
By: **Montgomery County and Prince George's County Delegations**

Introduced and read first time: February 11, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-Washington Regional District - Prince George's County - Zoning**
3 **Text Amendments**
4 **MC/PG 11-99**

5 FOR the purpose of requiring the District Council of Prince George's County to refer
6 certain zoning text amendments to the governing body of a municipal
7 corporation for its recommendation under specified circumstances; requiring a
8 two-thirds vote of the District Council to approve a zoning text amendment that
9 is contrary to the recommendation of the municipal corporation; and generally
10 relating to certain zoning actions in the Prince George's County portion of the
11 Maryland-Washington Regional District.

12 BY repealing and reenacting, with amendments,
13 Article 28 - Maryland-National Capital Park and Planning Commission
14 Section 8-104(a)(3)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1998 Supplement)

17 BY adding to
18 Article 28 - Maryland-National Capital Park and Planning Commission
19 Section 8-104(c-1)
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 1998 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article 28 - Maryland-National Capital Park and Planning Commission**

25 8-104.

26 (a) (3) In Prince George's County the district council shall require:

1 (i) A two-thirds vote of all members of the district council to
2 approve a zoning map amendment if the zoning map amendment is contrary to an
3 approved master plan;

4 (ii) A two-thirds vote of all members of the district council to
5 approve a zoning map amendment, ZONING TEXT AMENDMENT, or a special exception
6 if the zoning map amendment, ZONING TEXT AMENDMENT, or special exception is
7 contrary to the recommendation of a municipal corporation that has any portion of
8 the land subject to the zoning map amendment, ZONING TEXT AMENDMENT, or
9 special exception within the municipal boundaries; and

10 (iii) A two-thirds vote of all members of the district council and a
11 four-fifths vote of all members of the planning board to approve an optional parking
12 plan if the optional parking plan is contrary to the recommendation of a municipal
13 corporation that has any portion of the land subject to the optional parking plan
14 within the municipal boundaries.

15 (C-1) IN PRINCE GEORGE'S COUNTY, BEFORE THE DISTRICT COUNCIL MAY
16 ADOPT A ZONING TEXT AMENDMENT THAT AFFECTS PROPERTY WITHIN THE
17 BOUNDARIES OF A MUNICIPAL CORPORATION IN THE COUNTY, THE DISTRICT
18 COUNCIL SHALL REFER THE PROPOSED ZONING TEXT AMENDMENT TO THE
19 GOVERNING BODY OF THE MUNICIPAL CORPORATION FOR ITS RECOMMENDATION.
20 THE GOVERNING BODY OF THE MUNICIPAL CORPORATION HAS 60 DAYS FROM
21 RECEIPT OF THE PROPOSED ZONING TEXT AMENDMENT TO MAKE THE GOVERNING
22 BODY'S RECOMMENDATION TO THE DISTRICT COUNCIL. FAILURE OF THE
23 GOVERNING BODY TO RESPOND TO THE DISTRICT COUNCIL WITHIN 60 DAYS SHALL
24 BE CONSIDERED APPROVAL OF THE PROPOSED ZONING TEXT AMENDMENT.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1999.