

## POSITION STATEMENT

**Bill:** HB 980 / PG 416-20 - Prince George's County – Public Ethics – Definition of Application

**Position:** Support With Amendments      **Date:** March 12, 2021  
Revised

**Contact:** Adrian R. Gardner, General Counsel

**What The Bill Does:** This bill would clarify an errant ambiguity in the ethics law that is preventing Prince George's County from implementing a 21ST century zoning ordinance.

**Why We Support:** The Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission ("Commission") joins County Executive Alsobrooks and the County Council in requesting this clarifying legislation because it would make no sense to mandate a case-by-case campaign finance report – for every fictional "*Application*" – as part of our massive county-wide process to rewrite a comprehensive zoning law that covers almost 500 square miles, more than 320,000 properties and about 100,000 property owners. The Commission supports eliminating the legal ambiguity because it creates unnecessary risks that are impeding both community expectations and the County's economic development agenda.

### A New Zoning Ordinance and Map

Zoning is the law that shapes the look and feel of our neighborhoods. It helps determine what uses, or physical activities, can occur on specific parcels of land in a community—like shopping, housing, manufacturing, or agricultural and the height, width, and size of buildings. Zoning law consists of two inter-related pieces – the zoning ordinance (code) and the zoning map.

After working with a bundle of zoning laws that had morphed over half a century into a Byzantine maze, and at least two failed attempts to revise the code over the years, a popular movement recently emerged to promote a total overhaul of our County's zoning laws. Grassroots supporters included local officials, community leaders, citizen activists, planners, developers and business people alike.

The new initiative to rewrite the zoning ordinance launched in 2014 – seven years ago – with an unprecedented campaign of public outreach and input. From the outset, Commission and county leaders articulated the benefits and goals of developing new zoning laws:

- Eliminate regulatory barriers to economic development
- Streamline approval for desired development – for transit stations, mixed use, infill projects

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- Encourage redevelopment in distressed areas
- Protect stable residential neighborhoods
- Implement “*Plan Prince George’s 2035*” (comprehensive land use plan)
- Modernize regulations
  - More user-friendly and streamlined
  - Incorporate best practices

### **Unprecedented Public Engagement and Support**

Stakeholder engagement has been at the core of the rewrite process. Since project inception, Commission staff and County leadership has overseen more than 400 interactive meetings – including public forums, focus groups, walking tours, listening sessions, social media feedback, technical groups, and public briefings with county officials. A dedicated project website attracted more than 40,000 unique visitors online. The Commission also touched every known household and property-owner with multiple mailings comprising about 1,200,000 pieces in total.

Thousands of people have spoken up during the hundreds of community meetings. For example, Marjorie Bowles of the Willow Grove Citizens Association explained:

*“I have wondered through all of this involvement and all of the public hearings, if there would ever be a final document that would ... actually make it easier for us to have sustainable development, affordable homes and jobs for our citizens. This is the plan that will level the playing field for all. It is clear and concise and we must not throw all this work out to satisfy a few... This [zoning rewrite] plan needs to be passed and the old zoning regulations which were ineffective, and could be changed at will, need to be thrown out.”*

Civic engagement for the rewrite included the unfettered input from dozens of municipal officials. As one example, speaking then as Mayor for the City of Bowie, G. Fred Robinson observed:

*“The Council wishes to thank you for the many opportunities to provide input on, and to help improve the content of, the Zoning Ordinance Rewrite. The process has always been very transparent and representative of continuous community engagement. Municipal stakeholders have truly added value to the final product, and we encourage you to approve the Zoning Ordinance Rewrite and its companion documents at the earliest opportunity.”*

Stakeholders from almost every walk of life have spoken and registered support. (More below)

### **Closing the Loop**

With new processes, zones, and terminology enacted in the County code, the final step for transition requires a new map – enacting a new map that simply “translates” the old zone assigned to each property into the new zones (e.g., terminology and names). Unfortunately, a question has been raised whether the campaign affidavit requirement is intended to apply to this county-wide mapping. It should not.

What remains now is clarification of the latent ambiguity – in the term “Application” – which does not amount to making a substantive change, but rather a clarification necessary to remove any risk or doubt.

The Commission’s Planning Board urges a favorable report and final enactment of this bill.

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**People Are Talking About the Zoning Rewrite**

“The [Zoning Rewrite] bills will enact a clear and modern zoning code that implements Plan Prince George’s 2035, and provides the needed guidance to foster world-class transit-oriented development around its 15 Metro stations, and throughout its other communities.”

Cheryl Cort, Policy Director, Coalition for Smarter Growth

“The zoning rewrite is long overdue and replaces the current outdated and cumbersome zoning law. Further, the proposed zoning rewrite greatly improves current law making, for business, a clearer development process.”

David C. Harrington, President and CEO, Prince George’s Chamber of Commerce

“These documents [Zoning Rewrite] are the result of a tremendous body of work from various planning staff, municipality representatives, community representatives, and developers... For our tax dollars, Prince Georgians deserve the same benefits and access as other residents in the region.”

Teena Green, Citizen

“The City continues to support the overall objectives of the [Zoning Rewrite] project with regard to streamlining the development review process, modernizing the subdivision and zoning regulations, incentivizing high quality development to support economic development and protecting and enhancing the County’s neighborhoods.”

Emmett V. Jordan, former Mayor, City of Greenbelt.

“We feel that the most recent version of the Zoning Ordinance is a significant improvement on our current zoning ordinance and that it will help meet both our goals for this rewrite...and the County’s.”

Sydney Daigle, Director, Prince George’s County Food Equity Council

“We wish to extend our support for the [rewrite] under consideration. We believe the updated zoning will support the county’s pursuit of transit-oriented development and more walkable communities.”

Melissa Bondi, State & Local Policy Director, Enterprise Community Partners, Inc.

“If we want the appropriate development at our metro sites, we need this document implemented now. We want better development, more citizen buy-in earlier in the process and clearer guidelines. Please pass this legislation.”

Sarah Cavitt, President, The Indian Head Highway Area Action Council, Inc.