notwithstanding any requirement to
3 the contrary set forth in the local zoning laws, being also Subtitle 27, Prince George's County
4 Code, the 60-day limitation as to property owner/agent rezoning requests be and the same is
5 hereby SUSPENDED INDEFINITELY.

6 BE IT FURTHER RESOLVED that the proscription against consideration of rezoning
7 requests outside the 60-day property owner/agent request period within Section 27-1902(c)(4) be
8 and the same is hereby SUSPENDED INDEFINITELY.

9 BE IT FURTHER RESOLVED that the Clerk of the Council shall forward a copy of this
10 Resolution to the Maryland-National Capital Park and Planning Commission.

Adopted this 23rd day of July, 2019.

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: _____
Todd M. Turner
Chair

ATTEST:

Donna J. Brown
Acting Clerk of the Council